

Oral Questions

Mr. Trudeau: I am surprised that when the hon. member was a minister this directive had to be given specifically to him.

Some hon. Members: Hear, hear!

Mr. Hees: Mr. Speaker, does the Prime Minister not realize that when I was a minister—

Some hon. Members: Hear, hear!

Mr. Hees: All right; just wait a minute—the Prime Minister of the day was a man who took these matters very seriously indeed—

Some hon. Members: Hear, hear!

Mr. Hees:—and he made sure that all members of his Cabinet understood that there should be a separation between the activities of his Cabinet and the operations of the courts. That is one of the many reasons the government of which he was Prime Minister did a hell of a lot better job for the country than this government.

Mr. Trudeau: Mr. Speaker, I hope it is not because the right hon. gentleman took these matters so seriously that the hon. gentleman who asked the question had to resign from the Cabinet.

An hon. Member: Where is Turner?

Mr. Hees: Where is Gray and where are all the others?

ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—
REASON PRIME MINISTER CONCLUDES INTERVENTION BY HIS
PRINCIPAL SECRETARY LEGITIMATE

Mr. Lincoln M. Alexander (Hamilton West): Mr. Speaker, I should like to direct a question to the Prime Minister. Yesterday in the House the Prime Minister failed to explain why the contacting of a superior court judge by a political aide within his office was considered proper procedure without first consulting or seeking the authorization of the then Minister of Justice? Today there has been the very startling revelation that the Prime Minister has concluded that the intervention at that time was a legitimate intervention. I now ask the Prime Minister, was the Justice Department at the time of that intervention asked for its opinion in that regard, has the Prime Minister since the matter has been brought to his attention in the past day contacted the Minister of Justice in order to determine whether in fact that is a legitimate intervention, or is the Prime Minister just philosophically being involved in his usual way? Would he kindly explain that to the House?

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, for the benefit of the hon. member I will try and reduce my philosophy to a minimum.

● (1440)

Some hon. Members: Hear, hear!

Mr. Stanfield: You had better reduce more than that. Try reducing your arrogance.

[Mr. Trudeau.]

Mr. Hees: You are reducing your term of office by a long, long time. Any more observations?

Mr. Trudeau: I am interested to hear that the hon. member for Prince Edward-Hastings assumed that I would be re-elected for a long, long time. Now, he is having doubts about that.

Mr. Hees: Not since that convention.

Mr. Trudeau: If I may turn away from the interruptions to deal with this question, I want to emphasize that there was a matter of urgency here. There had been riots in Montreal, and there was real concern that there would be riots in a friendly country as a result of this judgment. This may have been a misapprehension by the friendly country, but the fact is that they did ask us when the judgment was coming down. They did not, to my knowledge, try to influence the court. They wanted to know when the judgment was coming down, presumably in order that they could make preparations.

It is possible that Mr. Justice Mackay found this to be an improper intervention. If so, it is surprising to me, to say the least, that he should at that time have given an answer as a matter of, I would say, almost public duty to one who was asking a question on behalf of the Department of External Affairs, and second, that he should have taken seven years to find himself aggrieved.

Some hon. Members: Hear, hear!

Mr. Alexander: With all due respect, the Prime Minister has evaded my question. I am trying to determine how it is that the Prime Minister can come to this House, as a lawyer knowing that that type of conduct—approaching courts, and judges in particular—is wrong. All I am asking is how the Prime Minister was able to determine, given those facts, that this was a legitimate intervention. Keeping in mind that lawyers in particular do not approach judges at any time, and in particular when there is a case going on, on what does he base this? Where does he get his information.

Mr. Speaker: Order, please. With all due respect, that is precisely the question the hon. member just asked and which the Prime Minister just answered.

Some hon. Members: Oh, oh!

ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—
REASON FOR INTERVENTION BY MINISTER OF PUBLIC WORKS

Mr. James A. McGrath (St. John's East): Mr. Speaker, I should like to direct a supplementary question to the Minister of Public Works. Yesterday the minister indicated to the House that his conversation with this colleague, the Minister of Consumer and Corporate Affairs, was privileged as between two lawyers and two cabinet colleagues. Following that conversation the minister admitted intervening or talking to the associate chief justice of the province of Quebec to see, and I quote: "that he was in full knowledge of the facts and did his duty."

An hon. Member: Read it all.