

to the constitution. A most interesting contrast is what happened in Canada a few years ago with relation to unemployment insurance. The power to deal with insurance was vested in the provinces, and it was desired by the people of Canada generally that the constitution should be amended so that unemployment insurance could be given effect to by the federal parliament. This was logical, but had we had a constitution such as that of the United States we probably would still be fooling around with it. What happened? A general agreement was made with the provinces, and a resolution was passed through the House of Commons and the Senate and wired to the authorities in England, and inside a week it became law. That was an example of flexibility with regard to a matter in which security was not the prime essential. The rights of no person were being violated or trampled on; but that could never have been accomplished had we had a constitution lacking flexibility.

On the other hand, the question of security is even more important than flexibility. Had we not had section 7 in the Statute of Westminster, under our present constitution the House of Commons and the Senate, without regard to the rights of provinces or any other rights, by a simple majority could not have sent a resolution to England and have it become a statute of this country. There would have been mighty little security to justify that spirit of unity which exists in Canada.

It is for these reasons that I have stated more than once that our system has given us flexibility, and at the same time as much security, as any country could ask for. We have possessed fundamental and basic rights under our constitution, and we have also had the guarantee of the House of Lords that no amending statute to the British North America Act would be passed to violate those fundamental rights. We have also had a spirit of justice, a spirit of fair play, and a sense of constitutional responsibility as vested in the British House of Commons. Well, all good things are bound to come to an end, and while those conditions have been most fortunate for us in Canada, in my opinion the time has come when we must look at the picture from a different viewpoint. In the first place, the House of Lords is today an impotent institution. Final proof of that was given only yesterday in England when a bill was passed providing that in just one year's time the will of the House of Commons will over-ride any objections that may be made by the House of Lords.

Honourable senators, I should like now to say a word about the British Parliament. I am speaking in this chamber as a senator, so

I shall be careful about my remarks. All I really wish to say is that each of us is entitled to ask whether there is as much security in that parliament in relation to our constitutional guarantees as existed in earlier generations.

To me, one of the strongest reasons why at this time we should seek a change is that we have been imposing a most serious responsibility on the British government and parliament long enough. The potential responsibility is perhaps greater than any that has actually developed, for some serious constitutional dispute might arise in this country at any time. For instance, in some special circumstances the House of Commons might pass a resolution in which the Senate refused to join, and the Commons might send its resolution over to the Imperial Parliament with the request that the voice of the elected representatives of the people be listened to, but that this body, which is not elected, be ignored. Or there might arise an issue as to which both our houses would pass a resolution that was strongly opposed by one or more provinces, and a large body of provincial representatives might be sent to England to urge upon the Imperial Government that it would be unfair to act upon the request of the federal parliament. Think what a very unpleasant predicament the British parliament and government would be placed in by a dispute like that! Once we have achieved our present status we have no right to ask the Imperial authorities to continue to assume that potential responsibility.

Then, honourable senators, the time has come when, because of our own spirit of national self-consciousness, our people as a whole are insistent that we no longer humiliate ourselves by asking someone else to bear a responsibility that is properly our own.

Hon. Mr. Howard: That is right.

Hon. Mr. Farris: I think one may say that not only this house but the people of Canada are almost unanimously agreed that the time is ripe for agreement upon the principle that Canada should have within her own borders complete power to amend her own constitution.

If I have succeeded in expressing your views so far, honourable senators, the next matter we must consider is the wisdom of this particular resolution, and not only of this resolution standing alone but of the resolution in relation to the policy proposed by the government. The government has proposed that parliament accept this resolution as part of a program. After the resolution is passed here and after it is passed by the Imperial parliament—as of course it will be, without hesitation, when the request is