

Morality in Government

If we were to follow that principle, then if any matters were mentioned before various bodies even though they were irrelevant to the issue before those bodies we would be precluded from discussing any number of matters. Clearly what Mr. Speaker Macdonald had in mind was that parliament should not be discussing or even referring to the very matter with which the commission is dealing. Here I come very close to the point to which the hon. member for Winnipeg North Centre was referring. He was referring to the proceedings or findings by a royal commission. There will be no findings by the commission on this matter. It is entirely collateral. I submit this is in keeping with your ruling as well as the ruling of Mr. Speaker Macdonald, and hon. members should be allowed to discuss the amendment moved by the hon. member for Royal.

Mr. Diefenbaker: Mr. Speaker, because reference has been made from time to time to the actual terms of reference, for the purpose of the record the material points in the order in council perhaps should be placed before you. The material portions thereof include appointment of a commissioner, and I now quote in part:

—a commissioner under part I of the Inquiries Act to inquire fully into a statement by the Minister of Justice in a letter dated March 11, 1966 to the Prime Minister, with reference to a case involving one Gerda Munsinger, which was read in the House of Commons on March 11, 1966; into all statements concerning the case in the House of Commons on March 4 and March 7, 1966; and into all statements by the Minister of Justice in a press conference on March 10, 1966, which, among other things included statements about involvement with the said Gerda Munsinger, about failure to seek the advice of the law officers of the Department of Justice, that there were circumstances that may have constituted a risk to the security of Canada and that the case was not properly handled; and to enquire whether the case was handled in accordance with the rules and principles normally applicable to persons having access to classified information, and into all the relevant circumstances connected therewith—

Sir, in all of that there was not one reference or suggestion to the matters referred to in the amendment moved. I am not at all agreeing that if there were the amendment would be out of order. However, I am pointing out that nothing within the amendment was placed before the commission. I continue quoting the terms of reference:

—and in particular but without limiting the generality of the foregoing to consider fully all reports submitted to the government or any member of the government of the day and any evidence laid before them in connection therewith and any

further evidence elicited by or laid before the commissioner and to consider such other matters as may appear to the commissioner to be relevant.

There is not one word of reference there to this matter. As has been well said by the hon. member for Winnipeg North Centre, this whole matter is in the public domain. It is now known in every part of our nation. We find, to our great surprise and indeed to our horror as parliamentarians, that the government has elected to use tactics that tyrannize the members of this chamber, tactics that cannot be excused under any circumstances and were not in contemplation when the government, by itself, prepared the terms of reference.

In other words, the government did not include this matter but they do not want us to discuss it in parliament. It shocks the public conscience that the Royal Canadian Mounted Police should be used by the government as its private eye over the lives, purposes and reputations of members of this chamber. It is a shocking situation that the mounted police would be used by the government as part of its tactics to peek into the private lives of members of parliament. It is this to which we are objecting, Mr. Speaker, and in the strongest possible terms. This house has a right to speak.

Mr. Speaker: Order. I was going to inquire whether or not the Leader of the Opposition was still on the point of order.

Mr. Diefenbaker: You see, Mr. Speaker, in order to speak on the point of order I must necessarily tell you what we are speaking about. I was trying to do so in most restrained terms, having regard to all the circumstances. On the basis of your ruling earlier I am sure you will hold that the amendment is in order. It was very obvious that the arguments advanced by hon. gentlemen opposite were advanced with diffidence, realizing that you had brought finality to this matter by your earlier ruling.

● (5:10 p.m.)

Mr. Speaker: Order, please. I wish that a ruling I had made could bring finality to any matter in this house. I have some doubts whether I will ever achieve that. Hon. members realize, as I indicated earlier this afternoon, that to some extent we have a conflict between the precedents to which I have referred. Certainly there is a conflict in the house this afternoon between the authorities cited. It is not easy to reconcile rulings which have been made in the past, but I have expressed