

Electoral Boundaries Commission

where this bill is going to be amended out of any similarity with the bill that was originally introduced? The government must have assumed its responsibilities with due regard for the consequences, and having done so it must stand by the principle it has enunciated in the bill. I am quite interested, therefore, in ascertaining why there is now all this change.

Mr. Brewin: I do want to comment on the remarks we have just heard from the hon. member for Edmonton West. It would seem to me very reasonable for an opposition party to welcome what is called a shift or a volte-face on the part of the government. I, for one, would like to commend the Minister of Justice and the Minister of Transport for being willing to concede it is possible their original ideas could be improved upon. So far as I am concerned, that is the function of the committee. Why they should be castigated for doing what is sensible, doing what is consistent with the privileges of the members of this house, I do not understand.

Furthermore, I want to say to the hon. member for Edmonton West that his remarks illustrated to me the less attractive features of the profession which he and I both grace. In other words, he produced a skein of so-called logic which really had no practical sense in it at all. I know this is part of the function of my profession from time to time, but I only hope that the members of this house—I am sure they are—are sufficiently intelligent not to be taken in by these appeals to this—well, I was going to call it phony legal sort of logic.

Mr. Lambert: Will the hon. member wear his own sack cloth and ashes?

Mr. Brewin: With regard to the objections that were suggested, first of all he said this would be imposing a heavy responsibility on the chief justice. The most famous judges in England, the lord chancellors, have had wide powers of appointment in all sorts of fields.

Those whom we want for these jobs are persons highly qualified by their judicial knowledge, gained through the discharge of their non-partisan duties. Who better are there to do these jobs than the chief justices nominated here?

It is sometimes true, as the hon. member has said, that legislatures impose unreasonable tasks on the courts, but surely no one suggests that the making of this particular appointment is going to tax the faculties of our chief justices beyond endurance. In my own view, knowing some of them, they will

[Mr. Lambert.]

probably be very happy to have this incursion into the field of appointment in such an interesting realm.

It is always easy to find difficulties; and instead of worrying too much about the difficulties suggested by the hon. member for Edmonton West, I think the changes suggested by the Minister of Justice, if my hon. friend from Winnipeg North Centre accepts them, and I suspect he will, should be adopted. The amendment is a definite improvement and I commend the government for its willingness to accept it.

Mr. More: I only wish to take part briefly once more in this debate. I am not going to hold anybody in suspense. I shall tell you right now I will not support the amendment. It will not take me as many words on *Hansard* to make my position unclear as it did the Minister of Transport this morning, because on whatever he said anyone could draw his own conclusion.

Perhaps that criticism is welcome to him. I am new in this field and I might adopt some of his tactics if I wanted to stay, but I do not feel in that mood today. I speak only for myself and on a non-partisan basis. The amendment has brought forth violent discussion and I cannot agree with it.

In spite of what the Minister of Justice has said I think by adopting the amendment we would put our chief justices into a position where, though acting to the best of their knowledge, judgment and courage, they would be subjected to criticism that might reflect on the judiciary as a whole. I have great respect for our judiciary, as I believe do all the people generally, and we have enough attacks on our institutions of democracy without throwing the members of the judiciary into a position where they might be open to a lot of criticism.

Having regard to the background of the members of the judiciary, I have always felt they were political. Lawyers have a special adaptation to active politics, and in most cases members of the judiciary have been appointed by the governments of the day because they were active in politics, and probably were friendly to the government of the day. However, that does not happen to be the case with regard to the appointment of the chief justice of Saskatchewan. Under the Conservative government a Liberal appointee was elevated to that high position, and I have not heard criticism of that action from anywhere in this party. This man had the ability required, and his associates and the party generally agreed with his appointment.