

Employment in Public Service

Mr. Lewis: I am, of course, most surprised that the minister is still a Liberal. I am equally surprised that he is proud of it. However, he does not have to tell me that. I thought he was flustered but I will withdraw that word. The hon. gentleman is usually very quick to get to his feet and his hesitation seemed to indicate to me he was flustered. If the hon. gentleman was tired as a result of his work over the week end and did not get to his feet as quickly as he usually does, then I accept his statement that he was not flustered. It is regrettable that the question should have to be asked and that the minister should have to answer it by saying, of course I was a Liberal. I would not like to ask him if he were a member of the Liberal party during those years because I would not want him to have to answer that. If being a member of the Liberal party in those years did not require any particular membership card and he did not have to pay any dues, not even the dollar which is sometimes necessary now, then I gather he might have been a member of the Liberal party without being able to show a card. His answer would either have to disclose that he broke the law at that time or he would have to make the kind of answer—I say this with great affection for the minister—he frequently gives which consists of very attractive words that do not get to the point. The minister would have to do one or the other.

I think this is an absurd situation. I do not see any justification for it except the traditional timidity we cannot get rid of. I think the time has come when we should get rid of it and give public service employees the political rights that every other citizen exercises. I was ready, as I said before, to make a concession and except certain classes of employees such as those who are engaged in advisory capacities or in the development of government programs. I certainly cannot understand why the suggestion I made to the President of the Treasury Board that he at least accept an amendment that would permit public service employees to be members of political parties as well as make contributions to parties and attend meetings should not be accepted. I simply cannot understand that.

I am told there are some people who believe that the language of clause 32 does not prohibit public service employees from being members of political parties. I am prepared to argue that. I am not at all sure that the language is clear. I think a strong argument can be made that it is not clear because if the

language were clear on that point it would be equally clear on the exceptions from the general proposition. If it is true that when an employee is prohibited from engaging in any activity for a political party, as the present bill provides, that does not mean he cannot be a member, then I cannot understand how you can be a member and at the same time, be prohibited from engaging in any activity of the party. This does not make sense to me. If it makes sense to the minister, then it is equally true that a person can attend meetings if he keeps his mouth shut when he attends them and a person can make contributions to a political party if he keeps quiet about it.

As a lawyer who has had some training, not as much as many others in this house, in interpreting language I would say that clause 32 in the present bill does not clearly give the public service employee the right to be a member of a party. I am putting it that way in order to avoid being dogmatic and starting an argument about it. There may be an argument that he may have the right, but the bill does not clearly give him the right. Unless you clearly give him the right to be a member of a political party, the right to be a candidate is in most cases a farce. My colleagues and I are not prepared to take part in that kind of farce if we can avoid it. I hope the minister will still give consideration to accepting an amendment which, if it does not go as far as the amendment we moved in the special joint committee, will at least make clear the right of the employee to be a member of the political party of his choice without running afoul of the law.

This bill makes perhaps less change in the present legislation than the other two bills, No. C-170 and No. C-182. There are many improvements in it. I have not been living in Ottawa, except when elected to parliament, during the last 16 or 17 years. However, I have had the pleasure of knowing a great many civil servants. My colleagues and I are delighted to agree that we have a very high-class public service in Canada. I have not been to the United Nations as a member of parliament but I have as a visitor. I have heard the representatives of other countries express their admiration for those who represent Canada on various commissions and at various international conferences. When I say "those who represent Canada" I do not mean our political representatives; I mean those from the public service who speak and work