

sentation and it seems to me that its report should have a more dignified *dénouement* than mere tabling, which my experience suggests would be equivalent to throwing it out of the window.

Hon. Mr. Roebuck: Hear, hear.

Hon. Mr. Lambert: The subject dealt with in the report is not new. The feature that most appeals to me is the recommendation that parliament adopt a declaration of human rights. I could speak at some length on the desirability of such a declaration, because I think that since the beginning of self-government here the people of this country have lacked a philosophy of attachment to the soil on which they live. I believe that the need of such a philosophy as a basis of spiritual and moral aspiration by our people is great indeed.

The exact terms of the bill of rights could be left to a specially selected committee, as suggested. I think it is possible for the federal and provincial authorities to agree on procedure in amending the constitution, to the end that we may have one that is really our own and which we can amend without appeal to the Imperial Parliament. When we are able to say that we have a truly Canadian constitution, that will be the time to underpin it by a fundamental affirmation of our rights of citizenship.

Some approach to an affirmation has been made already in the Citizenship Act, but that does not go quite far enough. It declares the citizenship of newcomers to this country and identifies their status with their future life in Canada. But it seems to me that far more than that is required to bring home to future generations born in this country a sense of attachment to and aspiration on behalf of their native land.

As I have already mentioned to some of my colleagues, I consider that the submission made to the committee by Professor Lower of Queen's University, Kingston, and published in the committee's proceedings, is itself worth all the trouble and expense incurred through the establishment and operations of the committee. Professor Lower has made a most illuminating statement on the whole question of human liberties and democratic rights in Canada, and I should much dislike to see that document buried at this time through the tabling of the committee's report.

The Hon. the Speaker: Will the honourable senator permit me to point out that in my opinion the report cannot now be tabled? The motion before the house is for concurrence in the report, and it is for honourable senators to express their pleasure in the adoption or rejection of that motion.

Hon. J. J. Kinley: Honourable senators, I was a member of this committee, and I must confess that I assumed the duties of membership with a great deal of indecision. A good many persons had said to me that in this free country our liberties were so obvious that no bill of rights was needed. However, when attending the committee's meetings I was much surprised to find how the idea of a bill of rights had caught the imagination of the people. The witnesses who appeared before the committee, speaking for themselves or on behalf of organizations, were for the most part persons of some prominence and well qualified to discuss the subject, which they did in an excellent manner, and I became enthused with the subject. The general impression seemed to be that while rights as between one citizen and another are well understood, there is a vagueness as to both the duties and privileges of our people as citizens of the state. As I listened to the discussion I felt that our constitution should contain a declaration setting out definitely the rights of our citizens in relation to the state.

Most of the witnesses agreed that we should wait until an appropriate time before enacting a bill of rights, and I think this view is implied in the report. The feeling was that we have a big job on our hands in bringing about a change whereby we shall be able to amend our own constitution within Canada, and that nothing should be done that might endanger or confuse the negotiations going on to that end. However, when we do acquire full power to amend the constitution, there will be no getting away from the necessity of having it set out the rights of the people in terms clear and easily understandable.

In our history books we read of the Magna Carta, the declaration of rights conceded by King John. But that was not the first declaration of its kind. Henry I, of Normandy who reigned shortly after the conquest, thought that he would get the English people to like him if he married a Scottish princess, the daughter of King Malcolm. But as a condition of marriage she demanded that he make a declaration of the rights of the people. Being enamoured of the princess, he did this, and one hundred copies of the declaration were deposited in cathedrals and monasteries throughout the country. However, after the marriage the King promptly forgot his declaration. Gradually the rights of the people were restricted more than ever, until in time there came the crisis which was ended with the signing of Magna Carta. When Magna Carta was being discussed, one of the parties—I think it was the Archbishop of Canterbury—drew to the attention of the