

The division bells should ring for not more than 30 minutes, at which time the necessary questions should be put to the Senate without further debate or adjournment.

We believe that this matter requires your urgent attention and that the time has come for the Senate to decide whether or not it wishes to set a date for the final vote on Bill C-62.

Let us get on with the business of the Senate, the business that is piling up. Honourable senators, this is the letter and I would like to ask that it be delivered to the Speaker and that sufficient copies be delivered to the senators in their chairs. Thank you.

I have something further to say on this subject, senators, if you will just bear with me for a moment. Honourable senators, essentially what is being said here is that the time has come for the Senate to decide where it goes from here—and I mean for the Senate to decide, honourable senators. We have seen circumstances here—which I do not criticize—agreements between leaders, agreements, incidentally, that excluded independents, although that was corrected by further agreements, and so on. However, at the end of the day it is the Senate which decides. We believe that the Senate should decide where it wants to go now. The Senate should be given an opportunity to decide whether it has heard enough on Bill C-62, for example, and wishes to clear the way in order to get ahead on its own responsibilities.

I want to refer at this time to something I have been hugging to my chest for quite some time. It shook me at the time it occurred, but I treasure it quite a bit because it comes from, I think, one of the wisest men in this chamber. It was a statement made on November 13, 1984, by Senator MacEachen when he first entered this chamber. It really is worth listening to. I think we should consider his admonition with respect to what we have to consider in the next day or so. Senator MacEachen said:

No member of this chamber would suggest that the Senate should usurp the leading role of the House of Commons, or systematically obstruct the will of the majority in the elected body of Parliament.

He said:

Certainly I do not approach my role as Leader of the Opposition from that vantage point.

Further down he reminded us of something else that I think we need to keep in mind. He said:

Every legislative assembly in our system operates on the majority principle, and the Senate is no exception. The majority will decide; the majority will prevail.

Really, in the simplest possible terms, that is the system we are part of and that is the way the whole system works and must work.

The filibuster on Bill C-62 has been under way for a considerable length of time. Presentations, including individual speeches lasting as long as 18 hours, have ranged from reading books, sports pages, through political history to serious debate

on substantive issues relating to Bill C-62. However, it is clear that the central purpose of this exercise is to delay as long as necessary to axe this tax. The opposition has confirmed this publicly again and again. However, we have gone beyond the things to which I have just referred. We went through petitions, in which I believe Senator Davey discussed the origin of the name "Peterborough". Where did Peterborough come from? How did they arrive at that name?

Hon. Keith Davey: On a point of privilege, that is incorrect, honourable senator.

Senator Kelly: I withdraw the statement.

Senator Davey: Thank you.

Senator Kelly: Someone did. Or perhaps it was Kingston that was mentioned. However, the fact is that, when you get to tactics of that sort, clearly the debate is over. The debate is over and we are at that time-filling stage. I do not argue, honourable senators, that our rules are being flagrantly broken. I do not do that. The filibuster is a time-honoured tradition. The technique of using questions in the form of mini-speeches is an interesting technique which preserves the right of the questioner to speak later in the debate.

Honourable senators, I do not doubt in any way—and I mean this sincerely—the sincerity of those who are participating in the delay. I recognize it and I respect it. We are firmly committed to the view that the obligation of Parliament is to decide, and we support the right of senators to speak, to be heard; but we also believe the rights of those who wish to decide must be taken into account. Since we in this house have no rule to assist in ending debate, we could see no way out of this impasse. Recently, however, Senator Frith, my mentor, introduced a view that served as a useful guide to us—

● (1410)

Senator Frith: Did I start all this?

Senator Kelly:—and hence the letter to the Speaker.

In reviewing the powers of the Speaker of the Senate, Senator Frith said—and this is from memory and subject to correction by Senator Frith, although I remember every word he has said to me, including "sit down"—

Senator Perrault: You are in trouble now!

Senator Kelly: My recollection is that Senator Frith said that the Speaker in this place has no power to act on his own initiative, but that it is the Senate that tells the Speaker what to do.

Senator Frith: Except under the rules.

Senator Kelly: Senator Frith said that the Senate decides.

The letter asks the Speaker to consider certain actions, and clearly the Senate must decide whether or not he should do so. We are simply asking the Speaker to ask the Senate to instruct him to put the question before us now.

Honourable senators, I am deeply conscious of the allegations concerning previous actions of the Chair, the tricks, the breaking of rules, and so forth.