

*Privilege—Mr. Crosbie*

The Minister of Justice says that this is all a procedural matter. I, for one, do not accept the fact that whether a statement made in this House is true or not is exclusively a procedural matter. Quite the contrary. I think it is fundamental that we in this House can believe statements by members on all sides of the House. Certainly the Minister of Justice has a greater and an exceptional responsibility in this House with respect to the matter of truth, whether it is a question of misleading us and whether the misleading information is deliberate or not.

I ask you to look at this question as a fair and reasonable person on the basis of the record alone, quite apart from any explanations about aircraft, times of consultation and conditions that were to be discussed, conditions which the Minister of Justice did not specify, although he had an opportunity to do so. We gave him a wide range. All of those things can come out in committee. If you look at the record, Madam Speaker, the minister has *ex post facto* said to us in this House that he did not intend to mislead us. But that is the decision for another forum, another committee.

For the minister to say in his statement that no decision had been made is tantamount to us in the House of Commons saying that if we pass a particular bill which is then passed by the Senate, somehow we have not made a decision in this House until Royal Assent takes place. That is what the Minister of Justice is asking us to believe. That should not be believed by any reasonable person.

I simply say in my humble submission to you, Madam Speaker, that a reasonable *prima facie* case has been established to have the committee consider exactly what has transpired and, to return with a recommendation to this House as to whether the statement was true or not. The only thing you have before you on which to make that determination is the statement made by the Minister of Justice on Tuesday last and the statement made by the Prime Minister yesterday. I submit there is a *prima facie* case here in which a wrong and untruthful answer was given to the House of Commons, and it is for the committee to determine what the circumstances were.

**Hon. Bryce Mackasey (Lincoln):** Madam Speaker, my contribution will be brief and I hope it will be important. It may surprise even my Liberal friends when I say that I share the same sentiments in what has been said by virtually every-one who has spoken.

Perhaps what impressed me the most was the contribution made by the hon. member for Mission-Port Moody (Mr. Rose) who, I think, reminded us that there are really two sets of rules which govern the effectiveness and reflect on the integrity of the House of Commons. First are the written rules. We have many experts, whether advocates of Erskine May, Beauchesne or whatever. As one who has been in this House a long time, what are equally important to the written rules are the unwritten rules of tradition and procedure. They are the rather mysterious chemicals that make this place operate. I suppose those of us who have been in the House for many years appreciate that tradition and procedure are even more important than the written rules. I often listen to members in this

House who are lawyers by profession who interpret rules, who define words and who quote one expert, only to have everything they say contradicted. The rules are there and it is up to members of the House to interpret them. I am speaking now about written rules.

Like many members here, I have sat in the opposition, I have sat in the House as a government member and as a member of cabinet. I have the dubious distinction of sitting here for two years listening to the question period and noting its evolution. I come to the acrimony which the hon. member for Mission-Port Moody thinks is creeping into the question period. I worry about that. In recent years questions in the question period seem to be preceded by rather long preambles, semi-speeches, if you want, perhaps because of television. Also answers tend at times to be a little vague, a little less forthcoming and a little less explanatory than we would perhaps like them to be. That is not really new, but the unwritten rule which keeps this place going is important to me—the right of an hon. member to stand in his place and say: “What I am telling you is the truth”. I am surprised that that prerogative is even questioned.

• (1700)

I can remember many years ago when I was a minister that one of my favourite members, Mr. Stanfield, was sitting opposite and I was in the embarrassing situation of a document having been leaked to the *Toronto Star*. Mr. Stanfield, as House leader of the day, and Mr. Baldwin immediately jumped up to criticize and complain that the document had been leaked before it had been released in the House—the usual thing. I simply rose and said to Mr. Stanfield, “You will have to accept the tradition and the custom that I, as an honourable gentleman, am telling you that I did not leak the document; I had no knowledge of the document being leaked”. It was significant that tradition in those days was so strong that it put an end to the very debate and an end to the whole question. If I recall, Mr. Stanfield withdrew the motion to send the whole issue to the Standing Committee on Privileges and Elections.

I, too, was conscious of my responsibilities as a minister not to hide specifically behind the tradition, but to be as forthright, open and expansive as possible in my answer; otherwise tradition would be abused and disappear. This is one of the privileges of hon. members. We are talking about privileges which have accumulated over hundreds of years of parliamentary practice, privileges which we want to see retained. One privilege we have as members is that when we rise in our places to make statements, the statements are accepted as the truth if we insist that they are.

The significant thing which brought me to my feet was that the Minister of Justice (Mr. Chrétien), who in my mind is one of the most professional, honest and forthright members of the House, rose to his feet, understanding the full implications of his words, and categorically said: “I did not intend to mislead the House”. To question that bothers me as an individual