

The Address—Mr. Fleming

Mr. Cruickshank: Tell us about the iniquitous family allowances.

Mr. Fleming: I wish to refer to some of the things which were said then. I had the honour to follow the Prime Minister in that debate—

Mr. Cruickshank: The hon. member speaks every day.

Mr. Fleming: I pointed out the danger in remarks of that kind. Here is what I had to say at that time, and I am quoting from the daily edition of *Hansard* because a translation was given in the bound edition. It is to be found at page 2701 of the daily edition of *Hansard* of 1946.

Mr. Cruickshank: The hon. member spoke in French that day.

Mr. Fleming: Yes. And whether the hon. member likes it or not, I propose to read my remarks made in French on that occasion.

Mr. Cruickshank: What about the convention?

Mr. Fleming: I will say to the hon. member that I am happy about the results of the national convention of the Progressive Conservative party and I am happy in the selection of leader made by the convention.

Mr. Cruickshank: There will be another chance next year.

Mr. Deputy Speaker: Order.

Mr. Fleming:

(Translation):

Now the Minister of Justice says that there is no need to consult the provinces on redistribution. He contends that as long as an amendment of the constitution does not involve matters allocated in the British North America Act to the provincial jurisdiction, such as property and civil rights under section 92 of the act, the provinces have no right to be consulted by parliament.

(Text):

Mr. Cruickshank: Oh, oh.

Mr. Fleming: The hon. member seems to be getting some amusement out of this.

Mr. Cruickshank: Any time the hon. member talks nonsense, I get amusement.

Mr. Fleming: This is what I said:

(Translation):

This is a dangerous doctrine. Its full significance should be clearly understood. If parliament can bring about an amendment of section 51 of the constitution without consulting the provinces, it can also bring about without consulting the provinces amendments of other sections of the British North America Act. How long will the rights of minorities which are now guaranteed by the constitution be safe if this doctrine, expounded by the Minister of Justice, prevails? It would mean that parliament could, if it wished, bring about an amendment of section 133 of the British North America Act, and thereby eliminate the use of the French language in parliament—all without consulting the provinces.

Mr. Fleming:

Let us then be on our guard against creating so dangerous a precedent. The proposed increase in the number of members of parliament would be gained at too high a cost if it is to be acquired on that basis.

The British North America Act is not an ordinary statute to be amended at the whim of parliament. It is our national constitution; it contains the pact entered into by the old provinces at the time of confederation, binding the dominion and each province; and it is the great charter of the rights of minorities, particularly of those of the French tongue and culture. Let no bold hand be lightly laid on this constitution to overturn its provisions without consultation with the provinces.

Mr. Cruickshank: Hear! Hear!

(Text):

Mr. Fleming: I say with respect, Mr. Speaker, that the Prime Minister did not see fit either on that occasion or since to listen to such words of warning as were offered in good part by members of this house who appreciated the gravity of the remarks he was making. When a government has had power too long, and has had too much power, it ceases to be attentive to things that are said in the house by the representatives of the people and seeks shortcuts through the constitution to achieve the goal it has in mind; and shortcuts towards objectives, that are attained by driving through the constitution, are undesirable in a country like Canada. If the Prime Minister has cause for complaint in the fact that his words, which I have quoted, have become issues in many parts of Canada, the responsibility rests on his shoulders and on no others. And when he reminds us that the motto of the province of Quebec is "Je me souviens", meaning "I remember", I wonder if the province of Quebec did not nobly live up to its motto with regard to this subject and others at its last provincial election in July. For his personal motto I think the Prime Minister should choose "Je voudrais oublier", meaning "I should like to forget".

In the time that remains at my disposal I wish to say a word on the subject of radio broadcasting. In the speech from the throne we heard the announcement of the government's intention to appoint a royal commission. If the government intends to do that, it does not need to say so in the speech from the throne. It does not need to make it a matter of announcement in parliament. It may be interesting; but of course the government has that power of appointing royal commissions.

Here is a government that, on the eve of an election, is undertaking to say that it will appoint a royal commission to deal with some subjects that are greatly agitating the minds—and rightly so—of the people of Canada at the present time. There is in Canada a great deal of dissatisfaction about the whole method of the administration of radio broadcasting, the whole method of