

of order. As inexperienced as I may be in this place, I recognize the dangers which are potentially present in committee hearings that become the focus of television, radio or photography without the kinds of controls provided by the electronic *Hansard*.

Perhaps we should take note of the events this morning in terms of what we have been celebrating for the last two days. Coretta Scott King is the widow of Martin Luther King. She is honoured as he was honoured not because they followed the rules but because, by virtue of breaking the rules when it was necessary to do so, they brought focus to a problem in the nature of our democracy.

The House and its committees represent the functioning of democracy in Canada. If there had not been television or radio in the committee this morning, Canadians would not have been able to see or hear the widow of Martin Luther King assert clearly for us all to hear that there is no fight for freedom in alliance with South Africa in Angola by the United States or that United States involvement in Nicaragua is not a struggle for freedom.

The rules were broken, but I think the dramatic nature of her intervention demonstrates clearly to all Canadians that it ought to be possible for Canadians to see what goes on in committee. I support the proposition that the matter be addressed by the Government. If it is, and if it is addressed in the interests of Canadians, once again it will be because the name "King" was associated with an event which changed history. I look forward to the result, which will mean just that.

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, I wish to take just a few moments to speak to the point because of my own personal interest in and concern for the issue. I preface my remarks by emphasizing that I believe most strongly that from time to time the deliberations and proceedings of a committee of the House ought to be televised.

Further I would say, in full and total agreement with the Hon. Member for Windsor—Walkerville (Mr. McCurdy), that there was no clearer an example of such an opportunity than that which presented itself to the Standing Committee on Human Rights this morning.

The motivation of the committee was right and proper, that is, that a distinguished and inspirational person like Coretta Scott King, the widow of the great civil rights leader, Dr. Martin Luther King Jr., should have had a much wider audience. Her message really needed to be shared with many, many more people. I commend the motivations of the committee.

It is regrettable in the extreme that the committee clearly breached its authority. There are no Standing Orders which allow it to make the decision unilaterally to have television in the committees. The committees are not *maîtres chez nous* except insofar as the authority exists in the Standing Orders or by a particular reference from the House.

Point of Order—Mr. Gauthier

What we have at the moment—and the Standing Committee on Human Rights has brought it into focus—is an unresolved, unaddressed, and very important issue, that is, when and under what circumstances may television be utilized by the committees of the House. So far that matter has not been settled and, in not settling it, I think we the Members of the House have collectively been negligent.

I want it understood that the committees know the Standing Orders. They know the references in Beauchesne's. I should like to quote from Citation 304 of Beauchesne's Fourth Edition at page 244 as follows:

A committee can only consider those matters which have been committed to it by the House.

To the very best of my knowledge, committees do not have this discretionary power. Whenever they have attempted to assume that power unto themselves, they have run afoul of the House. We know what are the proper proceedings. That was exemplified by the constitutional committee. When it felt it was important to share the constitutional debate with the whole nation, it came to the House seeking authority, and that authority was granted.

We know what committees can do. Under Standing Order 96(1) the powers of committees are clearly established—to examine, to inquire, to report, and to send for papers and records. If they do not have enough authority, they can come back to the House to seek additional authority for papers which they feel they need. They may sit while the House is sitting or during a period when the House is in adjournment.

The Standing Orders are so clear that they went on in Standing Order 96(2) to say that there are additional powers which the committees have, and those additional powers are spelled out very specifically. In fact, certain committees have a power or powers which other committees may not have because of the particular responsibilities laid upon them by the House. However, when a committee is in doubt about what it can or cannot do, it must come to the House for direction.

I return again to Beauchesne's where it says that sometimes a committee may have to obtain leave from the House when its order of reference is limited in scope. That is the operative phrase—to obtain leave. Thus, if a committee wishes to utilize television, as did the Standing Committee on Human Rights this morning, it must obtain leave at the present time.

I am not condemning the committee. I am not casting judgment on the committee.

• (1530)

I am saying that we are faced with an intolerable situation. It would have been extremely difficult, given the circumstances under which the House has functioned in the last several days, for a committee to anticipate that this would be the situation this morning and to obtain leave. The fact that there was no other recourse and that the Standing Orders did not allow the committee to act under the authority of the House is regrettable.