

Financial Administration Act

Certainly in this regard I condemn the government for their lack of responsibility. All the government say in cases like this is that they must keep silent. But they did not keep silent during the war in the case of Leopold. If he could be reinstated in employment, then so should Macdonald. If Calvin Macdonald is a lunatic then he should be locked up. If the man stands accused of being a Communist spy for ten and a half years, then why is there any need to wait. He should be brought before an inquiry so that he can tell all he knows. Such an inquiry need not be a public inquiry, but some determination should be made as to whether he should be put behind bars or rehabilitated.

I would suggest that a man like this who has worked for his country deserves just as much justice and attention on the part of the Canadian government and parliament as one accused by the government outright of being a Communist spy and relieved of all his privileges until an inquiry was set up. If we give this sort of treatment to our official spies we should at least give it to one who says he worked for the R.C.M.P.

Mr. Baldwin: Mr. Chairman, I just wanted to make a very brief observation. I think we all accept the fact that the application of the strict rule of law must be superseded at times when the security and safety of the realm is at stake. I think this is the condition precedent which is set out in the first part of subsection 7 in clause 3.

I was not present during the committee sessions, though I did read some of the transcripts. I take it that this particular clause is only a stop-gap, interim measure until the government, through its committee now in operation, has completed examination of this very difficult problem and has brought in some regulations. I do not know whether any undertaking has been given in this regard, but this undertaking should not preclude this parliament from examining the regulations.

True enough, Mr. Chairman, the government must have a responsibility in this matter, but I would hesitate to agree to this measure—in fact, not only would I hesitate but I would oppose it—as it is embraced within the four corners of subsections 7 and 8, if I thought that there would not be any opportunity for this house to debate at some future time not too far distant the regulations under which there would be some process of examination where the safety and security of the state is involved. As I read subsection 8,

[Mr. Langlois (Mégantic).]

once the order has been made by the governor in council it shall be taken as being conclusive proof of the matters stated therein. In other words, there is no opportunity for it to be tested or questioned.

I am not going to say any more. If the government is in a position to tell me that following the completion of the proceedings of the committee set up by the government these matters will be brought before parliament and an opportunity given to debate the kind of procedures involved in security matters, which will be the subject of a more permanent arrangement, then I am content.

● (9:10 p.m.)

Mr. Benson: Mr. Chairman, I would first like to say that this is only a stop-gap measure for the future until the commission appointed by the government reports and recommends procedures with regard to security matters in this country.

On this commission we have Mr. Max Mackenzie, Mr. M. J. Coldwell and Mr. Y. Pratt. We hope that in the not too distant future these gentlemen will come forward with a report which will advise the government how security matters should be handled. The representatives of the party of the hon. member for Burnaby-Coquitlam were sitting on the joint committee. That body came forward with this measure as a possible stop-gap. For the interval I hope that no security cases arise until after the royal commission has reported. I wish to assure the committee that this is a stop-gap measure and will be subject to review when the report of the royal commission on security has been received. In the interim we hope this will be acceptable to the committee.

Personally I believe that this measure is far superior to section 50 of the Civil Service Act. Subsection 2 of section 50 says:

(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.

This is a real step forward. It is not the ultimate solution to the problem. I think we would be guessing at what the royal commission on security will find or recommend if we go further at this point.

Mr. Douglas: I understood, from the minister's previous statement, that this was an interim measure pending the recommendations of the commission set up to look into security procedures. I understand that. I would not expect the minister to move a lengthy amendment, with that caveat in mind.