

Point of Order

suspend Standing Order 80, which as the Chair knows has been in place since 1867, and flows directly from the Constitution, Sections 53 and 54.

I recognize and clearly do not expect a ruling in immediate short order, Mr. Speaker, but I would appreciate the guidance of the Chair in this regard. I am reminded and encouraged by rereading the decisions of the Chair in respect to Bill C-103 of July 1988 wherein the Speaker was moved to acknowledge that the Senate's alterations to that bill were in fact infringing on the privileges of this House.

It is incumbent upon us to recognize that these amendments infringe on the privileges of this House. We must defend these hard-won privileges. While the Senate, the other place, takes its authority from Section 17 of the Constitution which says there will be a Parliament consisting of the Governor General, the Senate and the House of Commons we know that by long centuries of tradition the Governor General, not being elected, does not exercise that authority. The Senate not being elected ought not to be trodding on the authorities of this House of Commons. It is up to the House of Commons to defend our responsibilities and our authorities.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, this debate has been put forward by the government House leader without notice, by the way. If that is the way he wants to operate in the House from now on, we will take that as notice and we will comply with that kind of bad precedent. I just want to make sure that the minister, who has called a meeting of the House Leaders for 3.15 p.m., will not have a meeting all by himself somewhere and will wait for this debate to be over, at which time we will meet with him to discuss the House business for the coming week.

The question arises, of course, as to why the minister did not make this argument on March 12 last, when this House debated for some time the message from the Senate dealing with Bill C-21. At the time, if you look at the record, Mr. Speaker, you will see that the minister did not invoke the arguments that he has put to you today, but rather accepted one amendment fully, and three in principle, and then passed a message on to the Senate.

I believe that the minister, Mr. Speaker, by asking you a very great number of hypothetical questions, and also constitutional questions, is putting the Chair in a very difficult situation. What the Speaker has to do now is to rule on hypothetical questions, which I hope you will not,

Mr. Speaker, and on constitutional questions, which are not the prerogative of the Chair.

Therefore, why did the government not bring these arguments to us on March 12? Because they are trying to play funny games with the House. This new House leader that we have today is known as the bully around here. He bullies people around, he thinks that he is going to get his way, that he will accomplish everything by having his way.

Mr. Speaker: On a point of order, the hon. minister.

Mr. Andre: Mr. Speaker, it may be personal privilege. I have a relatively thick skin. I sat here for 45 minutes yesterday and listened to the hon. member abuse me. But I do not understand what the personal abuse he hurls toward me has to do with the constitutional questions I am asking the House to address. I wish the hon. member would address that constitutional question: does he believe in democracy or does he not?

Mr. Speaker: The hon. minister has risen on a point of order, and as far as everything I have heard so far is concerned, he is certainly in order to do so. He has presented an argument in some detail to such an extent that the appropriate members on the opposition side have naturally asked for a copy of the argument. I understand that.

The hon. member for Ottawa—Vanier is properly replying and there may be other things that could be said in another place. What I need is argument directed to the matters that are raised and that are before us. Without that, I cannot be of very much assistance to the House. I would ask all hon. members to keep that in mind.

Mr. Gauthier: Mr. Speaker, I will keep those remarks in mind and try to address the various points quickly and, I hope, with clarity so that members of the House will understand that indeed I made some valid arguments on March 12 last which I would like members to return to in dealing with some of the specifics dealing with Bill C-21.

I still think that hypothetical questions and constitutional questions are not the responsibility of the Chair and I would refer the minister to the experts in his department to address those questions and maybe give