

ought to be antagonistic to the observance of that provision for the protection of minority rights which is embodied in the British North America Act. I have to admit that it came with a kind of a shock to me in the first instance to hear that it was not the Roman Catholic hierarchy but the Protestant people of Canada who stood up for the insertion of that protection in the constitution. The House has heard the indisputable proof of that fact which was given by my hon. friend the First Minister in his speech in this House on the 21st of February and again in another speech on the 22nd March of this year. But, perhaps, it will do no harm if I quote from another gentleman for whom some hon. members on the other side of the House may have a higher regard. The late leader of the Conservative party, Sir Charles Tupper, referred to this matter in a speech delivered in this House in 1896. Sir Charles Tupper was one of the fathers of confederation who took part in the negotiations which resulted in confederation, and he speaks as a man having knowledge. He said:

I say with knowledge that but for the consent to the proposal of Mr. Galt, who represented especially the Protestants of Quebec, and but for the assent of that conference to the proposal of Mr. Galt, that in the Confederation Act should be embodied a clause which would protect the right of minorities, whether Catholics or Protestants, in this country, there would have been no confederation. I draw attention to the fact that when you contrast our present position with that which Canada occupied when Mr. Geo. Brown and Sir John A. Macdonald felt impelled, by the necessities of the case, by the condition of their country, to seek some change in its constitution which would relieve it from the terrible war of religion and race that had been maintained in old Canada down to that time, it is significant that but for the clause protecting minorities, the measure of confederation would not have been accomplished, and no man can say how humiliating might not have been the position either of Canada or any of the smaller provinces if that great work had not been accomplished.

I find that at that same time the hon. gentleman who at present represents North Toronto (Mr. Foster) in this House said of that provision that it was the *sine qua non* of the Protestant minority of their entrance into confederation. I may just at this point read a little further from the speech made by the then Minister of Finance:

And so the first paragraph—

Referring to section 93 of the British North America Act.

—the educational clauses of the confederation resolutions gave by general consent to the provinces the power to deal with respect to education;

Saving the rights and privileges which Catholic or Protestant minorities in both Canadas may possess as to their denominational schools at the time when the union goes into operation.

Mr. SCOTT.

The only change which took place in that clause was this—

That is the change that took place in London.

—that instead of its being confined to both Canadas, it was broadened to include the provinces which entered confederation. . . . It was the *sine qua non* of the Protestant minority of their entrance into confederation.

There cannot be any doubt, if we accept that statement, that this provision which was put into the British North America Act referred, not only to the two Canadas, but to all provinces entering confederation, and, I take it, to all provinces that will enter confederation in the future.

Mr. SPROULE. May I ask the hon. gentleman this question: In the original resolutions that were moved, and upon which the British North America Act was founded, is that provision not strictly confined to Ontario and Quebec?

Mr. SCOTT. That is just exactly Mr. Foster's statement. This was the original resolution adopted in Quebec:

Saving the rights and privileges which Catholic or Protestant minorities in both Canadas may possess.

And he went on to say that the change which took place in the clause was this, that instead of its being confined to both the Canadas, it was broadened to include all the provinces that might enter confederation. Of the fact, therefore, that this provision was inserted for Protestant interests, and not for Roman Catholic interests, there cannot be any successful dispute. It was not inserted for the Protestants of Quebec alone, but it was inserted for what was expected to be the Protestant minority in the territory lying west of the great lakes. Parliament, in 1870, in creating the province of Manitoba, provided for minority rights in separate schools, not for Catholic interests in Manitoba, but for what were believed to be Protestant interests. There was just as much expectation that the minority in Manitoba would be a Protestant minority as that it would be a Roman Catholic minority. Let any gentleman read the 1875 debates, read the debate that took place when the Northwest Territories' Act was passed, and it must be plain to him, if he has an open, impartial mind, that the parliament of Canada in 1875 provided, not specially for Roman Catholic minorities, but provided for expected Protestant minorities in the Northwest Territories. At all events, let any gentleman read these 1875 debates impartially, and he cannot possibly deny that Blake, Mackenzie, Sir John Macdonald and Sir Alexander Campbell—I believe that none of these gentlemen was a Roman Catholic; each one of them bears an honoured name, and each one of them was a Protestant—supported the separate school clause in the Northwest Territories' Act,