

● (1732)

[English]

“Use of English and French languages”:

133. Either the English or the French language may be used by any Person in the Debates of the House of Commons of Canada and of the Legislature of Quebec; and both those languages shall be used in the respective Records and Journals of those Houses; and either of those languages may be used by any Person or in any Pleading or Process in or issuing from any Court of Canada established under this Act, and in or from all or any of the Courts of Quebec.

There must be a reason for this, Mr. Speaker. I wonder why the sponsor of the bill limited this aspect of the bill to the House of Commons and the province of Quebec. Perhaps before the end of this debate he would be permitted to tell me why clause 9 refers only to the House of Commons and the province of Quebec in regard to pleadings in the courts and to the legislature.

Mr. Knowles (Winnipeg North Centre): Would the hon. member permit a question?

Mr. Dupras: Yes.

Mr. Knowles (Winnipeg North Centre): Does the hon. member not realize that what I have done in drafting this clause is simply to repeat section 133 of the British North America Act as worded at the present time, simply leaving out the reference to the Senate? In other words, does he not realize that I am not touching the language issue? I am not altering it as it now stands but dealing only with the question of abolishing the Senate.

Mr. Dupras: I thank my distinguished colleague for telling me his position. I knew he was only repeating and more or less renewing section 133, and that is why I posed the question. I was not criticizing my hon. friend; I was just asking him why he did not take advantage of this bill to widen the scope of this section so as to include all of the courts and legislative assemblies of the country.

Mr. Knowles (Winnipeg North Centre): Then the debate would be on two issues.

Mr. Ray Hnatyshyn (Saskatoon-Biggart): Mr. Speaker, my contribution will be brief so as to allow time for other colleagues who wish to participate in this debate. I should like to commence my remarks by congratulating the hon. member for Winnipeg North Centre (Mr. Knowles) on his tenacity in regard to this particular issue. I know this matter is near and dear to his heart. He mentioned the fact that he has survived a number of Senators who were here when he first came here. I trust that reference in no way indicates his support for the proposition that any member of the House of Commons should be obliged to retire at the age of 75, because this might deprive the House of the very valuable services of that hon. member. I am sure he appreciates the fact, while he has led the good life, many of those Senators have gone from the other place by virtue of this new provision in the statute as opposed to being less durable than the hon. member.

Abolition of Senate

Mr. Knowles (Winnipeg North Centre): In that respect, Mr. Speaker, like the right hon. member for Prince Albert (Mr. Diefenbaker), I plan to stay a long time.

Mr. Hnatyshyn: This puts me in mind of a story, Mr. Speaker. We all know that lists of applicants for the Senate are placed before the Prime Minister in great numbers. In fact, it is a very popular place to be appointed to.

Mr. Dupras: You are too young for that.

Mr. Hnatyshyn: I speak for the parliamentary secretary who appears to be a prime candidate on that side for the Senate, and who gave a very spirited defence of that institution.

This reminds me of a story concerning Sir John A. Macdonald who attended the funeral of a deceased Senator. He was standing beside the grave, and just as the coffin was being lowered into the ground one of the aspirants for the vacancy created by the death of the Senator approached Sir John and whispered in his ear, “Sir John, I want to take his place.” Sir John is reported to have replied, “I am afraid it is too late.”

I am afraid that we in Canada have to admit that we do have an institution which perhaps represents something of the spiritual nature of this country. I refer to the chamber regarding which it is said that, after a political death, there is indeed a heaven, and that heaven is the Senate of Canada.

At the outset I must declare, as seems to be the appropriate thing to do in parliamentary terms, a potential conflict of interest in addressing myself to this bill. At one time I served as an executive assistant, in what we call the good old days, when the right hon. member for Prince Albert (Mr. Diefenbaker) was Prime Minister. I was executive assistant to the government leader in the Senate. The distinction of that office was enhanced by the fact that our present Clerk of the House, Mr. Alistair Fraser, was at that time executive assistant to the leader of the opposition in the Senate, so I had good company in that august chamber.

I should also mention that my father was a member of the Senate. Therefore in addressing myself to this bill I must declare a potential conflict of interest in the sense that I have that particular background, that particular vantage point, with respect to the Senate.

I want to make two or three observations about the Senate which are based upon my experience of observing that particular body. Apparently the hon. member for Winnipeg North Centre desires to take a black or white approach to the Senate of Canada. In other words, if he is critical of the operation of that body then his facile answer is simply to abolish the institution. Before we do that I think we should look at this institution in the context of modern times and current political situations to see whether it in fact could perform some reasonable function, by way of examples, in the performance of preserving Confederation, possibly, or for the purpose of serving and representing more adequately than it now does the regional aspirations and interests of the country.