

Withholding of Grain Payments

Mr. McCutcheon: Thank you, Mr. Speaker. I am sure Your Honour misunderstood my remarks. I meant no reference to the Chair. I was referring to the staff; the officers at the table, the interpreters, the security staff and all who provide services around the chamber. We thank them for their courtesy and apologize to them for their loss of sleep. Be assured there was no intention to reflect on the Chair. I make that abundantly clear.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I will only be two or three minutes. I am sure we all agree that in many respects this has been an important and useful debate, but I think it is most unfortunate that in over six hours of debate there has been no attempt whatsoever to answer the question that has been in our minds all night. By what authority is the present government ignoring the law of Canada? The question is as simple as that.

● (2:20 a.m.)

We have heard plenty of discussion about other matters, farm policy and all the rest of it. None of it has been really relevant. The issue revolves around the fact that there is a law on the statute books which requires the government to make certain payments. Those payments have not been made. We have not been told that there is any provision in the law, any order in council or legal instrument of any kind which permits that law to be ignored. Back in 1949 when Mr. Garson, who was minister of justice, broke the law by refusing to table a report on the flour milling industry which had been prepared under the terms of the Combines Investigation Act, the best answer he could give was: We are the government; we won the election.

In 1968, when we debated the question how the government was able to get around the fact that it had been beaten in a major vote on a tax bill, we were told by the minister of justice of that day, now the Prime Minister of Canada (Mr. Trudeau), that they were the masters of the House. Now, all we get from the minister in charge of the Wheat Board is that these payments have not been made because there is a bill on the order paper which, if passed, would repeal the law under which they would have to be made. May I remind hon. members that there is also on the order paper a bill numbered C-264, a bill to change the family allowance scheme into what is to be known as a family income security plan. Do hon. members opposite realize that in this bill there is a clause which says that the Family Allowance Act is repealed as of May 1, 1972? Does this mean that if Bill C-264 has not been passed by that time, the government will quit paying the family allowances which are required under the present legislation? Suppose there are extended negotiations between Mr. Bourassa and the Prime Minister, suppose there are other crises and we don't get at it, or suppose the opposition filibusters the measure. Would the government cease to pay the allowances presently required by law?

I suggest these cases are on all fours. If the government, on the basis of a bill on the order paper now, can ignore a statute which that bill says will be repealed, it

[The Acting Speaker (Mr. Laniel).]

can do so with respect to this one. The answer Mr. St. Laurent made once upon a time was, there are certain things we don't do. The government would not do this. The government would not think of discontinuing the payment of family allowances before a new scheme came in. Yet the same government finds it possible to discontinue the payment required by statute under the Temporary Wheat Reserves Act because there is on the order paper a bill which would call for the repeal of that Act.

Mr. Lang: Effective 1970.

Mr. Knowles (Winnipeg North Centre): Yes. The reason I chose the example I did, rather than some others I might have picked, was that in both cases there is a precise date. There is also a precise date in Bill C-244. Since the government has not been making the payments required under the Temporary Wheat Reserves Act, it would follow that after May 1, 1972 the government could cease paying family allowances, even if the new legislation had not been passed. I know this will not happen. I am not trying to scare hon. members opposite. It would not happen because there would be too much of an outcry. But the same principle applies. The government is doing what Mr. Garson did back in 1949. The government is doing what the present Prime Minister did in 1968 when he said "We are the masters of the House." This is not the way this place operates. We operate on the rule of law. We operate on the principle that when a law has been passed the lowliest citizen in the country must keep it, and so must the government.

I make this appeal to the government across the way. What is being done is not just harmful to the farmers. What is being done is in defiance of the rule of law and the traditions of Parliament. There is still time to correct this situation and I ask that government to make that correction right away.

Mr. Prud'homme: Mr. Speaker, may I ask the hon. gentleman a question?

Mr. Knowles (Winnipeg North Centre): I shall answer with pleasure.

Mr. Prud'homme: I think I should ask it in French.

[Translation]

Taking for granted that we are currently making a mistake, does the hon. member mean to tell us that the government must pay the highest price, namely going down in electoral defeat? Is the government not responsible for taking decisions, just as the opposition is responsible for opposing them, taking for granted that the government is erring and that it will have to pay the price, that is being defeated?

[English]

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, the hon. member for Timiskaming (Mr. Peters) came very near to answering that question a while ago when he pointed out that in spite of the seriousness of the situation, the problem is that we know we can do little to force the government's hand. My hon. friend, the hon.