

Dominion-Provincial Relations

support the estimates on the trans-Canada highway, when he knows quite well that only the province of Quebec is not getting any of the funds voted for that highway?

I could also direct the same question to every Conservative member from the province of Quebec.

Having said this, Mr. Speaker, I should now like to deal with an extremely serious point concerning the Solicitor General, indeed one of the most serious points raised since the beginning of this session. The Solicitor General has stated that the St. Laurent formula was unconstitutional, and that he had voted against it. Moreover, he has said that when a piece of legislation applies only to nine provinces out of ten, its constitutionality is questionable. Well, I have here a book entitled "Keith's British Cabinet System", by Arthur Berriedale Keith, D.C.L., LL.D., D. LITT., F.B.A. On page 92 of this book, there is a paragraph under the heading "The Doctrine of Collective Responsibility", which reads as follows:

(Text):

It is essential to the modern cabinet system that responsibility should be collective. Lord Salisbury expressed this clearly:

"For all that passes in cabinet each member of it who does not resign is absolutely and irrevocably responsible, and has no right afterwards to say that he agreed in one case to a compromise, while in another he was persuaded by his colleagues.

It is only on the principle that absolute responsibility is undertaken by every member of the cabinet who, after a decision is arrived at, remains a member of it, that the joint responsibility of ministers to parliament can be upheld, and one of the most essential principles of parliamentary responsibility established."

Matters are discussed in cabinet, and a decision taken. It then becomes binding on every member of the cabinet and, of course, on every minister outside the cabinet. He must vote for the government's view if a vote is taken in parliament, he must, if called upon, defend the decision, he must not excuse himself on the score that he was outvoted. If he does not consent to take responsibility, he must resign—

(Translation):

And now, Mr. Speaker, I wish—

Mr. Balcer: Mr. Speaker, I rise on a point of order. A cabinet minister has to assume his responsibilities—

An hon. Member: Does the minister wish to resign?

Mr. Chevrier: There is an argument, for you.

Mr. Balcer: A minister must assume responsibility for the legislation and acts of the government, and that is what I am doing. I have been glad to do so and, for this reason, I support this resolution.

[Mr. Deschatelets.]

(Text):

Mr. Chevrier: Mr. Speaker, there is no point of order here.

Mr. Speaker: I have been endeavouring to discover what was the minister's point of order. I had some difficulty in following him.

(Translation):

Mr. Deschatelets: Mr. Speaker, I go on to page 94, where the author says this:

(Text):

... but a ministry made up of men without common principles, held together by little more than the desire for office, would speedily lack power and cohesion.

(Translation):

Now, Mr. Speaker, I have a question to ask the Minister of Finance (Mr. Fleming). For the few moments I shall address him, I would like him to listen very carefully, because this concerns him as well as the Solicitor General.

Here is my question: I would ask the Minister of Finance, when he closes the debate, to tell us exactly what he thinks of the point that has just been raised.

The Solicitor General states that when legislation applies in nine provinces out of ten, its constitutionality becomes doubtful.

If it is true, as I have proved, that the Solicitor General maintains that Mr. St. Laurent's formula, based on equalization, is unconstitutional; if it is true that the Solicitor General, as I have also shown, voted against that bill, since the legislation is contained word for word in Bill No. C-56 now before us, I ask the Minister of Finance whether he approves or disapproves the attitude of the Solicitor General; and if the Minister of Finance disapproves that attitude, I shall ask the following question: Which of the two will now resign, and when?

I now ask the Minister of Finance, if he does share, in the matter of ministerial responsibility, the ridiculous views advanced by the Solicitor General, when will they both resign?

Now, from the angle of departmental responsibilities, Mr. Speaker, I would like to complete my argument, and, with your permission, I shall again refer to page 95 of this book, where the author says:

(Text):

If he does not consent to take responsibility, he must resign, as did Lord Russell in 1855, Mr. Forster in 1882—

(Translation):

There is also a list of the few statesmen who, to uphold the principle they held to, resigned because their views were not shared by the majority of the cabinet. Also, may I