

Privilege—Answers of Solicitor General

Mr. Trudeau: The hon. member is arguing again that we should not trust this royal commission because it is headed by a judge who at some time in the past was a Liberal candidate. Mr. Speaker, this is a new view of the judiciary and of the role of royal commissions. In that sense we should say that the entire judiciary is an emanation of the executive. After all, judges are named by the executive of the government of the day, whether it be our government or the former government of the right hon. member for Prince Albert (Mr. Diefenbaker). The judiciary is named by the government of the day, whether the opposition likes this or not. It would be a new theory under our parliamentary system to say that you cannot trust the judiciary or you cannot trust a royal commission because somehow the executive was the source of their nomination.

It seems to me once again that there has been a lot of debate on what the Solicitor General said or did not say. A great deal is made of the fact that he said that before February 1 he would not be responsible for what had happened in the Solicitor General's office.

Mr. MacDonald (Egmont): First of all, they do not know, and now they are not responsible if they have just assumed office.

● (1522)

Mr. Trudeau: Mr. Speaker, with a minimum of good faith and good will it is very simple to understand the words of the Solicitor General. He is saying that if something wrong was committed by a previous solicitor general—he is an individual, and those are the words he used—he is an individual who is not going to be blamed for a judgment made by a previous solicitor general. In that sense his administration as Solicitor General begins on February 1. If the McDonald commission chooses to find blame for something committed before February 1, the blame will not be upon the present Solicitor General, it will be upon the previous solicitor general.

An hon. Member: Warren, why is your face red?

Mr. Trudeau: There is obviously some disagreement with this, and I will repeat it, Mr. Speaker. Perhaps the opposition will then understand. If the royal commission of inquiry finds that some previous solicitor general did something wrong it will not blame the present Solicitor General, who was then the postmaster general; it will say that so-and-so, who was the solicitor general and who committed such an act or admitted to such an act, is to blame. This is very simple.

Of course the government as a whole will be responsible for acts committed during the time of its administration. This point I established at the very beginning of my intervention.

Mr. Fraser: If we find out about them.

Mr. Trudeau: This is the position of the government and of the Solicitor General. Mr. Speaker, if you wish to make a ruling, I can assure you in advance that we will agree to it. But I find no need personally to be brought before a committee of

[Mr. Trudeau.]

inquiry or a standing committee of the House to state my beliefs and those of this government. I made them very clear a moment ago.

Some hon. Members: Hear, hear!

Mr. Speaker: Order, please. There were a number of members who were seeking to participate in this discussion prior to the intervention by the Prime Minister (Mr. Trudeau). I will see as many as is reasonable. However, the matter has been discussed at great length now. I would ask that any other hon. members who wish to participate in the discussion please to have regard to the arguments that were made on Friday and today, all of which have assisted me greatly to this point. I do ask hon. members not to review the same arguments but to let us have the benefit of anything that may not have been brought forward so far.

Hon. Robert L. Stanfield (Halifax): Mr. Speaker, quite frankly I feel a little embarrassed today after listening to the Prime Minister (Mr. Trudeau) to think that a man who would put forth such arguments defeated me in three elections.

Some hon. Members: Oh, oh!

Mr. Stanfield: Very briefly, we would like to know the government's concept of ministerial responsibility. The Solicitor General (Mr. Blais) said today, as I understood him, that he would treat each case on its merits. On Friday he made it very clear what those merits were. If there was any ambiguity as to what he said in the House, he removed that ambiguity when he spoke to the press. He said:

Yes, I may answer questions from the opposition so long as those questions relate to matters that are not within the mandate of the individual commissions.

What could be clearer than that, Mr. Speaker?

Miss MacDonald: That is exactly what he said.

Mr. Stanfield: Neither he nor the Prime Minister withdrew from that position one iota this afternoon. The Solicitor General also said before the press that there may be situations where certain questions relate to matters that remain in areas of political responsibility, and I think he said "which could be separated" from the terms of reference of the inquiries. I will not take any more time of the House. I think it is as simple as that. The commission has a job, and we have a job in this House. The Solicitor General is trying to prevent us from doing that job.

Right Hon. J. G. Diefenbaker (Prince Albert): Mr. Speaker, I never thought that the day would come when the Prime Minister (Mr. Trudeau) would prove that his mentor was Machiavelli. Over and over again he has praised the manner in which Machiavelli would say one thing today and a different thing tomorrow, and make them coincide!

I presume, in what was supposed to be an alibi, the Prime Minister today has presented a lamentable excuse for the stand taken by the minister on Friday. He trotted forth what he said the other day on one of these trips of his, 90 per cent of