

Electoral Boundaries Commission

politicians only. I resent that suggestion and I feel it is misleading. I think the Prime Minister and the Leader of the Opposition of the day are more than political heads. They have a responsibility to the people and to the House of Commons. They have worked their way up, and are responsible men. In addition, there is an overriding factor: They are officers of this house and as such they hold a responsibility which is not lightly assumed. Before we even think of changing the arrangements now contemplated we should ask ourselves what improvement could be brought about by placing the chief justice in the position of naming these two appointees. I believe one would get better appointments from the Prime Minister and the Leader of the Opposition. Let us remember that the chief justice is already appointing the chairman from among his own judges. For these reasons I cannot support the amendment.

Mr. Knowles: I shall not yield to the temptation to reply again to some of the arguments which have been put forward, but I think that one or two points made by the Minister of Justice do call for comment.

The hon. gentleman raised two questions of detail concerning my amendment. If I may take the second one first, he said he wondered whether the category from which the chairman of each commission was to be drawn should not be enlarged. May I point out to him and to the other members on the government side that in making the suggestion that—

—the chairman of the commission for a province shall be appointed by the chief justice of the province from among the judges of the court over which he presides—

—the words I used are exactly the opening words of clause 6(1) of the bill which the government has presented to us. In other words, I did not alter in my amendment the arrangements for appointing the chairman. So if the Minister of Justice thinks that this provision should be enlarged I suggest he should do something about it himself.

The hon. member for Edmonton West says he got some inspiration from the hon. member for Bow River. That is good. Maybe we can make an all-party deal out of this, yet. I would be happy to agree to an amendment, or subamendment to my own amendment, along the lines indicated by the hon. gentleman if I could do so by unanimous consent, though it seems to me that since there is not unanimous consent to the amendment it might not be possible to secure agreement for making an alteration. But if an amendment

[Mr. Pugh.]

were to be proposed in the first few lines, those lines having been taken from the government bill as it stands, I would be happy to have them changed either by altering my amendment, with unanimous consent, or by the minister proposing a subamendment to which I would be glad to agree.

The other question the minister raised was whether or not authority to make the appointments should be given not only to a chief justice of a province but in some cases to an acting chief justice or an associate chief justice. I cannot see that this is necessary, though I bow to the wisdom of the hon. gentleman in this matter. In the amendment which I have put forward provision is made for the contingency of there not being a chief justice to carry out the functions proposed, so I do not think there is much validity to the objection the minister has raised. As to the other point, it is up to him of course to decide whether or not the government's own plan for the appointment of the chairman should be altered.

Mr. Nugent: I should like to say a few words at this point. At first glance, the amendment moved by the hon. member for Winnipeg North Centre may seem to have a little merit. I am sure that if one does not think deeply about it the suggestion that the matter should be removed still further from politics is one which seems to be in keeping with the general feeling of the committee, that we should as far as possible remove the question of electoral boundaries from political machinations.

However, I wonder whether the hon. member really believes that his method is likely to achieve the desired effect. I should not have thought it would be necessary to remind the hon. member that judges in the provinces are usually political appointments, that when they are promoted to the office of chief justice it is usually a political appointment and that no matter how long they may have been on the bench and no matter how nobly they may strive to become non-partisan, for most of them it is almost impossible to erase their backgrounds from their minds. It would be almost impossible for them to take away from their judgment and experience the fact that many of their friendships have been formed over long years of political partisanship. When their duties involve a question dealing, as it does, with electoral boundaries, it would be humanly impossible not to think that in any appointments which were made the chief justice of a province must, almost certainly, reflect the political background which, as a public official—