

thinker and public man of the United States upon the system of free government. I hold in my hands an essay on free institutions and Government by Senator Calhoun. I do not subscribe to his views as to State rights; I think they are altogether erroneous; but he has been pronounced by Mr. Mill, the greatest political thinker that the United States has produced, and his views on this subject are of great importance and well worthy of the serious consideration of hon. gentlemen on both sides of the House; because the question we have now before us, is whether we are to continue our system of Parliamentary Government, or whether the majority in the House, for the time being, is to take control of the constitution and to so alter and amend it as to perpetuate themselves in office. Hon. gentlemen will remember, in the history of England, that after the death of Anne, when the house of Brunswick came to the throne, a Parliament that was elected for three years, changed the law and continued its existence for seven years. No one has ever undertaken to defend that measure upon any other ground than this, that it was a measure of extreme State necessity, forced upon the Government and Parliament for the time being by the intrigues of traitors and revolutionists. The hon. gentleman is proposing here a change in our constitution, without the sanction of the people, not less radical and far more dangerous than that which was proposed by Sir Robert Walpole at the period to which I referred. He is doing this in the interest of the party; he is doing this because it is possible—may I go farther and say, because it is highly probable—that the current of public opinion is running strongly in a direction contrary to his wishes, and this measure is for the purpose, not of securing uniformity—that is the pretext—but for the purpose of securing the hon. gentleman in his position of First Minister of Canada. Now, let me call the attention of the House to the views of Mr. Calhoun, to whom I referred a short time ago. He says:

"A broader position may, indeed be taken, viz.: That there is a tendency, in constitutional Governments of every form, to degenerate into their respective absolute forms; and, in all absolute Governments, into that of the monarchical form. But the tendency is much stronger in constitutional governments of the democratic form to degenerate into their respective absolute forms, than in either of the others; because, among other reasons, the distinction between the constitutional and absolute forms of our aristocratical and monarchical Governments, is far more strongly marked than in democratic Governments. The effect of this is, to make the different orders or classes in an aristocracy, or monarchy, far more jealous and watchful of encroachment on their respective rights; and more resolute and persevering in resisting attempts to concentrate powers in any one class or order. On the contrary, the line between the two forms, in popular Governments, is so imperfectly understood, that honest and sincere friends of the constitutional form not unfrequently, instead of jealously watching and arresting their tendency to degenerate into their absolute forms, not only regard it with approbation, but employ all their powers to add to its strength and to increase its impetus, in the vain hope of making the Government more perfect and popular. The numerical majority, perhaps, should usually be one of the elements of a constitutional democracy; but to make it the sole element, in order to perfect the constitution and make the Government more popular is one of the greatest and most fatal of political errors."

The Committee rose, and it being six o'clock the Speaker left the Chair.

#### After Recess.

The House again resolved itself into Committee.

Mr. MILLS. When the House rose, I was referring to the views of a distinguished statesman on the subject of the comparative merits as a means of promoting human liberty and human progress of the federal and consolidated forms of Government. I shall read an extract from a speech from the same writer, on the same subject. He says:

"In reviewing the ground over which I have passed, it will be apparent that the question in controversy involves that most deeply important of all political questions, whether ours is a federal or a consolidated Government—a question, on the decision of which depends, as I solemnly believe, the liberty of the people, their happiness, and the place which we are destined to hold in the moral and intellectual scale of nations.

Never was there a controversy in which more important consequences were involved; not excepting Persia and Greece—decided by the battles of Marathon, Plataea and Salamis—which gave ascendancy to the genius of Europe over that of Asia, and which, in its consequences, has continued to effect the destiny of so large a portion of the world even to this day. There are often close analogies between events, apparently very remote, which are strikingly illustrated in this case. In the great contest between Greece and Persia, between European and Asiatic policy and civilisation, the very question between the federal and consolidated form of Government was involved. The Asiatic Governments, from the remotest time, with some exceptions on the eastern shore of the Mediterranean, have been based on the principle of consolidation, which considers the whole community as but a unit, and consolidates its powers in a central point. The opposite principle has prevailed in Europe—Greece, throughout all her States, was based on a federal system. All were united in one common but loose bond, and the Governments of the several States partook, for the most part, of a confederate organisation, which distributed political powers among different members of the community. The same principles prevailed in ancient Italy; and, if we turn to the Teutonic race, our great ancestors, the race which occupies the first place in power, civilisation and science, and which possesses the largest and fairest part of Europe—we will find that their Governments were based upon federal organisation, as has been clearly illustrated by a recent and able writer on the British constitution (Mr. Palgrave) from whose works I take the following extracts."

Mr. Calhoun then reads from the able work of Mr. Palgrave the following extract:—

"In this manner the first establishment of the Teutonic States was effected. There were assemblies of septs, clans and tribes; they were confederated hosts and armies, led on by princes, magistrates and chieftains; each of whom was originally independent, and each of whom lost a portion of his pristine independence in proportion as he and his competitors became united under the supremacy of a sovereign, who was superinduced upon the State, first as a military commander, and afterwards as a king. Yet, notwithstanding his political connection, each member of the State continued to retain a considerable portion of the rights of sovereignty. Every ancient Teutonic monarchy must be considered as a federation; it is not a unit, of which the smaller bodies politic therein contained are the fractions, but they are integers, and the State is the multiple which results from them. Dukedoms and counties, burghs and baronies, towns and townships, and shires, form the kingdom; all, in a certain degree, strangers to each other, and separate in jurisdiction though all obedient to the supreme executive authority. This general description, though not always strictly applicable in terms, is always so substantially and in effect; and hence it becomes necessary to discard the language which has been very generally employed in treating of the English constitution. It has been supposed that the kingdom was reduced into a regular and gradual subordination of Government, and that the various legal districts of which it is composed, arose from the divisions and sub-divisions of the country. But this hypothesis, which tends greatly to perplex our history, cannot be supported by fact; and, instead of viewing the constitution as a whole, and then proceeding to its parts, we must examine it systematically, and assume that the supreme authorities of the State were created by the concentration of the powers originally belonging to the members and corporations of which it is composed."

It will be seen from this statement that the English Government itself had certain federal features, and anyone who has carefully studied the growth of British institutions and the British constitution knows that the practice of treating all the great documents of the constitution as not within the control of Parliament, as not subject to be altered or abolished by Parliament, has been uniform, and they are as much regarded as above the ordinary action of Parliament as our Federal Act is recognised as being above the action of this Parliament. It is because of this fact that the English Parliament has been careful not to alter the constitution without popular sanction. It has been dealt with in a way wholly different from that which has been adopted in regard to ordinary legislation, and it is in recognition of this principle that I have contended here to-day that a measure like this, altering our institutions, altering the basis upon which representation in Parliament rests, ought not to be undertaken, ought not to be dealt with without popular sanction. I have said before in this debate that the representative system of Government is in a great degree a system of forbearance. It is never the course of a Government acting upon sound constitutional principles to press their power to the utmost. They have always exercised towards the Opposition a very great degree of forbearance. The recent Representation Bill in the House of Commons in England, although it was carried through the House of Commons not only by a large majority but without any