

Correspondence on Surcharges

the action of the executive in imposing taxation without direct authority of parliament. None of the precedents given us by the Minister of Justice apply to such a situation. What is the government's reply to these serious allegations about the illegality of the order? We have no answer. We have the assertion of the Minister of Justice that his law officers have given him certain advice. No particulars are given; no reasons, no arguments, even in the broadest detail, to enable this house to judge whether the assertions of the minister are justified.

When it is suggested the matter be taken to the court the Prime Minister gives us a blanket refusal, a refusal to recognize the problem even exists. The Minister of Justice says he gave to this house the substance of the opinion of the deputy attorney general of Canada. This cannot be correct, unless indeed the opinion of the learned deputy was like the statements made in this house by the minister and the Prime Minister, bare assertions of conclusions which the legally trained members of this house, as well as other members, will readily recognize as no opinion at all.

There are some new members in this house who sometimes feel a little frustrated by the proceedings in this parliament. I suggest their frustration should not permit them for a moment to overlook the fact that it is of the utmost importance that we preserve intact all the privileges of this house, that we recognize that the executive is the servant of this house just as this house is the servant of the people of this country. I suggest even if the government are entitled by some legal rule to say they will not tell us the justification for these orders in council, they clearly have the right to waive that rule. It would be in the interests of the people of this country if they did, and if they produced before this house the justification which they say exists for what we think is an imposition on the house, an assumption of jurisdiction which belongs to parliament and parliament alone, the jurisdiction to impose taxes on the people of Canada.

I had a great deal more to say, but I see the time. I conclude by urging this government to reconsider, in the interests of this House of Commons and the rights of parliament, whether they will not produce, so members of this house can see, the legal opinion upon which they claim to rely.

Mr. R. N. Thompson (Red Deer): With all due respect to the eloquence of the hon. member for Greenwood, I must say I consider it far more convincing to listen to a man who is speaking at least out of conviction rather than to a man who is speaking for political

[Mr. Brewin.]

intrigue and manoeuvre. Nevertheless, I am thankful that my destiny in life was not to become a lawyer. I was thinking, as I listened to the debate this afternoon, that we have too many of them in the house as it is. I would say to the hon. member for Essex East that, in the light of the remarks that were made from the front benches of his party about not being able to understand what debt free money was, perhaps he does not have to understand it to vote for it. This probably applies also to the issue that is before us.

However, the game of politics continues to emasculate this house of minorities. The hon. member for Essex East, so far as my observations are concerned, is merely plying his dubious trade of political expediency in a matter which he knows is not one of vital importance to the country as a whole.

Some hon. Members: Order, order.

Mr. Thompson: But if he—

Mr. Speaker: Order; I would caution the hon. member for Red Deer that he cannot impute motives to another hon. member in this house. One may have some ideas about them, but one cannot say them. Therefore, I think he has gone far enough in this regard. I do not believe he meant his remark in any offensive sense, at least I hope not.

Mr. Martin (Essex East): May I ask the hon. member a question?

Mr. Speaker: Order; the hon. member for Red Deer has the floor.

Mr. Martin (Essex East): May I ask him one question? Is my friend going to oppose this motion or not?

An hon. Member: He does not know yet.

Mr. Thompson: I was only saying that the time of the 264 members of this House of Commons is being wasted over an issue that is not vital, and I am not so sure that the time of the 265th member is being wasted as well.

It seems to me, Mr. Speaker, that what is happening at the moment in relation to this debate is that we have a history of a once great Liberal party, a party which knows all too well how they mismanaged—

Some hon. Members: Order.

Mr. Speaker: If the Chair is able to judge, there must be a lot of budding speakers in this house because there are a lot of comments being made. I must caution hon. members that they will have an opportunity to speak from their feet and not from their seats.

I must caution the hon. member for Red Deer that the rule of relevancy is extremely