forget, and which some of us have from time to time read. His speech was delivered in April, 1939, and in part he said:

> The more free the people of Canada are from the officious intervention in our domestic affairs by the government of the United Kingdom, the more readily will our people assume and fulfil the duties and responsibilities which are implied in our continued membership in the British commonwealth.

This was said, may I observe, by a leading member of the Conservative party in the House of Commons. I may be wrong, but I believe that the Hon. C. H. Cahan was the only member of the house at that time who had had personal contact and acquaintance with many of the fathers of confederation. There may have been others who knew one or two of them, but Mr. Cahan had known many.

The privy council up to now has had the power to declare ultra vires laws passed by this parliament. That being so, since it has that power, it is an integral part of the government of Canada. That is to say, it is a judicial arm of this country. Its composition and its procedure, however, are entirely beyond the control of Canada and of Canadians. And so long as these appeals remain, the nationhood of this country is restricted and denied.

As Chief Justice the Right Hon. Sir Lyman Duff said, and I believe it was to him the Prime Minister (Mr. St. Laurent) was referring this afternoon, though he did not name him:

> No legislature in Canada has, of course, anything to say about the constitution of the judicial committee or about its organization. Provision for all such matters is, as I have said, made by the legislature of the United Kingdom, and orders in council pursuant to authority derived therefrom.

In other words, as I have said, Canada is not fully self-governing so long as appeals to the privy council remain.

Sometimes, as the Prime Minister noted this afternoon, a Canadian judge has sat during deliberations of the privy council, but only at its invitation and not as of right. This, however, is seldom done. Indeed, when it is done it makes no real difference because the majority of the judges are non-Canadians who, as their judgments have shown, know very little about Canada and less about a federal system of government. That, of course, is quite natural; I do not criticize them for that, because they are familiar with a unitary form of government in which parliament is supreme, and where there is no division of powers between a central government and the provinces.

Let me say that Canada's action in abolishing appeals to the privy council is not without some, though perhaps incomplete, precedent within our commonwealth. The constitution of Australia, I believe, limits the scope of such appeals. And while the right remains in New Zealand and South Africa they very seldom use it because, like the United Kingdom, they are unitary nations with one government for all the country.

Then there is this consideration which has been brought before the House of Commons and emphasized particularly by the late Mr. Cahan and by Mr. J. T. Thorson in years gone by. I refer to results of appeals to the privy council. I believe what they said in the house regarding this matter is also the consensus among our own constitutional authorities, namely that our federal system as visualized by the fathers of confederation has been seriously impaired and the powers of this parliament greatly reduced by the decisions of the privy council from time to time.

When we deal with the constitutional matter implicit in proposals in the speech from the throne I have no doubt some of these aspects will be discussed. A reading of the debates leading up to confederation, and of the acts of this parliament after confederation, indicates that Sir John A. Macdonald and others among the fathers of confederation expected that the powers of this parliament might at least remain as they were intended to be. Sir John A. Macdonald expected that they might even be expanded, as time went by. So even if some people believe—and I do not think there are any in this House of Commons who do—that the privy council might be more trustworthy than our supreme court, that would not justify our refusal to accept the responsibility of judicial self-government. Indeed, until we accept all the obligations of political maturity we cannot in my opinion expect to develop truly responsible citizenship in our country. I must say that I find it rather difficult to follow or to understand the position of some provinces that are opposing this parliament's right to deal with the abolition of appeals to the privy council. I find it very difficult to understand why they should oppose a bill of this description.

In preparation for this debate and to get the background, I was reading the other day the interesting debates which took place at the time our supreme court was set up in 1875. In those days we did not have a *Hansard* as we have today, but very complete reports were kept in the third person of what the various people had to say. I noticed particularly the opinion of members of this house at that time from the province of Quebec. For example, Mr. Taschereau doubted the right to discontinue appeals to the privy council under the legislation that