

*Government Organization Act, 1970*

shall give back to the Canadian people their right of scrutiny over the administration.

• (3:30 p.m.)

[English]

**The Chairman:** Order, please. I regret to interrupt the hon. member but I must advise him and the committee that his time has expired.

[Translation]

**Mr. Lambert (Edmonton West):** Mr. Chairman, I deeply regret that the Parliamentary Secretary to the Minister of Justice (Mr. Béchard) is not here, he who the other day was complaining when I told him that I was going to continue with my remarks—he was here a moment ago—and I would hope that he will honour us with his presence so that I may address my remarks particularly to him.

I see that he is just coming in and I can outline the substance of my speech.

[English]

When speaking on this bill the other day, Mr. Chairman, I indicated that this part of the bill would greatly add to the powers of the Prime Minister. I indicated at that time that, in my opinion, the office of the Prime Minister of Canada was far more powerful than that of the president of the United States and, as a political office, far more powerful than that of the prime minister of Great Britain in the same sphere. I do not mean a comparison as to their positions in the world. That would involve different considerations.

I wish to deal briefly with what the Prime Minister of Canada can do once he has assumed that office. The cabinet, within the political considerations of his party, is entirely his choice. He answers to no one except his own party with regard to the choice of his cabinet. There is no necessity to submit the names of the cabinet for ratification, as is one in the United States. Up until a couple of generations ago, we had a practice whereby any one named to the cabinet had to resign and the name of that person was resubmitted to the electorate by way of a by-election for approval. That no longer applies.

In the United States, certain individuals who have been proposed as cabinet ministers have encountered considerable opposition either in the Senate or in the House of Representatives. The last example I can think of was the nomination of the former secretary of the interior, Walter-Hickel, which was approved only after a great deal of difficulty and persuasion in the house. No one should be under the illusion that the President of the United States is free to do as he wishes with regard to his cabinet. In Great Britain, there is no requirement for ratification.

With regard to the Senate of this country, the nominations to that place are entirely within the control of the Prime Minister. The appointments are directly attributable to the Prime Minister. To that extent, Mr. Chairman, he controls a great deal of the political life and happenings within Parliament. I will not go into detail except to state that he has absolute power with regard to appointments to the other place.

[Mr. Fortin.]

In the United States, the Senate is a second legislative body, subject to vote by the electorate and is a counter-balance to the powers of the President. Any one who wishes to say anything on the subject should read American political history. He will see that in many instances the United States Senate, even if it shares the political views of the President, will not side with him and in fact may turn him down. The most recent example of that is the support the presidency gave to the further construction of a supersonic air transport. When the senate turned it down by refusing to continue the funding, that was the end of the program, although it was against the will of the president. There is no such thing in this Parliament. After the legislation comes down, unless the House itself becomes very difficult, the Prime Minister merely sticks to his guns, his majority ultimately votes in its favour and it becomes law.

• (3:40 p.m.)

In Britain, prime ministers must take account of the House of Lords. It is true the powers of that body have been curtailed over the years. The British prime minister has no power over the composition of the House of Lords, except in so far as peers are nominated; there is a body of hereditary peers over which he has no control. There can be no doubt that the presence of the House of Lords has greatly influenced decisions British prime ministers have reached with regard to certain pieces of legislation.

Consider appointments to the judiciary. Appointments to the Supreme Court of Canada are the prerogative of the prime minister and no ratification of those appointments is required. In the United States, recommendations for appointment to the Supreme Court are subject to ratification and in the last three years we have seen just how far this revisionary power can be exercised. Both Presidents Johnson and Nixon have seen their nominees refused by the Senate.

In England, there is no provision for ratification of appointments to the bench or to the High Court, although it is accepted that hereditary peers can form part of committees of the House of Lords, and they do. To this extent, there is a restriction on the power of the prime minister.

Appointments to representative posts abroad are usually made from within the public service, but the man who has the final say with regard to major appointments is the prime minister. Appointment to be an ambassador to a foreign country is not subject to ratification. In the United States, searching examinations of potential holders of major ambassadorial posts can be carried out and approval can be withheld. In Britain, there is no similar practice.

Appointments to positions as parliamentary secretaries can be made here at the whim of the Prime Minister. He is apparently of the opinion that there should be a complete turnover every two years. Others have felt the period should be one year. But the Prime Minister is the man who determines who shall be a parliamentary secretary and to what minister. In Britain, the position is the same. In the United States, there are no similar appointments.