

## USURPING THE RIGHTS OF PARLIAMENT.

THE tendency of Toryism has always been to grasp and hold arbitrary, executive power. The fight of Liberalism has ever been for responsible Government, for the control of taxation and expenditure by Parliament, and for the widening rather than the restricting of the rights of free citizenship. In Canada there is ample evidence of a dangerous tendency under the present Government in the other direction. It is evidenced in the insidious and deliberate way in which the Borden Cabinet has attempted to centralize power in the Executive, to wrest from Parliament the rights and privileges which safe-guard the people's liberties and to substitute for rule by Parliament in the full light of publicity, rule by a political machine, centered in the Cabinet Council.

### Control of Expenditure.

In the Highways' Aid Bill which the Government attempted to put through during the first two sessions, the evil principle was stubbornly adhered to that money should be voted by Parliament for a term of years and that the expenditure of that money should be left, in large measure, to the discretion of the Executive, rather than be voted annually for specific purposes. The amount involved in the Highways Bill was \$10,000,000. It did not go through because the Government preferred to sacrifice the measure entirely rather than give up its attempt to secure for political purposes the control of the expenditure of so large an amount extending over a period of ten years.

In the Aid to Agriculture Act a similar vicious principle was incorporated. The sum of \$10,000,000 was voted, to be expended during another period of ten years. The Government is thus relieved of going to Parliament for annual appropriations under the Act, and is at liberty to declare the specific purpose for which the money may be spent in the different provinces, without first having to obtain the approval either of the Dominion Parliament or of the Legislatures in the provinces concerned.

In the Naval Aid Bill the Government sought an appropriation of \$35,000,000 which was to be

spent, not under the direction of Parliament, but under the direction of the Governor-in-Council. The Government rejected the amendments of the Liberal Opposition designed to keep within the control of Parliament the expenditure of this vast amount, instead of leaving to the Executive practically a free hand.

The introduction of closure and the attempted reversion to Downing Street rule during the second session are further illustrations of the general tendency.

### Control of Taxation.

During the session which closed last month there were, at least, three instances of a similar insidious and determined design to centralize power over taxation and expenditure in the hands of the Executive. In the amendment to the Customs Act, brought down by the Minister of Finance, it was provided that the surtax should be made elastic instead of arbitrary as under the old Act, and that the Governor-in-Council should be given power to apply the surtax at discretion. In the Fielding tariff the surtax was fixed at 33½ per cent over the general tariff. It was a definite tax imposed by Parliament against all nations which discriminated against Canada. In the new Act this tax, instead of being fixed by Parliament at a definite amount, is left to the Governor-in-Council to determine. It may be 5, 10, 15 or 20 per cent as the Cabinet sees fit to impose. Such a provision opens the door to individual importers or to individual nations to make their own bargains with the Government instead of making them with Parliament. It is the first time in years that a Government has sought to take away from Parliament the specific and dearly-won right of absolute control over taxation. The amendment proposed by Sir Wilfrid Laurier to strike out the clause transferring to the Governor-in-Council the right to say what the surtax shall be was voted down by the Conservative majority at the request of Premier Borden.

Along similar lines of fixing taxation by the Executive instead of by Parliament are the provisions of the Customs Act amendments giving authority to the Governor-

in-Council to say when the proposed increase in the duties on certain classes of heavier steel-mill products shall go into effect and also empowering the Cabinet to make regulations governing the conditions of the Customs drawback. Both these provisions increase the latitude of the Cabinet and restrict the right of Parliament in regard to determining tariff taxation.

### Control of Citizenship.

In the Naturalization Act, brought down by the Minister of Justice, there was another almost equally dangerous power transferred to the Executive, effecting the fundamental right of Parliament to say who shall be granted citizenship in Canada and who shall exercise the franchise. One of the provisions of the Act gives discretion to the Secretary of State to decide whether or not certificates of naturalization shall be granted to applicants, even after their claims have been passed upon by the courts of naturalization. One section of the Act declares that the Secretary of State may, without reason given and without the possibility of appeal, deny the right of naturalization granted by the courts. In other words the Government transferred to one of its Ministers the right once held in the old days of absolute monarchy by the King. Not only may the Secretary of State withhold the right of naturalization and citizenship from anyone without giving reasons to Parliament or to anyone else, but he may also, at will, exempt anyone from the provisions of the Act specifying the requirements of naturalization.

The amendment proposed by Sir Wilfrid Laurier to strike out the section of the Act referred to was summarily voted down.

A third instance during the past session of the general tendency of centralizing power of the Executive may be noted. In the Canadian Northern Aid Bill it was provided that the subsidiary companies could increase their capital stock merely by securing the approval of the Governor-in-Council. The Liberal amendment declaring that such increase of capital stock could only be obtained by the consent of Parliament and in the light of full publicity was voted down.