

Government Administration

any limitation, by any court, whatever its importance or competence, it is clear to me that the administrative process could then be crippled.

Finally, this bill does not give enough importance to a generally accepted principle according to which the efficient operation of a public service necessitates complete freedom of expression and also of communication between the members of the administration at the various levels, and particularly from lower to senior officials. In my opinion, the contrary could reduce the efficiency of our whole administrative system as we know it.

It is up to the executive power, which has all the relevant data, to decide if national interest or public safety require that certain documents or acts be not made public.

Moreover, I believe that it would be neither legitimate, practical, nor even rational to transfer this decision, in all cases, to any court whatsoever, in spite of the great respect I feel for our courts of law.

It is only logical to believe that a person, a citizen and a taxpayer, can have the right of freedom of access to documents of particular concern to him, but between that and disclosing without discretion to him some information concerning other people, the disclosure of which could be prejudicial to the latter, I believe there is a rule of caution that ought to be respected while considering this bill.

This bill would give the public more extensive rights than those exercised by parliament itself, according to a long standing custom and tradition.

Mr. Speaker, for all these various reasons and in spite of the commendable purpose pursued by the hon. member, I believe it would be very dangerous to pass this bill, especially in its present form I hope the hon. member may be able during the next session, to introduce another bill, that will be more appropriate, and also that the commission appointed by the government, by the right hon. Prime Minister, will present their report; the hon. members will then be more able to come to a conclusion on that important question of the relations and communications that should exist between the government and the general public.

[*English*]

Mr. John Gilbert (Broadview): Mr. Speaker, would the hon. member permit a question? He has indicated agreement in principle with regard to the bill but has criticized the structure and procedure outlined in it. I am wondering whether he would agree to have

[Mr. Forest.]

the bill referred to the appropriate committee for study concerning the structure and procedure.

[*Translation*]

Mr. Forest: I do not think that it is up to me to decide. Furthermore, I think that we should wait, as I have already mentioned in closing my remarks for the report which should be submitted, as was mentioned by the right hon. Prime Minister, within a few months, by experts in the field, who will be able to make relevant suggestions as to how to improve communications and information which must exist between the government and the public in general.

[*English*]

Mr. Robert McCleave (Halifax-East Hants): Mr. Speaker, it is a pleasure to participate in this debate, even if only briefly, to support the proposal of the hon. member for Surrey (Mr. Mather). Like myself he has a journalistic background. I suspect he has spent many difficult hours beating his head against massive stone walls, erected by establishments in this country, in an effort to ascertain what in fact is going on. It is a very commendable effort on his part to attempt to include the natural journalistic capacity for trying to find out what is going on in a measure such as this. Furthermore, I was intrigued when I saw in my hon. friend's explanatory note that the bill enacts Bentham's basic parliamentary rule that public affairs must be conducted publicly. For the enlightenment of my hon. friends opposite the Bentham referred to is Jeremy Bentham who was one of the great philosophers of liberalism. Upon his death he made the rather curious provision that his body should be preserved, stuffed and put on public display for a good number of years. I much prefer the philosophy of the stuffed Bentham and its relation to liberalism to that of the speech we have just heard in this chamber.

• (6:30 p.m.)

I think the rule that public affairs must be conducted publicly is a fair and just one, and it should find its adherents in those who support the so-called just society. I noticed that the house leader was in for a while during at least the opening of the debate. During these curious times he does not have to be with us at all times, but at least he was here to listen to the hon. member for Surrey (Mr. Mather) present what I thought was a fair and eloquent plea on behalf of his bill. I would ask the hon. member for Surrey whether the provisions of this bill would apply also to