

Committee Procedure

government are called before that committee to give testimony and information.

It seems to me that what is being followed is a long-established tradition of the British parliamentary system. I am not sure whether the hon. member for Peace River wants to move toward the congressional system, with a separation of powers, but under our parliamentary system surely the minister is responsible for policy.

Mr. Baldwin: It beats the Roman system.

Mr. Foster: Knowing the hon. member's great interest in the parliamentary procedure, I find it hard to believe that he really wants to attack our system of responsible government.

Mr. Baldwin: Remember that Caligula made his horse a member of the council. That is the kind of thing we see.

● (1730)

Mr. Foster: In looking at this matter, the hon. member also raised the matter of privilege. I would like to read that section of the *Journals* that concerns those special privileges that members of parliament have. It reads:

Mr. Speaker, I am commanded by His Excellency the Governor General to declare to you that he freely confides in the duty and attachment of the House of Commons to Her Majesty's Person and Government and, not doubting that their proceedings will be conducted with wisdom, temper and prudence, he grants and upon all occasions will recognize and allow their constitutional privileges.

I am commanded also to assure you that the Commons shall have ready access to His Excellency upon all occasions, and that their proceedings as well as your words and actions, will constantly receive from him the most favourable construction.

So we do have these special privileges given to us from the Crown, and under our system the government has a responsibility to the House of Commons for all the people who work under it in its departments.

The hon. member for Peace River has tried to broaden the motion before us today. As it is written, it refers directly to the Minister of Energy, Mines and Resources and I would like to indicate that the minister has never ordered a witness not to attend a committee meeting, or ordered a witness to withhold evidence from a committee as is alleged in the motion. Records of the work of this standing committee will show that he has co-operated fully in providing witnesses before the standing committee. I really think the hon. member should consider withdrawing the motion because it has no substance, as I am sure he is aware.

Mr. Mark MacGuigan (Parliamentary Secretary to Minister of Labour): Madam Speaker, hearing the hon. member for Peace River (Mr. Baldwin) I was a little uncertain just how to take him because, frankly, I was uncertain as to how he was taking himself. Listening to him I did not know whether he was actually making arguments which were subversive of the parliamentary system and of responsible government as we know it, or whether he was just repeating some tired old arguments for the sake of the reading public. Those who could hear the manner in which he was making his remarks and the lack of effort he put into it in comparison with the effort he usually puts into even his most unworthy causes would

[Mr. Foster.]

have the same doubts as I have. We missed his enthusiasm today.

Mr. Baldwin: I was trying to speak seriously, but when I saw the blank faces of people opposite who did not understand the issue I was discouraged.

Mr. MacGuigan: In view of the manner in which he presented his own arguments I tend to think he made a political speech, I do not know whether in the best or the worst tradition. If we were to take seriously the kind of arguments advanced today by the House leader of the opposition, we would have no responsible government left.

Up to a point he is entirely right in what he says. He says that it is the undoubted right and ancient privilege of this House that all witnesses who attend before this House or before any committee of this House have and enjoy the privilege of this House in coming, staying and returning. All this is right, provided he makes what he says subject to responsible government.

I should also add that there is one other aspect of parliament's power which is not being questioned here today and which I am sure is common ground to all parties, that is, the power of the whole House to summon before the bar of parliament any person in the country for an accounting of his actions. Parliament has not chosen to exercise that right very often, but I think that it includes even civil servants in a case where, because of some individual action of a public servant, the whole House decides to call him before the bar of the House in such a case the public servant would be required to attend. That is a very unusual situation which is not under discussion here this afternoon.

The House leader of the opposition is attempting to make it a rule that parliament, without any reference whatsoever to the doctrine of responsible government, should have the right to summon any public servant before it. That is not only not the intolerable situation he asserted it to be but in fact it is the unbroken tradition of parliament that it is the government that is responsible for the actions of the public service, and that it is the minister to whom the public servant is responsible who has not only the option but indeed the duty to appear before either the House or the committees of parliament to account for the actions of his public servants.

The House leader of the opposition and I have even sat on some of the same committees, and we have both observed the same things, namely, that when a public servant is summoned before a committee, he is normally accompanied by his minister. The minister may choose to answer most of the questions or he may choose to inform himself of the facts from the public servant who may be there speaking into his ear. In fact committees have sometimes halted proceedings while a public servant has an opportunity to acquaint his minister fully of the matter being discussed. That is the way the system operates—it operates through the minister. On those comparatively rare occasions when a public servant appears before a committee without the support of his minister, it is by advance permission and with the knowledge of the minister.

The House leader of the opposition has sat on various committees with me, among others on the Special Com-