

Privilege—Mr. Lawrence

Let us situate this issue in the context of the questions which have been asked. As the hon. member for Winnipeg North Centre (Mr. Knowles) has stated, the issue arises in connection with evidence given before the McDonald inquiry. It is true that each day witnesses come before the commission and give evidence. It may be that the evidence given is contradicted by other witnesses the following day, or it may be contradicted by statements made inside this House, or outside it.

It is a fact that the press reported yesterday that certain evidence had been given by the former Commissioner of the RCMP. On the same point, statements were made in the House of Commons by the former solicitor general. This is well known. But is it the job of the House of Commons to examine the credibility of the evidence coming before the McDonald inquiry?

Mr. Lawrence: Certainly!

Mr. MacEachen: Is it the job of the House of Commons to examine the credibility of the witnesses appearing before the commission? If a former attorney general claims that it is, then he ought to go back to law school. The purpose of the commission is to assemble all the evidence, to hear all the witnesses, including the former solicitor general, and then to reach a conclusion as to what is the credible result.

● (1242)

Hon. members of the opposition are saying that we should transfer the House of Commons, which is a purely political theatre, into a judicial body.

Mr. Baker (Grenville-Carleton): Nonsense!

Mr. Lawrence: The House of Commons is the highest court in the land.

Mr. MacEachen: That is exactly what hon. members opposite are doing.

The same point made today by the Solicitor General was made yesterday. The hon. member for Northumberland-Durham (Mr. Lawrence) asked me to deal with what he described as contradictory evidence given before the McDonald inquiry.

Mr. Lawrence: I was referring to the news media.

Mr. MacEachen: It was a report in the news media alleging contradictory evidence. In reply to that I said:

It seems to me it is now up to the commission to call the witnesses in the order in which it alone determines, and to determine also the credibility of the evidence that is brought before the commission.

That is the point of the commission, to determine the credibility of evidence and witnesses.

Mr. McGrath: How about the House of Commons?

Mr. MacEachen: I went on to say the following:

It is certainly not the job of the government or the House of Commons to take over and replace the work of the commission.

[Mr. MacEachen.]

That is what I understood when the Solicitor General referred to evidence. He was asserting the same principle, that it was not his responsibility to adjudicate upon the credibility of witnesses or evidence. I agree, and the government agrees, with that position.

Some hon. Members: Hear, hear!

Mr. Walter Baker (Grenville-Carleton): Mr. Speaker, I have watched a lot of things in the House of Commons, but once in a while a tragedy occurs. A tragedy occurred today when an otherwise distinguished and experienced parliamentarian was placed in a position of defending the indefensible.

Some hon. Members: Hear, hear!

Mr. McGrath: A black Friday.

Mr. Baker (Grenville-Carleton): The hon. member for St. John's East (Mr. McGrath) has called today a black Friday. This is February 3, 1978, and there is another pipeline bill on the order paper.

The hon. government House leader has said that parliament does not have the right to inquire on a matter which has occupied the attention of Canadians for a considerable period of time.

An hon. Member: He never said that.

Mr. Baker (Grenville-Carleton): That is exactly what he said. On his second day in office, the Solicitor General (Mr. Blais) said that he is responsible for past activities of the department, unless they were before a Royal Commission. He will argue that on Monday, Tuesday or whenever this matter will be continued. He is doing two things. He is testing the viability of Your Honour's ruling and the rulings of Your Honour's predecessors with respect to the right of ministers to be questioned about acts or errors of commission or omission. He is testing the viability of that, whether it should be sustained. Also is asking us, as well as the public of Canada, to test that. If that is the position of the government, then Your Honour has to consider in parliament, with its tradition of allowing the questioning of ministers, whether your ruling and the rulings of your predecessors should stand. I do not place it all on Your Honour's shoulders.

Your Honour has said that there is no question before you upon which this matter could be continued. It is important for a question to be before Your Honour and this House so that this matter can be continued. As the right hon. member for Prince Albert (Mr. Diefenbaker) has said, if we cannot ask ministers the questions we want to put to them, notwithstanding that a matter may be before a judicial inquiry or a Commission, regardless of what we may think of the inquiry, then we are truly gagged, and our rights as members of parliament are badly impaired. If it is allowed to continue in that manner, then parliament will move on and on and cease to be relevant.

There is no one outside this House who can believe, when we face a government in this situation, that we cannot ask ques-