

lish and provide for the government of the province of Alberta, and the amendment of Mr. R. L. Borden thereto.

Hon. SYDNEY FISHER (Minister of Agriculture). Mr. Speaker, at this advanced stage of the debate on the question before the House I would not like to occupy the attention of the House for any length of time. I would like probably on a further stage of the Bill to say a few words in regard to the question of Dominion lands, and perhaps in regard to the question of the boundaries of the provinces which are here under discussion; but, as the attention of the House and the country has been riveted for the moment almost entirely on the educational clauses of these Bills, I would like to say a few words upon them at the present time. I think that, perhaps, as a representative of the Protestant minority in the province of Quebec it is especially right that I should say a few words.

The existence of the Protestant minority in the province of Quebec is probably the direct cause of the introduction of the separate school provisions into the British North America Act, and the principle of which has been perpetuated when other provinces were afterwards admitted into the Dominion or when provinces were created within the Dominion. It was due to Mr. Galt, the special representative of the Protestants of Quebec, that exceptions were made in the control of educational matters given to the provinces under the British North America Act. Mr. Galt insisted that the Protestants of Quebec should have a guarantee of their rights as a minority, and naturally that guarantee was extended to the other provinces in which there were separate schools established at the time of their entry into the union. Later on I shall deal with the question of separate schools per se, and I shall state why I believe in separate schools in our Dominion, and why I think the Protestants of this country generally should stand by the Protestant minority of Quebec in this matter, as they did in the negotiations which led up to the confederation compact of 1867. However, Sir, this is not the only issue which has been brought forward in this discussion. Some who are bold and frank in the expression of their opinions, have declared against separate schools in toto, others have hidden themselves behind the cry of provincial rights and have attempted in this way to abolish the principle of separate schools in so far as it may be embodied in this Autonomy Bill. The amendment of the leader of the opposition would leave this question in the hands of the two provinces. While, under ordinary circumstances, and by the Confederation Act, education in general terms has been left to each provincial legislature as being within the purview of the province, there has been a special exception made in regard to the rights of minorities in the matter of separate schools, and

it seems to me that when we discuss any question of provincial rights we must take just as much account of the exception that is made as of the general statement that to the provincial authorities belongs the jurisdiction on education. I believe that in considering the principles of the British North America Act, this exception is just as strongly embodied, and is just as important a part of that Act, as is the statement that the provincial authorities should control educational matters. I am not a lawyer; I do not want to discuss this matter from a legal and constitutional aspect, I probably am not capable of doing so; but the fact that one is not a lawyer is no very great disability in this particular case, because we find that the lawyers differ very materially. Hardly a constitutional point has arisen in this debate which has not elicited diverse views from eminent lawyers, and under these circumstances I do not know that I, as a layman, need shrink from discussing the constitutional question. But, Sir, I believe it is more in the interest of the question at issue, and more in the interest of the people of the country at large, that these points should not be dealt with from any technical or purely legal aspect, but that they should be dealt with on the broad principles of justice and equity; the principles upon which our confederation is based, and upon which we have existed as a confederation since 1867. The British North America Act itself asserts the principle of separate schools in a limited degree as applying to the four original provinces of confederation. Prince Edward Island and British Columbia afterwards came into confederation, and the principles and the provisions of the British North America Act were made to apply to these provinces, for, as they had at the time of their entry into the Dominion no system of separate schools, there was no necessity for any precise specification with regard to the educational clauses of the British North America Act in relation to them. When Manitoba was created a province there was a special provision inserted into section 93 of the British North America Act to provide, as it was thought at the time, for the peculiar conditions in Manitoba, and directly pointing to the endorsement and the continuance of the principle of separate schools found in the British North America Act. It is true that this intention was imperfectly carried out; it is true the provisions of the Manitoba Act were not specific enough apparently to accomplish the object its framers had in view. That was attended by disastrous results to the minority in Manitoba, and it gave rise to an unfortunate agitation throughout the length and breadth of Canada. In the Bills which are now before the House we recognize the principle that education should be relegated to the province, but with the restriction that the conditions in regard to separate schools existing at the time of the coming into force of these Acts