

[English]

Hon. John B. Stewart: Honourable senators, this motion has been brought forward without notice. It is clear that it is out of order by reason of it being brought forward at the wrong time.

A motion can be moved without notice for the adjournment of the Senate for the purpose of raising a matter of urgent public importance before the house proceeds to the Orders of the Day. There are certain routine proceedings, very often relating to government business, that in the interest of this house should be dealt with before such a motion may be moved. It is not just the interest of the opposition that is at stake when a procedure that has the effect of pushing aside the important routine business is attempted.

Quite apart from the question of whether or not there is a matter of public importance requiring urgent debate, we do have this prior question, namely, that the proposal he has put before the Senate is, in fact, out of order at this time.

It may well be that later this afternoon, after routine proceedings, Senator David could go ahead with his motion, but I suggest it is out of order, particularly from the viewpoint of the government, that we put aside the well-established practice of dealing first with the routine proceedings.

Senator Ottenheimer: Honourable senators, in reply to Senator Stewart's submission that the motion made by Senator David is out of order because it is out of place, obviously, he is referring to the parenthetical part of rule 46(g), which states:

... (which the mover shall state on rising to speak) before the House proceeds to the Orders of the Day;

Senator Stewart: No!

Senator Ottenheimer: I thought the honourable gentleman said the motion had been moved at the wrong time because we had to go through other orders of business before we got to Orders of the Day, and that therefore other important matters might be precluded.

Honourable senators, I point out that under the heading "Order of Business" there are nine headings: Presentation of Petitions, Reading of Petitions, Reports of Committees, Notices of Inquiries, Notices of Motions, Question Period, Orders of the Day, and then two others. So the seventh order of business is Orders of the Day, but the standing order says:

... (which the mover shall state on rising to speak) before the House proceeds to the Orders of the Day.

It does not say which order of the day. There are nine orders of the day.

Senator Stewart: No, you are misreading it!

Senator Ottenheimer: That suggests to me that before one can get to the Orders of the Day, this is in order. It does not say "immediately after Question Period," which is item No. 6 on the Orders of the Day, but before item No. 7, which is Orders of the Day. It says, "Before the House proceeds to the Orders of the Day."

Senator David has certainly fulfilled the requirement in moving his motion before the Orders of the Day. The Hon. the Speaker did not call Orders of the Day. The motion has

[Senator David.]

certainly been made before the house proceeds to the Orders of the Day.

● (1420)

Hon. C. William Doody (Deputy Leader of the Government): Honourable senators, first, if honourable senators want to caucus for 10 or 15 minutes to talk about this matter, there is no objection from this side. I believe we would best be served by deciding to get on with this debate as soon as possible. I do not think it is in the interests of the Senate, or of the country, to pretend that this is not a matter of urgent public importance. We are deluding ourselves to think it is anything else. To hang this matter up on a procedural point will bring no glory to the Senate or its members. I suggest we adjourn for 10 or 15 minutes and then return to deal with the situation expeditiously.

Senator Frith: Honourable senators, I agree with Senator Doody that we should—

Hon. Len Marchand: May I have my say? I have been up and down for the past few minutes.

Honourable senators, this is hardly an emergency. I can understand the urgency, but it is hardly an emergency. The plight of my people is well known. Elijah Harper is the one who caused this to happen. He had the guts, the fortitude, and the foresight to stand up in that legislature—

Senator Simard: No, no!

Senator Marchand: —and stop the Meech Lake Accord. Elijah Harper and my people—

Senator Simard: Clyde Wells did!

Senator Marchand: If you are looking for a scapegoat, come to us. Blame us! Blame the Aboriginal peoples, because we did it! It is hardly an emergency. Our people have been left out of this country for 123 years. That is what that was all about. It is hardly an emergency now to stand up and say—

Senator Flynn: Take part in the debate.

Senator Marchand: —whatever you are intending to say. It is not an emergency, and I will not give my consent.

Some Hon. Senators: Hear, hear!

Senator Flynn: We are not in the Manitoba legislature.

Senator Frith: Honourable senators, I agree with my colleague, Senator Doody, that we should get to the substance of the question as to whether or not we are to have the debate. I agree that we should adjourn to consider the question. The only thing I ask be made clear before we adjourn, if the inclination is to do so, is whether we have heard all the reasons advanced as to why, to quote the rule, this is "a matter of urgent public importance" requiring the adjournment of the Senate. We have heard from Senator David and Senator Ottenheimer; in their opinion it is clear that there is a matter of urgent public importance to be debated, and that they cannot understand why everyone else would not agree with them. Is there anything else that should be considered in caucus on the question of whether there is at the present time