

Administration of Justice

of law. In other words, the result of the findings for certain members of this house—I do not now ask where they sit—will be just as inexorable as if a judge had found them guilty or innocent.

Mr. Turner: In answer to that, Mr. Speaker, may I say that the inquiry will not determine rights. The inquiry will determine facts. In the same way the Dorion inquiry did not determine rights or declare people guilty or innocent but just determined facts.

Mr. Fairweather: But after the Dorion inquiry it was surely inexorable that action would be taken and in this case hon. members would be affected just as if a trial had been held.

Mr. Diefenbaker: Mr. Speaker, I refrained last evening from participating in the debate because I have no more than a passing interest in what is taking place in this Chamber. However, we are now endeavouring to bring about a measure of rapprochement, if you will, within this chamber so as to restore something of the loss of prestige and the grandeur of parliament within our country. We are trying to do something to get parliament back once more to the discharge of its responsibilities.

It has been said that there is no precedent for this motion. The hon. member for Winnipeg North Centre, with his vast knowledge of the subject, agreed that the motion before you could be accepted. The hon. member for Medicine Hat made a plea last evening which I must say had a tremendous appeal to me.

I speak as one who, as all of us do, loves this institution. We do not want to continue ad infinitum the arguments, the disputations, the invective of the last few days. We want to get on with the responsibility of parliament. May I say to you, sir, that in the occupancy of your office in the last few days you have added adornment to the greatness of your office by the way in which you conducted yourself.

Som hon. Members: Hear, hear.

Mr. Diefenbaker: I will say nothing in the course of my remarks that will in any way be provocative. Two of us in this house have a higher responsibility. All other members have an equal one but two of us have a higher responsibility, namely, the Prime Minister of Canada and the Leader of the Opposition.

[Mr. Fairweather.]

I want to see parliament back on the rails. If there is no precedent, then this is the supreme court of parliament and it makes its own rules. That was the way in which the common law was achieved. If today there is no statutory regulation about a certain matter, then the ordinary principles of equity apply. The whole basis of our parliamentary system is that we accept the traditions of the past and that from precedent to precedent we build for the future.

There is nothing in this motion of a nature to cause harm or hurt to any member of the house. Surely we are not going to be bound by the past and mummify the operations of parliament because never before has a situation such as the present one developed.

I make an appeal to the Prime Minister who I am sure, in his person and the power of the position he occupies, will join with me to forget the acrimonies and difficulties of the past and give support to this motion which has been placed before the house so that we will be doing something for Canada, something for parliament and something for freedom.

● (4:00 p.m.)

Mr. Pearson: Mr. Speaker, I recall someone on the other side of the house, I think it was the right hon. gentleman who has just sat down, being reported as saying the other day, "If we in the opposition stand steady, they will always give way."

Mr. Diefenbaker: No, no.

Mr. Pearson: "They will capitulate."

Mr. Diefenbaker: No, no. This is not capitulation.

Mr. Pearson: Mr. Speaker, I do not mind giving way in a good cause. I do not mind trying to find a compromise when compromise is desirable and necessary. But what have we here, Mr. Speaker? I do not want to go over old ground but I repeat that we have been out of order for three days. You have relaxed the rules, quite rightly, to permit a discussion in a situation which was unusual and which could not be brought under the rules because the opposition did not submit the kind of motion which would have been within the rules and could have been discussed.

Some hon. Members: Hear, hear.

Mr. Pearson: That is the situation we have been in. Now it is suggested, Mr. Speaker,