

*The Address—Mr. Balcer*

of the British isles, have made of our beloved Canada that great country which is playing today a leading part in the world.

Because of that remarkable historical fact, French-Canadian traditions prevail there in their purest form. My fellow citizens are the prototypes of the French-Canadian minority in this country. As such, they are jealous of their rights and they are anxious to maintain the prerogatives guaranteed to them by the British North America Act.

Moreover, as citizens of the great Canadian democracy, they believe in decentralization of legislative powers.

I have no doubt, Mr. Speaker, that the people of Three Rivers rejoiced when they saw a reference in the speech from the throne to the government's intention of promoting our nationhood to the full extent of constitutional powers.

It is gratifying to know that the government intends to sever the last colonial ties with the British parliament. It is hardly reasonable that a strong and mighty country such as ours should be compelled to appeal to a foreign supreme court, and be unable to amend its own constitution without recourse to the parliament of another country, friendly though it may be.

I wish, however, to point out the fact that the public has been surprised to learn of the government's intention to proceed with these constitutional changes, of such historical implications, during a special session or rather the end of a session. There is then good reason to hope that the government will not rush matters. Canadian history and the jurisprudence of the privy council on our constitutional law indicate that this court has always been a protection for the rights of minorities. It has always played the part of an arbitrator in settling the constitutional differences between federal and provincial governments. I doubt that the supreme court, in its present status, is in a position to act likewise.

The government also intends to request from the parliament of the United Kingdom the right to amend our constitution in regard to matters which do not come within the jurisdiction of the provincial legislatures. The government then proposes to negotiate with the provinces an agreement relating to the procedure to be followed in bringing about in the country itself any further constitutional amendments that may be deemed necessary from time to time.

The people of our great country recognize the importance of solving, through consultation between the parliament of the dominion and the provincial legislatures, our important constitutional problem in order to give our

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parliament and various legislatures legal and practical means of amending the constitution.

The basis of the controversy lies in the delimitation of powers between the dominion and the provincial governments. If previous attempts to solve this problem have failed, it is precisely because the parties concerned could not agree on the delimitation of powers.

By following the procedure outlined in the speech from the throne, the government intends to decide in advance what matters come within its jurisdiction and what others come within the jurisdiction of the provinces, and then place before the latter a *fait accompli*.

As contracting parties of the British North America Act, the provinces which entered into confederation, thus allowing Canada to grow and become a great nation, must surely be consulted; but they should be consulted before and not after the matter has been settled. The governments of the provinces are entitled to their opinions and it is their duty to protect the rights and privileges which were the very conditions of their joining the confederation of 1867.

We fail to understand why the government intends to proceed in this way, inasmuch as the constitution of a country is the basis of its national unity.

(Text):

Mr. Speaker, it is a great pleasure for me to remind the house that these sentiments in favour of provincial autonomy and decentralization of legislative powers, which are so dear to the people of my riding and to the people of the province of Quebec, do not in any sense indicate isolationism on the part of my fellow Canadians in Quebec. We feel that it is a question of the utmost importance and that confederation is the best safeguard for the minorities in any province. We feel that democracy at its best resides in decentralization of legislative powers and in government that is closer to the public.

For these reasons I am thankful to have as the leader of my party a great Canadian and a great statesman. His past record as premier of that great province of Ontario, as well as the stand he has taken as leader of the opposition on this vital question of provincial rights, qualify him to deal with this constitutional crisis in the best interests of Canada as a whole.

(Translation):

Mr. Speaker, I might say, on the other hand, that when it proposes to consult the provinces in order to extend the scope of the National Housing Act, the government is taking a step which will meet with the approval of the people of my constituency. Three Rivers, which is an important industrial town, suffers badly from lack of housing. Like those of