

However, as the Leader of the Government has just now said, if this alleged amendment were put and carried, we would then establish a joint committee.

I have another objection which may not be quite procedural, but which is, I think, very substantial, and that is that it is offensive to me that the Leader of the Government would attach a condition to the motion which he himself is in a position to influence, because he knows what is happening in the government; he knows what discussions are taking place as to whether there is to be a motion put before the House of Commons by the government, and we do not know. Also, he is putting a condition in the form of an amendment, a condition which he is able to influence and about which he probably has definite knowledge. So why not come straight out—

Senator Murray: I indicated that to the Senate.

Senator MacEachen:—and then if your intention is to oppose the Committee of the Whole, the clear-cut way to do it is to vote against this motion.

Senator Murray: I was trying to make things easier for you.

Senator MacEachen: I am not having any difficulty, and if I were, I would not expect my honourable friend to help me very much. It has not been my experience in the past that he has been helpful.

I would just reiterate that if I were to retreat to the most certain procedural objection, that objection would be to the form of the motion, and that is enough to rule it out of order.

The Hon. the Speaker: Honourable senators, perhaps the motion could be amended to say that the debate on this question be postponed until next Wednesday. Would that settle the case?

Senator MacEachen: Honourable senators, the amendment must be dealt with as it is written. We cannot fiddle around to fix it up.

The Hon. the Speaker: I assume that the Leader of the Government would withdraw his motion in amendment and substitute a motion to debate the question next Wednesday. However, I am not an expert.

Senator Frith: But the point of order has to be dealt with, Mr. Speaker, and of course it must be raised when the breach of order takes place, and that is what has happened here. Therefore, what is before you, Mr. Speaker, is a disagreement on a question of order. Under our system, senators settle their own points of order if they can, but we clearly have a disagreement as to whether this motion is in order, so it is now in your hands to rule on that matter. That, of course, interrupts all other proceedings. Therefore, whether at some point someone is going to move the adjournment of the debate on the original motion with the amendment ruled out of order—or with the amendment in order—the question before you right now is: Is the amendment in order? That was the point of order that was raised when the alleged breach took place, and that is what has to be dealt with.

The Hon. the Speaker: In that case, honourable senators, I will take the matter under advisement. I will review the arguments that have been put forth and come with a ruling to the next sitting of the Senate. In the meantime, I suggest that debate on the main motion continue today so as not to delay this matter.

Senator Olson: Honourable senators, someone is asking me what I am speaking on. I have heard the Speaker's suggestion that he take the arguments on the point of order under advisement and give a ruling at the next sitting, which I suppose will be tomorrow. If it is agreeable to honourable senators, what I will do is make my views on the original motion known, perhaps discussing as an aside the amendment that was made and giving an indication of what my views would be on that. However, if some senators have some problem with my proceeding on that basis, I am certainly willing to yield the floor. Otherwise, I will carry on as if tomorrow we will get a ruling on the propriety of the amendment that has been moved.

Senator Phillips: I would be quite willing—and, in fact, pleased—to hear the honourable senator, provided he is speaking on the main motion, and does not inflict himself upon us a second time at a later stage by saying that he spoke on the amendment and now he is speaking on the main motion.

Senator Frith: Nice try; he does not have to do that.

Senator Olson: That is a nice try by the honourable senator. I probably would not be speaking a second time anyway, but I can tell Senator Phillips that I am not giving him any undertaking as to whether or not I would be disposed to speak on any motion when I have a right as a senator so to do. Therefore, as someone said, it was a nice try, but I give him no such undertaking.

Honourable senators, my view is that the Senate has a direct constitutional obligation to deal with this matter. It is provided that the Senate must introduce and deal with a resolution that considers amendments put before it. There are some other provisions, such as a six months' suspension, if the Senate does not agree with what is contained in that resolution, but I do not intend to get into that at the moment.

My problem with our failing to set up a committee of the Senate, as is called for in this resolution, is that we would not be carrying out our obligations. Senator Frith's speech dealt at some length with that matter, and I just finished re-reading that speech. I do not intend to raise all of those points, but I can tell you—and I might as well be frank about it in this debate—that I am not willing for the Senate to subject itself to the usual structure following from the difference in numbers between the House of Commons and the Senate, and therefore to be dominated by the House of Commons in carrying out our constitutional and statutory obligations.

Senator Murray: It did not seem to bother you in 1981-82.

Senator Frith: It was a different situation then.

Senator Olson: It was a completely different situation at the time.