

Question of Privilege

—one must conclude on the basis of past experience, not only in this chamber since confederation but in the British House of Commons, that action in this regard certainly has no precedent in the records either of the parliament of Canada or the parliament of the United Kingdom.

Mr. Winch: How the mighty is falling.

Mr. Diefenbaker: Well, the hon. gentleman may be speaking for himself. I am attempting to deal with this matter in an objective way.

Mr. Winch: I am referring to you. You claimed to be a defender of the rights of parliament, but how you are falling.

Mr. Diefenbaker: The next questions to be considered are these. What responsibility is there? Has an offence been committed under a statute of Canada? The hon. member for Timmins (Mr. Martin) referred to the statute in question. If there has, as he says, been any offence committed—and I am making no observations thereon directly or indirectly—that is a matter for the courts.

To sum up the viewpoint which I have endeavoured to express, it is this. On the basis of what has taken place and on the basis of the publicity that this matter has properly received, at the same time on behalf of hon. members of this house approving in every way the step taken in bringing the matter before parliament promptly, my feeling—subject to Your Honour's views in this regard—is that to take any action on this, would be to ascribe to a relatively unimportant breach, if there was one, a distinction which is not required or demanded.

I believe it is well to bring these things before the house, but under all the circumstances I trust that the hon. gentleman, having achieved his purpose of assuring that anything in the nature of an abuse of the privileges of the house shall be brought before the house, will decide after reconsideration that everything that could be attained by carrying this matter further has already been secured in the degree of attention that has been given to this motion.

Hon. L. B. Pearson (Leader of the Opposition): Mr. Speaker, we are dealing with a matter that does, I think, affect the privileges of the house; therefore it is a matter of significance. The Prime Minister, of course, by virtue of his position is a chief custodian of the rights and privileges of the house—along with yourself, Mr. Speaker—and anything the Prime Minister says on a matter of this kind must of course be treated with great respect. But on this occasion, Mr.

[Mr. Diefenbaker.]

Speaker, I confess, I am somewhat surprised by the attitude he has taken in respect of this particular matter.

The House of Commons has over the centuries in this country and in the mother country always been jealous of its privileges, its rights and its immunities, and in nothing has it been more jealous of these rights and privileges than in respect of anything that concerned the records of the house. As the Prime Minister will know, it was not so very long ago in the mother country that parliament considered any reproduction of its proceedings in any form as a breach of privilege for which the house could take action. Therefore this is a matter about which we in this house should be jealous.

I agree with the Prime Minister that we should not exaggerate these matters and be oversensitive about them and ask for action which perhaps, in relation to the alleged offence, would be unnecessary. Possibly the motion moved yesterday by the hon. member for Timmins may have gone a little too far. It was indeed pretty drastic. But surely the motion before us now could not be considered either drastic or exaggerated.

Surely it is quite proper in these circumstances, Mr. Speaker, that the appropriate committee of the house be authorized to look into this matter to see whether in fact there has been a serious breach of privilege and whether the records of the house may have been used—whether by inadvertence or by design we do not know—to mislead the public in any respect. That is all the hon. member is asking, an examination into the matter; and until that examination is made surely it is very difficult for us to make up our minds. Therefore we on this side think the motion is a reasonable one, and we will support it.

Mr. Erhart Regier (Burnaby-Coquitlam): Mr. Speaker, I feel that this is a grave matter. I also prefer the motion moved today to the action mentioned as a possibility yesterday, because I believe the matter requires investigation rather than for the house to call an individual to the bar to account for his actions. I believe such an investigation could be most usefully pursued.

I regret very much that an individual or an organization should have seen fit to misuse the prestige of your high office in an obvious attempt to influence a vote on a matter that is now pending before the house, debate on the particular bill not yet having reached its conclusion. To involve your high office and the prestige of the coat of arms of Canada in what appears to be an attempt to influence a possible future vote of the house is in my opinion a matter that