

*Procedure—Speaker's Ruling*

mentioned, common sense. I should immediately remark that common sense, like beauty, is in the eye of the beholder. Nevertheless, there is a basic common sense that those of us who have to get elected understand only too well. It is, when all is said and done, the profound sense of what is appropriate under certain circumstances and which is acceptable to reasonable people.

I have tried to give Hon. Members an intellectually reasoned ruling. I have also tried to support it with a rationale that stands the test of common sense. I want to assure all Hon. Members that their Speaker will not be receptive to any abuse of either the intellectual or common sense basis of this ruling. I would hope that the difficulties of the Speaker in this situation will encourage Hon. Members to reconsider the present rules with a view to making changes which would secure the sanctity of Routine Proceedings and the legitimate interests of all Members of the House of Commons.

I want to thank all Hon. Members for their diligence and the sincerity with which they put their arguments. I hope that this ruling, while not satisfactory to all, will be accepted in the interests of this place.

**Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council):** Mr. Speaker, I rise on a point of order. It is just for a matter of clarification. Am I to assume, then, that the motion that was put yesterday by the Hon. Parliamentary Secretary will be considered at the appropriate time?

• (1130)

**Mr. Speaker:** The Chair and the Table have given some consideration to the point which the Hon. Deputy Prime Minister (Mr. Mazankowski) raises. The ruling is a ruling for future events. Yesterday was yesterday. The consequence of that is that the ruling is now made and it is not for the Chair to say on what occasion either side may wish to avail themselves of it. I have tried to clarify the position in the event that such a motion is made again.

**Mr. Jean-Robert Gauthier (Ottawa—Vanier):** Mr. Speaker, I rise on the same point of order. I want to return to the point which I made to you yesterday and the day before with regard to the lapsing of motions. Your comments in response to the request of the Government House Leader indicate to me that you have lapsed the motion which was before the House.

I maintain that lapsing of the motion is out of order and unconstitutional. A question put to the House must be settled by vote. Although I disagree with the intent of the motion and do not think I would at any time like to sustain such a procedure, if indeed you have ruled that that motion has lapsed, I ask you what rule of this House, what Standing Order, you are using to lapse the motion.

**Mr. Speaker:** I have taken the position in this particular case that that motion was proposed but was never before the House. The motion was proposed and at that point I invited

argument as to whether or not it could even go before the House. That is the short answer to the very legitimate question which the Hon. Member for Ottawa—Vanier (Mr. Gauthier) has raised. I hope that before the end of the day tomorrow I will be able to say more on this important matter which I accept as such.

**Mr. Rod Murphy (Churchill):** Mr. Speaker, we, of course, accept and respect the decision which you have just made. We have always maintained, as we did during the bell-ringing incident a number of years ago, that the rights of Parliament to act must be maintained, otherwise there can be no parliamentary democracy. However, we are also concerned that your ruling is, in effect, a precedent if necessary but not necessarily a precedent. We will see an evolution of the role of the Speaker in this House as a result of this ruling.

The Speaker will now have to judge all the debate which takes place in the House and in committee and the actions of the Opposition and the Government every time he or she makes a ruling. I believe that means that the Speaker will be dragged into every controversial question which comes before the House of Commons. That may be a necessity, but I think it may drastically affect the role and the sense of the Speaker being independent.

I have the greatest respect for you, Mr. Speaker, but I am worried that in the future, when a majority government is able to install a Speaker of its choice after the campaigning which takes place for the role of Speaker, we may find that the Speaker no longer represents all Parties in the House and could become the effective tool and weapon of the Government. I believe that is a legitimate concern which all of us in this House should have.

As I said earlier, we do accept and respect your decision. However, I suggest that the House Leaders and the Committee on Elections, Privileges and Procedures study this ruling and ensure that there are clear guidelines for how we in the House use, and sometimes abuse, the rules, as well as clear guidelines to set out when the Speaker can use this new discretion.

I also think that in the face of this ruling we must have some way of ensuring that the legitimate concerns of the Government to move forward on its political agenda be balanced by the ability of the opposition Parties, especially when they have a small majority, as they do at this time, to ensure that instead of only having a number of meetings of committees we have real action, real presentation and real questioning at those meetings.

In your ruling, Mr. Speaker, you pointed out that there were a number of meetings of the committee which studied Bill C-22. However, we in the Opposition are concerned that those committees stacked witness after witness in the same hearing. Witnesses were allowed 45 minutes to make their presentation within which time any questions of Members of Parliament had to be asked and answered. That is impossible. Forty-five minutes is not enough time for a national group to present its