

*The Address—Mr. Breton*

My hon. friend from Three Rivers (Mr. Balcer), in the course of previous debates, urged, on several occasions, the federal government to convene a federal-provincial conference in order to find a solution to the constitutional problems, thus suggesting that there was ill will on the part of the present government. And yet, Mr. Speaker, the Right Hon. L. S. St. Laurent has, since 1949, shown himself desirous of finding solutions to our constitutional problems; and he has succeeded with regard to matters within the exclusive jurisdiction of the federal government.

As far as federal-provincial relations are concerned, I find myself compelled to contradict my colleague. I shall quote opinions showing that the federal government did not show any ill will on the matter of federal-provincial amendments to the constitution, but that it was rather the lack of understanding between the provinces that delayed those amendments.

For instance, Reverend Father Arès, one of the distinguished members of the Tremblay commission that is investigating constitutional problems, in an analysis of the reports of the federal-provincial conference held in Quebec in 1950, said, as reported at the time in *Relations*, that the failure of that conference did not result from obstruction on the part of the federal government, but rather from the lack of understanding among the provinces themselves.

Moreover when the Quebec chamber of commerce went before the present Prime Minister and asked him to call a federal-provincial conference, the chamber stated that they acknowledged the good will of the Prime Minister and his efforts towards conciliation. In that connection I now quote an article published in *La Presse* on February 26, 1953:

The chamber of commerce recognizes in its brief that "the lack of understanding was brought about because certain provincial administrations failed to put forth sufficiently concrete proposals". It recognizes that this forces the federal government and the other provinces "to give at least a temporary but concrete solution to the very real problems they now face".

I repeat the last sentence:

... a temporary but concrete solution to the very real problems they now face.

It has much sympathy for the position of the federal authorities in the matter. It notes with "satisfaction the conciliatory attitude" of the central government.

This goes to show that the other accusation, the last accusation made by the hon. member for Three Rivers, must be classed with the others, that it must be considered as futile and inaccurate.

Now, Mr. Speaker, as far as the amendments are concerned I see a difficulty which, to me, appears all but insuperable. I believe that to amend the constitution in so far as it relates to federal-provincial relations, the unanimous consent of the provinces is required.

If a majority of the provinces could by some unfortunate chance bring about an important constitutional amendment, the province of Quebec would find itself powerless to defend itself against the varying desires and aspirations of the other provinces. That is why I say that to require unanimous consent is still the best safeguard the province of Quebec can have. I will go so far as to say that if, acting unilaterally, the federal government was to amend the constitution with regard to federal-provincial relations, it would be incapable of doing so since, in the words of the premier of Quebec, what we have here is a pact and that such powers as the federal government has were originally delegated to it by the provinces.

In agreeing to the terms of the B.N.A. Act, each contracting province has waived a part of its autonomy in entrusting over-all powers to the federal government. It seems to me that the federal government could not, of its own accord or in order to please one province in particular, waive certain powers which have been entrusted to its authority by all contracting parties.

Now, Mr. Speaker, I note that, in the course of the debates which have been going on for the last few months on the constitution, figures have been submitted which included the municipalities in the amount of the total income of the various governments of this country. The introduction of the municipal element in the debates puts the problem in a false light, for the constitutional discussion, at the present time, must take place between the federal government and the provinces, and not between the federal government and the municipalities, the latter being creatures of the provinces from which they hold their rights and powers.

These municipalities did not get an increase in revenue comparable to that of the provinces and of the federal government, because