

There is no branch of political industry that men approach with hearts so light and yet that leaves them in the end so dubious and melancholic as the concoction of a second chamber.

In varying forms, second chambers are provided in the constitutions of the great democracies of the west. They are found in the United Kingdom, the United States, France, Italy, Belgium, Ireland and other countries. With the exception of New Zealand, they are found in the larger Commonwealth countries, and New Zealand is considering the re-establishment of a second chamber. There are some unitary states like Israel, Luxembourg and Turkey which dispense with them.

When our federal establishment was founded nearly a century ago the British pattern was followed with modifications suitable to the Canadian requirement. I would think too, from a reading of the *Confederation Debates*, that what John Stuart Mill once said was in the minds of our political forefathers. Mill said:

Bicameralism has been regarded as a sort of touchstone which distinguishes the partisans of limited democracy from those of uncontrolled democracy.

Although it is largely unaltered in its constitution since 1867, the Senate, I think it fair to say, has performed most of the functions intended for it. Certainly it has been a chamber to devise and improve legislation. The Criminal Code, the Income Tax Act, the Bankruptcy Act and other such measures are outstanding examples of accomplishments in this field. The Senate committees have reworked legislation with a thoroughness not always possible in the other place. The Senate has provided a forum for the study of important public questions—a forum not otherwise available in Parliament, and, perhaps, not otherwise available in the country. It has conducted studies on manpower and employment, on drug addiction and on land use. It is now studying the problem of aging. These and many similar undertakings have proved to be a credit to its committees and a value to the country.

In addition, our Senate house procedures have allowed for debates on important national and international problems, and over the years there have been many fruitful debates inaugurated in this way. As one reads the *Hansards* of this house it seems clear that the Senate's best work has been done in an atmosphere devoid of partisan considerations. The Leader of the Opposition has pointed out that a very small percentage of our work has significant political overtones. I think it is useful to recall what the late

Senator Haig, the father of the present Senator Haig, once said in a speech at London, Ontario:

My experience has taught me that at first, when a new member comes into the Senate, his political leanings are very marked. But as time goes on he realizes that his duty as a senator is so important that he should forget his politics and put his country first.

In 1922 when Senator Dandurand became Leader of the Government here he put the issue on a higher plane still. He said this:

For my part, from the moment I entered this Chamber, I felt reluctant to call the leader who sat opposite the Government representative the "Leader of the Opposition". That term was somewhat repugnant to me because it implied a systematic official Opposition, and I did not see the role of the Senate in that light. It seemed, according to the dictum of the founders of Confederation, that the function of the Upper House was to tender sympathetic advice to the Government, and to postpone or oppose or modify the measures of the Government according to its own good judgment without any party bias.... In assuming the direction of the legislation in this Chamber, I disliked the idea of crossing the floor, having been last Session at your left, Mr. Speaker, and now coming to sit at your right.

Senator Dandurand's whole speech on that occasion deserves the careful study of every honourable senator. The objectives he sets are noble, and even though at times the Senate may fall a little short of realizing them, we must try again and again to do so.

The fact, of course, is that the parliamentary system works best when there is a government party to propose, and an opposition to criticize. On the walls of the chamber of the Speaker of this house there is enshrined a maxim from Horace reading *Sapere aude*—"Dare to be prudent". I would venture the view that at this time in this country an impressive display of reasonable restraint in debate here would find a warm response in Canadian public opinion.

It is not my purpose to labour this issue, but it is useful, I think, to refer often to what is generally considered the classic statement on the role of second chambers. This statement was done in England in 1918 by a royal commission presided over by Viscount Bryce. The four main functions of second chambers as described by Viscount Bryce can be summarized in this way:

1. The revision of bills passed by the Commons;