

Abolition of the Senate

ment has wanted to get rid of a second chamber it has been possible to do so. I think that is what we need in this country: a government that believes in democracy to the extent of saying that all of our law-making, all of our representing of the people of Canada, shall be done by men and women elected by the people of Canada, sitting on their behalf in a representative democratic institution.

As I say, that was a bit of a digression, but I thought it was important to make it. I regret very deeply that Section 44 was struck out of the resolution. I regret very deeply that the government yielded to the blackmail from the Senate; that some of them might vote against the package. I do not believe for a moment there would have been enough to do it, but the government was too scared and backed down. I regret all of that, but I want to make it clear that if the present constitutional changes are made, we will still have the right to fight for a totally democratic Parliament, we will still have the right to work for the abolition of the Senate; and if we do not make it in the next 45 minutes, I shall be back at it again next year.

Some hon. Members: Hear, hear!

Mr. Hal Herbert (Vaudreuil): Mr. Speaker, will you permit a very brief question?

Mr. Deputy Speaker: Will the member for Winnipeg North Centre (Mr. Knowles) accept a question?

Mr. Knowles: Gladly.

Mr. Herbert: I wonder why the hon. member for Winnipeg North Centre made no reference to Bill C-60 and the Supreme Court decision when he said a government that had the will to do so could do so.

Mr. Knowles: I thought the hon. member was trying again to raise the point of order he raised the last time; but with respect to that question, if he argues that two years ago the government had the guts, I will go along with him, at least to make my point. If the government had the will two years ago to try to change the Senate. What has happened to that will today? Why has it backed down, with respect to Section 44?

Some hon. Members: Hear, hear!

An hon. Member: Blackmail.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, I enjoy the opportunity to speak on this particular bill. When I made my maiden speech in Parliament back in 1974, I spoke on this very same bill as introduced in the Thirtieth Parliament. I must admit that I have matured in my views over the years, and I have gone away from the blatant defence of the status quo that I presented when I made my maiden speech.

However, in saying that I believe my views have matured, I must say that I completely disagree with the bill before us which requests total abolition of the Senate.

In beginning my remarks, let me suggest it is certainly impertinent to discuss this question, at a time when we have a constitutional resolution before the House; a resolution which has an impact on the structure of government, the powers of the legislatures, of the fundamental constitutional direction of this country. But I realize there is no malevolence on the part of my friend the hon. member for Winnipeg North Centre (Mr. Knowles). It is the luck of the draw. You, Mr. Speaker, ruled last week, that it was very much in order to proceed with this bill at this point in time.

I would like to underscore one serious point the hon. member for Winnipeg North Centre has made tonight, which does have some bearing on the constitutional revolution—resolution—

An hon. Member: Revolution.

Mr. Collenette: A slip of the tongue.

An hon. Member: It is an important bill.

Mr. Collenette:—before the House, and that is on the powers of the Senate, as they may be, after the deletion of Section 44 in the resolution on the Constitution, because the hon. member for Winnipeg North Centre is absolutely correct. What the government has done by deleting that clause in the resolution affects or it enhances, in no way the power of the Senate. The power of the Senate, under the British North America Act, is total and is absolute. I think very few people in this country realize the full dimensions of power that the Senate has at its disposal. Unlike the House of Lords in the United Kingdom, which saw its power limited by the Parliament Act of 1911, when, as you may remember, the prime minister of the day might have been Lloyd George, Henry Campbell Bannerman—I am not so sure. I think it was Lloyd George.

An hon. Member: Asquith.

Mr. Collenette: Asquith. My friend for Broadview-Greenwood (Mr. Rae) is a great historian, so he knows the facts.

Mr. Asquith, the prime minister at the time, went to the king and said, in effect, "Look, Your Majesty, if we are going to have the power of the House of Lords continue to frustrate general social legislation"—and you must realize that that was the period of the great Liberal social legislation which heralded old age pensions, which, incidentally, the CCF, in this country, and the Labour parties stole from the Liberals in Great Britain; "if the House of Lords is going to impede that legislation, then, Your Majesty, we feel this is wrong, and that the power of the House of Lords should be circumvented." The king said, "Yes, I agree with you," and used the royal prerogative to threaten the creation of more peers so there could be a different colouring to the House of Lords. As a result of the Parliament Act of 1911, the power of the House of Lords was significantly curtailed.