

Motor vehicles were not known; aviation was a dream. The west was uninhabited except by Indians, half-breeds, fur dealers and roaming buffaloes. The population of British Columbia was very small since it was put down in 1871 to 45,000 of which number only about 9,000 were whites. Prince Edward Island had a population in 1861 of 80,857.

The Act was passed mainly as a compromise because the legislature was so deadlocked that nobody could form a government. We were then a colony with a governor who still received elaborate instructions from the colonial office. There was no question of our representation in foreign countries; we were not even allowed to negotiate our own treaties; there were British garrisons in our country; social reform was looked upon as the last word of dangerous radicalism.

We have since progressed very materially; our industries have been multiplied; our urban population has exceeded our rural population; the war and its dire consequences have appeared; Imperial Conferences have taken place; the British Commonwealth of Nations has been formed; the Statute of Westminster has altered our status. Most of the provinces have lived beyond their means, but they have let up on the autonomy principle in later years. Nobody will doubt that economic legislation in Canada is more difficult of introduction than in any other country in the world, on account of our dual system of government. The time has come, in my humble opinion, when the British North America Act, except as to minority rights, should be transformed and a new constitution more in conformity with present conditions should be adopted. Amendments here and there would be mere patchwork which could not last. The people of 1935 are different from those of 1867. What we want is a new constitution.

By what procedure should it be adopted?

Drafting a constitution is a serious matter, particularly in a federated country like Canada. Suggestions have to be weighed with calm deliberation and reconciled with the needs of the nation. Some plan embracing the whole life of the nation has to be accepted. Geography, natural resources, avenues of trade, transportation, social legislation and racial harmony have to be considered. It is idle to think that this can be done in the same formal way as an amendment to a public statute. The new constitution must leave nobody with a grievance. A spirit of conciliation should predominate. For these reasons, the task must be intrusted to an independent body in which all the elements of the country will be represented. I, therefore, beg to suggest an imposing Constituent Assembly formed of eminent men coming from all parts of Canada. Provincial conferences, attended by a few ministers meeting behind closed doors, would hardly satisfy public opinion. The debate should be public. I submit that a Constituent Assembly, chosen by the provincial legislatures and by the House of Commons, representing the main political parties and groups in proportion to the votes given at the last general elections, should meet in session at Winnipeg and discuss the constitution from all its angles.

I am not stressing Winnipeg. I want the assembly to sit in a city in the west. It would not be necessary for a delegate to be a member of parliament, or of a provincial legislature.

Constituent Assemblies have been resorted to for framing constitutions in many countries. One of the best known in history was the *Assemblée Constituante* which sat in Paris from 1789 to 1791 and drew up a new constitution for France. It consisted of 1,200 members. The population of France was then 24,800,000. The chairman was only elected for two weeks, as the assembly did not want to give too much authority to any of its members. The debate lasted from August 4, 1789, to September, 1791.