

*Point of Order—Mr. Clark*

tion to put an end to the constitutional debate, and I promise that tomorrow I shall allow his leader to reopen the debate and to give his views on the question of privilege that he raised today.

**Madam Speaker:** As I understand it, permission to the Right Hon. Leader of the Opposition to continue his intervention tomorrow would be granted on the condition outlined by the hon. President of the Privy Council. I must ask whether the House agrees to this proposal.

**Mr. Clark:** We find this kind of blackmail totally unacceptable, and it certainly does not contribute to progress being made in the House. If the hon. members on the government side want to ignore the rights of the hon. members on the opposition side, we can accept their stubbornness and react in a way dictated to us by their own action and approach. This is not something which we have been seeking, but something which is imposed by the government House leader. We can certainly react in a way which is consistent with his approach. As I said earlier, I will have the opportunity some time tonight to raise again this issue which I raised this afternoon, and I have every intention to avail myself of this opportunity.

[*English*]

**Madam Speaker:** Just after the Right Hon. Leader of the Opposition had mentioned he would bring this question up again later this evening, I wanted to say something, but the hon. member for Nepean-Carleton (Mr. Baker) stood up, and I heard him. However, I cannot accept what the Right Hon. Leader of the Opposition said at that point to be taken as permission to begin, all over again, the matter which was raised after question period today. The question was raised. I said that I would reserve on it and rule later; that is tomorrow. Therefore, if the Right Hon. Leader of the Opposition wants to come back to the question, it should be a completely new point because I reserved my ruling on the one which he brought out today.

● (2020)

**An hon. Member:** Absolute nonsense!

**Madam Speaker:** I see no other way of applying the rule, and I must be firm on them because, as hon. members realize, this is a particularly difficult moment for the House. We have had several procedural points. I am trying to control the House as best I can; we will only be able to go through this in an orderly fashion if I am consistent. I do feel that if I am to be consistent now, I have to tell the hon. member that he may come back on a point of order tomorrow or tonight, depending on how far we get in the proceedings, but it would have to be on a completely new point.

**Mr. Clark:** Naturally I would not want to dispute the Chair or make your situation any more difficult than the circumstances of the debate, of closure, of the possibility of the government proceeding on a matter which may not be within its competence because it is already before the courts of

Canada, now make the matter before the House. But I would find it surprising, I must say, if Your Honour would want to pass judgment upon an argument which has not been fully put.

As I indicated to Your Honour, there are elements of the argument which I had not come to because of the expiry of time this afternoon when we moved to private members' hour; elements that are new to the practice of this Parliament and new to the circumstances here. I know the care Your Honour always takes to ensure that your judgments are well based and well considered. I know you would not want to be put in the position of having to make a decision, having heard only part of the argument that the opposition, and in particular the Leader of the Opposition in my capacity as an officer of the House, might want to put forward.

That is the dilemma which has been caused by the fact that there was an unusually short bell tonight, and the House of Commons began with a regularity which perhaps should but has not been the custom. As I said, I do not think it would accord with your normal practice to make a decision after having heard only part of the case. Of course, I am in your hands. I will rise at a later opportunity, which will of course be open to me, to put forward new elements of the case I was raising earlier in the day. Of course, it would be then your decision as to whether you wanted to hear the full case put by the official opposition or make a decision on a more limited basis.

**Madam Speaker:** How can I know if an hon. member has put his full case? The only way I know that he has put his full case is when no one rises in the House. I was here at eight o'clock.

**An hon. Member:** First time ever.

**Madam Speaker:** I waited for a while. It was open to other members on this side of the House to continue the argumentation; I looked around, but no one did so. I then had to decide on that point of order, which I did. I decided that I would rule later on that point of order.

The hon. member knows that once the Chair has decided it is going to rule on something no further comments can be accepted. I did not create this situation. I am in a very difficult situation. My only guidance is in the rules and the practices of this House and, as far as I know, I am stating the practices of the House.

**Mr. Baker (Nepean-Carleton):** Madam Speaker, there is another rule or practice of this House, if I may put it to you, and that is a sense of fairness, a sense of justice and a sense of equity. I am talking about it in terms of the Chair, not in terms of the partisan differences which may exist in the House of Commons. I am certain if one checked the rules, one would see that while the matter is reserved it is still open. I think it is possible for the Speaker under those circumstances, the matter still being open, to permit an argument to be put.

The situation in which we find ourselves is that you have heard the first five minutes of an argument upon which you