

*Unemployment Insurance*

the Minister of Justice (Mr. Lapointe) referred the matter to the courts. I refer to it to-day only in order to keep the record straight.

This party is pledged to the principle of unemployment insurance. We endeavoured to implement that pledge to the best of our ability, having regard to all the circumstances of the time; and the act might have been allowed to go into force and effect, as it could have been at least until it was attacked and set aside, because nearly all the machinery had been set up and one of the most capable men in Canada had been installed as the head of the scheme. May I suggest to the Prime Minister that he probably could not do better to-day, when he comes to establish his scheme, if, as and when he does establish it, than by making use of the services of the gentleman to whom I have referred. That however is merely in passing.

The act was attacked by way of reference to the Supreme Court of Canada and subsequently went to the privy council, and, as the Minister of Justice has correctly stated, the decision of that august body was that the pith and substance of the legislation was an invasion of property and civil rights. With that decision we must be content. Perhaps the Minister of Justice at a later stage will inform us whether any representations were made in opposition to the proposal and to the principle involved. Personally I have heard of none, although I do know that recently proposals have been suggested from other quarters looking to another form of insurance. So far as I am aware they are still in the nebulous stage; nothing concrete has reached me at any rate. The legislation passed by the government of Right Hon. R. B. Bennett was declared *ultra vires* in 1936. The decision was rendered by the Supreme Court of Canada on January 28, 1937, and the decision of the privy council, delivered by Lord Atkin, was to the effect that in reality, in pith and substance, the legislation was an invasion of civil rights. The effect of that has been that we have lost five years at least in which we might have built up the reserve fund which is so essential to the successful operation of this social scheme. However, the Prime Minister and his government must take the responsibility for that.

The scheme is now being put forward one further step. I agree with the method adopted by the government having regard to the legal decisions. I know that the question of concurrent jurisdiction, and the other methods to which the Minister of Justice has referred, have been explored on various occasions, and there is objection, from the point of view of the legal decisions to which he has alluded and to which it is not necessary that I should refer

[Mr. R. B. Hanson.]

further. The method adopted is that of amendment to our constitution, and I know of no surer means of giving powers to this federal parliament than by that method. I am not in favour of the attempt to delegate powers or to hoist ourselves by our bootstraps by assuming powers delegated from another jurisdiction—I will not say an inferior jurisdiction, because that might give offence in certain quarters. I have been attacked already on more than one occasion for having asserted the principle that we should have a strong central government. This motion, this address, is just another argument sustaining my position, that we ought to have a strong central government, because I cannot conceive of nine different systems of unemployment insurance in Canada. There must be a national system if we are to go that far, and I am further of the opinion that the passing of concurrent legislation would not be satisfactory. The passing of delegated authority would not be satisfactory, nor would the other methods to which the Minister of Justice has referred.

I am just wondering whether the Prime Minister will be able to give us any assurance that this address will be adopted and the legislation enacted at Westminster in time to make possible the enactment of a measure during the present session. I know this is a war session. I have the feeling that it is the intention of the government to get rid of parliament just as quickly as possible. I may be wrong in that; I may be doing hon. gentlemen opposite an injustice by even suggesting it. But it is understandable. Can the Prime Minister give us any assurance that the British parliament will give precedence to this measure? I am expressing no opinion; I have no opinion on that point.

This party is committed to the principle of unemployment insurance. Indeed if it had not been for hon. gentlemen opposite this country would have had it years ago; let there be no mistake about that.

I believe the Minister of Justice has adopted the proper method of attaining the end which the government now have in view. As far as we are concerned I promise the cooperation of this party in passing this address, and when the legislation itself comes down I promise him that we will examine the bill with the greatest care, will endeavour to strengthen it so far as may be necessary or desirable, and will in no way obstruct the principle of what is in my opinion very necessary social legislation for Canada.

Mr. M. J. COLDWELL (Rosetown-Biggart): This resolution I think does not require very long discussion. Following the suggestion of the leader of the opposition (Mr. Hanson), we hope that the government, when the resolu-