

answer the Minister of Fisheries. Speaking in this house on November 25, 1932, at page 1594, Mr. Ralston said:

I submit, Mr. Speaker, although it cannot be done in connection with this bill, that the suggestion of my hon. friend from Quebec East (Mr. Lapointe)—

That suggestion was a submission to the conference of provincial premiers.

—might well be accepted by the right hon. Prime Minister, the matter might be made a subject of discussion at the interprovincial conference, and in view of the fact that constantly during the last two or three sessions there has been forecast the possibility of amendments to the British North America Act, it seems to me this subject is one which might well engage the attention of those framing these amendments and discussing the subjects to be dealt with thereby.

Mr. Lapointe's view was the view of Mr. Ralston. It was the view of Mr. Crerar too.

Now, I have cleared away the situation as I see it by bringing before the house the views expressed by outstanding statesmen, and I could multiply those expressions almost without number. I have not referred to similar statements made by Sir John A. Macdonald, Cartier, Blake, Sir Allen Aylesworth, Mr. McCarthy, former ambassador to the United States. All the way down the line minister of justice after minister has taken this view.

I suggest that a mere reading of *Hansard* will show that whether you regard the British North America Act as a contract, a statute, a treaty, or a pact, without exception—I repeat, without exception—outstanding leaders since confederation have agreed that no material alteration may be made without consultation with the provinces. I submit that what is proposed is a material alteration of a provision which was founded on the Quebec conference, reiterated at the London conference, and made part and parcel of the British North America Act. It was so viewed by Mr. Lapointe and by all the other leaders up to that time. As I have already said, section 51 was born in the deliberations of the Quebec conference, and it was confirmed at the London conference, which did not adopt all the recommendations of the Quebec conference. One of the recommendations of the Quebec conference was that the provinces should look after the redistribution and the determination of the boundaries of the constituencies. Section 51, by the very circumstances connected with it, ratified as it was by all our leaders since confederation, is of the essence of the contract, pact, treaty, or call it what you will, of confederation. I warn this house and the country that if parliament passes a resolution for an address changing a

basic section of the British North America Act without consultation with the provinces, it is doing what the leaders of the past up to and including Mr. Lapointe said could not be done without consultation with the provinces, namely, changing the basis of representation of any province.

For the moment the membership from the maritime provinces will not be decreased; but if that population, in relation to the whole population, decreases what is to prevent some future parliament, without consulting Prince Edward Island, Nova Scotia or New Brunswick, from passing an amendment removing the present limitation that the membership of a province may not fall below its representation in the senate? As a matter of fact Mr. Woodsworth, the distinguished predecessor of the present leader of the C.C.F. party, stated at page 1592 of *Hansard* for November 25, 1932:

There cannot be two or three different classes of Canadians in this country, with certain classes having superior rights to others. If a mistake was made in giving a fixed number of representatives to Prince Edward Island there is no reason why we should follow a bad precedent. The way to get away from that is to amend the British North America Act so that Prince Edward Island would have only its due number and not a number out of proportion to the rest of the country.

In this extraordinary resolution, Mr. Speaker, a precedent is being asked for the amendment of the confederation agreement and its basis. Parliament is being asked to change one of the sections—not a section thirty-one years old, but one going back to confederation itself—upon which confederation was based. The Conservative party, and the Progressive Conservative party, since confederation has believed in change based upon experience; but it believes that the constitution is the bedrock of the rights of minorities and will resist changes in that constitution, without consultation with the provinces, under which the rights of the provinces will be affected or under which minorities may be affected. Parliament is being asked to pass an address which to-morrow will become a precedent which may be used to destroy the rights of minorities if in this house there should be a majority desiring to do so. This is an example of the dangers inherent in not requiring consultation with the provinces about amendments not directly concerned with the division of powers between the dominion and the provinces, which by the way are the only ones the Minister of Justice says cannot be amended without the consent of or consultation with the provinces. Under the procedure of amendment in the address section 133 and many