

VIEW OF PRIME MINISTER ON POLITICAL INTERFERENCE  
WITH JUDICIARY

**Mr. Elmer M. MacKay (Central Nova):** Mr. Speaker, I am certainly amazed at the minister's reticence, but let me ask one more supplementary of the Prime Minister. As the Prime Minister seems satisfied with the Minister of Public Works' statement to the House last Wednesday and his private explanation, does the Prime Minister accept any kind of political interference with the judiciary on matters immediately before the courts so long as it cannot be proven. Is that the rule over there, that you can behave as you like so long as you can get away with it.

**Some hon. Members:** Hear, hear!

**Right Hon. P. E. Trudeau (Prime Minister):** It seems to me, Mr. Speaker, that the member is forgetting a very important fact, that the Chief Justice of the Superior Court of Quebec is an independent agent and that he will make his decision on this very matter which is of such concern to the opposition.

ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—  
DECISION AS TO WHETHER OR NOT THERE WAS  
INTERFERENCE

**Mr. Edward Broadbent (Oshawa-Whitby):** Mr. Speaker, I should like to ask the Prime Minister whether it is his view that this issue is to be resolved entirely on the basis of the judgment of the Chief Justice of the Superior Court of the Province of Quebec; is he to be the judge of whether or not there was interference which is to be considered? Does the Prime Minister not agree that it is even more importantly a matter of the Prime Minister himself or one of his ministers deciding whether or not they took the right or wrong course of action, independent of whether or not the chief justice agrees with it?

**Right Hon. P. E. Trudeau (Prime Minister):** Mr. Speaker, it would seem to me that if the action is said to be wrong, as the hon. member puts it, it will be wrong because the courts come to the conclusion that they have been interfered with.

**Mr. Fairweather:** Oh, no!

**Mr. Trudeau:** Mr. Speaker, if there was no interference with the course of justice in the very judgment of those who in this House are claiming the contrary, then surely it is not for Parliament and certainly not for this government to tell the courts how they should feel about whether they are discharging their duties freely or not.

**Mr. Broadbent:** Mr. Speaker, I could not agree less with what the Prime Minister just said.

**Some hon. Members:** Hear, hear!

**Mr. Broadbent:** I want to ask the Prime Minister whether it is not possible that the Chief Justice of the Province of Quebec can reach a conclusion—and I am not questioning his motives—that the conversation that was alleged to have taken place last night between the Minister of Public Works and the Chief Justice did in fact take place and that he, the judge, decides that it was not political interference.

*Oral Questions*

The Prime Minister, I am sure, will agree that is a possibility, but I should like to ask him if that is so would he not, as Prime Minister, judge that that kind of conversation if it is true, does constitute interference with the courts.

**Mr. Trudeau:** No, Mr. Speaker. I think I can be quite clear on that. If the courts say they have not been interfered with I shall not argue that with them and say that they should know they have been interfered with.

ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—  
POSSIBILITY OF MEMBERS LEARNING CONTENT OF  
CONVERSATION OF MINISTER WITH JUDGE HUGESSEN

**Mr. Edward Broadbent (Oshawa-Whitby):** Mr. Speaker, then I should like to get clear a matter which follows from that. Is the Prime Minister also saying to the House today, as in the past, that we will not learn the nature of the conversation that took place between the Minister of Public Works and Judge Hugessen unless the chief Justice of the Superior Court of the Province of Quebec decides there was interference.

**Right Hon. P. E. Trudeau (Prime Minister):** Well, they shall not learn certainly by way of a public inquiry set up by the government.

**Mr. Broadbent:** Any other way?

**Mr. Trudeau:** Or any other way; I suppose they can attempt to learn any way they want. Apparently the press is informing them on what happened. But in our view the essence of the question is whether the courts have been in some way interfered with in the discharge of their duties. Surely, that is the question which should occupy the House. We have before the House one piece of evidence, a letter by Mr. Justice Mackay which, it is now well known, contains some inaccuracies. I think it would be improper for the House to try to examine in any depth the nature and the extent of these inaccuracies.

● (1420)

**An hon. Member:** Why?

**Mr. Trudeau:** Because if the hon. member wants to do it, it must be done by way of impeachment, and I do not intend to bring such a motion.

**Some hon. Members:** Absolute nonsense!

**Mr. Trudeau:** How else can you examine a judge but by bringing him here before the House?

**Some hon. Members:** Oh, oh!

**Mr. Paproski:** You are sucking and blowing at the same time.

**Some hon. Members:** Oh, oh!