

Point of Order—Mr. Hnatyshyn

able, especially since what he was trying to do was to question your judgment. He complained about the fact or expressed the fear that a practice would develop in this House whereby the Speaker using discretion would limit the number of members who could speak on certain matters. Yet, not only the spirit, but also the letter of our rules states clearly, Madam Speaker, that it is your duty when you are convinced that there is no privilege involve to stop the interventions so that this Parliament can operate in an orderly fashion.

What the right hon. member is now advocating today, in a manner which is far from open, is quite simply to maintain disorder in the House. In his intervention, Madam Speaker, he seems to advocate disorder, and I find this unacceptable. I want to say, Madam Speaker, that we, on this side of the House, wish to proceed with the business of the House and get on with our work in Parliament, and it is a shame that the Leader of the Opposition would lead a team which has been trying to demolish the Canadian Parliament for the last five days.

[English]

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I rise on the same point of order. What the Leader of the Government is doing—in a way that displays the heat that indicates the pressure under which he has found himself in the last little while—is almost coming to the point where he is defending an illegality which was admitted today by the Prime Minister (Mr. Trudeau) in the offer he was making. Unfortunately for the government House leader, he is using language and phraseology with respect to the Right Hon. Leader of the Opposition (Mr. Clark) which Your Honour yourself has said is not conducive to the appropriateness of debate in the House. When he withdrew one, he used another one which is not appropriate to debate in the House of Commons.

What the Leader of the Opposition was trying to do—and if the Leader of the Opposition was out of order, Your Honour would have called him to order—was to bring to the attention of the Chair a concern he has as a leader in the House of Commons. As an officer of the House, I thank Your Honour for listening to him and for recognizing his intervention for what it was, a real attempt to be helpful to the Chair.

As Your Honour has said publicly, it has been our objective not to do anything that is other than helpful to the Chair.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): I have to say that I am not very interested in being helpful to the government, but I am interested in being helpful to the Chair. All of us are.

Hon. Bryce Mackasey (Lincoln): Madam Speaker, I rise on the same point of order. I do not pretend to be a procedural expert, nor have I heard too many in recent weeks, but I am fascinated, perhaps because I am not a member of the legal profession, to listen.

I am impressed by the standard which Your Honour has set in the last week or ten days. I think the Right Hon. Leader of

the Opposition (Mr. Clark) referred briefly to the standard of excellence which has characterized Your Honour's performance in the Chair.

Some hon. Members: Hear, hear!

Mr. Mackasey: When I first came here—and this is very relevant—I was overwhelmed by the number of expert references on this subject: Bourinot, May, Beauchesne; I could go on and on. I think it was the minister of transport of the time, Mr. Pickersgill, who said that the best rule of thumb in parliamentary procedure is common sense.

I was induced to participate in this point of order when I saw the hon. member for Edmonton West (Mr. Lambert) refusing to take his seat when requested to do so by Your Honour. This would be unpardonable enough if it was a member such as myself or my good friend from down east, the hon. member for Annapolis Valley-Hants (Mr. Nowlan), but the hon. member for Edmonton West is a former Speaker of the House of Commons and he more than anyone else should know that, when requested by the Speaker to take his seat, he should take his seat and set an example for all of us. I am appalled. When I arrived here in 1962, the hon. member for Edmonton West was the Speaker of the House of Commons, and he should set an example for this debate.

What have we had for eight or ten days? There have been questions of privilege. I am not particularly appalled at what is occurring in the House. The rules are there to be used. Rules are there to make debate equal. What I am a little concerned about—but that is not what I am discussing at the moment—is the abuse of those rules.

It worries me when members stand and say that Your Honour has spent too much time or not enough time in determining whether a prima facie case of privilege exists. Surely it is inherent in the rules that Your Honour and only Your Honour can determine whether you want more argument, whether the contributions being made are becoming repetitive or whether, because of the fact that you are hearing questions of privilege or apparent questions of privilege day in and day out and month in and month out, you can come rapidly to the conclusion that certain questions are not questions of privilege.

If this House is to function, we must appreciate that Your Honour and only Your Honour can make such decisions. We are—unintentionally, perhaps, and none of us is without sin—undermining—

Some hon. Members: Oh, oh!

Mr. Mackasey: This is funny to some hon. members opposite who have not been around here long enough, and may not be around here long enough, to get an appreciation for the dignity of the House of Commons, on which I do not presume to have any monopoly. I know some hon. members opposite care as deeply as I do about the House of Commons, but I know one thing, and that is that this place cannot function if we unintentionally—or intentionally, worse still—undermine