

Privilege—Mr. Lawrence

Mr. Stevens: Madam Speaker, I rise on what you have accepted as a point of order: I am very pleased to hear that you will examine the blues.

The sequence was that I asked a direct question: Would the Minister of Supply and Services (Mr. Blais) be specific as to who is the obstructionist. He came back and named me as the obstructionist. Nothing could be more individually-oriented than what the Minister of Supply and Services has done.

Mr. Hnatyshyn: Withdraw it.

Madam Speaker: I will look at the blues. That is final; I will look at the blues.

Mr. Collette: Madam Speaker, I rise on a point of order. I do not want to belabour the point, but I want to return to the point I made a few minutes ago. I see the hon. member for Yukon (Mr. Nielsen) is just about to enter the House. I would hope perhaps he has had those discussions, so that we may be able to defer the questions of privilege and proceed to the motion under Standing Order 75c which is under discussion.

Mr. Nielsen: Madam Speaker, as I undertook, I have had consultations with my House leader who, I understand, will be getting in touch with the government House leader.

Madam Speaker: Then we will proceed with the question of privilege in the name of the hon. member for Durham-Northumberland (Mr. Lawrence).

MR. LAWRENCE—CONFLICT OF INTEREST IN DEBATING
RESOLUTION ON CONSTITUTION

Hon. Allan Lawrence (Durham-Northumberland): At the very beginning I would like to assure Madam Speaker that the question I am raising is not a frivolous one; it is a very sincere one. I have never, do not now, or will never raise questions of privilege designed merely to delay the House.

Mr. Blais: Oh, come on!

Mr. Lawrence: I can be no more sincere than this. My question of privilege today is a very personal and a very sincere one. I emphasize the word "personal". Perhaps some of the material the hon. member for Nepean-Carleton (Mr. Baker) prepared in respect of his question of privilege may appear, on the surface, to be the same as mine. I understand Your Honour will be hearing from other members today in respect of similar questions of privilege. Whether they are similar or not should be immaterial. Mine is a personal one; my feelings are sincerely held in this regard. I would hope, when the rulings come out on this and if you find *prima facie* cases have been made, that each one of them will be treated individually by Your Honour.

I would like to outline for the benefit of the House—not for Madam Speaker's benefit because you have already received my letter—the actual notice I gave early this morning. I think I might have been the first one on this point to give notice of

my question of privilege. It is dated April 1, this morning, and reads as follows:

Madam Speaker:

Would you please take notice that I wish to raise a question of privilege in the House today on the government's determination to proceed with their constitutional package in spite of a very clear finding of a Supreme Court of one of the Provinces that this proposal is illegal.

My personal point of privilege is that as a Barrister and Solicitor, as a Queen's Counsel, as an ex-Law Officer of the Crown at both the provincial and the federal level, and a Bencher of the Law Society of Upper Canada I have a sworn duty to uphold the law and indeed could be disbarred and heavily penalized if I didn't do so.

The rule of law must be paramount and we now have found that the very matter that the government is insisting that I debate and form a judgment on is illegal and this puts me in an impossible position as far as my rights and privileges—

as a Member of Parliament are concerned.

The letter continues:

I intend to raise this in the House today with your permission.

That was my notice to Your Honour today respecting the question of privilege which I would like to come to very briefly and very sincerely in a moment. In case there is any problem in Your Honour's mind about the validity of the notice or the validity of my raising it today, I would like to say that I raised this with you and gave you notice.

Mr. Blais: Madam Speaker, I simply draw to Your Honour's attention, on a point of order, that you have just ruled on a matter which in essence was the same as that which is being brought to your attention by the hon. member. I would suggest that, contrary to his allegations or his swearing that this is not a spurious question of privilege, it is in effect such, and raised in order to delay the process and the business of the House.

Mr. Munro (Esquimalt-Saanich): Spurious, take that back.

Madam Speaker: The hon. member for Durham-Northumberland (Mr. Lawrence) just told me that his question of privilege was slightly different. I am listening to his arguments to hear what differences there are, compared with the one previously ruled upon.

But I caution him that new arguments, if he has any, would be useful in my deciding this. I would ask him not to dwell on the question I just decided, because as he knows one cannot raise a similar question of privilege to the one which has been ruled upon.

Mr. Lawrence: I agree with Madam Speaker's proposition that we certainly should not be repetitious and not raise duplicate arguments. However, I did not quite understand Your Honour's comments at the end of the presentation of the hon. member for Nepean-Carleton to be a ruling. If I am mistaken, I am sure you will correct me. In respect of your comments, I believe you mentioned that no matter what happened, the hon. member for Nepean-Carleton was protected.

Mr. Blais: Madam Speaker, I rise on a point of order. I think Your Honour did not grasp the comments of the hon.