

cannot ask those questions." This is an aspect which I sincerely hope Your Honour will bear in mind.

My second point concerns the McDonald commission. Members opposite argue we cannot usurp its jurisdiction. But I would point out that the government has already discredited that commission by its undertaking to bring in a bill legalizing the opening of mail by the RCMP before the commission can even bring in a report. We have asked it to wait, but the government has refused.

Along with those two arguments I incorporate everything else which has been said this afternoon by speakers from this side of the House, and that is quite a lot. The opposition has made out a very good case, and it has done so to save parliament. The hour the Prime Minister talked about as having been wasted will probably go down as the best hour in the history of the opposition.

Mr. Erik Nielsen (Yukon): Mr. Speaker, I hope I can confine my remarks to the question before the Chair, that is, whether or not there is a prima facie case of privilege which would justify consideration of a motion.

I might say that in all the time I have been here I have never seen a sadder display than that given by the Prime Minister (Mr. Trudeau) today. Time spent defending the rights of parliament and, specifically, the rights of the opposition, is always time well spent. In the last ten years we have spent too much time eroding those rights, to the point at which we are simply a nuisance, as the Prime Minister has described us on more than one occasion, a bunch of nobodies when we are five minutes away from the Hill. I make no apology for participating in this debate if it will have the result of preserving some of the few rights remaining to the opposition.

One of the first observations to be made with regard to the Prime Minister's intervention was that he failed to deal with the real question at issue, namely, the statements made initially by the Solicitor General (Mr. Blais) in the House—statements which were confirmed by him even more forcefully outside the House. The right hon. gentleman chastised us for taking an hour in which to discuss this matter, one which concerns the rights of the opposition and the rights of all hon. members, yet he himself took almost 25 minutes immediately afterward to intervene in a wishy-washy fashion. That is to be expected of the right hon. gentleman because he does not understand this place. He has no real feeling for parliament. For example, in 1968, when he was minister of justice, the government was defeated on a tax measure by two votes. And those who were there heard the minister of justice, now Prime Minister, say the defeat meant nothing even though the vote was on a tax measure. This was his view, though hundreds of years of tradition demand the resignation of a government in such circumstances. This gives us some insight into the Prime Minister's failure to understand how this place operates.

I wish to comment, now, on the point raised by the hon. member for Winnipeg North Centre (Mr. Knowles). If the concept put forward by the Solicitor General last Friday is followed, the ministry can avoid responsibility and take cover

Privilege—Answers of Solicitor General

simply by playing the game of musical chairs. If that concept were followed to its logical conclusion the entire ministry could escape all responsibility for past actions by adopting the absurd strategy of changing round the whole ministry. The administration would then be able to wipe the slate clean and start afresh. I have never heard of a more ridiculous concept, nor can I find any justification for it in the precedents.

As to whether or not a prima facie case exists, I submit there can be no question that, as Your Honour has ruled on past occasions, the sub judice rule as it applies to the courts does not apply to administrative inquiries and commissions set up by the government. In support of this assertion I could cite May's eighteenth edition, page 328, paragraph 11. If it were necessary to cite a precedent I could refer to the Dorion commission, very embarrassing to the government of the day, set up by the right hon. gentleman's immediate predecessor, and to the Spence inquiry. During each of those inquiries questions were repeatedly raised in this House by members of the opposition, questions which were, in fact, answered by ministers on the government benches.

What the Solicitor General failed to quote from the *Hansard* of Friday was far more important than what he did quote. Incidentally, the Prime Minister's interpretation of what was said is beyond belief. The Solicitor General asked us to believe we were placing an extremely fine interpretation on his words. He said he was not going to deal with questions concerning evidence given before the commission. Let me read from *Hansard* what he did say—he did not refer to this in his remarks today. As reported at page 2511 he stated:

It will be my policy to leave the McDonald commission to make its own conclusions on the evidence that is adduced. I will not be commenting on a day by day basis on evidence that may be adduced before that commission on a prior occasion.

Suppose that evidence gives rise to a question about the conduct of a ministry. Are we precluded, on the basis of the hon. gentleman's theory, from directing questions to ministers and obtaining answers?

On the same page of *Hansard* in the left hand column the Solicitor General is reported as saying:

I take my ministerial responsibility very seriously indeed. That ministerial responsibility is dated as of February 1 of this year. What happened prior to that time and prior to the nomination of the previous solicitor general is a matter presently under study by the McDonald commission.

The hon. gentleman did not read that part into the record. Again, on the same page of *Hansard*, we find a question put to the minister by the hon. member for Northumberland-Durham (Mr. Lawrence), who said:

● (1552)

Obviously, it is our responsibility to ask the minister these questions so that we can receive the truth in this House.

The hon. member for Northumberland-Durham asked for the assurance of the minister that he would answer questions relating to evidence adduced, and he received an emphatic no from the Solicitor General.