

Business of the House

no case that says that a bill in the House of Commons which is up for discussion cannot be proceeded with until the evidence has been filed. If we were to accept the suggestion of the hon. member for Lapointe (Mr. Grégoire), emotionally pleasing as it may be, nevertheless procedurally in my opinion it would be completely wrong, and would establish a very bad precedent.

It seems to me that hon. members are called into the house to give their own opinions on matters or bills before the house, and never has it, so far as I am aware, been established that we must wait for all the evidence, whether in English or in French, to be filed before we can proceed with the discussion of a bill. On the contrary, the evidence given before a committee forms part of the overall record which in due course is filed. Assuming for example it was given all in French and printed in French, there is no reason to hold up the discussion of a bill until the English translation is received.

I do urge hon. members to take into consideration the fact that if we were to adopt the motion which the hon. member would like to present, and which I think is completely out of order, we would be establishing a very dangerous principle and would be hamstringing ourselves for the future.

Right Hon. J. G. Diefenbaker (Leader of the Opposition): Mr. Speaker, no one wants to hold up the business of the house but, as Your Honour saw fit to state that there was no case since confederation in which the recognition of the equality of both languages—

Some hon. Members: Oh, oh.

An hon. Member: That is insulting the Chair.

Mr. Diefenbaker:—had resulted in a bill being held up pending translation, I would point out this, that the arguments used yesterday by the Minister of Labour (Mr. MacEachen) and the President of the Privy Council (Mr. McIlraith) were, if I may be allowed to say so, entirely inaccurate. They took the stand that it was a question of order. I have read the cases, as Your Honour has, and I would point out a case in 1910, referred to in the *Journals* of the house of April 6, 1910, in which the Speaker said this:

Section 133 of the British North America Act provides that members may speak in either French or English and that both those languages shall be used in the records and *Journals* of this house. The *Votes and Proceedings* contain the French version of the report of the committee, but not the evidence. Whether or not it would be proper to

[Mr. Speaker.]

stop all proceedings on this bill now is largely a matter of policy for the house to decide and not a question of order for the Speaker. This evidence is now being translated and will be printed in the French language and duly distributed, but a decision to stop all proceedings until this is done would practically mean that this bill could not be proceeded with this session. Under the circumstances, I am not prepared to take that stand, seeing—

And he said what Your Honour said just a moment ago:

—that I have found no precedent since confederation bearing on the point of order.

The matter then came to a vote on the question that the ruling of the Speaker be not sustained, and the ruling of the Speaker was sustained. I rise, Mr. Speaker, merely for the purpose of saying, so there will be no mistake in the years ahead, that the decision is not one that can be rendered by Your Honour as a question of order, but is rather one of policy to be decided by the house. Having come to that point, if we look over the records of yesterday we find a tremendous change in the thinking of those sitting opposite in regard to the stands taken yesterday by various representatives supporting the government, including two ministers.

Inasmuch as the government has overnight taken its place on the penitent's seat, I feel that the ends and purposes for which the motion in question came before the house have been met. In other words, we have now established something beyond peradventure that was denied yesterday by the government and its ministers in the presence of the Prime Minister, but today is accepted by the Prime Minister.

Under these circumstances and inasmuch as it is a matter of policy, if the hon. member for Beauce will now withdraw his question of privilege I am sure that the purposes of the house will have been attained, for after all what was averred yesterday by the government has been departed from today and the view of the opposition parties accepted. That certainly must now be the view of this house. While the matter is one that would ordinarily be decided by Your Honour, having in mind that the position has been established and that the government has completely reversed itself I think we can all join together and say that unanimity has been attained.

[Translation]

Mr. Gérard Perron (Beauce): Mr. Speaker, I understood that your ruling is not to consider what was the subject of yesterday afternoon's debate as a question of privilege, even though an expert in parliamentary procedure