

tee if we can judge by past experience, because party discipline applies in committee just as much as it does here.

An hon. Member: What about your party?

Mr. Kilgour: I hear some comments, Mr. Speaker. I am almost at the point where I feel badly if hon. members opposite do not heckle. I enjoyed this much more the last time. I am sorry that they are only starting to heckle because I have come to the end of my remarks.

Mr. Baker (Nepean-Carleton): That is not a heckle; that is a guffaw.

Mr. Kilgour: In conclusion, Mr. Speaker, I intend to vote against this bill because it is unreasonable, and I hope that members on all sides of the House will consider doing likewise.

Hon. Bill Jarvis (Perth): Mr. Speaker, I wish to make a few comments on this bill. I am inspired by the hon. member for Willowdale (Mr. Peterson) who, all of a sudden, is an international fiscal expert. Perhaps I could therefore be considered an expert on the judiciary.

A number of things in this bill bother me, Mr. Speaker, as well as some that are not in the bill. I find it very hard to accept the delay in bringing the bill forward, as it was drafted long before this party formed the last government. It bothers me, as well, to have to go through this exercise every year, or two years, or three years. I find that most unseemly, just as I find it unseemly for us to debate our own pension schemes or pay raises. Surely that tradition is not so firmly rooted in this country that we have to accept it as inevitable.

Mr. Pepin: You are such a gentleman.

Mr. Jarvis: I think I have some support from the Minister of Transport (Mr. Pepin). At least he is not shaking his head but is smiling at me.

Mr. Pepin: You are such a gentleman, I said, that it is not proper to discuss your own salary.

Mr. Jarvis: I can find much to agree with in the propositions advanced by my colleagues on all sides. There is no uniformity in the approach to this matter. In parts of my riding, in Ontario, it is much easier to attract applicants for the judiciary than in other parts. In the short period that this party formed the government there was an opening in Muskoka and every Toronto lawyer of every political persuasion who had a cottage there, wanted to be the judge. At Thunder Bay and the Lakehead, however, where workloads are heavy and travel is difficult, there was no interest.

It is a little difficult to understand why the legislation recommends salaries higher than those recommended by the various committees and commissions that study these matters.

Judges Act

There may be a rationale for this, but it was not contained in the minister's speech when he introduced the legislation, and that troubles me. In a moment I would like to deal with pensions, Mr. Speaker.

I am delighted that the Parliamentary Secretary to the Minister of National Defence (Mrs. Appolloni) has remained in the House, Mr. Speaker, because I may have done her an injustice. I interpreted her intervention when my colleague from Edmonton was speaking—although it was not a formal one—as possibly taking his remarks as chauvinistic. I hope I do not do her a disservice, as I have the greatest respect for her, but when my colleague mentioned that his wife might appear in the courts I thought she took it the wrong way.

This leads me to my main point, Mr. Speaker. It is a minor point, yet I find it absolutely unacceptable that the annuity of a judge's widow is suspended if she remarries. That is a terrible thing to put in legislation. Even in the dark ages when I was practising law and I was asked to put in what we called the dum casta or chaste clause in separation agreements or wills, although I did it on a client's instructions, I found it repulsive. That was in the sixties; now we are in the eighties, debating legislation that provides for the annuity of a judge's widow to be suspended upon her remarriage. What on earth is the rationale for that, Mr. Speaker? I fail to understand why we should inscribe a deterrent to a judge's widow in this legislation. It makes no sense unless we want to return to the dark ages.

I realize this is a minor point and I do not want to take up the time of the House with it, but why in 1980, do we introduce legislation to discourage a widow—young or old, it makes no difference, whether she is 80 or 20—from remarrying?

Mr. Pepin: It is the puritanical concept of punishment.

● (1500)

Mr. Jarvis: The Minister of Transport says it is a puritanical concept of punishment. I think he puts it much better than I do. If the parliamentary secretary wants to do a service, I say introduce an amendment to get rid of that absolute nonsense. I will not go on any longer because we do not want to make a big issue out of that. But surely in the interests of decency, if nothing else, we would reject that kind of a provision in a bill drafted in 1980.

There is one other minor point which troubles me. I do not know why we relate salaries of other public servants in the judges bill. I do not find that acceptable. Why would we relate salaries of the Chief Electoral Officer or the Commissioner of Official Languages in the same legislation as judges? There may be a rationale, but if there is, I would certainly like to know. However, I do not want to stand up here every two or three years and have to debate not only the judges salaries, which is bad enough, but also the salaries of the Chief Electoral Officer or the Commissioner of Official Languages. If there is any sense behind that, why don't we include every other public servant?