

on October 13 last, he said that the move to transfer to Canada the right to amend the British North America Act would give a greater guarantee of provincial jurisdiction and minority rights than ever before.

Minority rights are human rights, and the only legislative guarantee of fundamental freedom which Canadians now possess is to be found in the British North America Act. The right to use the English and the French languages is preserved by section 133; the right to separate schools, by section 93; that sessions of parliament shall be held annually, by section 20; that there shall be a new parliament every five years, by section 50; the right to representation by population, by section 51; and to an independent judiciary, by section 99. These are among the most important of our freedoms; and the addition of the matters mentioned in my resolution, to the human rights and fundamental freedoms already guaranteed by the sections to which I have referred would not change the basic character of the act, but would greatly enhance its usefulness.

The present, while amendments to the Act are in contemplation and a dominion-provincial conference on the subject is pending, would seem to be a most opportune time for an effort by the Senate of Canada to make progress in this important field.

That a bill of rights in Canada is desirable, goes almost without saying. I refrain from an enumeration of occasions when the elementary rights of individuals and classes have been violated, lest I divert attention from the subject in hand by a seeming criticism of the persons concerned. But each honourable senator has at least one such instance in his mind. I agree with the joint committee of the Senate and House of Commons, that "Canadians enjoy a large measure of civil rights and liberties." I think that Canada today is the freest nation upon the earth, and in that I do not except either the United States or Great Britain. I do not believe, however, that we have reached perfection, or anything like it. I also agree with the joint committee in its statement that these rights and liberties "must be maintained", and I might add that they must be extended. I am not prepared to concede that our freedom is out of danger. We Canadians have been so used to accepting our freedoms as a matter of course, that sometimes we are in danger of forgetting the old saying that eternal vigilance is the price of liberty.

The present generation of Canadians have been through two great wars, periods of stress and crisis in which the safety of the nation overshadowed for the moment the rights of the individual, and in which our organization

for total war necessitated an economic planning and control to an extent previously unknown. The danger now is that these encroachments on individual rights may become permanent. Canada has been reasonably free from witch-hunts by the majority, directed against those holding unorthodox views, and against racial or national minority groups. There are, however, incidents which I could mention, and which sound a warning. A bill of rights may well ward off the dangers which I see before us, and all around us. It may directly prevent violations of right, by court action; and indirectly, by its declaration of what is expected in this land of freedom, it may obviate even the attempt at violation. The special Joint Committee reported that:

Respect for and observance of these rights and freedoms depends in the last analysis upon the convictions, character and spirit of the people.

With that, of course, I thoroughly agree.

An informed and vigilant public opinion is a major factor in preserving freedom. But public opinion, honourable senators, is a matter of education. Can one measure the educational value, to this end, of a Bill of Rights as part of our constitution ever declaring in authoritative tones the high standard of Canadian freedom? We have recently defined Canadian citizenship. In the coming decades, in all probability, thousands of immigrants will be added to our population. One can imagine how the children of these people will learn in our schools the significance of Canadian citizenship, and will experience its sense of security, together with an understanding pride in our free institutions, provided only that we have the vision to declare these noble conceptions to be part of our fundamental law.

I shall not attempt to discuss the many items contained in this draft bill. If I did so, my speech could not be compressed into one day. I did not write the bill. It was drawn by the statesmen of many countries; it is the product of much thought and discussion at the United Nations; and it was further considered and revised with a view to Canadian conditions by the Canadian Committee for a Bill of Rights. I have accepted the text as the most authoritative available, and all that I ask is that the measure which I have proposed as a basis of discussion be given, at least, consideration.

It will be observed that the Canadian Committee has not included in the proposed Act any reference to economic rights and freedoms, such as the "right to work", which involves the right of access to the gifts of nature, and without which all other rights are illusory. I think I should make some reference to the right to trade and to unhampered exchange. The fact that these and other