

Combines Investigation Act

I have said that the rule of law is the very cornerstone of our civilization. Let us be honest about it. When, as I said a moment ago, we talked so glibly about being Christian, let us look in on ourselves and find out how many of the real principles of Christianity we are prepared to back. But one thing we have—the rule of law established by the wisdom of our ancestors. This we have inherited, and to this we should cling. If the rule of law is gone, what have we left? What is the use of “screening” government employees to see whether or not they might under certain circumstances break the law when at the same time the government has broken the law—and without excuse and without any promise of doing any better in the future?

Let me have a word more about this rule of law. It seems to me it is the binder, the cement of our civilization. What is it that enables us to solve problems which often become bitter, which often become acrimonious—labour problems, racial problems, even religious problems at times? What is it that enables us to solve those problems? In spite of the criticisms and sneers that are made against the courts, the fact remains that there is a deep-rooted feeling in our country that there is a rule of law which is the same for one person as for another. Hon. members will recall that if a poor man comes before the courts faced with something serious such as a criminal charge the court will assign counsel to him. Even those who have as little acquaintance with the courts as I have know that judges are particularly tender and solicitous toward those who come into court without lawyers, to defend their own cases. I think it is one of the glories of our law that that is true.

It is well for us to remember what would happen to a judge if in the administration of his office he undertook to disregard or to break the law. My answer is that the Minister of Justice would deal with him harshly, and properly so. But now the custodian of the law has been found doing this, and what is to be done about it? During the debate the Minister of Justice gave various reasons for doing what had been done. I do not propose to examine them, because they were all irrelevant. Not one of them faced the question that the law had been broken. He discussed the reasonableness of this or that, and eventually wound up at a point which I thought was disappointing. I hardly think it is a travesty to say that the only real reason he gave for breaking the law was that the Minister of Trade and Commerce (Mr. Howe) told him to do it. I do not want to be unfair, but that seems to me to be the

[Mr. Macdonnell (Greenwood).]

real answer. Of course I should add that it was all discussed by the cabinet, so they are all head over heels in it; but I think we can give the honours of the day to the Minister of Trade and Commerce.

There was one other thing the Minister of Justice said that troubled me more than any of the other things he said, although they all troubled me quite a lot. Eventually he got almost to the point of saying that anyway they had a large majority. It is always comfortable for a government to be able to say that, and this government does have a large majority. Unfortunately he seemed to imply that somehow or other what happened last June was an endorsement of this government action, but it has already been witheringly pointed out that last June the electors were in the unfortunate position of not knowing about this. I shall not say any more about it.

The minister also suggested that as long as the government had the comfortable feeling that there was still a majority with them in the country, they need not worry. Will you consider what that means? It means that when the people elect 262 members to the House of Commons they are just wasting their time; there is no point in our being here at all, because the government will not pay any attention to us. They offer the suggestion that eventually there will be an election and that will settle the matter. What does that mean? It means in effect that we are to have government by plebiscite which will take place every four years, and in the meantime the House of Commons might just as well shut up shop because it is wasting its time. There is no suggestion by any minister I can find anywhere in the debate that this house has any rights.

For one thing I am very sorry. I think 190 members of this house are going to find it difficult to express their views in this matter. We have not heard from any of them yet, and I am still hoping we shall hear from at least one. I thought perhaps if the hon. member for Quebec South (Mr. Power) were here he might have a word to say for the law, but as he is not, we cannot help it.

One other cynical remark was made the other day—and I suggest that the government need not be too much surprised that these cynical things are said. This, I may say, was said with approval. It was suggested that the government could not afford to make the report public until they had discredited Mr. McGregor.

Mr. Garson: Why does the hon. member give further publicity to a thing he disapproves?