

Private Members' Business

courts can give an opinion if one is asked for by the government. The courts can also strike down a bill which has been passed by Parliament on the ground that it is unconstitutional. I cannot recall that happening very recently. I remember one a while ago which might have been, but the government changed it to avoid that trouble. Of course, way back before the memory of quite a few members now here, the Bennett government passed a package of reform legislation, in 1934 or 1935, just before the election of that year. The Liberals, who were in opposition, questioned its constitutionality. Nevertheless, the Bennett government had that Parliament pass those bills.

Mr. Nielsen: Unemployment insurance.

Mr. Knowles: Unemployment insurance, and there were one or two others at the same time, all in the social field. Mr. Bennett had picked up some ideas from Roosevelt. He had a conversion in his fifth year and became a Tory, moving to the left. He brought in all that social legislation. The courts struck it down, afterwards, not before.

If I seem to be dragging this out, I hope the House will give me credit for doing so because we are waiting for Black Rod. Where is he when we need him?

The Acting Speaker (Mr. Blaker): Order, please.

Mr. Herbert: I think the hon. member for Winnipeg North Centre has convinced me with his argument.

The Acting Speaker (Mr. Blaker): For the benefit of the hon. member, I might indicate—if he is dragging this out, as he himself indicated, in order to fill the time until we hear the rap on the door—that I do not propose to take the matter under consideration. I propose to give a ruling immediately, because in my mind it is crystal clear that it touches upon the rights and privileges of Parliament. I do not have any difficulty in doing so. What is the wish of the hon. member, that he fill the gap or I fill the gap? It is irrelevant to me.

Mr. Knowles: Perhaps we could share the gap, Mr. Speaker.

It is awfully nice to know before the Chair rules that the ruling will be in your favour, but I do want to say a few words to my hon. friend, the hon. member for Vaudreuil, almost to chide him. We are good friends. We discuss these things. I was shocked he took the position today that because the Supreme Court of Canada made that ruling on Bill C-60, Parliament is denied forever the right to bring in a bill to change the set-up of the Senate or to abolish it.

It is bad enough, and I will deal with that when I get to debating the bill next time, that the government took Clause 44 out of the constitutional package and left the Senate with the veto it has always had over bills and over joint parliamentary resolutions, but for the hon. member for Vaudreuil to suggest that because of that Supreme Court of Canada ruling, which was only an opinion of what it would do with that bill if it got passed, because Parliament can never vote on and, therefore,

must never discuss a bill dealing with the composition or the existence of the Senate—

Mr. Herbert: I am convinced.

Mr. Knowles: Well, that is good. My friend is convinced, the Speaker is ready to give a ruling our way, but where is Black Rod? At least today I am being a prophet who knows what I am saying. The other day I predicted what would happen on the first day of the debate on the constitutional package, and I turned out to be dead wrong. Today I predicted that Black Rod would be late, and he is.

I think this is serious. I think it has been useful that the hon. member for Vaudreuil has raised the point and that we have had this discussion. I think it is useful that the Parliamentary Secretary to the President of the Privy Council spoke as he did. Hon. members may not like my proposal to abolish the Senate, hon. members may not like various proposals that are put before the House, but we have the right to discuss them.

● (1750)

I remember on one occasion when Mr. Auguste Choquette, a former Liberal member of Lotbiniere, proposed in a bill that the monarchy be abolished. It would be no surprise to hon. members, especially to hon. members over here, that the hon. Gordon Churchill was horrified at the suggestion and raised the very point the hon. member for Vaudreuil has raised just now; that is, that such a bill could not be introduced, that it is not in order. The Speaker of the day said that members might not like the idea but they had the right to discuss it.

I remember when I brought in bills to make income tax information public so we could see what was being done. That was a long time ago. Hon. members said it could not be done and they tried to vote me down on first reading. I remember Mackenzie King leading the vote in favour of it and saying that, whether or not they liked the idea, the member has the right to present the idea before Parliament.

I hope I have won on both counts. I hope I persuaded the member for Vaudreuil that these matters should be discussed, whether we like them or not, and I hope that Mr. Speaker will now, if we have time before Black Rod arrives, give a ruling and make it seem as if we were still talking when Black Rod arrives. As I have said before, this place reminds me of a verse in the Book of Revelation which says that there was silence in heaven for the space of half an hour. That is something we cannot do here. We cannot sit here silent and wait; we must either be talking or go. I am told that Black Rod is here. So I hope I have left you time, Mr. Speaker, to make the ruling which you have already indicated, and I trust that on another Thursday I will be able to proceed with the debate on the substance of this important bill.

Mr. Dionne (Northumberland-Miramichi): I just want to say, Mr. Speaker, that, like the add for Clairol, the hon. member for Winnipeg North Centre (Mr. Knowles) is not getting older, he is getting better.