

Hon. H. A. BRUCE (Parkdale): There is nothing more vital to the preservation of a democratic nation than the unswerving maintenance of the right of free speech in parliament. Anything that challenges that right is an invasion and a threat of the most dangerous kind to free institutions.

That Senator Bouchard, when he spoke in another place, was discussing a subject of very special importance to Canada, there should be no question. That it was his undoubted privilege and indeed his duty to express his views is beyond debate. That he expressed those views in language befitting parliament there is also no room for debate.

Mr. SPEAKER: Order. I understand the hon. gentleman is referring to a speech in the other house. That is out of order. He may not make reference to a debate that has taken place in the other house, for that is out of order in this debate.

Mr. BRUCE: I am simply saying a word in defence of freedom of speech, and I think I am entitled to do so.

Mr. SPEAKER: I was inquiring whether the hon. gentleman was referring to a speech made in the other chamber. If so, that is out of order. If he is making an argument for free speech generally then, of course, he is in order.

Mr. BRUCE: I am making an argument for free speech and I am entitled to do so. Because this man did what he deemed to be his duty,—

Mr. ST. LAURENT: I rise to a point of order.

Mr. BRUCE: —because he put his sentiments and arguments on record before the people of Canada, he is hurled from a high post in the business life of his country.

Mr. ST. LAURENT: Because the hon. gentleman represents the constituency he does represent, he cannot flout the rules of parliament and the ruling just given.

Mr. BRUCE: The Minister of Justice would be in order if—

Mr. ST. LAURENT: The hon. member said that he was discussing freedom of speech and he continues by referring to some speech made by an hon. member of the other chamber. That is what Your Honour has just ruled to be out of order.

Mr. HOMUTH: The Minister of Justice did not have to refer to the hon. gentleman's constituency, because we know what that means.

[Mr. Homuth.]

Mr. SPEAKER: When the hon. member was speaking I thought he was referring to a speech in the other house, but he assured me—

Mr. ST. LAURENT: He certainly said so.

Mr. SPEAKER: —that he was discussing the question of freedom of speech and of course in that case I allowed him to proceed. Exception is taken now by the Minister of Justice that what the hon. member was referring to was a speech made in another place and I again point out to the hon. member that this is out of order in this house.

Mr. BRUCE: I am referring to that only as an indication that the right of freedom of speech has been deprived a member of parliament, and I think I am perfectly in order—

Mr. SPEAKER: Order.

Mr. BRUCE: —in continuing my remarks.

Mr. SPEAKER: Order. What I have said is not the opinion of the Chair but is the rules of the house. That standing order is 41, from which I quote:

No member shall speak disrespectfully of His Majesty, nor of any of the royal family; nor of the governor or person administering the government of Canada; nor use offensive words against either house, or against any member thereof. No member may reflect upon any vote of the house, except for the purpose of moving that such vote be rescinded.

I would refer the house to citation 293, subsection (b):

A member while speaking must not (b) refer to any debate in the senate, but he may refer to the official printed records of the upper house though they have not been formally communicated to the lower house.

The hon. gentleman is referring to a debate that took place in the other house and is therefore not in order according to the rules and the standing orders of our house.

Mr. BRUCE: I presume I must abide by your ruling, Mr. Speaker, but I think it is entirely incorrect to deny an hon. member the right to protest against the absence of freedom of speech in this or in the other house.

Some hon. MEMBERS: Order.

Mr. SPEAKER: The hon. member must not say that he is being deprived of any right in this house. That is a reflection and an implication that the Chair has not been extending to the hon. member the privileges of the house. All that I am doing is reading the rules of the house which I am bound to administer and with no personal reference to the hon. member. He must abide by the rules of the house.