

Withholding of Grain Payments

Mr. Baldwin: I said something worth listening to.

Mr. MacEachen: I do not know whether that is a good reason for impeaching the hon. member for Peace River (Mr. Baldwin), but in any event, having stated that the hon. member did not really make clear what he means or what he is asking us to do, what the process of impeachment is or when it was used last, let me say that I read the hon. gentleman's private notice of motion and made some very preliminary inquiries about the process of impeachment in Canada. Certainly I could find no instance in modern times in this House when any person was impeached, and the most recent case I could find in the United Kingdom was in 1805.

Some hon. Members: Oh, oh!

Mr. MacEachen: I discovered it was a process, developed before responsible government, which has long since been abandoned and has not been used in any modern Parliament. As a matter of fact, the only modern case of impeachment I could find took place in the Chateau Laurier when Mr. Dalton Camp impeached the right hon. member for Prince Albert.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. MacEachen: I am not sure that the hon. member for Peace River is suggesting that as a precedent for use in the House of Commons. I do not seriously regard impeachment as a process that is applicable to our proceedings. If the opposition wishes to complain about the government or wishes to accuse the government, it has two procedures open to it. The first is a motion of censure, as was recently outlined by Your Honour, which can be moved as a substantive motion complaining against an action or lack of action on the part of the government. In due course, probably later this week on Thursday, we will be setting down an allotted day in order that the opposition can bring a motion to accuse the government of action or inaction, or to discipline it for the policy it is following. That is a well known procedure and seems to be the kind of procedure that ought to be followed if the hon. member wants to develop a grievance against the government. The other procedure is to accuse an individual member of the House of wrongdoing. Probably, although the hon. member did not say so, he had in mind that by indirection he would ask the House to agree with him that wrongdoing had been undertaken by a minister or by a group of ministers.

● (2:40 p.m.)

In the Oxford Dictionary definition of impeachment there are these words: "To accuse a person of treason or other high crime before a competent tribunal." If the purpose of the article of impeachment or the process of impeachment is to accuse a minister of wrongdoing, of misconduct or of being a criminal or a lawbreaker, there is another course open to the hon. member. Your Honour has often told the House how that process can be developed and its consequences. You will recall the classic ruling made by Mr. Speaker Michener. When he laid down, it seemed to me to be the procedure which must be followed forever and a day in this House of Commons if

any hon. member is to accuse another hon. member or group of hon. members of misconduct.

What greater misconduct is there than treason or high treason as envisaged in the process of impeachment? What greater misconduct can be alleged against a minister than that he is willingly and deliberately breaking a law of the land which he is sworn to uphold? If that is the charge, then the hon. member should put it down in the explicit form of a motion setting forth a bill of particulars. When he has done that, if Mr. Speaker regards it as a prima facie case of privilege it goes to the committee, and if the committee upholds the motion then action will be taken against those convicted or found guilty of wrongdoing. If not, the irresponsible person who has made the accusation is then expected to take the serious consequences.

I would say that if the hon. gentleman wants to accuse the Minister responsible for the Wheat Board or some other minister of wrongdoing or misconduct he must do it directly and must put it directly in a motion and the House will deal with it.

Mr. Baldwin: Mr. Speaker, would the minister accept a question?

Mr. MacEachen: But here he has taken a very round-about way. He has introduced a procedure which is not known in this House. As I say, there is no way we can deal with a request to impeach an hon. member or accept a motion on the grounds of privilege to send a matter to a committee asking the committee to prepare articles of impeachment. What are the articles of impeachment? For what crime or for what misconduct? Surely, Mr. Speaker, if an hon. member is to be impeached, whatever that means, he ought to know what the charge is and it should be clearly stated in the motion made by a member of the House. Having said that, I do not think the hon. member for Peace River is really serious. He is just having a little byplay before he is confronted with the difficult political question of dealing with the agricultural stabilization bill.

Some hon. Members: Hear, hear!

Mr. Baldwin: Mr. Speaker, would the minister permit a question? The minister apparently is willing to answer a question. Does he not realize I have charged the members of the government with a misdemeanour in their failure to obey the law?

Some hon. Members: Hear, hear!

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, as I understand it, we are not now debating the motion placed on the order paper by the hon. member for Peace River (Mr. Baldwin), nor are we debating the substance of the misdemeanour which is referred to in this motion. As I understand it, the hon. member for Peace River has risen on a point of order asking that Your Honour direct that there be an early debate on the motion that is on the order paper in his name. I rise to support his contention that there should be such an early debate.

Some hon. Members: Hear, hear!

Mr. Knowles (Winnipeg North Centre): In other words, I do not think it should have to stay on the order paper until