

Supply—Justice

our assessment of the policy followed by the provincial government. If that is not an interference with provincial rights I do not know what could be.

Perhaps in conclusion I can put on the record a statement made over the air on March 22 by Mr. Michael Barkway, a commentator. He had this to say about the decision of the commissioner of the R.C.M.P. and perhaps these words should be put on *Hansard*. I, of course, take full responsibility for them.

He said:

A rare gleam of glory illuminated Canadian affairs at the beginning of this week. The commissioner of the Royal Canadian Mounted Police resigned because, as he said, he could "neither understand nor agree with" the government's refusal to send reinforcements to his hard-pressed men in Newfoundland, when the contract between Ottawa and the Newfoundland government seemed to him to leave no choice.

He went on to say:

It doesn't really matter whether you think commissioner Nicholson was right or wrong.

Incidentally, I happen to think he was right in this matter.

We are loaded to the gunwales with people who are so determined to be right that they will resort to almost any kind of expediency to avoid being proved wrong. We are desperately short of men who are ready to suffer for what they believe to be right and to take the risk of being proved wrong later.

I happen to think commissioner Nicholson was right—right not to be willing to let down his men on the spot; right to believe that the federal contract with Newfoundland meant what it said; right to suggest that you can't refuse reinforcement to one province without destroying confidence in all the other provinces; right, surely, when he wrote to Mr. Fulton that, whatever other strike issues the minister had to consider, "the matter of law enforcement must be dealt with on its own merits."

Law enforcement, as Mr. Nicholson said, is the only concern of the police. He has always insisted that it's not for the police to interpret the law or to choose between good and bad laws. He was as simple and modest about the functions of the police as he was about himself.

So I find it a little laughable when justice minister Fulton undertakes to maintain the "full integrity" of the police by deciding on his own authority and with no stated evidence that reinforcements were not needed to maintain law and order but to act as strike-breakers.

It is our contention, Mr. Chairman, and I am making no reference to the contract at all, that the minister acted wrongly in regard to this matter; that the minister acted wrongly in not consulting with the government of Newfoundland, the attorney general of Newfoundland, before he made the decision; that the minister acted wrongly in not telling the house at once when the decision was made, and that if this kind of attitude is taken toward an arrangement between one province and the federal government it is

[Mr. Pearson.]

an unwarranted interference in provincial rights and it strikes right at the basis of our federal system.

Mr. Fulton: Mr. Chairman, there have been some comments made by two or three speakers since I last had anything to say to which I think I should reply. What the Leader of the Opposition has just said reduces this situation in a sense, I think, to its proper perspective. We had here a difference of opinion between the commissioner in charge of the Royal Canadian Mounted Police under a minister and the minister who had over-all responsibility for the force. That is true. It was an unfortunate situation. The commissioner felt himself unable to accept the view of the minister as to the proper interpretation of the contract and since he was absolutely unable to accept it he felt called upon to resign. That, incidentally, was a decision which, as I indicated to the commissioner at the time, I felt was wrong. I felt there was no necessity for him to resign but it was a decision which I respected and that is still the case.

The fact of the matter is that the responsibility for the decision is mine as Attorney General of Canada, and I have to accept that responsibility and I have accepted it. I recognize that there are differences of opinion with respect to whether or not I was right in the decision I have made but I was called upon to make a decision, I made it, and I have no apologies for having made it. I believe it was right. I thought it was right at the time and I still think it was right because, Mr. Chairman, what is my responsibility? I am the minister responsible for the force. I should like to refer the committee to a section of the statute under which the force operates. We are in the course of putting through a new bill now but the effect of the provision will be exactly the same. I refer the committee to section 4 of the Royal Canadian Mounted Police Act which reads as follows:

Such member of the Queen's privy council for Canada as the governor in council from time to time directs, has the control and management of the force—

These words are pretty far-reaching.

—and of all matters connected therewith.

As the minister designated by the Queen's privy council for Canada I cannot escape responsibility for the control and management of the force and, as I stated to the house on March 16 in giving my reasons for my decision, it was my view, which I still hold, that in deciding upon whether or not I should follow any course with respect to the Royal Canadian Mounted Police I had to keep in mind the question of whether or