

Pension Act

National Harbours Board Act. If that is the case, who is wasting the time of the house? If the government brings in legislation that is not important we are not going to get anything but criticism from the Canadian Legion and the veterans. If the government says this is not important then they are going to come to the conclusion that what any member of the government party or any member of this parliament says is not important.

Without spending any time whatsoever on the matter, may I say that I think those who are responsible for bringing this legislation forward should take another look at that particular section because it is not going to be popular. There may not be any harm done, but it leaves the impression that harm can be done; and I do not think it is a good type of legislation.

Mr. Diefenbaker: Mr. Chairman, for the last two hours or almost two hours the committee has been listening to criticism with regard to this unusual piece of legislation. The Prime Minister has been here in the chamber. I remember so well the Prime Minister, when he was president of the Canadian Bar Association, expressing himself in the strongest possible terms on the need for the preservation of the independence of all judicial and quasi-judicial institutions. The minister may say that he has not yet had an opportunity of answering the question that is in the minds of the members of this chamber, particularly of those who view changes such as this one as major intrusions on the independence of boards that should be above any suggestion of executive control. Surely the minister can answer an extremely simple question. I am sure no hon. member on this side of the house will interfere with him or prevent him from rising and having the opportunity to do so. Indeed at this very moment, if the minister will rise and answer one question, I will give him the opportunity to do so.

The question is this. Why is this power asked for? What is the reason for this change? Why are the salaries to be fixed by the governor in council or the cabinet? What has the government in mind? What is it afraid of? Certainly we now sit long enough to enable measures such as this to be introduced. Why does a measure like this find its way on the order paper in the last days of the session if the purpose is not to push it through? We want to know why the government asks for legislation that the veterans of Canada do not want. My own branch of the Canadian Legion, as well as practically every other branch of it, has taken its stand against this legislation. What is the government trying to do? Is it trying

to pronounce the death warrant on the judicial independence of this commission? Is it trying to make this institution that has been above politics a meaningless fiction in so far as independence is concerned? The minister is here. He could answer that question simply.

Mr. Brooks: But he will not do it.

Mr. Diefenbaker: His parliamentary assistant is with him. Indeed the matter is of so serious consequence that I am surprised that the Prime Minister, during the time he has been here, has not seen fit to rise in his place and explain why this measure is introduced. Why stultify this commission? Why place it under the control of the cabinet? Why make it a pawn? I know that the people of this country must be beginning to realize the fact that this government has developed a deep-rooted tendency to invade the rights of the individual and to destroy the independence of many of our institutions. Why apply legislation such as this to the one body in this country that has been above political considerations, namely the pension commission? Those are questions to which I think any fair-minded person would ask an answer.

Is this commission to become a pawn to be pushed around and to be controlled by the cabinet? That is the power, if it is granted by parliament, that will conceivably be placed in the custody of the cabinet. If one of the members of the commission does not act as the government would have him act, what is there to prevent, by order in council, reducing that person's salary or the commissioners' salaries in general? What is the purpose of this legislation?

I have sat here and listened to the debate. Even the chairman of the veterans affairs committee is here. I have heard him fulminate in the Saskatchewan legislature against this kind of thing. I have heard him speak of the danger to democracy in control over commissions and boards. I hope he will rise now and give this committee the benefit of his experience in that legislature in which he over and over again spoke of the danger of control by the executive over the instruments set up independently to administer the law. I cannot believe that he supports this measure. I should like him to make one of the speeches he made in the legislature of Saskatchewan. Powerful speeches they were and powerful were they in their arguments. I should like him to make here in this chamber one of those speeches against this measure which constitutes one of the most