

Privilege—Mr. Crosbie

considered by the Chair. I also suggest that the Chair has an obligation to hear submissions with respect to the position the hon. member for St. John's West (Mr. Crosbie) is advancing, both pro and con, before coming to a decision. To do otherwise would be very dangerous, and in this very vital and sensitive area of questions of privilege I suggest it behooves the Chair to hear substantial submissions before coming to any premature conclusions.

• (1510)

Some hon. Members: Hear, hear!

Madam Speaker: We are dealing with two things, obviously, and we will make a distinction between the two things. The first thing we have to deal with is the unparliamentary language which was used. That is one point. If the hon. member wants to maintain that accusation or that unparliamentary language and if he wants to insist on that charge, he knows how he can do that. He must give notice of a substantive motion to charge an hon. member with having "deliberately" misled the House. Otherwise, in the course of normal debate, which we are having now, the expression "deliberately misleading the House" cannot be used. It is unparliamentary. Debate can continue on this question of privilege only on the condition that the hon. member for St. John's West (Mr. Crosbie) withdraws those words.

Mr. Nielsen: Madam Speaker, with great respect—

Mr. Cousineau: Order.

An hon. Member: Who is running this House?

Mr. Nielsen: If hon. members opposite will be quiet, I would like to point out that to come to a judgment that words used by the hon. member for St. John's West are unparliamentary would be to prejudice the very matter the hon. member for St. John's West is raising. The hon. member for St. John's West has been very specific in asserting that the Minister of Justice (Mr. Chrétien) has deliberately misled this House. This happened not only during question period yesterday, in which case I agree with the Chair that notice should be given and the question raised in the normal way under the rules, but it also arose again today as a result of the responses given by the Prime Minister (Mr. Trudeau) to the questions advanced by the Leader of the Opposition (Mr. Clark).

Our rules provide that questions of privilege with respect to matters raised during question period on the current day should be raised now, and that was the purpose of the hon. member for St. John's West in raising the matter now. If the Chair finds that, pursuant to her interpretation of the rules, the matter should be raised tomorrow, naturally notice will be given, but I suggest very strongly to the Chair that the hon. member for St. John's West is entitled to be heard now since the matter did arise during today's question period.

Madam Speaker: The hon. member is really going right around the question.

Mr. Harquail: On a point of order, Madam Speaker—

Madam Speaker: I will recognize the hon. member a bit later.

The hon. member for Yukon (Mr. Nielsen) is really going right around the question. There is no question whatever as to the right of the hon. member for St. John's West to submit a question of privilege today, if it follows from the deliberations of today. There is no question about that whatever, and I will hear him for as long as he wants to do just that, but he must raise his question of privilege without using unparliamentary language, which is quite clearly determined in Beauduchesne and many other authorities. "Deliberately misleading the House" may not be used in the course of debate or the raising of a question of privilege. If the hon. member wants to maintain that an hon. member has deliberately misled the House, he has to do that through a formal motion, and I will not hear him today on his question of privilege—which he is completely entitled to raise—unless he withdraws those words.

Mr. Crosbie: Madam Speaker, I certainly have no intention of withdrawing any language I have used here, and I certainly wish to proceed with the charge that the Minister of Justice has deliberately misled this House. That is what he did yesterday, as shown by the answers of the Prime Minister to questions raised here today. I am not withdrawing. That is my charge, and I will follow it up with all the formalities as soon as I can. No way am I withdrawing—no way.

Some hon. Members: Hear, hear!

Madam Speaker: Order, please. I take note of what the hon. member has said and, if he wants to lay a formal charge subsequently, he may do that, but the words "deliberately misled" have been pronounced in this House. They are unparliamentary, and the hon. member will have to withdraw them. I ask him to do that, in co-operation with the Chair, who has the responsibility of maintaining order in this House. That is a responsibility the Chair exercises only through rules and practices which hon. members themselves have established. The hon. member is in fact going against himself if he does not co-operate at the present time, but I am sure he will do so and withdraw those words for the time being. If he wants to repeat them in a formal charge under a different procedure, he can do that later on.

Mr. Nielsen: Madam Speaker, surely it must be apparent that to follow the course of requiring the hon. member to withdraw the words he has used, the accusation of deliberately misleading the House, is to come to a pre-judgment on the very matter at issue before the Chair. The Chair has my undertaking and the undertaking of the hon. member for St. John's West that he will give—

Some hon. Members: Order.

Mr. Nielsen: If the jackals over there will be quiet for a moment, we will undertake to give the Chair proper notice tomorrow supported by—

An hon. Member: Jackass.