

Administration of Justice

Mr. Lewis: My remarks were related entirely to what I have found over the years, to the lack of understanding of labour relations that is shown by many on the bench. I ask your indulgence Mr. Speaker, to quote to the House a statement made by a very famous British judge, Lord Justice Scrutton, as found in the Cambridge Law Journal in 1921. Lord Justice Scrutton said this in relation to labour:

... the habits you are trained in, the people with whom you mix, lead to your having a certain class of ideas of such a nature that, when you have to deal with other ideas, you do not give as sound and accurate judgment as you would wish. This is one of the great difficulties at present with labour. Labour says: "Where are your impartial judges? They all move in the same circle as the employers and they are all educated and nursed in the same ideas as the employers. How can a labour man or a trade unionist get impartial justice?"

Those are not my words. They are the words of Lord Justice Scrutton. He continues:

It is very difficult sometimes to be sure that you have put yourself into a thoroughly impartial position between two disputants, one of your own class and one not of your class.

Those are the kind of words and that is the kind of thought that I expressed last Friday, and I make no apology for it.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Lewis: I clearly said in my statement, Mr. Speaker, that I was not defending the labour situation in Quebec. Indeed, I do not defend it. I believe that the best way is to get back to the bargaining table. I believe, furthermore, that the present course which the labour unions have taken in Quebec is leading them into a dead alley, which I regret.

Mr. Speaker: Order, please. I find it difficult to accept the position taken by the hon. member for York South. He has given notice to the Chair under the terms of Standing Order 17 of his intention to raise a matter by way of question of privilege, I assume to seek the advice of the Chair or a ruling by the Chair on whether there is a prima facie case of privilege which would be followed by a debate. If the hon. member makes a speech for a certain period of time, I wonder whether he is not making at this time the speech which he would want to make if there were a debate on the matter. I suggest respectfully to him, and in all kindness, that this is not my understanding of the procedure under Standing Order 17. The matter is serious and important. I appreciate the hon. member's point of view in wanting to allude to the statements which have been made, but an effort should be made by him to try to indicate exactly what the question of privilege is, why the hon. member feels that his privileges have been impaired, and why the matter should be ruled upon by the Chair.

Mr. Lewis: Mr. Speaker, if a debate had been arranged, as I thought was to be arranged, I would not have risen to my feet now, but since a debate has not been arranged, my point of privilege is a simple one. It is that I have been unfairly attacked and misrepresented before this parliament and the people of Canada. I cannot imagine any

democratic parliament or assembly denying me the right to set the record straight and to tell this parliament and the people of Canada what I said and what I intended to say. I will not be very much longer. I ask Your Honour's indulgence to let me do this. Your Honour can put me down, but I certainly will not be seated by the catcalls round the House.

I said that I was not defending the labour situation in Quebec and I regret what is now taking place. I saw this situation in Quebec, I saw that the difficulties had been temporarily quieted and that there was an opportunity for the situation to straighten out. But then the judge in question handed down what I believe to be—and this is what I said—"were savage sentences which resulted in the turmoil which is now regrettably taking place in Quebec".

Some hon. Members: Order!

Mr. Lewis: I say to hon. gentlemen that if I had made a speech condemning the workers who are now causing the trouble, everyone here would have said I was a hero, but because I condemned the judge who imposed these sentences—

Some hon. Members: Order!

Mr. Speaker: Order, please. I have to insist that under the terms of Standing Order the hon. member is required to indicate what the question of privilege is. The hon. member may feel he has a right to redress and a right to explain the situation. He certainly has that. I am sure all hon. members want to give the hon. member for York South a chance to explain his position, but we should try to not have the debate which might have taken place in other circumstances.

The hon. member for York South suggests that he should have the opportunity at this time to make the speech he might have made on another occasion. I am not sure that is quite right. I think we should limit ourselves as much as possible to the question of privilege. Perhaps at some other time the hon. member might have an opportunity to pursue the line of thought which he is presenting to the House at the present time. Again I want to insist that the hon. member has rights, and I am sure I express the thoughts of all hon. members when I say we all agree the hon. member should be given an opportunity to express certain views in relation to the question of privilege.

Mr. Lewis: Mr. Speaker, the simple point I have tried to make is that what I said last Friday I believe is right in terms of our kind of society and our kind of judicial system.

Some hon. Members: Shame!

Mr. Lewis: I was an amateur student of jurisprudence and the philosophy of the law, and it has been held in many cases that judges are subject to criticism, that they are not free of criticism. What I did last Friday was to criticize the judge responsible for sentences that resulted from reckless ignorance of the forces at work in Quebec.

Some hon. Members: Oh, oh!