the report of that committee, which the honourable senator from De Salaberry (Hon. Mr. Gouin) has just expounded. I criticize nobody individually; certainly not the honourable gentleman who has just spoken. I accept such responsibility for the report as may be mine, as a member of the committee, and I point out that the noble sentiments expressed in the draft declaration by the United Nations Commission on Human Rights are not to be found in the report. I believe that if the most interesting and eloquent address which we have just heard were substituted in our records for the flat and uninteresting report of the committee, it would be a vast improvement.

Honourable senators will observe that the report is almost entirely negative. The committee advises against a statutory bill of rights, on the ground that the power of the Dominion Parliament to enact such a statute is in dispute; it is opposed to submitting to the Supreme Court of Canada the question of the extent of the powers of the Dominion Parliament in this regard, the ground being that it would initiate a controversy with the provinces; it is against incorporating a bill of rights in the British North America Act as a constitutional amendment, for reasons expressed in evidence by the Deputy Minister of Justice, namely, that such a constitutional amendment would be of doubtful value, would constitute a surrender of Canadian autonomy, and would curtail our rights and liberties rather than enlarge them. These are the main opinions expressed in the report—they cannot be called recommendations—and they are entirely negative.

The drafters do suggest that the government consider enlarging the jurisdiction of the Supreme Court of Canada to include some questions of law; but what these questions are the report fails to specify, except to say that they are not now subject to appeal. They further suggest that parliament take stock of the extent to which Canada has maintained the liberties of her people, and if imperfections appear they are to be remedied; but no imperfections are noted as a result of the evidence which has been heard.

And that is all!—One is tempted to comment that if the government is not more vigilant in finding imperfections than the committee has been, as indicated by the report, it will not be much troubled with the finding of remedies.

Now with these drab, uninspiring and negative conclusions, I am in general agreement. A comprehensive statutory bill of rights enacted by the Dominion Parliament does not seem to be possible, and a constitutional amendment is equally impractical. But do these practical conclusions with regard to procedure dispose of the whole matter of civil rights and fundamental freedoms? It would appear that the committee spent so much time debating the pros and cons of statutes and amendments that it overlooked the fact that the order of reference makes no mention of either of these things. What the order directs is a consideration of human rights and fundamental freedoms, and of this the report says practically nothing, except that they do exist and should be preserved—a platitude with which surely no one would disagree. One may vainly scan this flat and uninspiring document from beginning to end for a single assertion of human rights, or for any principle of freedom, either fundamental or otherwise. The reports says such things exist and should be preserved; but what they are, or how to be preserved, the committee either does not know or just does not tell.

The greatest documents of freedom in the world's history have not taken the form of either statutes or constitutional amendments.

When Moses came down from the mountain and delivered the ten commandments there was no attempt at legal effect. The Decalogue was, as the name implies, a declaration of moral principles which, with religious sanction, all mankind was urged to observe. It was for lesser men in later years to embody the command "Thou shalt not kill" in legal language and statutory form.

The Magna Carta, wrung by the Barons at Runnymede from a reluctant King in 1215, was not a statute; it was an agreement which the king did not even intend to observe; and yet the Magna Carta forms the basis of English civil liberties.

The American Declaration of Independence was not a statute. It was a declaration to the effect that all men are created equal and endowed with certain inalienable rights—among them being life, liberty and the pursuit of happiness. The political philosophers of the American Revolution had no thought of law-making, and yet from that day to this they have influenced the thought and actions of the whole world in support of civil rights and fundamental freedoms.

The Bill of Rights of William and Mary was in statutory form but, other than the sections dealing with the succession, it was intended more as a declaration of rights than as enforceable law.

Indeed, the committee itself has inadvertently recognized that the legal force of a statement is not essential to the power of truth. In its reference to the draft International Declaration on Human Rights by a