

the dignity and the apparent impartiality, in the opinion of some people, of the Speaker. That is the most important function in the House of Commons.

As was said the other day, the Speaker of this House of Commons is more important in the House of Commons than the Prime Minister (Mr. Trudeau), the Leader of the Opposition or any particular member. I must say on this point of order that it is important to the point that Your Honour has conducted herself with impartiality, with integrity, with wisdom and with patience over the last ten days.

**Mr. Taylor:** Flattery will get you nowhere.

**Mr. Mackasey:** Hon. members opposite do not agree. I am sorry they do not. I do not question their right to disagree, but I happen to believe that we are blessed with a great Speaker and that the last ten days has proved that.

**Some hon. Members:** Hear, hear!

**Madam Speaker:** Order, please. If the hon. member continues, he will embarrass me. He will be making a serious reflection on a member of this House.

Contributions to points of order should be kept extremely brief, and I ask that of the hon. member because others also want to speak.

**Mr. Mackasey:** Madam Speaker, I do not want to embarrass you with the truth, and I will not embarrass you as the hon. member for Edmonton West did by refusing to accept your instruction to sit down when you were on your feet.

If we are going to operate over the next week, two weeks or one month along this vein—it is quite conceivable we might—then surely to goodness all of us can understand the importance to the whole procedure of the role of the Speaker. We are lucky enough to have a good one. Let us not destroy her.

● (1630)

**Mr. Benno Friesen (Surrey-White Rock-North Delta):** I rise on that point of order, Madam Speaker. Just to be sure, you were addressing yourself to the question of privilege raised by the hon. member for St. John's East (Mr. McGrath) at a point when the hon. member for Saskatoon West (Mr. Hnatyshyn) and the hon. member for Cambridge (Mr. Speyer) were rising to speak on that question of privilege and you ruled that you had already heard enough on that question. With respect, I submit that the only way you could make that judgment is if in fact those two hon. members were speaking and adding nothing new, and with that in mind I respectfully request that you hear them to see whether they were simply being repetitive.

**Madam Speaker:** I am sorry, I cannot comply with the hon. member's request because I have already ruled on the matter. I guess it is implicit in my decision that I thought I was sufficiently informed and that some of the same arguments were surfacing, namely the constitutionality, legality and pro-

priety of a certain thing. However, I thank him for his suggestion.

*Point of Order—Mr. Hnatyshyn*

**Mr. Donald W. Munro (Esquimalt-Saanich):** I rise on the same point of order, Madam Speaker. If I heard the government House leader correctly, he said that the Right Hon. Leader of the Opposition (Mr. Clark) was advocating disorder in this House. That statement goes beyond normal political debate, because if there is anyone staying within the rules, it is members on this side of the House. That is quite clear. The only side of this House which is attempting to rewrite the rules and proceed with a matter which could be illegal is the government side. It is obvious, if you look at the motion, that at least in four instances the Standing Orders are to be either disregarded or rewritten. I do not think that it falls properly on the Leader of the Government to suggest that this side is being disorderly when the government is trying to rewrite the Standing Orders.

In light of a provincial supreme court's ruling that what we are doing here is beyond the competence of Parliament, and with two justices of another provincial Supreme Court having come to the same conclusion, there is at least the argument that what we are doing is of questionable legality.

**Madam Speaker:** Order. The hon. member is now arguing the substance of the question on which I just ruled. We are now on a point of order and I ask the hon. member to refer to that and not to the ruling.

**Mr. Munro (Esquimalt-Saanich):** The point of order was that on more than one occasion you have said that you are not called upon to rule on the legality or constitutionality of, or to give a legal opinion on, a matter under discussion; you backed away on those grounds and I think that is quite right. However, no one on this side asked you to give a legal opinion or make a ruling on constitutionality. You were merely asked to have a matter brought to the floor for a vote so that the issue could be referred to a committee for decision. With all respect, Madam Speaker, you are not being asked to make a legal ruling or one on a matter's constitutionality; no one would ever presume to do that.

**Madam Speaker:** It goes without saying that I dissociate myself from this debate, but I think I have to comment on some aspects of it and I wish to read to hon. members from Erskine May. Under the heading "Speaker's Discretion in Permitting Matter to be Raised", at page 346 it says:

As a motion taken at the time for matters of privilege is thereby given precedence over the pre-arranged program of public business, the Speaker requires to be satisfied, both that privilege appears to be sufficiently involved to justify him in giving such precedence (or, as it is sometimes put, that there is a prima facie case that a breach of privilege has been committed); and also that the matter is being raised at the earliest opportunity. If he is not so satisfied when the circumstances are first brought to his attention privately—

That is, when the hon. members give me written notice of their question of privilege. On occasion the Table officers have contacted hon. members to point out that they did not have a question of privilege and to indicate how they might otherwise seek redress, and some members have then decided to with-