

*National Defence Act Amendment*

apply. This is a natural consequence of the failure to clarify these matters before this clause receives the approval of this committee. This again, is the underlying reason for the suggestion by the official opposition that clauses 2 and 6 be allowed to stand until the fall. This procedure would permit the departmental people time to come up with adequate answers and detailed explanations so that these men would know where they are going and what is going to happen.

The fact that lieutenant commanders may have longer careers than hitherto and majors may have shorter ones means you are playing around with the careers of officers whose lives have been voluntarily dedicated to a particular aspect of the service of Canada. This is not morally right, whether or not it is legal. While members of parliament may have the legal and constitutional right to do as they desire, there is a greater moral order, and sometimes I believe it would be wise for us to keep this in mind. We are doing something serious here, and this clause should be substantially amended.

I suggest that the amendment before us is a good one. If it is not made then not only the government but the House of Commons will have broken faith with these 102,000 men whose careers are governed by the promotion regulations in each of the three services. These regulations differ, but that is immaterial to the issue. Whether one service has a faster or slower method of promotion is not a matter of dispute. We do not argue about that at all because that was so in the past and must be so in the future. Promotion is geared to the requirements of the fighting environment. When you get to be even as old as I am you find it is more difficult to run uphill, and I am still fairly young. These factors must govern and because of that this area is not in dispute.

The point at issue is the fact that each of the services has separate promotional regulations. This is a fundamental thing, and I come back again to the freedom of choice. Before any man should be invited to accept a modified or unified system, he should have the new system fully explained to him and then be asked whether he will go along with it. If you transfer him without his consent you are compelling him to accept a different structure from the one for which he volunteered in the first place.

I believe this is the burden of the argument in support of the amendment moved by the hon. member for Winnipeg South Centre. The

National Defence Act has provided, I think quite properly and fairly, that no officer or man can be transferred from one service to another without his consent except when the forces are on active service. This would be during a period of emergency as determined by parliament. The National Defence Act uses these words:

No officer or man shall without his consent be transferred from the regular forces to the reserve forces, or from the reserve forces to the regular forces, or from the service of the Canadian forces in which he has been enrolled to another service of the Canadian forces.

This is subject to the following exception:

An officer or man on active service, may for the period of such service, be transferred from the component of the service of the Canadian forces in which he has been enrolled to the same component of another service of the Canadian forces or from the reserve forces to the regular forces.

If clause 6 passes without amendment we will have shown a total disregard for the undertaking given to the officers and men who volunteered to serve Canada in the Royal Canadian Navy, the Canadian Army and the Royal Canadian Air Force. This view was clearly expressed to the committee by one witness, and the reference is found at page 1050 of minutes of proceedings No. 20 for February 15, 1967. Rear Admiral William Landymore spoke at great length on this point but I shall not read his evidence into the record. I commend it to any member of the committee who is interested. This is one senior officer's opinion of the effect of the moral obligation which is left as a result of the amendment of this section of the National Defence Act.

I have listened to all the evidence in the committee and I have reread it on a number of occasions during the last two or three weeks. I cannot find anywhere in the evidence given by any of the officers, either presently serving or recently released, any argument whatever which effectively counteracts the argument advanced in favour of the amendment moved by the hon. member. The minister has not attempted to prove that the government has neither legal nor moral obligations. I am sure he has accepted the fact there is a legal obligation, as the judge advocate general told the committee there was.

I believe that the minister recognizes the moral obligation whenever he is asked directly, but he has never done or said anything to counteract the meaningful amendment which is now before us. As I said earlier it has been