

THE SENATE

Friday, December 9, 1949.

The Senate met at 3 p.m., the Speaker in the Chair.

Prayers and routine proceedings.

HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

MOTION WITHDRAWN

The Senate resumed from yesterday the adjourned debate on the motion of Honourable Mr. Roebuck, that the government be requested to submit to the forthcoming Dominion-Provincial Conference on the Constitution a draft amendment to the British North America Act.

Hon. Arthur W. Roebuck: Honourable senators, it is my right and duty to close the debate on the resolution respecting Human Rights and Fundamental Freedoms, which I had the honour to move in this chamber on November 3 last. I counted it then, as I do now, a great privilege to be associated, in even the humblest capacity, with the noble sentiments and high resolve expressed in the declaration which forms the main substance of my motion. Though there has been some difference of opinion among the members of the chamber with regard to the practical steps which I proposed, every honourable senator who spoke on this motion concurred in its general principles and commended the effort to promote their observance.

For the many kind references that have been made by so many of the speakers, I am truly grateful. To the senator from Queens-Lunenburg (Hon. Mr. Kinley) I tender my thanks for having seconded the motion. Although he expressed some doubts, and suggested a need of further information, his remarks were not in any way a criticism of the general trend towards greater freedom and security. To the senator from Cariboo (Hon. Mr. Turgeon), whom I see here this afternoon, I am grateful for having recorded in *Hansard* the statement made by the Canadian delegation of the attitude of the Canadian Government towards the draft Declaration of Human Rights when, in December 1948, Canada voted in the General Assembly of the United Nations for its acceptance. As I said on a previous occasion, the declaration then referred to is practically identical with the substance of my motion.

Let me draw attention to two or three sentences of Canada's statement:

We regard this document as one inspired by the highest ideals; as one which contains a statement of a number of noble principles and aspirations of very great significance which the people of the world will endeavour to fulfil.

And again:

Canadians believe in these rights and practise them in their communities. In order that there may be no misinterpretation of our position on this subject, therefore, the Canadian delegation, having made its position clear in the committee, will, in accordance with the understanding I have expressed, now vote in favour of the resolution in the hope that it will mark a milestone in humanity's upward march.

It seems to me regrettable that the honourable senator from Cariboo was not able to sweep away, as did the Canadian delegation at Lake Success, the mere technical difficulties that stood in the way, and vote for the resolution now before the house, or announce his support of it in the hope that the resolution, after a sufficient degree of study and in due course of time, will "mark a milestone in humanity's upward march." The honourable gentleman said this:

Canada generally is in definite agreement with the aspirations contained in the declaration, and I am sure all provinces as well as the federal authority, will do everything humanly possible to improve present conditions.

In view of these sentiments I find it difficult to understand the honourable senator's objection to submitting principles of this high order to the dominion and provincial delegations, since he has confidence that they will accept such principles. But of course I respect his judgment in that regard, and I assure him that I will not put him in the position of voting against these "noble principles and aspirations" for any secondary reason—and I say the same thing to all other members of this house.

I should like to pay the tribute that I really feel is due to the honourable senator from Peterborough (Hon. Mrs. Fallis) for the eloquence with which she charmed this house in her discourse on this motion. The lofty loveliness of her thought and presence threw a spell across the chamber which I shall not soon forget. To the honourable senator from Peterborough I say, "Thank you."

In a somewhat different way, I am equally grateful to the honourable senator from De Salaberry (Hon. Mr. Gouin). He too surrendered to the practical difficulties which confront this resolution, but in doing so he gave to this house a judgment matured during two years' service as Chairman of the Joint Committee of Parliament on Human Rights and Fundamental Freedoms. As I recall his remarks, the honourable senator felt that we should confine our activities to our own dominion jurisdiction, and that our first step should be a declaration of some fundamental principles upon which we can all agree. Then he made the following statement, which I submit is well worthy of repetition:

We should proclaim the right to freedom of conscience, the right to personal freedom and security, the right to freedom from arbitrary imprisonment