

democracy, the provinces should indeed be a party to the choice of senators who have a duty, for instance, to protect minorities and to defend their rights. The Senate would then, in my view, meet with more general approval everywhere in our modern democratic society.

The Constitution, I agree, will have to include a recognition of the importance of equality of opportunity for all Canadians. It is a basic universal, individual right, and its full recognition should prevent any misconception on the part of our old or our new Canadians. In my view the third session of the conference is indeed right in its suggestion that the preamble should state that one objective of Confederation is the social, economic and cultural development along with the general welfare and equality of opportunity for all, whatever region they may live in. I agree with these high-sounding words, principles and suggestions that in the body of the Constitution there should be such a statement of obligation on all governments, federal and provincial, "to promote the equality of opportunity for all, to ensure that public services of reasonable quality will be available to individual citizens and to promote economic development, which will reduce disparities in the social and economic opportunities of individual Canadians wherever they live."

The voice, the conscience of the nation is speaking here. The conference is thus taking, as is desired, a true humanitarian and just position vis-à-vis the internal relationship of all the constituent members of the Canadian nation. All, to be sure, will want to implement such positive entrenchment in the Constitution and will recognize in it the goal towards a truly just society in words as well as in meaning as the transcendent objective for all its subjects.

The recognition of the importance of the role of inter-governmental consultation and co-operation in the effective working of Canadian federalism, in the mechanism of federal-provincial relations, such as is advocated, would again contribute to better relationships between the individual provinces and the federal Government. This would be a needed revision of our internal relationships that heretofore remained controversial. Many of our common problems, through the role of such intergovernmental exposures, would find quicker and better solutions. It will make the Constitution much more flexible and more operative. I am, of course, in full agreement with these constructive views.

In modernizing the Constitution, there should in my view be a wider and more profound study of our respective taxation systems. For instance, we should discuss and settle the borrowed emergency taxation powers that have now become permanent taxation avenues for the federal Government. Many years ago, in 1918 I believe, the federal Government started to use direct taxation through an emergency loan from the provinces of direct taxation rights belonging up to that time to the provinces. I am informed that this has long since expired. It is one of the powers that the federal Government keeps, as far as I know, against the directive of the Constitution and without an apparent continuing consent on the part of the provinces. It may be that there is now actually a taxing arrangement or a tax policy or even an estab-

lished precedent, but I am of the opinion that it is not in any instance in agreement with the words of the present Constitution. The necessary amendment is now overdue. If we are to retain in Ottawa the use of this method of taxation, which I believe is presently necessary, then constitutional confirming authority should be incorporated in our charter.

The district of Bedford in the Eastern Townships is now represented in the Senate by the honourable Senator Beaubien. One of his predecessors, the late Honourable Jacob Nicol of Sherbrooke, a former provincial treasurer of the Province of Quebec, a member of the now defunct Legislative Council of Quebec, and at the same time a senator, once declared in this very chamber that when the federal Government borrows taxation powers from provinces because of emergencies and does not return them after the emergencies have passed, as originally agreed, the federal Government in reality is guilty of stealing what does not belong to it. A general clarification and revision of our taxation avenues for municipal, federal and provincial governments will have to be undertaken to clarify a general confusion that has not helped our federal-provincial relationships.

Each one of us has to recognize that when the Constitution was written in 1867 the needs were different, the facilities were different. The population was small and decentralized, and there were fewer participating minorities involved. Transport and communications were not comparable; radio and television, the satellite, and community cables were not in existence. Telephone and telegraph companies did not perform sophisticated duties as sidelines, and computers were not in use and could not dig into the private lives of each of us and store private information concerning all Canadians. Pollution of the air, land and waters had not to be considered provincially, nationally or internationally. The concept of welfare and dole had not replaced personal charities and had not become the octopus it now is. There was no air, bus or freight transport as we now know it. There was no fear of foreign control, and education had not outgrown its britches. But now all these are here and, in the opinion of many Canadians and indeed in my opinion, they are unconstitutionally dealt with in some cases. There is much confusion in many fields that are claimed to be of provincial or federal interest. National patriotism has now become meaningless and void. There should be ways of making the national charter more meaningful, warmer and more universally protective for Canadians.

Economically there are approved basic considerations for justifying constructive changes. Farmers now represent a negligible percentage of the population. Cities have grown immeasurably and the whole educational system with its thousands of school boards should be regionalized, reduced in number, reformed and fully streamlined, first at the level of federal powers to enable the federal Government to have a voice in education, and so on down the line.

Municipalities and provinces must be allocated wider fields of taxation and guaranteed greater administrative powers through the Constitution. Ways of curtailing the