

constitutional resolution introduced by the Canadian government.

In the first place, closure was imposed by the Canadian Parliament. We have now double closure in the joint committee. Secondly, an impossible schedule has been set for the committee. Thirdly, the Liberal party has shown today that it is determined to deny Canadians the right to see directly on television or hear directly on radio the proceedings of a joint committee dealing with the most basic and essential issue in our country, that is, the constitution. This, Madam Speaker, is unacceptable to our party as champion of the rights of the Parliament of Canada.

**Madam Speaker:** Under Standing Order 15(2), as it is now 2.15 p.m. I must interrupt the debate.

• (1415)

## ORAL QUESTION PERIOD

[English]

### THE CONSTITUTION

SPECIAL JOINT COMMITTEE—TELEVISIONING AND BROADCASTING OF PROCEEDINGS

**Right Hon. Joe Clark (Leader of the Opposition):** Madam Speaker, my question is addressed to the Prime Minister. The Prime Minister will know of the publication today, apparently for the first time, of a letter dated August 13, 1980, from Madam Speaker to the chairman of the Special Committee on the Disabled and the Handicapped, a committee of this House, stating explicitly, that "the committees are without authority to broadcast their proceedings". The Prime Minister will recall that he told this House and I, apparently based on error, the contrary not many days ago in this House when he said that the committees were masters of their own proceedings.

Madam Speaker has ruled that in the matter of broadcasting, the committees are not the masters of their own proceedings. Clearly, then, the only way in which the people of Canada can have an opportunity to see and hear the discussion on the Constitution of Canada is for the government to take a decision in policy to initiate an amendment to a motion of this House, which my party, and I am sure the NDP, would accept and approve without debate, that would allow the full televising and full radio coverage of the joint committee proceedings on the resolution.

**Some hon. Members:** Hear, hear!

**Mr. Clark:** My question to the Prime Minister, therefore, relates to the policy of the government. Will the government initiate action immediately to ensure that the proceedings of the constitutional committee will be televised and broadcast?

**Right Hon. P. E. Trudeau (Prime Minister):** Madam Speaker, I do not want to presume to intervene in the matter

### Oral Questions

that has been raised relating to a letter you allegedly wrote to one of the members. But I submit for your consideration and, perhaps, conveyance to the Leader of the Opposition that that is not a ruling of the House, that the doctrine of this House, as I understand it and as has been explained to me by the President of the Privy Council, is that, indeed, the committee is master of its proceedings. As far as I know it is against the rules to discuss matters which have been discussed in committee while they are pending until the report is made.

**Mr. Kempling:** Another gag.

**Mr. Trudeau:** I hear the whip of the Conservative party saying "another gag". I am prepared to hear argument on this matter. I am not an expert in procedure and I doubt whether the whip who is opposite me is an expert. But the point, as I stated, Madam Speaker, is that perhaps the Leader of the Opposition should address to you the question: Was that a ruling that you conveyed to a private member in a letter, or is the rule of this House that committees are masters of their own procedures?

**Mr. Clark:** Madam Speaker, you and I both know that it is outside the rules of this House to put a question to you on this matter, although you will probably have an opportunity to decide later. We have here a clear difference in the interpretation in the rules of Parliament between the Speaker of the House of Commons, writing in an official capacity to the chairman of a special committee of the House of Commons, and the government House leader.

Let me ask a question of the Prime Minister which is, admittedly, hypothetical. In the event that it is determined that Madam Speaker is right and the government House leader is wrong, will the Government of Canada agree to initiate immediately proceedings that will ensure that the deliberations of the joint committee on the constitution will be televised and broadcast live, so that Canadians can know what is going on with regard to their constitution in a committee of this House and the Senate?

**Mr. Trudeau:** Madam Speaker, as the Leader of the Opposition has said, the question is hypothetical, and I think it is also somewhat offensive since it presumes on a ruling which you have not yet given. As to the substance of the suggestion of the Leader of the Opposition, I point out to him that one can hardly say that a committee has been gagged when the entire press of the country can be present. The matter of televising or not televising is certainly not one which involves freedom of speech or freedom of the press. It is a matter that I understand the committee has decided in one way after I, at this place in the House, indicated last week that I had no preference one way or the other, and that I thought that the committee should be left free to decide.

• (1420)

**An hon. Member:** Don't weasel around; make a decision.