

HOUSE OF COMMONS

Tuesday, March 15, 1966

The house met at 2.30 p.m.

ADMINISTRATION OF JUSTICE

MUNSINGER CASE—CONTINUATION OF DEBATE ON QUESTION OF PRIVILEGE

Mr. Speaker: Order. I should bring to the attention of hon. members that I have received from the hon. member for Digby-Annapolis-Kings (Mr. Nowlan) a notice, as required by the standing orders, that he proposes to raise a question of privilege. I have also received notice that the right hon. Leader of the Opposition (Mr. Diefenbaker) wants to speak to the question of privilege, and I have received notice also from the hon. member for Edmonton West (Mr. Lambert).

However, before calling first on the right hon. Leader of the Opposition I hope hon. members will allow me to restate very simply and very briefly what I have already said on a number of occasions since the debate now before the house began on Thursday last.

Hon. members know that according to long standing practice, as explained in citations 104, 105 and 113 of Beauchesne's fourth edition and in May's seventeenth edition at page 134, a motion has to follow a question of privilege. The house cannot carry on a debate unless there is question before it and, in the case of a question of privilege, the subject matter of the discussion has to be a motion of privilege.

I might also be allowed to mention that there can be only one question of privilege before the house at any time. On this point I might refer hon. members to a ruling made by Mr. Speaker Michener as recorded in *Hansard* for March 19, 1962 at page 1915. This position was reinforced by a similar ruling rendered by Mr. Speaker Lambert, as reported in *Hansard* of January 21, 1963 at page 2935, where Mr. Speaker Lambert declared:

A matter of privilege cannot be raised when another one is already before the house.

● (2:40 p.m.)

The Chair would therefore at this time call on the right hon. Leader of the Opposition.

Right Hon. J. G. Diefenbaker (Leader of the Opposition): Mr. Speaker, yesterday when speaking in the house, as reported at page 2624 of *Hansard* I used these words:

What has national unity got to do with this question of charging various members of the Privy Council indiscriminately with wrongdoing approaching treason? One of our colleagues has passed on. Today he has been mentioned as one of those two or more. He is referred to as one of them; and his son, an hon. member of this house, has no right of action. There is no action that a son, however honourable be his father, can take to preserve the reputation of his father. That was the situation in the Gladstone case.

What I was dealing with at the time was the danger of smear and innuendo through failing to name alleged wrongdoers and making wrongdoing have general application to a class; in other words, branding by inference all in a class by failing to name the alleged wrongdoers. Today after looking at the press I rise to say how deeply shocked I am to learn that this statement of mine has been misinterpreted.

Before I came into the house yesterday afternoon I was informed that two different parties had called up and stated that it had been broadcast that a distinguished former colleague, now deceased, was among those believed to have been among the two or more. Desirous of doing good, I am sorry to say that what I said, not having been as clear as it should have been, has been misinterpreted. Instead of saying "Today he has been mentioned as one of those two or more. He is referred to as one of them", I should have said "He was mentioned outside of this house in a broadcast."

There was no intention, and it was furthest from my mind, to say anything that could cause any misunderstanding that in any way there was any foundation for what was being bruited around. That is one of the great dangers of witch hunting, that the brand of inference is placed on men and women without reason or justification.

I hope this explanation will be accepted. I have deep regret that the widow and family have suffered because of misrepresentations of a statement that I made with the best of intentions.