

Official Languages

before the council of the Medical Society of Ontario in defence of a doctor—also gives the disciplinary body of his professional organization the right to take evidence in ways other than a court takes it.

An hon. Member: Did you win the case?

Mr. Lewis: I happened to have won that case, but do not draw any conclusions from that. Winning a case before the medical council is not easy, as I know from experience. What I am suggesting is that it is easy to become eloquent about the rule of law and to make the assumption that the only way in which society can be governed by the rule of law is to make everything pass through the courts. I have great respect for the courts, as much as they deserve, but let me say that it is not in the courts alone that justice is done in a democratic society. Most citizens of the country do not reach the courts.

There are other agencies and other ways in which justice in a society can be obtained. It is not only through rules of evidence as they are applied in a court that you can obtain the truth. You can obtain the truth in some other ways as well. One of my major objections to this kind of approach on the part of some members—and I said this the other day in the special committee—is that if some of these amendments are accepted, only a lawyer or a judge would be qualified to become commissioner under this bill. Only a person trained in the law who knew the rules of evidence and who knew how to conduct that kind of inquiry would be able to be commissioner under this bill. I know a good many lawyers in this country and I know a few who might be qualified for this job. In my opinion most of us would not be qualified for this job. The narrow, legalistic training of a lawyer is not necessarily the best training for the job of a commissioner under this bill. This job should be open to any Canadian, whether or not he knows the rules of evidence. What he has to know are the rules of fairness. He has to know the rules of decency and the rules of honesty. He has to know the rules of objectivity. But he does not necessarily have to know the precise rules of evidence that govern a judge in a court in order to obtain the truth. Let me remind members of this house that there are many members among us who are not lawyers and there may be too many of us who are.

Some hon. Members: Hear, hear.

Mr. Lewis: I have just received some support from members of the Conservative party.

I presume they are not lawyers. But seriously, let me remind hon. members that all of us sit on committees of the house and all of us have occasion to question witnesses before these committees. It has been my experience that those members who may not be lawyers are just as capable of getting at the truth as are other members of the committee.

● (8:30 p.m.)

Mr. Paproski: Would the hon. member permit a question? What witnesses were there to question in connection with the languages bill?

Some hon. Members: Oh, oh.

Mr. Woolliams: You voted against witnesses.

Mr. Lewis: Oh, come on, now. I do not know whether I should take the time in which to answer these assinine interjections. I voted against hearing witnesses on this bill before the special committee because I know of no subject in the history of Canada on which more months of evidence-taking have been spent—evidence taken by the commission from one end of the country to the other. I know of no subject which has been more thoroughly discussed in this house. I am thinking of the discussion which took place on second reading of this bill. Members of the Conservative party took a great deal of time on second reading; they had a right to do so; I do not deny it. In these circumstances I felt, and still feel, that it would have been a complete waste of time, that it would have served an evil purpose rather than a good purpose, to churn the same thing over once again before the committee charged with consideration of this bill.

I was saying seriously—if hon. members want to listen or not it is up to them—that in years of experience in committees of this house I, as a lawyer, in no way thought that my training enabled me to ask questions of witnesses more effectively than other members who were not lawyers. I felt they were just as able as I was, perhaps more able, to get at the truth of what was happening. This rule of law business is something you can agree or disagree about but I suggest it has no relevance whatsoever to this amendment or to this part of the bill.

There is one part of the amendment moved by the hon. member for Cardigan (Mr. McQuaid) which I support. I attempted to find a way of supporting it in the special committee and with this in mind I intend to