

Administration of Justice

Some hon. Members: Order!

Mr. Lewis: Mr. Speaker, I had a right to make that kind of criticism, whether members agree with me or not. Therefore I was entirely unfairly misrepresented in the House. When I started to speak my intention was to move, and if Your Honour will permit me I will move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles) the following motion:

• (1430)

That the false charges made by the right hon. member for Prince Albert as recorded on page 2243 of Hansard for Monday, May 15, 1972, be referred to the Standing Committee on Privileges and Elections for consideration of report.

Some hon. Members: Hear, hear!

Mr. Speaker: The Chair will, of course, give consideration to the motion proposed by the hon. member for York South. In view of the fact that the motion is directed toward him, the right hon. member for Prince Albert is entitled under our procedure to say a few words in reference to the matter which might be helpful for the guidance of the Chair in determining whether the question should be pursued further either in the House or before a committee. The right hon. member for Prince Albert.

Some hon. Members: Hear, hear!

Mr. Diefenbaker: Mr. Speaker, I have been in this House a long while and I have always maintained the traditions of proper debate. I have never made a misrepresentation intentionally at any time. I am not going to say of the hon. gentleman, "Methinks he doth protest too much", but the degree of his annoyance and exuberant exaggeration can only be attributed to the different reaction he has received throughout the country than he received when he spoke to the steel workers. I would not for worlds misinterpret him on any occasion.

Mr. Lewis: But you did.

Mr. Diefenbaker: It is easy to say that. But the record is clear and definite on the interpretation which was made. What I had to say yesterday was said without my having read any of the editorial comments across the country.

Some hon. Members: Oh, oh!

Mr. Diefenbaker: I took the course I did because I was shocked that a member of parliament, a distinguished member of the bar with a tremendous income in the labour field, should have made disparaging remarks about the courts, whether or not he ever appears very often within the courts.

As to my interpretation of what the hon. member said, I need only look at the press. In the *Globe and Mail* there is an article headed, "Lewis For The Lawless". I shall not speak of the alliterative value of that headline, but of Messrs. Pepin, Laberge and Charbonneau the article says: Repeatedly, deliberately and coldly they urged strikers to disobey injunctions. Insistently they urged strikers to ignore other union leaders who were counselling respect for the law.

It goes on:

This denigration of the courts makes it difficult to understand how reasonable and intelligent men who have an understanding and sympathy with labour's difficulties—

[Mr. Lewis.]

As I have, and I have acted for them without charge.

Some hon. Members: Hear, hear!

Mr. Diefenbaker: I shall omit the last sentence out of regard for the hon. gentleman as a most distinguished debater.

In the *Ottawa Journal* the heading above the leading article reads: "In Contempt Of Law". I am not going to read the article because I would not want to transgress as the hon. gentleman did. Then I see in the *Gazette* an article headed: "NDP's David Lewis Unfair, Non-factual, Irresponsible."

Some hon. Members: Oh, oh!

Mr. Speaker: Order, please. I believe I have to make the same remarks to the right hon. member as I did to the hon. member for York South. I am hoping we will not have at this point the debate which might be held in other circumstances. The hon. member for York South was given some leeway in expressing his point of view. The position of the right hon. gentleman, I suggest, is to give his views in relation to the hon. member's allegations with respect to his own statements in the House. Perhaps we might limit the discussion to that particular point.

Mr. Diefenbaker: I naturally desire to follow most meticulously the rules of the House, but those rules were transgressed so palpably by the hon. member who preceded me that it becomes necessary to explain. I shall simply say this. I understand how deeply he feels, because there are some people who, if there is a ten-acre field and only four cowflaps in it, would walk into them all.

Some hon. Members: Oh, oh!

Mr. Diefenbaker: We farmers use down to earth expressions. The hon. gentleman says I misinterpreted him. Well, Mr. Speaker, I read what he said. Instead of telling the people in his audience to use the rights open to them under the law, in other words, not to become self-appointed martyrs, instead of telling them that they had the right to appeal which would have cleared up the matter simply, he did nothing of the kind except in a general way. All I would say is that if I misinterpreted the uncertainties and the sinuosities of the hon. gentleman's speech, then I am in good company in all the press all over Canada.

Some hon. Members: Hear, hear!

Mr. Speaker: Order, please. There can be no further debate on this point. The Chair will have to make a ruling whether or not there is a prima facie case of privilege. If an affirmative ruling were made there would be a debate which could go on for the rest of the day, with the motion proposed by the hon. member being put to a vote eventually. I would suggest that the matter might be held in abeyance.

It should be noted that the question of privilege raised by the hon. member for York South was based on the assumption that there would not be a debate. My understanding is that there is still a possibility that there might be discussions. Certainly there are many possibilities open to hon. members—the submission of another motion