

*Privilege—Mr. McCleave*

Grenville-Carleton and the Prime Minister (Mr. Trudeau), it was open to any other hon. member to have raised the question of privilege rather than the hon. member involved. But if privilege exists, in order to be valid it must affect the privileges of all hon. members, not just those hon. members involved in the exchange. My inclination would be to not disqualify the hon. member for Halifax-East Hants, on that ground in view of the fact that had he been given the floor at the time it was given to the hon. member for St. John's East, his question of privilege might not have followed forthwith the allegedly offensive words but it would certainly have followed as the next order of business after the hon. member for Grenville-Carleton finished his questioning.

Therefore, I propose to hear the President of the Privy Council (Mr. MacEachen) on the merits of the argument, either now or at a later moment.

**Mr. MacEachen:** Mr. Speaker, we do not have the official record of the proceedings.

**Mr. Speaker:** Order, please. Before hearing the President of the Privy Council on the merits of the question, I should like to point out that we are faced with a difficulty in this matter, to which I referred originally, namely, the difficulty about the use of the "blues" that has been suggested by the hon. member for Halifax-East Hants; namely, that they are not available.

We have never gone into arguments in the House on the basis of quotations from the rough notes of the *Hansard* reporters taken earlier in the same day. Once the words are enshrined in *Hansard*, they become the official record, but until that time they remain only *Hansard* reporters' notes. I do not think the House has ever engaged in an argument on the basis of those notes. I am prepared to hear arguments on that point, but to my knowledge this has never been done and I would not propose that we begin now to discuss a very important question on the basis of rough notes. Therefore, I think we must come down to the point eventually that the actual words used and the surrounding words which may have set the context will have to be interpreted at one point by examining the official record of the House.

Hon. members who wish to participate in the discussion may do so either now or when *Hansard* is available.

**Mr. MacEachen:** Mr. Speaker, I will not speak on the point of order which you appear to have dealt with but, rather, on a fresh point of order. I believe one can only determine the validity of my argument, namely, as to whether the hon. member rose at that very instant to enunciate a question of privilege, by an examination of the official record, because I believe that proceedings took place from the moment the words were uttered which disqualified the raising of a question of privilege. But in my view that can only be determined by an examination of the record.

**An hon. Member:** Too facile.

**Mr. Walter Baker (Grenville-Carleton):** I have listened to the statements made as if they were etched in stone by the

government House leader. I want to call Your Honour's attention to his first utterances. He admitted the words had been used in the House. That was his first utterance. He said he heard them, and other hon. members heard them. Obviously, the hon. member for Halifax-East Hants (Mr. McCleave) heard them. The questions Your Honour will have to decide are whether those words are parliamentary, and if they are not parliamentary, what Your Honour is going to do about it. No matter what the context is, no member can be called a liar or can have a lie imputed to him directly or indirectly on the floor of the House of Commons by the Prime Minister or anybody else.

● (1600)

**Mr. MacEachen:** That has not been stated by the Prime Minister (Mr. Trudeau). The word "liar" or "person" has not been used, and that is precisely the kind of innuendo the Prime Minister was attacking.

**Mr. Paproski:** Oh, come on.

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

**Mr. Baker (Grenville-Carleton):** You had your turn.

**Some hon. Members:** Oh, oh!

**Mr. Baker (Grenville-Carleton):** The context in which the words were used is precisely the issue. If the words were used in a context which would indicate that they had breached a rule of the House—and we do not know that at the moment; obviously there is confusion with respect to what happened, at least in the mind of the President of the Privy Council (Mr. MacEachen)—they are unparliamentary and they ought not to be allowed to stand. If they were not used that way, then the question of privilege raised by my hon. friend has no foundation.

I think whatever rights I have as a member of parliament have been preserved by the question of privilege which has been raised by the hon. member. I recall saying words to the effect that I thought the Prime Minister (Mr. Trudeau) had better retract his words and I thought he should consider them overnight. I think it is the worst possible, cheap parliamentary tactic for the President of the Privy Council to stand up on a trifling point of order and try to deny to a member of this House the right at least to have the record examined to find out where the cards fall.

As a member who tries, like other hon. members, to carry out my work and responsibilities with at least as much effort as any other hon. member in this House, I want to wait to see the official record. I do not want to rely on the blues. I want to reserve the right to raise, if it is necessary after the question of privilege of my hon. colleague has been dealt with, a question of privilege myself arising out of the exchange between the Prime Minister and myself during the course of the question period. That is all I ask.

**Mr. Speaker:** This is the proposition I put to the House initially, and I do not see how there is any other possibility of