

Supply—Justice

clerk or employee, whose appointment is of a permanent nature, shall be removed from office except by authority of the governor in council.

That was the law all through the years, but in 1960-61 the wording was changed and the section renumbered to section 50, which now reads as follows:

(1) The tenure of office of an employee is during the pleasure of Her Majesty, subject to the provisions of this and any other act and the regulations thereunder, and, unless some other period of employment is specified, for an indeterminate period.

(2) Nothing in this act shall be construed to limit or affect the right or power of the governor in council to remove or dismiss any employee.

The two sections, in effect, are identical, although the minister, not having read the earlier section, tried to leave the impression that something new had been added.

Mr. Pickersgill: May I ask the right hon. gentleman a factual question. Did his government not take the responsibility for the revised bill that was introduced in this house and passed?

Mr. Diefenbaker: Mr. Chairman, with the assistance of the hon. member and those who sit on the other side who were in the house at the time, who all agreed with the legislation. Some time ago the hon. gentleman himself joined in this, and I just have to recall it to his mind.

We are now dealing with the question of the security of Canada. The minister says he believes in truth. I would only ask, after the deception practised by this government in this matter, what is their definition of truth? It has been a sinuous course, revealing a bit here and a bit there.

As far as Mr. Wagner is concerned, he knows them well. He said he could not understand why they will not act. What is the reason that the government will not act? I should like the government to tell the truth in this connection. Why will the government not set up a commission on crime? Why will they not set up a commission to look into this matter in secret, while preserving and protecting the security of the nation? All we want is the truth, and from the very beginning we have not had it.

I had to read in the paper today that Spencer was a communist and that he was thrown out of the communist party. I had to read in the paper because we did not learn it in the house, what was his age. We have never been able to find out when he came to Canada, although there is an indication that he has been here quite a number of years. Why is the whole story not told? What is

behind this? No matter whether the government is able to command a majority or is not, in every part of this nation people are asking what is behind this, why the government is not acting.

It is a difficult problem. We are all held in check by our oath of office as privy councillors. Therefore the only place where a full and complete explanation can be made would be in a commission inquiry, I would say headed by one supreme court judge. Two of the judges are greatly experienced and served during the days of Gouzenko.

Let us get to the bottom of this, Mr. Chairman. Let hon. members not take my word for it; let them take Mr. Wagner's word. He looks forward to the government changing its mind, to retreating and appointing a commission on crime. According to Mr. Wagner: "They will reverse their decision." So he knows them. He said that people who act pusillanimously always reverse themselves. These are the terms of the minister of justice of the province of Quebec, commenting upon the decision of his counterpart the Minister of Justice of Canada not to act on Quebec's demand to set up a royal commission to deal with organized crime.

He also said—and these words come from an outstanding Liberal who knows these ministers—"They must be afraid of something". Has he any basis for saying that? He said that they must be afraid of something, to refuse an inquiry in such a cavalier fashion, as though this was a request for a hunting licence. Can you imagine anything more deadly or condemnatory than those words which are to be found in the press yesterday, those words of condemnation? He also said "I want Ottawa to give reasons for their refusal". But he lives in hope. Anyone, he says, who gives a pusillanimous decision will always retreat.

• (12:20 p.m.)

Now, sir, let us go back to the explanation of the Prime Minister. On February 23 he went into detail regarding this case and he said this at page 1682:

Not only did I study the details of this case and discuss them again with my ministerial colleagues who were more particularly concerned, but I examined other security cases in the last ten years which might throw some light on the justifiability or otherwise of the procedure followed in this instance—certain cases which were of very direct and immediate concern to the government of the day, which was the government preceding this government.

As I have stated before, you will find problems such as this, and they do come up. I do not criticize any government for its action