

Canada and elsewhere concerning safety, it should not be suggested that these people can play into the hands of politicians or anybody else with the suggestion that they cannot devise bilingual procedures which are safe. How can someone in his right mind say something like that? Now we say we have to check on this through an inquiry, yet all the other rules they might devise are O.K. In this particular instance we have to check to see if what they are doing is safe. When civil servants actually do what we like we have nothing to quarrel with them about, but when there is a partisan or narrow minded benefit to be gained then we attack the policy which, in this instance, is made by experts.

[Translation]

Mr. Speaker, the matter before us today deals with many concepts which hardly bear any resemblance to reality any more. As Kenneth Galbraith says in his book *The Affluent Society*:

Ideas are by nature conservative.

They do not yield under the attack of other ideas, but under the massive aspect of circumstances against which they are helpless. When Confederation was proclaimed 109 years ago, there were hardly four civil servants in the country. Today, besides the 300,000 civil servants who come under the Public Service Commission, if we add the employees of Crown corporations such as Air Canada, Canadian National and the Armed Forces, we number about 750,000 civil servants who at an increasing rate of between 2 and 3 per cent a year, will hit 1.5 million—15 years hence. And we go on saying that ministers should be responsible for the least decision taken within their department.

In this regard, I would like to quote Norman Ward, who says at page 236 of his book *The Government of Canada* the following:

[English]

It is obvious that the opportunity to exercise control becomes more and more unreal as functions become more varied and complex and as the number under the minister's direction increases. A carefully planned organization can do much to overcome these handicaps, yet even with the most efficient methods, the subordinates at some level under the minister will inevitably acquire more power. The constant assertion of the principle of ministerial responsibility will cover to some degree the actual delegation of authority which has taken place, but this cannot conceal the fact that no minister (or his deputy) can hope to make even the major decisions for the five or ten or twenty thousand employees who may be nominally under him.

[Translation]

This idea was developed again recently by one of the most competent civil servants that I know in the federal administration, Michael Pitfield, in an article entitled "The shape of government in the 1980s: techniques and instruments for policy formulation at the federal level". Talking about the principle of ministerial responsibility, he refers, in my opinion, to one of the ideas where theory and practice are getting farther and farther apart. On page 9, he writes:

[English]

The benefits to be gained from enhancing the relationship between theory and practice are obvious; for theory to be sound it must reflect the way the real world operates, and for practice to maintain its effectiveness while keeping up with the changing needs of society, it must be consistent with theory. I suspect that for some years in Canada

Ministerial Responsibility

the theorist and the practitioner have been getting out of touch with one another.

● (2130)

[Translation]

A relevant excerpt, according to me, is the one where the former conservative Prime Minister, Sir Robert Borden, said:

[English]

A Minister of the Crown is responsible, under the system in Great Britain, for the minutest details of the administration in his department; he is politically responsible, but he does not know anything at all about them. When anything goes wrong in his department, he is responsible therefore to Parliament, and if he comes to Parliament and points out that he entrusted the duty to an official in the ordinary course and in good faith, that he had been selected for his capacity, and ability, and integrity, and the moment that man has gone wrong the Minister had investigated the matter to the full and punished the man either by degradation or dismissal, he has done his duty to the public. That is the way matters are dealt with in Great Britain, and it is the way, it seems to me, that our affairs ought to be carried on in this country.

[Translation]

And here I quote from the debates of the House of Commons of May 15, 1909, page 6723.

I would also like to quote an article by Professor S. E. Finer on "The Individual Responsibility of Ministers" published in *Public Administration*, volume 3445, 1956, page 377, where he shows that the idea of the minister's accountability for all actions taking place within his department is getting gradually further away from reality. I quote:

[English]

There is a good deal of constitutional folklore on this subject, to be true, but whether it adds up to a convention is very questionable.

[Translation]

And here he refers to a well known case in England: the resignation of Sir Thomas. He says:

[English]

And as to whether such enforced resignations as Sir Thomas' can be deemed a certain and effective constitutional remedy for mismanagement, the answer is not in any doubt. They cannot.

[Translation]

And he recalls what the meaning of this principle is, that is only the minister can report to Parliament. I quote from page 381:

[English]

Although the doctrine became established that Ministers alone are answerable to Parliament in respect of every act or omission of their civil servants, there seems no evidence that it was also established that—in the words of Wade and Phillips—'no Minister can shield himself by blaming his official'. And indeed, as Sir David Maxwell Fyfe himself observed, it is not true that 'Ministers are obliged to extend total protection to their officials and endorse their acts,' or that 'well justified criticism of civil servants cannot be made on a suitable occasion.' But it is clear from the cases to be cited below . . .

● (2140)

[Translation]

And he provides us with several examples on page 381 . . .

[English]

—that Ministers do not have to defend subordinates who defy instructions or who act reprehensibly in circumstances of which the Minister