

Electoral Boundaries Commission

us keep it on a federal level and appoint people to the commissions from the federal level. I re-emphasize once more that a judge is an officer of the court, that a clerk is an officer of the court and that a barrister is an officer of the court. Although we forget this on many occasions, we in the House of Commons are officers of the House of Commons. And above all, owing to our unique parliamentary system which has been adapted from the British system, the Prime Minister and the Leader of the Opposition are key officers of the House of Commons.

The minister himself says that he has absolute confidence in the men now occupying those places and the men who may occupy them in the future. Keep the judiciary out of politics; but I do not think you will keep politics completely out of any commission. Let us make it an independent commission by law. Instead of making it a rule of people, let us make it a rule of law.

Mr. Favreau: Mr. Chairman, while the hon. member for Bow River was creating and then dissolving partnerships between the Minister of Transport and either the hon. member for Winnipeg North Centre or the hon. member for Winnipeg South Centre, I was wondering about the first question which he put to the committee, as to whether or not the designation of the chief justice of the province was likely to be interpreted as placing the chief justice in a situation to act in a political fashion.

Mr. Woolliams: I did not suggest that he would act in any political fashion.

Mr. Favreau: No, but that it might be interpreted as such.

Mr. Woolliams: I did not even go that far.

Mr. Favreau: I am glad that the hon. member for Bow River admits that he did not go that far and did not intend to go that far, because as far as I am concerned, if this amendment is accepted—and I shall give my views on it in a few moments—the very fact that parliament will have designated the chief justice of a province for the purpose of choosing the officers of these commissions is, in my view, an indication and clear proof of the full confidence of parliament in the objectivity and lack of partisanship, to the judicial sense, of these persons who hold so high an office.

I think it would be a great compliment on the part of people engaged in politics, as we all are here, to rely on the chief justices of the provinces to make appointments which

otherwise, even if we attempted to act in the most unpartisan and objective fashion, might be deemed by other people to be tainted with political considerations. It is precisely for this reason that in cases where certain difficulties between, for example, unions and employers have come to the point where they are almost insoluble that very often the confidence in the objectivity of the judiciary which parliament has prompts government to appoint one of our justices to solve the difficulty or controversy in question. I think it is a recognition of the complete independence of the judiciary when we leave it to them to perform such functions. In my view, this measure would remove all politics and political considerations from the appointment of the persons concerned.

A few minutes ago the hon. member for Bow River made reference to the fact that with regard to this amendment the Minister of Transport and the hon. member for Winnipeg North Centre might have been sleeping in the same bed. But all beds set aside, and duly noting that I was not here yesterday during the discussion and that therefore I am not aware of any position taken on the point, if I were asked my own view on the matter and were asked to choose between the formula which we the government have approved in clause 6 of the bill presented to this house and that which is reflected in the amendment proposed by the hon. member for Winnipeg North Centre, I would choose the amendment.

My view is that this would remove all political connotations from the appointments which are to be made, and in its application would render the act completely objective and free of all controversy.

Mr. Churchill: Would the minister permit a question. May I ask him whether he has lost confidence in the Prime Minister of this country and in the Leader of the Opposition, when he talks of removing all political connotations?

Mr. Favreau: I must say one thing, and that is that my confidence in the Prime Minister of this country has never been greater than it presently is, and the more we go on the more do I find extraordinary and wonderful justification to continue in my confidence.

Mr. Lambert: Why don't you get down to the office of the Prime Minister?

Mr. Favreau: But I must come back to one thing which has been said, namely that