

Bill S-11 to be clarified, and certain inquiries that have to be dealt with. We also have committee work, arising out of the study of bills and the subject matter of bills.

● (1440)

I must say that, as far as legislation is concerned, as the Leader of the Government has said, we hope that we can, in some way, step into this situation in a helpful manner and introduce some legislation in this place. The spectrum is somewhat limited by the fact that we cannot introduce money bills, but the leader has told us that the government is trying to find bills that, constitutionally and procedurally, we can introduce. In this way, we will try to solve the problem that we are faced with by somehow having Parliament proceed in spite of the fact that one of the houses of Parliament does seem to be paralyzed, as someone said yesterday.

I must say that I am still a little new at the job, compared to Senator McIlraith. For that reason, I propose the usual motion, in spite of the fact that we have no assurance that the other place will be sitting and producing any business for us next week.

Senator McIlraith: Honourable senators, I must thank the Deputy Leader of the Government for his lengthy answer and for all of the material he put into it. There is, however, something that I want to take exception to. He spoke of the Senate's stepping in. I think it would be better if he clarified the situation right now. The difficulty in the House of Commons is its own business. We must not put ourselves in the position of telling them what to do. At the same time, however, I should like to know what effect that situation has on the Senate. That is the point on which I was seeking information from the Deputy Leader of the Government.

I think that we should take full cognizance of the situation in the House of Commons in determining the action we take in the Senate with regard to our own business. We should thoroughly understand that the situation in the other place results from a simple motion to adjourn the house. If I remember correctly from last Tuesday—I have heard so many bells ringing since that time that I am not sure—the motion was that “this house do now adjourn.” Honourable senators, for obvious reasons that is not a debatable motion and is one which is used on extraordinary occasions. I can remember one such occasion when a minister of the Crown unfortunately died in an accident just before the house sat. On another occasion a member of the House of Commons died on his way down to the sitting. In such instances, of course, there is a motion to adjourn the house.

As I understand it, the practice involved with such a motion is very simple. Once the Speaker puts the motion and the required number of members rise, they call in the members. In the process of calling in the members they start to ring the bell. As an act of courtesy, the whips go out and sometimes wait quite a while before bringing the various members in from wherever they may be. In any event, a vote is then taken. That, again, is not our business.

I would like to point out that in this instance we are placed in the extraordinary position of having all the nationally elected representatives of the people of this country denied the right to meet together to conduct the public business of this country. Perhaps I am naive, honourable senators, but I have a firm conviction that these representatives were elected and sent to Parliament to attend to the public business, which, goodness knows, probably needs attention in light of certain economic situations. That is the purpose for which they were sent here. They have been kept from carrying out their duties for almost 48 hours. That bell has been ringing for two days to prevent the House of Commons from meeting and carrying out the business of this country which is in desperate need of being taken care of.

Honourable senators, I am one of those who are naive enough to believe that the government has the right to have government business brought before Parliament, and that Parliament has the right to meet, in both houses, to pass on that legislation and either accept it or reject it. When the elected representatives of the people of Canada cannot get into the chamber to do the business they were sent here to do, we are seeing a complete negation of the whole system of government.

Honourable senators, the situation in the House of Commons has nothing to do with the energy bill, with what the leaders have agreed upon privately as to how they will conduct themselves afterwards, or with anything else of that nature. I think the situation has implications for the Senate in terms of our internal business. I want to find out from the deputy leader whether he considers there is anything we may have to do, in light of this extraordinary situation in the other place, though I want him to stay clear of interfering in what they do in their own house.

Hon. Richard A. Donahoe: Honourable senators, I have listened closely to what my honourable friend has just said. It was not my intention to rise at this time—indeed, I did not expect to have anything to say. However, in response to my honourable friend I would like to say that we were sitting in this Parliament on the occasion when the Prime Minister of this country said, in unequivocal terms, that although there is a convention that the Constitution of this country cannot be amended without the consent of the provinces, that is only a convention; it is not binding. The Supreme Court, when questioned, said that the convention exists but there is no such law. Therefore, the Prime Minister said, “We shall do what we said we would do because we are legally doing what we have the right to do. We will ignore the convention.”

Honourable senators, there may or may not be a convention with regard to what should happen to enable the members of the other place to resume the work of Parliament when the bells are ringing. We all know what is customary. We all know that the whips enter the chamber, approach the Chair, and thereby acknowledge that they have done everything they wished to do. We then know that all the members who intend to be present are in fact present, and then the vote proceeds. That, honourable senators, is not taking place in the House of Commons today. Whether it takes place or not is entirely the