

tion of the ruling for this particular case will depend on the circumstances which prevail at the time it is made. It should also be borne in mind, as the Speaker has pointed out, that the Chair cannot prohibit any minister from answering if the procedure of the House is followed correctly, that is, if the questions are in order, neither can it oblige any minister to answer questions even if they are in order.

Having said this, I wish to express my appreciation to the hon. member for Oshawa-Whitby (Mr. Broadbent) for outlining the difficulty the House faces in securing, during the question period, a statement from the Minister of Supply and Services, one which would be of great interest, I am sure, to hon. members. Bear in mind, though, that on Friday the Solicitor General made an extremely long statement on this subject and was subsequently questioned in detail with regard to all the facts which are known to the government.

Mr. Fraser: That was all hearsay, for heaven's sake!

Mr. MacEachen: All that remains—

An hon. Member: —is the truth!

Mr. MacEachen: The truth has been spoken by the Solicitor General and by the Prime Minister. However, I understand what seems to be the complaint. I do not think the way to proceed is through a perversion of the question period. It should be done in another way because hon. members are quite aware that with respect to this incident the universe will unfold in the next few days as it should.

Mr. Hees: Tell us what the other way is.

Mr. MacEachen: I will leave it to your imagination.

Some hon. Members: Hear, hear!

Mr. Hnatyshyn: The government House leader made a somewhat peculiar reference to the rules of the House. The application of those rules is a matter of precedent and is not determined by our Standing Orders alone. The flim-flam we heard from the government House leader with respect to this course being highly improper is incredible, when we consider that the government has turned around, on at least two occasions, this rule which indicates that only the present minister can be responsible for answering questions.

● (1530)

There were two very notable occasions in my experience. One was when the Minister of Supply and Services (Mr. Goyer) was involved in blaming someone else for the actions of his department in connection with the Hamilton Harbour matter. The government found it quite appropriate then to have the minister come to the Standing Committee on Justice and Legal Affairs, flanked by the then solicitor general, the now Minister of Indian Affairs and Northern Development, and the commissioner of the RCMP, and they stonewalled for about four hours. The second occasion—

Oral Questions

Mr. MacEachen: That was a standing committee and the same rules do not prevail, as you know perfectly well.

Mr. Hnatyshyn: The committee is an extension of this House, governed by the rules and precedents in the same way as the House is. The second occasion was more recent. The present Minister of Finance (Mr. Macdonald) found it convenient to come forward and answer questions with respect to the whole question of Polysar and activities which took place when he was the minister of energy, mines and resources. The uranium transaction, the Candu transaction, is another example.

The point I should like to underline, which has been raised by my colleague, is with respect to the so-called judges affair when questions are allowed to be put to ministers because the concern was not related to ministerial responsibility. It concerned the broader question of illegality or impropriety. Those are the terms that were used. The hon. member for Greenwood (Mr. Brewin) suggested that there was some question of conspiracy. There are allegations and suggestions, which have been raised here that the minister was in fact involved in a possible cover-up of an illegal act.

Mr. MacFarlane: Who raised those?

Mr. Hnatyshyn: These implications were raised in the House of Commons by a member of parliament. We have the right to do that, and we will not be told what to say by the government whip. He is one person who will not tell us what to do.

Some hon. Members: Hear, hear!

Mr. MacFarlane: We do not have to accept what you say. No one else is.

Mr. Hnatyshyn: The fact of the matter is that these are instances where specific departmental responsibility was not at stake, but the question of parliamentary responsibility and the responsibility of a member of the administration with respect to his action or lack of action was at stake. On the basis of those precedents, evoked by the government when they felt it was appropriate and opposed by the government when they felt it was not appropriate, and in looking at the nature of the questions raised by my colleagues, the hon. member for St. John's East (Mr. McGrath) and the hon. member for Hamilton West (Mr. Alexander), which were carefully worded with respect to matters of ministerial responsibility in the broadest sense, I suggest that Your Honour should allow the minister to answer the questions.

Mr. MacFarlane: Good spelling does not make good composition.

Mr. Hnatyshyn: As Your Honour knows, if the minister refuses to answer, there is no obligation under our rules for the minister to answer. If he refuses to answer, and you allow those questions, the minister will stand indicted by his silence.