

Dominion-Provincial Relations

were not a minority government before the last election on an issue of this kind. The Prime Minister called that election declaring that he required a majority government to help him in his confrontations with the provinces. On an issue of this kind, I am quite confident he would always have a majority to support him. In any event, I made my position clear on this matter both before and during the election and I have not changed since.

Surely on a matter so important and crucial as this there can be no politics and no partisanship in this house. On this matter we cease to be Liberals or Conservatives or N.D.P. or Social Crediters or Creditistes; we are and we must act only as Canadians.

Mr. Warren Allmand (Notre-Dame-de-Grâce): Mr. Speaker, this motion asks the federal government to issue a white paper putting forward policy regarding federal-provincial responsibility in certain areas, namely, (1) manpower development, (2) the war on poverty including assistance, welfare and family allowances and (3) corporations and other institutions in the credit business. The three general areas mentioned, or the six if we include the subheadings under "war on poverty", are not explicitly mentioned in the divisions of jurisdiction under our present constitution.

With respect to manpower, whatever may be its definition it is not mentioned at all in the constitution. "War on poverty" is a phrase coined in the United States and has reference there to a comprehensive program for social and economic opportunity. Its purpose has been the elimination of poverty rather than stopgap periodic assistance. Sections 92(7) and (13) of our constitution refer to charities, civil rights, etc. and these sections have been interpreted to include wider programs of welfare and social security, but no consideration to date has even been given to a program as broad as the U.S. war on poverty.

Sections 91(2), (15) (16) and (19) cover trade and commerce, banks and interest, and the trade and commerce section has been interpreted to include the incorporation of companies irrespective of objects which would include companies in the credit business.

The significant thing in all these areas is that they have aspects which could fall under both federal and provincial jurisdiction. This is a natural phenomenon. In our modern complex world, human creation and conduct

are not easily categorized and certainly are not easily fitted into jurisdictional slots conceived 100 years ago. There are a few problems and needs today which can be approached and dealt with adequately under any one area of legislative jurisdiction. As a result of this situation most federal states have resorted to what is known as co-operative or creative federalism. Several areas of government, federal, provincial and even municipal, get together to attack a problem which because of its many legislative aspects could not be attacked alone.

In a federal system this approach is much more efficient and beneficial than one where the different levels battle for jurisdiction in the courts and elsewhere, although sometimes this will be the last necessary resort. It must be remembered that a constitution is meant to serve the political, economic and social needs of the people and is not to be used in political power plays for the political aggrandizement of politicians.

In the Speech from the Throne we have two references to the manpower department. It says that the manpower department is to be a conversion of the Department of Citizenship and Immigration and that the government will develop manpower policies which are essential to the sustained growth of a highly productive economy and to the elimination of pockets of poverty. There is no direct use of the phrase "war on poverty" but job retraining and mobility, education and rural reform have all been described by this term.

• (6:20 p.m.)

It is doubtful that anyone could speculate as to all the possible legislation that might be enacted under a manpower or poverty administration. Some projects may be clearly federal, others provincial and others questionable. I can see no objection to the government issuing a white paper indicating the general jurisdictional bases for these matters and I think this would be good, but I think it would be impossible to set out with any finality the strict lines of constitutional jurisdiction that this motion demands, especially under our present constitution which in my opinion is extremely inadequate.

It seems to me that we do require a broad and deep study of federal-provincial jurisdiction and the whole role and purpose of federalism in Canada, but such a study should consider all areas of jurisdiction and should be done by a committee of this house