

political hue, if any, have always set aside political considerations to serve justice. In Canada, we have three orders of power: the executive, the legislative and the judiciary. In the best tradition of our public administration system, generally speaking, all the judges appointed always proved equal to the task. Very few were forced to resign. There have seldom been any unfortunate cases of scandal. I feel it is our responsibility, as members of Parliament, to ensure that the status given the members of the judiciary, that special status in our society whereby they are completely separate from the legislative and the executive orders, must be respected, the division of powers in Canada must be respected and the matter of their remuneration must not be made the topic of a political debate.

When we have looked into the matter in committee, as rapidly as possible, when we come back to the House in January, I trust we can proceed with third reading of the bill and settle the matter; after all, the judges have had only one increase of 7 per cent in six years, and it would be unfair for us not to face our responsibilities and settle the question quickly.

[English]

Mr. Robinson (Burnaby): Mr. Speaker, I wonder if the hon. minister would permit a question. My question relates to a subject matter raised by a number of members, and that is the appointment of a woman to the Supreme Court of Canada. I was very pleased to hear the Parliamentary Secretary to the Minister of Justice (Mr. Irwin) state that there are many women in Canada who are presently qualified to be appointed to the Supreme Court of Canada Bench. In view of that fact, I wonder if the minister is prepared to give this House the commitment that he will at the time of the next appointment to the Supreme Court of Canada very seriously consider appointing one of these very well qualified women to the Supreme Court of Canada Bench?

Mr. Chrétien: Mr. Speaker, I will make the commitment that if there is an opening in the Supreme Court I will be delighted if I can name a woman as the first woman to be a Supreme Court judge in Canada. In fact, when I had occasion to name only one, the last appointment to the Supreme Court from Quebec, I thoroughly looked at the possibility of naming a woman. Of course I will not name a person just because she is a woman. I will name the best available person to be a judge. If it should happen that among three or four or five very well qualified persons one was a woman, of course, I would give the preference to the woman. I would be delighted to be the first Minister of Justice to name a woman to the Supreme Court. Apparently I am a good enough politician to do that, but I will not just name a woman because she is a woman. I will appoint a judge because that is the best person to be filling that position.

Some hon. Members: Question.

The Acting Speaker (Mr. Blaker): Is the House ready for the question? The question is on the amendment. Is it the pleasure of the House to adopt the amendment?

Judges Act

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mr. Blaker): All those in favour of the amendment will please say yea.

Some hon. Members: Yea!

The Acting Speaker (Mr. Blaker): All those opposed will please say nay.

Some hon. Members: Nay!

The Acting Speaker (Mr. Blaker): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Blaker): Call in the members.

The House divided on the amendment (Mr. Knowles) which was negatived on the following division:

(Division No. 39)

YEAS

Messrs.

Althouse
Benjamin
Blackburn
Blaikie
Broadbent
Comtois
Deans
de Jong
Fulton
Hovdebo

Jewett (Miss)
Keeper
Knowles
Kristiansen
Lewycky
Manly
Mitchell
(Mrs.)
Murphy
Nystrom

Ogle
Orlikow
Rae
Riis
Robinson
(Burnaby)
Rose
Skelly
Young—27.

NAYS

Messrs.

Allmand
Andre
Appolloni
(Mrs.)
Axworthy
Bachand
Baker
(Gander-Twillingate)
Baker
(Nepean-Carleton)
Beatty
Beauchamp-Niquet
(Mrs.)
Bégin (Miss)
Berger
Blais
Blenkarn
Bloomfield
Bockstael
Bossy
Bradley
Breaux
Bujold
Bussièrès
Campbell
(Miss)
(South West Nova)
Campbell
(LaSalle)
Cardiff
Carney (Miss)
Chrétien

Clark
(Yellowhead)
Clarke
(Vancouver Quadra)
Collenette
Cook
Cooper
Corbin
Corriveau
Cosgrove
Côté (Mrs.)
Cousineau
Crosbie
(St. John's West)
Crosby
(Halifax West)
Crouse
Cullen
Cyr
Darling
Daudlin
Dawson
De Bané
de Corneille
Demers
Deniger
Dinsdale
Dionne
(Chicoutimi)
Dionne
(Northumberland-Miramichi)

Domm
Dubois
Duclos
Dupont
Dupras
Elzinga
Epp
Fennell
Ferguson
Fisher
Fleming
Flis
Forrestall
Foster
Fox
Fraser
Fretz
Frith
Gamble
Garant
Gass
Gingras
Greenaway
Guilbault
Gustafson
Halliday
Hamilton
(Qu'Appelle-Moose Mountain)
Hargrave
Harquail
Hawkes