

federal government the absolute right and power to determine, in advance of the problem arising, whether the creditor or the province is right in any dispute between the two. I think that is tying the hands of the provinces altogether too much, because the only time a province will take advantage of this legislation will be under conditions of distress, when it will be inclined to accept almost any kind of agreement that the minister likes to dictate.

Hon. ERNEST LAPOINTE (Minister of Justice): Mr. Speaker, the proposal embodied in this resolution, as all will agree, has met with strong criticism, but the various angles of that criticism, its diversity and even the contradictory nature of it, show that most, if not all, of the criticism is unwarranted.

First, may I say a word as to the method of securing this amendment. I confess that I was surprised to hear my good friend the hon. member for St. Lawrence-St. George (Mr. Cahan) complain that we are asking to amend the British North America Act according to the old method and the old practice of doing so. But I was still more amazed to hear my hon. friend from Winnipeg North Centre (Mr. Woodsworth) blaming me and the government for not having resolutions of all the provincial legislatures of the dominion before presenting this measure.

Mr. WOODSWORTH: I must correct that impression; that was not my point at all. I congratulated the minister upon having proceeded to do this by a simple resolution, but I said that at the same time there was no reason why we should not do other things in a similar way.

Mr. LAPOINTE (Quebec East): I did not understand my hon. friend in that way, and I was tempted to use the language so brilliantly used by my hon. friend from Nanaimo (Mr. Taylor) the other day, "quantum mutatus ab illo." However my hon. friend explains that that is not what he had in mind. Then my right hon. friend the leader of the opposition (Mr. Bennett) said, "Well, the government is still trying to amend the British North America Act by applying to the imperial parliament for a bill in order to do so."

Mr. BENNETT: I never questioned that. That is the only way to do it. My hon. friend misunderstood me.

Mr. LAPOINTE (Quebec East): My right hon. friend said that if we were in the United States—

Mr. BENNETT: I said—

Mr. LAPOINTE (Quebec East): I am going to say what my right hon. friend said.

"If you were in the United States," he said, "an important amendment of this kind would have to be made by first having a bill passed by the congress of the American union, and then this amendment would have to be approved by a certain number of the constituent states. If you were in Australia you would have to do the same thing, and would even have to submit the amendment to the people by way of referendum. If you were in South Africa," he said, "there would be another procedure, but here you content yourself with the introduction of a resolution in this house, asking the imperial parliament to make the change."

I agree with the right hon. gentleman that this is not the best way for a country like Canada to amend its own constitution. For years and years I have been pleading for a change in that method, and I am pleased to see that apparently there are converts to the ideas which I have tried to express frequently inside and outside this house. I think a country like Canada should have the power to amend its own constitution when the necessity arises. I think Canada is the only country of its size and the only federal country in the world which does not possess that power, but we do not possess it. Somebody—and I think it was the right hon. gentleman himself—spoke of subordination because of this resolution, and the inferiority that it implied. I am not responsible for that; at the present time it is the only way for us to effect a change in our constitution. I will help as strongly as I can to change that method, but as long as the situation is as it is to-day we have to resort to this method, namely, to have both houses of parliament adopt an address to His Majesty the King, asking the imperial parliament to agree to an amendment to our constitution.

As you know, Mr. Speaker, a conference has studied this question, and during the last session of parliament a committee of this house also considered it. A subconference was called to study this problem and a committee has been appointed for the purpose of drafting a new statute and doing all that is necessary in order to attain the end which most of us have at heart, but that will come only after the work is completed. Surely, after what has been said in this house since yesterday afternoon as to the extreme importance of anything that changes the constitutional act of Canada we must have the necessary time to do what is essential to be done in the matter. Nothing will be done before it is submitted to every province of the dominion and then to the parlia-