

*Privilege—Mr. McGrath*

I just want to say, Madam Speaker, that there is absolutely no question of privilege in that matter. It was just a matter of informing the public of a problem that existed in Canada, a problem that the House of Commons on May 21 asked me to do my best to resolve. At that moment, one of the policies was to make sure that the public understood the nature of the problem we were having. At no time was there any publicity that was partisan. The publicity stopped on September 8, the day before the opening of the constitutional conference in Ottawa.

Of course, Madam Speaker, I will not deny that there are still some billboards out there. On the billboards it says that Canada is a great country and asks Canadians to think about it. There is no question about that. If they think that because we are proud of being Canadians that that would affect their privilege, I will never apologize for that.

**Some hon. Members:** Hear, hear!

**Mr. Chrétien:** I just say, Madam Speaker, that there is no substance to that. In terms of the privileges of the House, I should like to quote the Premier of Quebec. On March 31, in reply to a provincial member of the National Assembly, one who is more or less the Conservative or Union Nationale member, Monsieur Fontaine of the riding of Nicolet, who was complaining that the Quebec government was having a lot of publicity like—

[*Translation*]

—“Become attached to Quebec”, or “dare”, or something like that, between equals!—

[*English*]

—and what not, Premier Lévesque said that, it is the duty of any government to inform its constituents of what is going on. I think there is some publicity at the present time on the radio in Quebec. I heard it when coming to Ottawa not long ago.

The publicity we had was to inform those in the public who did not realize that we had a major problem in Canada. We were not offering Canadians one or the other solution, but the one solution that we all believe in, that this Canada should remain one, united, and strong.

**Some hon. Members:** Hear, hear!

**Mr. Chrétien:** I am very sorry to hear a member of the opposition complain because we have a preoccupation that when you have the best country in the world you do not take any chance about it.

**Some hon. Members:** Hear, hear!

**Right Hon. Joe Clark (Leader of the Opposition):** Madam Speaker, I shall attempt to address myself to the substance of the question of privilege. I believe there are probably two elements here that commend themselves to your attention. One has to do with the statement of the minister that advertising would be legitimate only if it had been approved in principle in Parliament. That language, “approved in principle” in Parliament—and I am quoting exactly from transcripts—

**Mr. Fleming:** Or widely reflected.

**Mr. Clark:** Now he also adds, “or widely reflected”. Earlier, in question period today, he indicated to the House of Commons what standard would be adduced to determine a wide reflection of opinion. He said that if he thought there was a wide reflection of opinion, then there would be a wide reflection of opinion. I would like to suggest to you, Madam Speaker, that it is at least an innovation, and certainly unacceptable, to suggest that a minister of the Crown is empowered by his own judgment to adduce the position of Parliament.

When we use the words “approved in principle” in this House, we use those words in a quite specific and quite legal context. They have to do with formal, legal approval of a matter that has come before, been debated and approved by, a majority of members of the House of Commons. It is not a question of opinion; it is a question of decision. That is what approval means in the lexicon of Parliament. That is the only basis upon which government advertising of the kind that this minister is attempting to justify, could be justified. It is not a matter, simply, of sentiments being expressed; it is a matter of decisions having been made on a wide range of questions. Contrary to the view of my good friend, the Minister of Justice, (Mr. Chrétien), section 42 would not advance the federal state but holds the prospect of ending the federal state and establishing a unitary state.

I have excerpts here of certain of the advertising programs that have been used. The advertising program is designed to express support for federalism. The bill that is being debated contains a provision which could mean the end of federalism and its replacement not by separatism but its replacement by a unitary state.

**Mr. Harquail:** That is in your mind.

**Mr. Clark:** I am told that that is simply my opinion, but it is the opinion that I have expressed as the Leader of the Opposition and the leader of my party on a question that has not yet been decided here in the House of Commons. What the government is trying to do is to suggest that its advertisements reflect a decision that has been taken. That is false; that decision has not been taken. Those advertisements cannot be justified as being in any way a reflection of a decision taken here. That is one point, Madam Speaker—that approval in principle has a specific legal meaning here, and that we have not reached approval in principle of those points that are the subject of advertising.

The other matter, Madam Speaker, will perhaps require a little more consideration by the Chair and the law officers at the Table because it has to do with the application to Parliament of new techniques of communication—new techniques in public persuasion. Reference has been made to the use of public opinion polls.

If I may impose upon the House for just a moment, I had intended to raise a question of privilege later simply to set the record straight. The Prime Minister (Mr. Trudeau) had indicated that during our period in office we had conducted