

Privilege—Answers of Solicitor General

Today the Prime Minister, with ingenuity but not with much energy, with the realization that he was actually trying to delude the House, put forward the proposition that what he said had not been said.

Some hon. Members: Hear, hear!

Mr. Edward Broadbent (Oshawa-Whitby): Mr. Speaker, I will try to be very brief. The Prime Minister (Mr. Trudeau) got to his feet this afternoon and chastized members of the opposition for using all the time but not clarifying the issue. The Prime Minister could have gotten up very early in the proceedings this afternoon, right after the Leader of the Opposition (Mr. Clark) made his excellent case, and clarified the matter.

When the Prime Minister spoke, rather than clarifying the situation, he made it even more ambiguous. I do not want to waste the time of the House. If the Prime Minister will get up again soon, I am sure he could remove the problem entirely. I want to address myself to what I see as the essential ambiguity in the government's position.

The Solicitor General (Mr. Blais) and the Prime Minister have indicated this afternoon that, in their view, there are still some aspects of information pertaining to the royal commission on a continuing basis about which the Solicitor General does not feel obligated to answer questions before the House.

The Solicitor General, ostensibly to clarify his position and partially withdraw it, intimated he would be prepared to consider questions about previous ministers in that portfolio, but would not accept moral responsibility for what went on. He clarified it to that extent.

The Solicitor General indicated, as did the Prime Minister later, that in terms of ongoing testimony before the royal commission, either of them presumably, he did not intend to answer questions in the House. The Prime Minister this afternoon used the word "espoused". He said it was a tenable argument for the Solicitor General to make, that in terms of evidence on a day to day basis before royal commission he did not have to answer questions in the House. With all respect, that does not clarify the situation. It makes it even more ambiguous than before.

The previous position of the government was that it felt responsible from time to time in answering questions about matters that were brought before the royal commission. I refer to an answer given by the Prime Minister a week ago today. I was asking him about certain testimony that appeared before a certain commission which left very important matters in a state of contradiction or irresolution because of positions taken by the previous solicitor general. In the absence of the Solicitor General last Monday, the Prime Minister stated to me in the House:

I will gladly take notice of that question and make sure he provides an answer.

He was saying in the House that he was going to check it out with the solicitor general, whom we subsequently found out had resigned. However, the Prime Minister did take it as an ongoing responsibility for a minister of the Crown, in this

[Mr. Diefenbaker.]

case the solicitor general, possibly to answer questions that arose from testimony being given before the Royal Commission. I do not see how ministerial responsibility can be defined in any other sense.

Of course it makes sense not to set up the House of Commons as another judicial body. As a number of members have said, we are not here to do the job of the royal commission. However, we are here to make sure that ministers are honest. We are here to question ambiguities or conflict of testimony given by ministers which might impinge their credibility and the credibility of the government. It is our responsibility to pursue those questions regardless of whether they come before a royal commission.

If the Prime Minister and the Solicitor General want to clarify this and get on to other business, all the Solicitor General has to do is get up and say to the House that he withdraws the comments he made last Friday in the House and that he gives unequivocal assurance that all future questions on this or any other matter will be considered on their merits, with no qualification of the kind he and the Prime Minister gave this afternoon.

● (1542)

Mr. Speaker: I see that the hon. member for Calgary North (Mr. Woolliams), the hon. member for the Yukon (Mr. Nielsen) and the hon. member for Esquimalt-Saanich (Mr. Munro) are seeking the floor. I shall listen to them, after which I believe the Chair will have heard sufficient argument on the matter.

Mr. Eldon M. Woolliams (Calgary North): Mr. Speaker, I believe I can add two points to this argument. Before doing so, I would say this: the Prime Minister (Mr. Trudeau) accuses the opposition of wasting an hour this afternoon. Should that be the case, it was the best hour ever wasted if it establishes the supremacy of parliament over the executive.

Some hon. Members: Hear, hear!

Mr. Woolliams: I come, now, to my two points. I am particularly concerned about the first because of the number of hours I spend in standing committee. We on this side submit we have a prima facie case of privilege. I do not think any defence was put up by the Prime Minister with reference to the words used on Friday. They were clear and concise. They were not ambiguous.

As I say, we submit we have a prima facie case of privilege, but if a ruling is made against the opposition today we are caught in those committees because parliament lost the purse strings when the rules were changed allowing the government to move all the estimates to that circus known as the standing committees of the House of Commons where ministers will neither answer questions nor give us information. So Your Honour's ruling is one which will affect all the committees, too; I can almost hear the various chairmen of those committees saying "Well, the Speaker has ruled against you, so you