

form of a preamble, our practice to the contrary is too well established to be upset.

On the other hand, I am not satisfied that I should follow the precedent of allowing a preamble to include a lot of matter which would properly be part of the debate which would follow the motion. Therefore, without trying to split hairs at all, because I think there is a principle involved, even if the principle is only that the Speaker must do his best to draw the line somewhere between what may and what may not go in the preamble. I have come to the conclusion that the whereas clauses in this amendment are not objectionable in accordance with our practice, but that the inclusion of the eight quotations in one recital and of the two quotations in another recital are bad and should not be permitted to restore a practice which has not been followed since 1932 and only twice in our whole parliamentary history, as far as I can discover.

I remind you, Madam Speaker, that this ruling was made in 1961.

Therefore, my view is that if the amendment stopped after the figures "1960" in the second paragraph, so as to eliminate "as illustrated by the following ministerial statements" and the eight numbered paragraphs of statements then set out, and stopped again after the third recital after the words "Leader of the Opposition" so as to eliminate clauses one and two which quote further, the rest of the amendment would be admissible, according to our practice.

That is the gist of that argument.

Madam Speaker, you no doubt have had the opportunity, or will have, to compare the wording in the recitals and the "whereas clauses" which have been referred to in the ruling of Mr. Speaker Michener and in the "whereas clauses" contained in the motion before us. You are nodding, Madam Speaker, that you have had a chance to look at it. I am asserting and submitting respectfully to you, Madam Speaker, that what was offensive in 1961 is equally offensive in 1981 in this motion put by the President of the Privy Council (Mr. Pinard) and which we are arguing tonight.

If Mr. Speaker Michener was occupying your seat tonight, Madam Speaker, he would have to come to the same conclusion as I respectfully submit you must come to with respect to this particular motion because of the similarity of the wording. As you know, Madam Speaker, in the ruling of Mr. Speaker Michener there are numerous quotations and statements made. But the essence of it is that the reference in the government House leader's motion as to hours, speeches, speakers, the facts and the selection of them are basically argumentative. That was the argument put to Mr. Speaker Michener. He did not assert that you could not have a "whereas clause", he said you could not have a "whereas clause" of the very kind that is now contained in this motion being put by the President of the Privy Council.

I want you to note, Madam Speaker, and I would underscore it, what Mr. Speaker Michener said must be done in a case like this. He said:

Therefore, without trying to split hairs at all, because I think there is a principle involved, even if the principle is only that the Speaker must do his best to draw the line somewhere between what may and what may not go in the preamble.

What he is saying there is that you, Madam Speaker, are in charge of the proper practice and procedure in the House of Commons, not only to protect the rules and precedents of the House of Commons, but to protect the members of the House of Commons from abuses of the rules; and this motion, in my respectful submission, contains an abuse.

Point of Order—Mr. Knowles

I made reference to the date of Mr. Speaker Michener's ruling, being 1961. He recognized that in the preceding 20 years custom and usage had changed. The House of Commons evolves, and as it goes ahead it evolves in a positive way. We are now at a time, 20 years after the ruling of Mr. Speaker Michener, and I am putting to you, Madam Speaker, that the argumentative practices have fallen out of use even more than they had prior to 1961.

I referred to rule changes made in 1969 and what has occurred in the House of Commons since that time. Those rule changes completely changed the practice of the House of Commons in supply and ways and means motions. The practice has now moved even further away from the practice of 20 years ago. I give you the examples that there are now succinct motions on the budget, very succinct motions taken by the opposition parties on days allotted to them, on the Speech from the Throne, and the list goes on. We are now in the position, through the ordinary evolution of the rules of the House of Commons, where the argument, which the government House leader obviously put in for political purposes, is not permitted for procedural purposes. That is the difference. He can make those arguments when the merits of the motion are debated—I am not going to argue the merits of the motion tonight—but he cannot make them on procedural terms. I ask whether you, Madam Speaker, could imagine what it would be like in this House of Commons with 25 allotted days, with three budget motions, and with three throne speech amendments; particularly allotted days, if it were held that argumentative preambles would be allowed on these motions. I do not think there would be any busier person in the national capital than you, Madam Speaker, with respect to points of order arising out of them.

• (2050)

It is for very good reason it was decided that those matters should be dropped. They are dropped because they have been proven to be unnecessary and, as Mr. Speaker mentioned, are contrary to the principles that he, as Speaker—and I respectfully suggest that you, as Speaker—must uphold.

If I may repeat the argument on the second point, my proposition at that point was that in its wording the motion does not properly express an opinion of the House but, instead, is presented in the form of a conclusion to an argument. This seems to flow out of the first argument. The whole matter is presented as an argument and a conclusion rather than a proposition. I want you to note the recitals, the "whereas clauses" which I have mentioned, and then note the beginning of what purports to be the motion. It says: "Therefore, until the motion of the Minister of Justice (Mr. Chrétien) for an Address to Her Majesty the Queen, respecting the Constitution has been finally disposed of", etc. It contains no words which say "that this House resolves" that certain things will happen, or "it is moved that" certain things will happen. That is why the precedent in the citation which I quoted in support of it is absolutely important.