

*Procedure Committee Report*

number of private bills have been sent to the standing committees in this way, that is the subject matter has been referred before second reading. The railway legislation which has been on the order paper for some time is now before a standing committee in exactly that way.

I think we are all political realists here. We realize that many of the measures which appear in the form of bills do not represent examples of the immaculate conception. They are probably the result of the marriage of sinful political expediency to the official establishment of the departments. The measures which are produced are clothed by the draftsmen of the Department of Justice, nourished in departmental committees and finally approved by the cabinet. By the time they emerge to our view they are usually well formed and hearty children. In the result the government, like all parents, is very reluctant—all governments are like this—to make any changes.

It is my submission, Mr. Speaker, that the members of this house act as a pipe line of communication between parliament and the people of this country, and are better qualified than anyone to judge of the impact of proposed legislative measures upon the people of this country, to observe the repercussions, to hear the views expressed by the people of this country and bring those views back to this house before those bills become law. If one reads through the statutes, one finds case after case in which bills have been brought back for amendment simply because they were hastily improvised. Sometimes they were ill conceived in their actual terms because government and civil servants did not look far enough ahead to see what would be the impact of those measures. We have to wait, then, a year, two years or three years to bring the legislation back and have it amended. I suggest that if the type of procedure which I envisage were in fact part of the operating basis of this house there would be fewer bills that needed correcting. The type of legislation, then, which would be provided ultimately would be far better and would be better moulded to the needs of the people of this country.

Finally, Mr. Speaker, there is one other aspect which I think justifies us in dealing with and approving this particular motion. I refer to the extent to which the legislative branch should continue to exercise some control over the executive. As we know, from the early, dim, misty beginnings of democratic government there has always been, and there

probably will continue to be, conflict between the executive and the legislative branches of government. This quite often has nothing to do with party politics, except only that the party in power usually tends to think what the government does is right and those who sit opposite are more inclined to be critical. The two great wars, the reign of one party for such a long period, and the growth of various administrative devices to which I have already referred have worked continuously to enhance the powers and the prestige of the Prime Minister and cabinet. As a consequence this produces, by comparison, a continued deterioration in the legislative branch.

There is another reason, I suggest, and it lies in the fact that we are close to the United States. There has been a greater emphasis on what is popularly known as the leadership cult. The leader of a party, particularly one who becomes prime minister and thus happens to have available to increase his power and prestige the tremendous knowledge and assistance of the permanent branch of the executive, has a measure of strength never contemplated, I imagine, by those in the earlier history of this country. Now, much of this can be attributed to the fact that we have watched, consciously and unconsciously, and emulated the presidential elections in the United States. In any event the fact is that power of this kind, once assumed by the prime minister and cabinet, is never lightly relinquished under any circumstances.

I do not think it should be. After all today, in the vast complex panorama of modern day living, it is essential that the executive should have great powers, powers to act quickly and consistently. However, I suggest this makes it all the more essential to do what we can to repair the imbalance by strengthening the power of the legislative branch of government so it can continue to exercise proper control and scrutiny over the executive branch, rendered even more desirable by the strengthening of the powers of the cabinet which I have mentioned.

To repair this omission, to bring the private member of parliament into a position where he can provide an adequate and intelligent means of controlling the executive, the committee system provides the answer. Certainly, Mr. Speaker, the individual member by himself cannot hope to do so. I recognize, of course, that under our system of responsible government the power to initiate legislation always rests with the government. This is proper. However, I suggest that unless we,

[Mr. Baldwin.]