

ence to the Standing Committee on Organization and Procedure, knowing as he should, as a parliamentarian of long standing, that the Speaker does not have that right and privilege. Indeed, it is the members of this House collectively who determine our rules and not you, if I may say so, as servant of the House, as first among equals in this House.

I find it difficult to entertain the arguments of my friend from Yukon who criticizes the rules of the House with respect to questions of privilege in committee only being dealt with by members of the House when the report is given to the House; yet, on the other hand, to make his case he has cited rather archaic references from Erskine May, which perhaps have no application to today's modern Parliament. There seems to be a dichotomy there in his thinking.

The rules are very clear. Beauchesne's citation 608 clearly states as follows:

Procedural difficulties which arise in committees ought to be settled in the committee and not in the House.

This is further augmented by citation 76 at page 24 of Beauchesne, which reads as follows:

Breaches of privilege in committee may be dealt with only by the House itself on report from the committee.

Mr. Nielsen: And the majority controls that.

Mr. Collenette: And citation 76 goes on to talk about witnesses.

Those are the rules, Madam Speaker. I do not doubt the sincerity of the hon. member for Yukon (Mr. Nielsen) in that he feels legitimately that this rule should be analysed by members of the House, that it should be reviewed and perhaps even changed. I am not going to pronounce upon that. He may have a good point. But that is not what is at issue here this afternoon.

We have the rules clearly before us. With respect, you, I may say, must give rulings in the House based on the rules as they are written.

The hypothetical nature of the debate which the hon. member for Yukon tried to use in making his question of privilege—

Mr. Nielsen: Never hypothetical.

Mr. Collenette: —because I maintain he is dealing with the same question as yesterday and as I said, I think he stretched your patience by dressing it up in hypothetical terms, but this point is also dealt with by Beauchesne in the fifth edition. In citation 117 (5) it reads:

Hypothetical queries on procedure cannot be addressed to the Speaker from the floor of the House.

Even in trying to make the case so as not to reflect on yesterday's deliberations, he is in a sense breaking one of our rules in trying to skirt another rule.

Mr. Nielsen: There was nothing hypothetical about the undertaking.

Privilege—Mr. Nielsen

Mr. Collenette: Citation 117(7) of Beauchesne goes on to reinforce this, as follows:

The opinion of the Speaker cannot be sought in the House about any matter arising or likely to arise in a committee.

It is my contention that the debate we have heard this afternoon is completely out of order. Really we are dealing with the same case that was made yesterday, the judgment of which you have reserved perhaps until tomorrow.

However, there is a very serious matter arising out of the remarks made by the hon. member for Yukon. Perhaps this is what the Solicitor General (Mr. Kaplan) had in mind a few moments ago when he reserved his right to raise a question of privilege. The hon. member for Yukon having once been given the latitude to make his case—which I argue he should not have had—talks in terms of the intent of the minister. He questions the intent, the honesty, and the integrity of the minister. I, for one, would like to see the “blues”. We were all present a few moments ago when those words were used. I wrote down the words “forged, falsified in terms of a statement, in terms of a document.” This goes to the heart of our parliamentary democracy when one member is imputing a motive against another.

● (1550)

In effect the hon. member for Yukon is accusing the Solicitor General of making a false statement either in this House or in committee. The Prime Minister (Mr. Trudeau) explained the government's position on this quite clearly yesterday.

I should say to the hon. member for Yukon, who has been in this House some 23 years, he should not be so naive as to think that representations cannot be made by members or parties in this House and decisions of the government reversed. That is what this game is all about. You try to impress your views on each other. This is a debating forum. We try to convince each other of the certainty of our own opinion.

In that particular instance, the government reversed itself, changed its mind after hearing representations from members and parties on the other side. This is done every day, no matter whether it is with regard to the constitution, energy, or unemployment insurance. It is an essential element of the work in this chamber. I think the hon. member for Yukon is being somewhat naive in this matter.

Just to finish my point about imputing motives, the hon. member for Yukon referred to citations at page 142 of Erskine May, the nineteenth edition I believe it was. He talked about bribery. By extension is the hon. member accusing the Solicitor General of this nefarious kind of deed?

In my time here, and I have not been here as long as the hon. member for Yukon, I had never heard that word used in this chamber. It is an extremely serious word.

Mr. Nielsen: I used it in 1963.

Mr. Collenette: The hon. member says he used it in 1963. Perhaps he is used to throwing around the word bribery if he has done it before. However, as somewhat of a novice in this