

*Federal-Provincial Relations*

Mr. Speaker, among the numerous problems that Canada must face and solve, one is of vital importance. It concerns the future of the Canadian federation.

Since 1867, the two great founding nations of our country and the other groups which came after, have shared an experience which should be analysed today.

Moreover, the federative system itself saw the central and provincial governments change, and that coexistence gave rise to new and controversial aspects in Canadian life.

That is why it is advisable to bring in the open now the grievances and difficulties which exist, so that we may look toward the future with more realism, understanding, efficiency and serenity.

This notice of motion involves Federal-Provincial relations and asks that they be studied, defined and directed. These Federal-Provincial relations are operative in the political, cultural, economic and fiscal fields.

On the political plane, Mr. Speaker, the political system itself is at stake.

The report of the royal commission on the constitutional problems in Quebec, the 1956 Tremblay report, in volume 2, part I, page 98, had this to say about federalism:

Federalism should consist in a system of association between states where the exercise of state powers is shared between two levels of government, co-ordinated with each other but not subordinated one to the other, with each one enjoying supreme powers in the field of activity assigned to it by the constitution.

The 1867 Constitution did not reflect, in several matters, the principles of true federalism, but gave birth instead to a near federalism.

The principles of a real federalism should contain the ten following characteristics: independent and equal governments; a clearly defined distribution of taxation powers; a balance of power between the different governments; the supremacy of the constitution; the impartiality of the courts; the expression of freedom and security; a pluralist conception of the common good; the bringing closer together of ethnic groups rather than their unification; residual powers left to the provinces; a Senate to which the provinces could also appoint members.

Now, the British North America Acts (1867 to 1965) are wrong on many points: the power given to Ottawa to disallow any provincial legislation; the granting of general legislating powers to Ottawa; letting Ottawa have vaguely defined and almost unlimited

[Mr. Allard.]

powers of taxation; implicitly giving Ottawa the latitude to spend as it wishes; authorizing Ottawa to grant subsidies to the provinces; the overlapping of the parliamentary principle and the federative principle; having senators appointed exclusively by Ottawa; abandoning residual powers to Ottawa.

Those anomalies in the Canadian constitution have allowed the central government, in cases of war or economic depression, to channel into the hands of Ottawa most of the important powers and most fields of taxation, thus going against the spirit and the essence of a true federative system in this country. If we, in the federal Parliament are now asking for the creation of a joint committee of the Senate and the House of Commons, such parliamentary committee would, in a way, become a replica of the parliamentary committee on the constitution at Quebec. The house knows that for more than 18 months the Quebec government, conscious of the changes and of the difficulties which necessarily came about during the century the Canadian Federation has existed, established a parliamentary committee on the constitution and invited individuals, associations and various organizations to appear before that committee in order to explain the nature of their grievances and to suggest in all honesty appropriate remedies. And before this committee on the Constitution in Quebec, the people who appeared precisely emphasized the five political options being considered by one of the outstanding provinces of the Canadian Federation, namely, the province of Quebec, for its political future. While this province is affected by an upsurge of dynamism and restiveness, as far as I am concerned, this will enrich Canada as a whole, and while Quebec is carefully weighing the problems, it should be our duty in Ottawa, in the House of Commons, to take our responsibilities, we legislators of this house and the other place, so that we can enter into an open and free dialogue, in order to define clearly the different positions of federal-provincial relations which will envisage a more efficient and dynamic future for a Canada promised to many prosperous years.

The five following options were submitted to the committee on the constitution in Quebec City: Even though the report has not yet been published, it appears from the discussions that past experience, which I would term a status quo, has not given satisfaction to Quebec, to French Canada. This is the