

Supreme Court Act

law, and there must be acceptance of that tribunal; there must be understanding that the tribunal will protect and preserve the rights of all parties and all governments and of the people themselves who live under the guidance and jurisdiction of those governments.

It has been said by the Minister of Justice that there should be no delay in dealing with this matter. But it has not been made clear just why a matter of days or weeks is vital in connection with something that has been continued for eighty-two years.

The minister says that this decision should not be postponed an instant longer. I hope that when he was referring to the smallness of mind and the meanness of spirit of any who might question the desirability of acting immediately in this matter he was not referring to the members of the Canadian Bar Association, who have strongly recommended delay so that there may be full opportunity to examine this matter. I know that the matter was discussed with him when he was at Banff attending the meetings of the Canadian Bar Association, and of course he would be the first to recognize the sincerity of purpose of the men who drafted that resolution.

This question is related to the whole constitutional problem. I am speaking now about the constitutional aspect of it, not about the ordinary civil appeals. I am referring to the appeals that will determine the constitutional position of this country in the future and the kind of federal system we shall have. I know that assurance has been given by the Prime Minister that the rights of the provinces will not be whittled down, but I cannot imagine what injury will follow by holding this back until there can be full consultation in regard to the whole question. I strongly urge that this matter be held back, along with others affecting the constitution, until the whole constitution and its interpretation and the system by which its terms will be interpreted can be discussed fully by the representatives of the dominion government and the provinces.

I am not arguing today for any status quo in regard to the constitution. On the contrary I believe that our constitution can in many respects simplify the procedure and avoid the duplication that now exists between governments. I am not going to go over the many things that have been said, but I want to emphasize that I have not changed my belief in a strong central government dealing with matters that are of national concern, and defined as being of national concern, and in strong provincial governments dealing with matters of provincial concern. But we shall

cut down the cost of government if we clearly define the fields of responsibility and avoid much of the duplication which now exists, and if there is general agreement as to the kind of tribunal which will interpret the constitution of our country.

I think there is a good case for the setting up of a special committee to deal with this whole matter, to examine the problems involved and to give advice. This would be accompanied by the setting up of a constitutional convention fully representative of the people of Canada, both in the dominion and in the provincial sphere. In this way we would be making a more progressive move, not merely taking a partial step, the effects of which cannot be fully known until the remainder of the picture is fully understood and is fully seen.

I would urge the setting up of a committee to deal with this whole constitutional question. Similar committees have been set up in the past to deal with this very subject. There are within this chamber many men whose special knowledge would greatly advance the sound development of our constitution and the procedure by which it will be interpreted. Having regard to the view I have expressed that there should be opportunity for consultation in regard to the whole constitutional question, I intend to move an amendment. This is not a formal amendment but it does give the opportunity to do the thing I have urged. I move, seconded by the hon. member for Peel (Mr. Graydon):

That the word "now" be left out and the words "this day six months" added at the end of the question.

I present this amendment, Mr. Speaker, in the hope that it will be accepted as the means by which an opportunity can be afforded to carry out an inquiry and discussion of the kind suggested by the Canadian Bar Association and others interested in this subject. That, I believe, would not only preserve for the future the advantages we have derived from the great constitution we have known in the past, but would also develop, as the foundation of an even greater Canada in the years ahead, one of the most effective, most workable, and most easily understood constitutions in the world.

Mr. Coldwell: Does the Prime Minister wish to say something?

Right Hon. L. S. St. Laurent (Prime Minister): I congratulate the leader of the opposition (Mr. Drew) and even thank him for much of the constructive material in the interesting speech he has just delivered. Of course I must at once disappoint his hopes that the government would accept this amend-