

withstanding this belief, with the constitutional position obtaining in Canada at the present time. It is my view that we have not been for some considerable time and that we are not now governing ourselves democratically. Our constitutional position is full of anomalies and contradictions and they are not conducive to democratic government. In times past in this house I have lodged my protest against this situation and I have indicated what I considered was the logical thing to do under the circumstances.

I have not since the commencement of this war made any reference to the subject, but now that we are thinking and talking in terms of post-war and of the new Canada that we desire to build, I feel that the time is appropriate once more to raise this question. Hence my reason for doing so at this stage when I omitted making any reference to it during the years of the war that have already passed.

The youth and others of Canada are paying with their life's blood to preserve what we call the democratic way of life. Surely since that is the case we should practise democracy in Canada and see to it that we have a set-up which is in harmony with democratic principles. I wish to see established in this country those principles for which the youth of our land are giving their lives. I wish to see a genuine, true democracy, and that is the thought which inspires my remarks here this evening—that and nothing else. I must say that the circumstances which prevail in Canada constitutionally and have done for a number of years certainly do not inspire one. I should like to make reference to a few of the things in Canada's constitutional position which certainly do not inspire one.

Despite the magnificent contributions which Canadians are making in the war effort; despite the contributions which Canadians have always made to the history of this country and to economic and other phases of our national life, the constitutional position is such that there is no provision in Canada's statutes for a Canadian as such. No one in Canada, whether he be a native-born citizen or a naturalized citizen, has yet the privilege of calling himself a Canadian. He is not permitted to be enumerated on the census as a Canadian.

Furthermore, we proclaim that we are a self-governing people, that we are autonomous, and yet when matters of jurisdictional dispute arise we speak of proceeding to another country to amend our so-called constitution—another contradiction of which we certainly cannot be proud.

In recent years the power of disallowance of provincial legislation has been resorted to. I

consider that a most undemocratic practice which certainly should not exist in a country calling itself a democracy. Yet the power seemingly is there.

Once more we refer to Canada as a confederation and to the British North America Act as a federal constitution. Yet the fact is that the British North America Act was never submitted to the people of Canada for their approval. The people of Canada neither in 1867 nor since were consulted about the British North America Act.

Furthermore, the central government is often referred to as the federal government, and yet we have no federal district proper, such as the District of Columbia in the United States, or the District of Canberra in Australia, or other federal districts which exist in countries which have federated.

We claim that we are a sovereign self-governing people, and yet we have no distinctive national emblem to symbolize our position.

These are just some of the contradictions and anomalies that exist in Canada's present constitutional position. There are many more but I have not time to enumerate them.

As a private citizen I feel much humiliated at being obliged to accept these contradictory positions in our constitutional structure. I have protested against this situation before; I do so again tonight, and I shall continue to do so until it is remedied.

We are proposing at the present time, since victory is certain, to reconstruct Canada particularly for the benefit of our nation's heroes. The Minister of Finance stated that at the dominion-provincial conference which is to be held, revisions of taxation and other matters of mutual interest will be considered. I wish to suggest from my place in this chamber that among the most important things which could be considered at this conference are the matters to which I have just referred.

In the remainder of my remarks I wish to indicate what accounts for all these anomalies, why they exist and what ought to be done to remove them. In doing so I am not posing as a constitutional expert. The matters on which I wish to speak are such as every citizen, in fact every high school or public school student, should be familiar with. In saying this I am reminded of a statement made by W. P. M. Kennedy, professor of constitutional law, Toronto university, in 1935 in giving evidence to the special committee on the British North America Act. He said:

If we are not capable of interpreting our own constitution we should not have a legislature at all.