

Criminal Code

plebiscite. I admit quite freely that I find it difficult to make this argument because I have no liking for the amendment itself and I would vote against it, but I like to see minorities get their rights. So I suggest that after we have heard from these big guns on the other side trying to smash this mosquito over here in the corner at least something might be said in defence of the admissibility of the amendment.

Mr. Speaker: I thank the hon. members for their comments in connection with the motion which is now before the house. I may say at the outset that after listening to the arguments from the wings, I was very much impressed not only by the arguments advanced by the hon. members and by the Minister of Justice but by the position expressed by my associate in the Chair, the hon. member for Bonaventure (Mr. Béchard). I have a feeling that in spite of the arguments advanced, after he had expressed an opinion I would be prepared to go along with the very learned ruling which he was prepared to give to the house. In fact, I find very little fault with what was said by the hon. member who was in the Chair a moment ago.

It seems to me hon. members must remember that what is before us at the present time is not the bill itself, not the Criminal Code, but rather a motion for third reading. What hon. members should do at this time is to propose amendments which will modify this particular motion. We should not entertain at this point motions to amend clauses 18 or 19 of the bill to amend the Criminal Code.

[Translation]

I am sure the hon. member for Témiscamingue (Mr. Caouette) who is listening closely to the ruling I am making agrees with me. At this stage we can only submit to the house amendments to amend the motion for third reading of this bill.

The hon. member for Lotbinière (Mr. Fortin) suggests that the amendment moved by the hon. member for Témiscamingue (Mr. Caouette) is in order because it is relevant to clause 18. I say to him that it is not in order, precisely because it is relevant to clause 18 when it should be relevant to the motion for third reading of the bill.

[English]

The hon. member for Winnipeg North Centre (Mr. Knowles) said that we might listen to the big guns. I have listened to him and he is the biggest of all the guns, but not even he

has been able to convince me this motion might be accepted.

What I should like to suggest to the hon. member for Winnipeg North Centre—and I am sure he knows it much better than I do—is that this motion can be amended in many possible ways. It can be amended by a reasoned amendment, provided the reasoned amendment is strictly relevant to the motion before the house. If hon. members will propose to this house a reasoned amendment which would not attempt to modify the clauses of the bill itself, then it will be acceptable and hon. members eventually will be called upon to vote on it. But if a reasoned amendment is phrased in such a way that it goes beyond the terms of the very limited motion which we have before us, by virtue of many precedents, including some quoted in Beauchesne, in May and in Bourinot, I do not see how the amendment can be accepted. This is the sum and substance of what was said to the house by the hon. member for Bonaventure, and I concur in his judgment.

[Translation]

Mr. Roch La Salle (Joliette): Mr. Speaker, I should like to add a few remarks on third reading even if many things have already been said concerning the bill.

I had an opportunity to speak on the motion for second reading and I must admit that since then, I had been hoping that the government and the minister would reconsider their position, agree to the splitting up of the bill and allow parliament to vote freely on that legislation which I consider extremely important.

I remember that during the electoral campaign, the minister had suggested that he would recommend a free vote, that he was in favour of splitting up the bill and recognized that some of its clauses contained quite specific details. I do not know whether the fact of being in office could change a man to that extent, but we have to admit that after three or four weeks of debate and all the arguments that were put forward, he should be convinced by now.

In fact, we have advanced arguments which justified the splitting up of the bill as well as a free vote, because whether we want it or not, it is clear that many hon. members are perplexed by that bill. However, it is understood that many must toe the party line; they will do so, as usual, while recognizing that it contains some clauses that within themselves they consider unacceptable.