

Administration of Justice

tried to move, and so the discussion has gone on. The ruling that Your Honour is citing to the effect that a member can speak only once is a well known one, but it applies when there is a motion before the house. It applies to a proper debate. I regret that this discussion is still going on and I would support Your Honour in any effort you might make to suggest that we have had sufficient discussion as to whether or not there is a point of privilege. I am sure Your Honour has the understanding of the house, namely that you have tried not to clamp down but to let the matter resolve itself if it could be resolved. Since you have allowed members of all parties to continue to discuss the general question of privilege, and various proposals such as the one made by the Prime Minister, I do not think you can now apply the ruling which applies only when a motion has been made.

I submit that we are procedurally still where we were yesterday when the hon. member for Calgary North raised his question of privilege and when you ruled that although his motion was not in order there was a *prima facie* complaint of privilege.

I think it should be noted, sir, that the point of privilege raised by the hon. member for Calgary North was not in regard to the Munsinger case, but rather in respect of certain actions on the part of the Minister of Justice. Your Honour ruled that the point raised by the hon. member for Calgary North was a *prima facie* case of privilege. I submit that Your Honour having allowed the Prime Minister to discuss a proposal for an inquiry, which you say cannot be voted upon, and other matters than the actions of the Minister of Justice in this house, then it is pretty difficult procedurally to stop this discussion.

I therefore rise procedurally to defend the rights, in terms of consistency, of members to continue discussing the point of privilege. At the same time, as a member of parliament who, as my leader has expressed, has the concern of all of us for what this discussion is doing, I hope that we can soon agree that we are getting nowhere by this discussion. I hope we can soon agree that it might be better to let this debate come to a conclusion, and let those who are affected by it make a decision as to what they should do on Monday. The Prime Minister has made it clear that even though the house may not be satisfied with the kind of inquiry he proposes, it is the government's intention to go through with it, and the government can do that because it is

[Mr. Knowles.]

an order in council matter and not a house matter.

If I may sum up what I am trying to say, I think Your Honour is in difficulty if you try to tell members they cannot continue the discussion because of the way the debate has gone, but I think you should also have the support of the house in any reasonable effort you make to bring this discussion to an early conclusion.

• (12:20 p.m.)

Mr. Nielsen: Mr. Speaker, I was interrupted by a point of order raised by the hon. member for Winnipeg North Centre (Mr. Knowles)—

Mr. Speaker: Order, please. The minister seeks the floor on a point of order.

Hon. A. J. MacEachen (Minister of National Health and Welfare): Mr. Speaker, I have been watching the proceedings of the house since yesterday afternoon very carefully and I have been deeply worried about the kind of situation in which the house has got itself. Yesterday the hon. member for Winnipeg North Centre (Mr. Knowles)—

Mr. Muir (Cape Breton North and Victoria): Your Minister of Justice put us in this mess.

Mr. MacEachen: I am speaking from a purely procedural point of view at the moment, Mr. Speaker. Yesterday the hon. member for Winnipeg North Centre made a very important observation. Those of us who have been in the house for any length of time, and those of us who have made an effort to understand the rules of the house, know that a question of privilege is not an aimless exercise in debate; that it has always been the position of Speakers that if a question of privilege is raised it is the obligation of the Speaker as the first step to determine whether it is a *prima facie* case of privilege.

Mr. Nielsen: The Speaker has done that.

Mr. MacEachen: The Speaker has discharged his responsibility in that respect. Having taken that course, it is up to the house to formulate a remedy and to put a motion before the house. The hon. member for Winnipeg North Centre took that position yesterday. At various times yesterday afternoon, in the evening and again this morning we have been engaged in a debate with no proceeding whatsoever before the house. It is obvious from the authorities, and one such authority is citation 113 to be found on page