However, few cases, if any, have been cited to show that civil servants have done any of these dreadful things.

Knowing the fair-mindedness of our Canadian civil servants, I do not believe we need to fear that their aim is to take over the running of our country, as seems to have been intimated; instead, I believe their aim is to make the country run as smoothly as it can by their capable administration of the acts passed by Parliament.

Most of the speeches in this debate have been made from the point of view of lawyers whose bias is toward getting every possible advantage for their clients, or from the point of view of politicians who, on working for their constituents, become frustrated and critical when they find the regulations do not permit them to secure their objectives. But there may be another side to these cases, and these same regulations may be absolutely necessary to carry out effectively the provisions of legislation passed by Parliament or by a legislature.

No one seems to be interested in the point of view of the civil servants, many of whom in Canada, I believe, have given years of dedicated unselfseeking service to this country and are continuing to do so.

Because I feel strongly that civil servants often receive unfair and unjust criticism from the public, and even sometimes from elected representatives of the public, I could easily make an impassioned speech on the subject. However, I shall refrain from doing so today, partly because it would be inopportune and partly because I have in mind one of the wise saws or sayings attributed to *Sam Slick the Clockmaker* by the Nova Scotia philosopher Judge Haliburton who wrote in the early 1830s and whose works are now being revived. You will find them in many of our bookshops. In his wise sayings there are many bits of homely wisdom. I have in mind this one:

> An intemperate advocate is more dangerous than an open foe.

I might easily become intemperate on this subject if I continue too long.

Hon. Mr. Martin: Continue, because you have all the time you want.

Hon. Mrs. Fergusson: I may have time but I do not want to arouse opposition.

Hon. Mr. Martin: Whenever you speak you gather support.

[Hon. Mrs. Fergusson.]

Hon. Mrs. Fergusson: In earlier times governments had little responsibility beyond the making of laws, to guarantee the preservation of order. That was mostly done by making laws to punish those who committed acts that were or appeared to be dangerous to the common interests. All that really was needed to accomplish these ends was to have an elected law-making body of citizens who passed the necessary laws and to have in existence courts where persons learned in the law, and able to interpret the laws, saw that they were enforced. Times have changed. The governments of the twentieth century have much more responsibility than the preservation of order, although sometimes it seems that the preservation of order still requires considerable attention.

Frequently in the past few years we have heard warnings in this Chamber regarding the dangers inherent in passing acts in which there are provisions authorizing the passing of regulations which would give wide powers to those charged with the administration of such acts. It has been claimed here and elsewhere that such powers, if exercised, could affect the rights of citizens, rights over which in a democratic country only Parliament should have authority.

In the Minutes and Proceedings of the House of Commons Special Committee on Statutory Instruments and in the third report of that committee, which was tabled by the Leader and will be studied by the Senate Committee on Legal and Constitutional Affairs if this Resolution is adopted, it was revealed that a large number of existent federal acts provide for the making of such regulations. Evidence given before the committee showed that when 601 acts were studied—and these constituted practically all the federal acts in existence at the time—402 of those acts provided for such delegated legislation.

Honourable senators who are lawyers will know, and others may be interested to hear, that as far back as 1884 in the case of *Hodge vs. the Queen*, and again in 1892 in the case of the *Liquidators of Maritime Bank of Canada vs. the Receiver General of New Brunswick*, the Privy Council, which at that time was the highest court to which Canadian cases could be referred, ruled that the Parliament of Canada has authority to delegate its legislative powers to federal administrative authorities. It may be of interest to know that in 1951, when the Supreme Court of Canada had become the final court of appeal for Canada, it was ruled that the Parliament of