

*Privilege—Mr. Broadbent*

The argument was very clear: one cannot attempt to substantiate a question of privilege on the basis of quotes hon. members have said or are reported to have said outside the House. I know that such an argument cannot be sustained in particular instances because the Prime Minister was not attempting to establish a question of privilege. He was attempting to defend one—and that is different—and his argument was relative. I am not saying it was relevant, but it was being used in a relative way to say: If an hon. member can do this, I can do that.

In this particular instance, the hon. member for Oshawa-Whitby is going on to say that the basis of his question of privilege is what the Prime Minister was quoted as saying in response to some other quote which was put to him on a radio program. It seems to me that if the hon. member does, in fact, have a question of privilege—which so far has not been demonstrated—it will have to be supported, first in principle, and second by some evidence other than quotes from a radio program in which the Prime Minister had been confronted with a quote of some other sort from a source outside the House.

**Mr. Broadbent:** Mr. Speaker, to conclude the argument on my question of privilege, I must say, of course, that I do not intend to challenge your ruling on this matter. If anything, there is ignorance of the rule on my part as it pertains to evidence permitted in the House about what kind of testimony is germane to an argument. It is certainly not my impression that if, for example, a minister or several ministers—says something outside the House which is clearly illegal, we could not use that in the House in an argument having to do with a question of privilege. I will leave that in passing, because I am not clear about your ruling in that regard. But I want to say this with all the certitude and conviction I can muster on the point. According to testimony subsequently confirmed to my office—

● (1542)

**Mr. Basford:** And denied in the House today.

**Mr. Broadbent:**—two reporters were present and heard the Prime Minister answer. Mr. James Nunn, who was in the gallery a few moments ago, asserted he was only a few feet away from the Prime Minister and heard the answer, that the Prime Minister agreed specifically with this illegal act.

The question of privilege I have is that ministers of the Crown, particularly the Prime Minister, in our system of government have a fundamental obligation to enforce what we are doing on a day to day basis here in the House of Commons, that is, to pass the laws of Canada. That is the fundamental purpose of our being elected. We have other purposes, other tasks, the ombudsman role—we can list them all—however, the basic purpose of members of the House of Commons is to take part in the legislative process; to take part in this direct way with the principle of the rule of law.

This concerns me very much. That is why I telephoned right away to have it confirmed that the Prime Minister, in his

[Mr. Speaker.]

cavalier and authoritarian way, should be able, outside the House of Commons, to say that breaking the law is quite all right. This is now the logic of the argument. The rest, I contend, on the basis of people who were there, is factual information. The logic of that is that people can do what they want as long as their purposes are worthy. That flatly contradicts what the House of Commons is all about.

We should not have a minister of the Crown, particularly the Prime Minister, going around the country vitiating the whole lawmaking process and calling into question the legitimacy of what we are doing. And that is exactly what he is doing; he is saying that on certain grounds the laws passed here in the House of Commons ought to be ignored by the people of Canada. My understanding of the obligation of the House of Commons, particularly the Prime Minister, is that it goes to the root of what we are all about in this system. If Your Honour rules that I have a prima facie case, I will move a motion that the question be referred to the Standing Committee on Privileges and Elections.

**Hon. Ron Basford (Minister of Justice):** Mr. Speaker, I will be very brief. The leader of the New Democratic Party, quite clearly, has been rather unfair, with the greatest respect, in rising on a question of privilege relating to the rights of members of parliament. He has thereby, under that guise, been dragging into the House statements made outside the House, statements which were asked about and dealt with in the question period today, and then saying that somehow his privileges as a member of parliament are thereby affected. I take it his suggestion is that because someone is purported to have made statements that people are not governed by the law, his privileges and the privileges of this institution are affected. There is no basis for such a question of privilege.

The members of the government, the Prime Minister, the Solicitor General and myself, have repeatedly said within this House and without that the mandate provided to the security service and to the RCMP is that they operate within the law. That is the statement that is being made by all of us and other members of the government in and out of the House.

The leader of the New Democratic Party cited some examples. He did not cite very many. He mentioned my name and that of the Solicitor General. He mentioned something said by the Prime Minister in Halifax which was dealt with in question period today. The Prime Minister said there must obviously have been some confusion, and that he was commenting on some comment, third-hand, made in Montreal rather than Halifax. Because I think the raising of the question of privilege has been somewhat unfair, and because we have been dragged into it in the way the leader of the NDP has done, I want to put on record a very short statement of what I said on the weekend which apparently has disturbed the leader of the NDP and his privileges.

**Some hon. Members:** Oh, oh!