

Privilege—Mr. Diefenbaker

I think that is clearly a question of privilege, Mr. Speaker. If the statement were made against me, I would expect that the Prime Minister would stand in his place and apologize if there were any such inference. But he cannot, with all due respect, Mr. Speaker, ask us and the people of Canada to forget about this whole thing by rising and saying this afternoon that he just made a simple mistake of fact on one matter.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, like the Leader of the Opposition (Mr. Stanfield), I believe this matter can be dealt with briefly. I also believe that the issue can be narrowed and made quite clear.

The first point I should like to make is that there does seem to be one area of common ground between the right hon. Prime Minister (Mr. Trudeau) and the right hon. member for Prince Albert (Mr. Diefenbaker). The right hon. member for Prince Albert has proposed a motion which would refer this matter to one of the standing committees. The Prime Minister says that he would be quite happy to see it go to a standing committee and to appear before it. I see Your Honour shaking your head; I think I know what that means. The fact that these two gentlemen agree to do that does not necessarily make it a question of privilege in parliamentary terms, but at least I think it simplifies the problem Your Honour has to face.

Let me move on and say that I agree with the Leader of the Opposition that what is before us is not just a dispute over facts. If that is all it is, Your Honour could say that is not a question of privilege; that goes on here every day, every hour—disputes over facts. What, it seems to me, is at stake is whether the Prime Minister, in what he said, damaged or sought to damage the reputation of the right hon. member for Prince Albert.

Some hon. Members: Oh, oh!

Mr. Knowles (Winnipeg North Centre): My hon. friends over there can get into this debate if they like, but I suggest they do so by taking the floor. I draw Your Honour's attention to citation 108(3) on page 98 of Beauchesne's fourth edition, which reads:

Libels on members have also been constantly punished: but to constitute a breach of privilege they must concern the character or conduct of members in that capacity, and the libel must be based on matters arising in the actual transaction of the business of the House.

I thought I had better look into the Oxford English dictionary that is on the table for a definition of "libel". It is very clear; it is "a statement damaging to a person's reputation". I submit to you, Mr. Speaker, that the statement which the Leader of the Opposition has just quoted and which I should like to quote again is, if it is true, damaging to the reputation of the right hon. member for Prince Albert. The statement is in the paragraph near the top of the second column on page 6010 of *Hansard* for Thursday, May 22. It is in the paragraph in which the Prime Minister was talking about the alleged land grab at Harrington Lake, and he used these key words:

He was adding thousands of acres of land for his private enjoyment.

I suggest, Mr. Speaker, that this is not just a dispute over facts; this is an allegation that the right hon. member for Prince Albert, when he was prime minister, used his

[Mr. Stanfield.]

position as prime minister to do something for his private enjoyment, and of course if this had been done it was at considerable public expense.

The Prime Minister today has withdrawn the charges about the stocking of Harrington Lake with fish and he has withdrawn the use of the word "shameful", but the sentence which he uttered after he had made both the charges is still there, for he said:

—the facts are as I have stated them, Mr. Chairman.

In other words, the Prime Minister stands by his assertion that the right hon. member for Prince Albert did add thousands of acres of land to the property at Harrington Lake and that he did this for his private enjoyment. I say again, it is not a dispute over facts; that would not constitute a question of privilege in the parliamentary sense. But a statement made by the Prime Minister of Canada that a former prime minister used his position to add to his private enjoyment at public expense has the effect—at least it would have the effect, if it were true—of damaging the character of the right hon. member for Prince Albert.

It is for this reason that I believe the matter should go before a committee, so that the Prime Minister and the right hon. member for Prince Albert can appear before that committee and get to the bottom of the facts, but more important, so that they can get to a position where the reputation of the right hon. member for Prince Albert is either left the way it is on the record, or cleared.

● (1600)

As I say, sir, I take very strongly the position that in essence we are not dealing with an argument over facts. We do that all the time and we frequently correct ourselves and correct each other. But in this instance we are dealing with a statement which, in the terms of the citation I read, is damaging to the character of a member of this House. I submit that that has the elements of a question of privilege. I hope, when you have considered the entire matter, that you will come to the position of putting the question to the House so that the matter can be voted on and sent to the appropriate standing committee.

Hon. Mitchell Sharp (President of the Privy Council): Mr. Speaker, may I set the record straight about the arrangements which were made for the debate. As I recall my conversation with the House leader of the official opposition, I said that we were facing a situation which was almost without precedent, as it had been a long time since a prime minister had been called before the committee of the whole on his estimates, and we had to agree upon a procedure. I said the Prime Minister (Mr. Trudeau) would prefer to speak second, but, of course, he would be prepared to speak first if that was agreed upon. After some consultations, the House leader of the official opposition came back and said, "We think the Prime Minister should speak first. He is the Prime Minister." So this was the arrangement as I understood it. These comments are irrelevant to the question of privilege but are made to set the record straight.

Speaking on the question of privilege, I suggest that one has to look at the context in which the Prime Minister made his speech. He was under attack. It had been sug-