

to give the producers of the films the opportunity to respond to attacks on their work and to introduce to the Sub-Committee any qualified historians who assisted them in making the final "cut" of the series or who were prepared to support its historical methodology and merit.

These objectives could hardly be considered offensive to either intellectual freedom or freedom of expression. The director of the film series, Brian McKenna, had been provided with more than \$3 million of public funds to make three two hour films, and the CBC had given him in various showings eighteen hours of broadcast time and audiences of millions before which to expound his views about the nature of Canadian participation in the Second World War. In contrast, veterans were allowed a short period after one of the network screenings in March to debate Mr. McKenna. In the meantime, they had received no response to the complaints they had addressed to the broadcasting regulatory body, the Canadian Radio-television and Telecommunications Commission, while the responses from the NFB and the CBC, whether signed by Senior Officers or employees in their public relations departments, not only fully supported the series but echoed the claims of the producers and director that the films were "bullet-proof." Moreover, these responses made no reference to the existence of an Ombudsman's office where complaints could be pursued or perhaps investigated. Under these circumstances, how could there be a violation of freedom of expression in the Sub-Committee's provision of a public hearing to the offended veterans and their organizations?

In the opinion of the Sub-Committee, the criticism that its hearings offend the principle of the arms-length relationship between the Government and cultural agencies is a red herring. Ministers exercise the prerogative and administrative powers of the Crown. They and they alone have the power to issue binding instructions to Departments and Crown Corporations and the unique power to propose or deny the expenditure of public funds. Without the principle, tradition and practice of the arms-length relationship with cultural agencies, the Government through the Minister responsible could compel the CBC and/or NFB to do something about *The Valour and the Horror* and could, indeed, reduce these organizations to little more than propaganda agencies.

Committees of the House of Commons and of the Senate have only the power (and the responsibility) to make recommendations. The Sub-Committee on Veterans Affairs has no power to compel either the CBC or the NFB. Neither the Government nor any other body is obliged to implement its recommendations. Federal funding frees the NFB and the CBC from the discipline and vagaries of the market place and public opinion. The arms-length relationship places them beyond the direct control of the Government. To argue that their activities and operations are also beyond the study of Parliamentary committees, even one which plays no role in scrutinizing their annual estimates, is to say that these organizations are beyond Parliamentary scrutiny for the expenditure of millions on *The Valour and the Horror* and are not obliged to explain why the series (or any series on any subject) cost so much. Consequently, the Sub-Committee found that it could not accept this interpretation of the arms-length principle.