I have already made known my views on the sub judice matters. As hon. members who have taken the trouble to read the report of the Special Committee on Rights and Immunities will know, I take a very narrow view of the whole question, and if it is to be used as a defence in answering a question, it seems to me that it is the minister who seeks to invoke that defence for not answering a question who should be able to justify it. Rare would be the occasion in my tenure of this Chair that I would ever intervene to prevent a question on that ground, because I do not see a situation in which the Chair would be in possession of specific information which would justify that decision. That seems to me to be something which rests entirely in the possession of those who are called upon to make an answer, and therefore I would confine it to that ground.

So we should be clear that we are not talking now about some theory which has to do with the adjudication upon the propriety of questions; we are talking about a theory which has to do with the right of a minister to answer or fail to answer a question, as he sees fit. I believe we must keep that very clear.

Hon. members know, I am sure, that the Chair has no authority to compel an answer for a number of reasons which are well known to all of those who have advanced arguments, not the least of which is the very practical consideration that, if there were such an obligation, I do not know how anybody could judge when the obligation had been fulfilled. I suppose the Chair would have to decide, when a minister rises and says, "I refuse to answer that question", that that probably constitutes an answer within those kinds of rules. So there can be no obligation to provide an answer.

That raises again the very interesting academic position, namely, if there is no obligation upon the minister to answer a question, what difference does it make upon what grounds he chooses to refuse? Since the minister can refuse to answer without grounds, why should the Chair try to make a decision as to whether or not any grounds put forward by the minister for refusing to answer a question were proper grounds? In any case, regardless of whether the grounds are proper or improper, the Chair does not have the authority to compel the minister to answer. These considerations must be taken into account.

In the final analysis, the most serious practical difficulty we have to face is the matter of the executive accountability to parliament. We are dealing with a matter which is fundamental to the whole question period, and the question period, as I have said publicly many times, is a source of great pride to the Canadian parliament. In my opinion the question period here is a session of daily accountability, which is an absolutely paramount feature of the Canadian parliamentary life.

Some hon. Members: Hear, hear!

Mr. Speaker: Fundamental to the Canadian question period—which, I take it, is an example to be held up to all the legislative bodies around the world—is the matter of the responsibility of the executive to be accountable to parliament in this daily session. As hon. members will realize, that cannot be judged in the procedural sense; it is judged in the political sense, and in the final analysis that is the ultimate sanction of everybody who has the honour of representing his constituents in the chamber. Therefore, in the final analysis, the Chair is not in a position to compel an answer—it is public opinion which compels an answer. However, that does not diminish the importance of this exercise and the importance of the theory of ministerial responsibility, which makes the question period work on a daily basis in the Canadian parliament. Therefore, we are dealing with something which is fundamental to the most important aspect of our Canadian parliamentary system.

On the other hand, both motions that have been put forward call upon the Chair to interpret what the minister said was going to be his future intention in handling questions. In fact, as the hon. member for New Westminster (Mr. Leggatt), whose question has given rise to all of this, said, the minister's comments on Friday were a definite "no"; his comments today were perhaps "maybe" or even "yes". The hon. member for Oshawa-Whitby and the right hon. member for Prince Albert (Mr. Diefenbaker) said we could have avoided all of this perhaps if it had been made clear by the Solicitor General at two o'clock that if he gave a certain impression which alarmed the House on Friday, it was not intentional and he proposed to proceed today to answer questions and to receive each one on its merits.

I only raise all of this because in both motions what is really being asked is that I rule in such a way as to let the House send this matter to the committee for the committee to decide what the Solicitor General is going to do and how he will handle questions. Surely that matter need not go to the committee. The way for the House to find out what the Solicitor General is going to do in response to questions is to proceed to the question period and ask him questions. On the other hand, I think it would be disrespectful of a very serious argument and of the very serious position put forward by the opposition which is fundamental, simply to push these motions aside.

I think I have exposed the difficulty and I hope I have made my thinking as clear as possible on decisions on which I really do not need any help from the standing committee. Therefore, I think the appropriate action for me to take would be to reserve my judgment on both these motions, not for one day but for several days, because I think I can be aided in my deliberations by determining, in the manner in which I described, exactly what the intentions of the minister are and what will be the reality. Therefore, I propose to set these motions aside for a few days and see what happens.

Some hon. Members: Hear, hear!