

**Hon. Daniel J. MacDonald (Minister of Veterans Affairs):** Mr. Speaker, there are no negotiations as such with regard to the transfer of Deer Lodge to the province. There have been some preliminary discussions between my department and provincial officials. The purpose of those discussions is more or less to determine if the province is interested and if things can be worked out to the satisfaction of all concerned. It would have to be agreed that a certain number of beds be made available to the veterans and the staff we have employed there would have to be guaranteed employment. All these things have to be worked out.

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[Translation]

### PRIVILEGE

MR. BALDWIN—ALLEGED ATTEMPT BY GOVERNMENT TO INTERFERE WITH NEWS MEDIA

**Mr. Serge Joyal (Maisonneuve-Rosemont):** I rise on a question of privilege, Mr. Speaker.

**Mr. Speaker:** The hon. member for Maisonneuve-Rosemont on a question of privilege.

**Mr. Joyal:** Mr. Speaker, on Monday the hon. member for Peace River (Mr. Baldwin) raised a question of privilege about an article which appeared in the *Globe and Mail* of June 6 and which reported statements I supposedly made in Montreal on Saturday, June 4. First, Mr. Speaker, I would like to thank you for waiting for me until this morning to continue this debate. As my colleague from Peace River said, my responsibilities in the case of mechanics against Air Canada held me before the Superior Court of Quebec until this morning.

However, let me repeat the substance of my remarks, since I did not read a text which might have circulated and the contents of which I cannot therefore table here this morning. I might recall Mr. Speaker, that on that occasion I was taking part in a "Vigilance Day" organized by the Fédération professionnelle des journalistes du Québec regarding the CRTC inquiry into the CBC and Bill C-43 on telecommunications. I had been invited along with some of my colleagues on this side of the House.

My statements had a double purpose: first, a legal analysis of some of the provisions in Bill C-43 with regard to Bills C-24 and C-25; second, a discussion on the political circumstances which led to the CRTC inquiry into the CBC. The object of Bill C-43 is to regulate the telecommunications system in this country. This is a legislation of capital importance since it deals with the very bases of our political society's structure.

Not so long ago, constitutional law was still restricted to the discussion of the three traditional powers, that is the legislative, the executive and the judiciary, with emphasis on their required independence in principle as a guarantee of popular sovereignty which itself finds its mandatory expression in the most important thing the British law gave us, the rule of law.

*Privilege—Mr. Baldwin*

[English]

We like to boast—

[Translation]

—wrote the Chief Justice of the Quebec Superior Court last March—

[English]

—that we are living in a political régime where the rule of law is alpha and omega and where the political process does actually respect and bow under the rule of law.

[Translation]

It is by the rigorous application of this rule of law to specific decisions or bills that we can assess the duty of the political power to abide by the rule of the primacy of law and its necessary sanction by the courts. Justice Deschesne gave a proper definition when he stated that "our ancestors understood quite well that our political system requires the presence of a court of higher jurisdiction having over physical and moral persons as well as over the courts what was called at that time a power of control meant to ensure that everyone performs the duties required by law but also that everyone stays within the limits of the authority conferred upon him by law.

Should public institution violate the rule of law, transgress its prerogatives, go beyond its powers or be guilty of a patently illegal act, then the confidence of the public in those who are responsible for enacting and implementing the law is destroyed. I will not linger on the incident of L'Agence de Presse Libre du Québec or on others which underline the malaise we feel when those who are responsible for implementing the law violate, deliberately or not, its letter and spirit.

Therefore, in a democratic society, we should be able to rely on clear statutes which are compulsory for everyone and on an independent magistrature, with the power to supervise and control the administration of the law, which recalls the existence of restrictions as far as individual prerogatives are concerned, in brief, which ensures compliance with the law.

Mr. Speaker, I shall not insist on the part of the press, and in particular of the electronic media, in this moving and flowing process, which is difficult to understand and which contributes to public opinion and to the balance which is very difficult to establish between both parts, namely to inform on the one side and to analyse, comment and dissect on the other side. In fact, nobody doubts anymore the fact that the press is a fourth power and that it is essential to the health of our political institutions. Very often it will play part of the role which is theoretically the responsibility of the opposition, when it is not in itself one of the basic mechanisms of control over public administration. All contemporary authors in administrative law recognize the importance of having an alert press in the control process of the administration. I shall mention only Mr. René Dussault and Mr. Gilles Pépin: who stressed adequately the role of the press as an extraparliamentary control instrument.

Now, contrary to those having the legislative, executive and judiciary powers who, in our system, are tied to one another,