

Correspondence on Union Trusteeship

But it has been a long established principle that in this house there is absolutely no obligation on the government to produce correspondence or documents when such action is deemed contrary to the public interest, and not only in this house but in the United Kingdom parliament.

Mr. Martineau: Unless the house so orders.

Mr. Martin (Essex East): If the house so orders then the government will have to consider, in the light of its responsibilities, what course it should take. That would be the situation resulting from a decision of this house of that kind. In the present case, as I have already made clear, the government does not consider that it would be in the public interest to table the correspondence requested by the hon. member for Pontiac-Temiscamingue. It is our opinion that compliance with this motion would be prejudicial to the continuation of informal discussions between Canadian and United States authorities who are attempting to find a solution to this problem. Accordingly, the government cannot agree to the suggestion made by the hon. member.

I think that is a correct statement of the usage and the practice in this house with regard to such a matter. The house has never quarreled with this position. Certainly during this very parliament this kind of defence or explanation was always accepted when it was offered by the administration. Repeatedly the hon. member for Kootenay West (Mr. Herdridge) has asked me questions concerning the negotiations with regard to the Columbia river project. He wanted to know what progress we were making in the matter of price, what progress we were making with respect to other matters having to do with the Columbia treaty project, and I had to tell him repeatedly, and as an experienced and distinguished parliamentarian in this house he always accepted this, that it could not be done. I would say to him: "Of course, my hon. friend knows that while negotiations are under way it is not desirable or in the public interest to give such information". Then my hon. friend would sit down in the gentlemanly way in which he always sits down, and never did he take exception. Nor did anyone else; because it is obvious that if the government were to disclose correspondence between two governments in respect of a matter that is current and which, on that account, may be said to be in negotiation, such efforts would be prejudiced by publication of the documents. I cannot agree with my hon. friend when he says that the government has violated its defence against this motion by the action which he says it has taken from time to time by revealing in bits and pieces portions of

[Mr. Martin (Essex East).]

what normally could be said to be regarded as confidential. Certainly I cannot accept that statement, and nothing that the hon. gentleman has said justifies this allegation.

What has my hon. friend done, Mr. Speaker? He has quoted from public statements of personalities involved in the matter both in this country and in the United States. I had to take him to task because I thought he was out of order. His course involved a discussion on the merits. But the point I am seeking to make is that the quotations referred to by my hon. friend were not from confidential documents; they were statements made by personalities to the public press or to the communications system in one form or another. Nothing has been adduced here which could be regarded as being a portion of a confidential document, as is understood within the meaning of the words involved in this motion.

Mr. Martineau: May I ask the minister a question. What has he to say with regard to the ruling or the explanation given by Mr. Speaker a few days ago, in which he stated that the confidential nature of documents does not constitute a valid objection to their production?

Mr. Martin (Essex East): My hon. friend does not answer my question by introducing a question of his own on an altogether different subject, which is what he has just done. What I am doing now is to deal with my hon. friend's argument that the government, by bits and pieces, was revealing confidential information which it refused to give under this motion. I am dealing with that argument and saying—

Mr. Martineau: On a point of privilege, I did not make that argument; I simply said that the fact that bits and pieces of these documents had already been referred to in debate in this house was a reason for their full production and disclosure.

Mr. Martin (Essex East): Well, I did not take issue with my hon. friend, but I suggest that this is not a question of privilege. I said that he has offered no evidence to substantiate the contention that the government was, by bits and pieces, revealing information that it was denying to the house through another procedure. The statement of the hon. member does not alter the situation when he says it is a purely Canadian matter. It is essentially a Canadian problem, but its final solution depends, as the hon. gentleman knows, upon the co-operation received from another administration in another jurisdiction. It is because of that that my hon. friend would agree, I am sure, on reflection, that it is not desirable to give information involved