

first place we all recognize the overriding responsibility of the Senate to make the Constitution of Canada work. We realize that the Canadian Constitution, like all constitutions based on the British tradition of parliamentary government, is a finely-tuned and delicately-balanced instrument. Accordingly, we do not propose to assert our legal rights and prerogatives to the prejudice of common sense or reason, or to the sacrifice of the proper functioning of our constitutional machinery. We will not be hidebound by tradition, but neither will we forget or disregard the importance of tradition in the continuation of our constitutional process. As Sir Robert Borden has well said, no system of government cast on the British mould could long survive if the executive and each house of Parliament were to exercise their powers constantly and to the legal limit. The Senate was expected by the Fathers of Confederation to act responsibly at all times, and I am confident that it will continue to do so in the new Parliament.

We should not—and I am expressing my own opinion—automatically resist every government measure which comes before us. To do so purely out of party considerations would be to hamper any effective government of our nation.

Secondly, I have asserted in the past, and I do so again, the right of the Senate to amend money bills whenever the amendment will not increase an appropriation or any charge upon the people. While maintaining the prerogatives of the Senate in this regard I have often expressed the opinion, which I still hold—and the honourable Leader of the Government in the Senate last year brought this forcibly to my attention—that the Senate should not lightly or without the most mature reflection seek to alter the terms of a money bill in such a way as to affect substantially the balance of ways and means.

Thirdly—and now I come to the more difficult question of mandate. I said these words in 1957, I repeated them in 1958, and today I again repeat them:

I think that we would all do well to remember that the Senate has not, traditionally, resisted the adoption of any piece of government legislation for which a government has received a clear popular mandate, whether as the result of a general election or otherwise. Nor would it, in my view, be inclined to do so in future in the absence of the most compelling reasons for believing that the issue should be referred once again to the electorate.

Then I quoted a classic extract from the speech delivered by the Right Honourable

Arthur Meighen when he was Leader of the Opposition in this chamber. My views are substantially the same as his. I will not take time to read what he said at that time. If any honourable senators are interested in what he said I would refer them to the *Debates of the Senate* for the 1957-58 session, page 37 where I quoted his words.

My words and his speak for themselves, and I stand by them; but now, of course, they must be read in the context of today.

Honourable senators, arithmetic is an exact though somewhat dismal subject. It is necessary, however, for me to refer once again to the results of the general election of June 18, 1962. I am not doing this for any political purpose but in order to make my point. Before that election the present administration had in the House of Commons an overwhelming majority of members who had been elected by an unprecedented popular vote. Accordingly, I frankly conceded in 1958, and I quote:

It has received a general mandate to administer the affairs of the country for the next five years and has received a specific mandate in certain matters.

Honourable senators, in consequence of the recent general election, the statement I have just quoted no longer stands. The Government has now elected a substantial minority of members to the House of Commons and these were elected by a comparatively small percentage of the popular vote.

Hon. Mr. Hollett: Thirty-seven per cent.

Hon. Mr. Macdonald (Brantford): In addition it elected only a minority of members from the two most populous provinces of Canada. Nor has it indeed been demonstrated that the Government can command the support of the House of Commons for any appreciable length of time.

Accordingly, I feel that I should be just as frank now as I was in 1958. The Government remains in office by sufferance of those members of Parliament who, during the election, opposed the policies and program of the Government. It has no clear mandate from the people, either as to general policy or as to specific measures. We must, as a responsible second chamber, take the general attitude that no piece of government legislation which might come before us in the current session could be said to have behind it a clear popular mandate. Therefore, it will be necessary for us in each case to give all legislation even more searching investigation than has been our custom following a conclusive popular verdict.

Honourable senators, this leads me to the fourth and the most important principle in