

Supply—Citizenship and Immigration

been, on this matter the prime minister of the day said that it would be given precedence over other motions and it would be made possible for the house to discuss it. Is that what we are faced with today in being asked to submit to this kind of arbitrary procedure?

An hon. Member: What about Beauharnois?

Mr. Pearson: If my hon. friend will look back at the Beauharnois days he will probably find that the same kind of procedure was adopted in the house to disguise that kind of expenditure. I do not wish to delay the committee because the case has been made. As I have said, it is an unanswerable case, and I hope that even at this time the minister will withdraw from this course which he is proposing to follow and which must be very uncomfortable for him, of all the members in this house. Let me put on the record a quotation from the foreword to a book.

But the problem is, having chosen that type of constitution, those ideals, how can we be true to them when on the one hand governments substitute a different relationship between the constituent elements, and on the other hand people fail to realize what is happening? His simple accusation—

This is about the author of the book and I am reading from the foreword to the book.

His simple accusation is that in Canada the cabinet, and more especially the prime minister, has arrogated the most important constitutional function of the crown, the right and obligation to determine whether, within the constitutional life of a parliament, there exists in that parliament any person capable of forming and carrying on a government.

This doctrine and the developments which flow from its acceptance—

Perhaps this is one of the developments.

—particularly the right to demand and obtain a dissolution even in advance of an anticipated defeat in the house, lead inevitably to a fundamental constitutional change.

The upholding of this new doctrine by hon. members opposite, for instance.

For instead of there being three elements, crown, cabinet and commons, each with an independent yet inter-related authority and function, no one of the three thus able to dictate, you now have the cabinet, or the prime minister, combining two authorities and thus master over the others. The government is enabled to evade even its responsibility to the commons. And so for a parliamentary democracy based on a limited monarchy, there is substituted a cabinet dictatorship almost without limitation.

Who is the author of these words? The minister himself—

Some hon. Members: Hear, hear!

Mr. Pearson: —who is trying to force this unprecedented procedure through the house on the eve of dissolution. I ask him even at this late moment, will he live up to his own pretensions and cease trying to force this arbitrary procedure on the house, which

[Mr. Pearson.]

would enable the government in his own words, to evade even its responsibility to the House of Commons?

Mr. Low: Mr. Chairman, I appreciate the fact that you have seen me. I know that the minister would like to speak at this moment but I do think that on a matter of such serious import each of the parties should make its stand clear. I want to do that at this time. I have listened to the case made by the hon. member for Winnipeg North Centre, and I too want to say that I think he made a completely impregnable case. I do not see how in the world any responsible minister of the crown could find a flaw in it. This is the first time in my 23 years experience in legislatures and parliaments that I have ever seen this particular device resorted to. I have every sympathy with a government that finds itself under the necessity of using governor general's warrants or, as we used to call them in the provincial field, special warrants. That is understandable. But, Mr. Chairman, in every single case I have ever seen where such warrants have been used the government concerned brought them back somehow to the legislature or parliament for validation or approval. That is the only way that a government can possibly avoid arrogating to itself the legislative functions of government.

I was in British East Africa three years ago, along with the Minister of Finance. At that time he was representing the opposition in the Canadian parliament. I heard him deliver a speech in the parliament of Kenya in which he castigated the Liberals for attempting to arrogate to themselves the authority and rights of the legislative function of government. He did what a lot of people thought was a masterful job, but I am surprised to note that today the very government to which he belongs is attempting to do the kind of thing against which he inveighed.

Mr. Tucker: Far worse.

Mr. Low: On many occasions during the ten years that I was provincial treasurer of Alberta I used special warrants, as we called them, to meet emergencies, things which the legislature had not foreseen, but in every single case that we used warrants we were meticulous in seeing that the legislature was provided with an opportunity to say whether it approved or disapproved of what we had done. If the legislature disapproved we provided an opportunity for the testing of the strength of the opposition against the government.

That has not been done in this case, and I think it is a matter of censure, something to which the government ought to pay attention. Having embarked on this course and found they were wrong, I do not think that the