

The Hon. the Speaker: It continues:

A wrong comprehension of it may have a serious effect on the freedom of speech. Members are often deprived of their right to speak on the pretext that their remarks are irrelevant when as a matter of fact they refer to matters perhaps remote but yet related, even indirectly, to the question under debate. In borderline cases the Member should be given the benefit of the doubt.

Having cited Beauchesne on this matter of relevancy of debate, I would like to take the opportunity—and this applies, of course, to all honourable senators on both sides of the house—to say that I am impressed by the great concept of freedom of speech.

Hon. Mr. Flynn: So I am.

The Hon. the Speaker: I think that we should leave it as it is for the time being. The honourable Senator Lamontagne has the floor.

Some Hon. Senators: Hear, hear.

The Hon. the Speaker: May I remind honourable senators that because some parts of Senator Lamontagne's speech may refer to certain political instances, he is not obliged to answer immediately all the questions that come from one sector of the house. He may take them as notice and answer them at the end of his remarks.

Hon. Mr. Flynn: He is not obliged to, but does Your Honour suggest that he will not try?

Hon. Mr. Lamontagne: Mr. Speaker,—

Hon. Mr. Grosart: On a point of order, would Your Honour inform the house if he is aware of any rule of the Senate that requires relevancy in debate?

The Hon. the Speaker: As I have said, this is the first time I have had to deal with the question of relevancy of debate. It is not an easy matter with which to deal. I have given some thought to it, and I was awaiting an opportunity to decide on a particular case.

Of course I will not come to a final decision before having heard experts on both sides, including the honourable Senator Grosart. However, this evening I hope it will be possible, without getting too deeply involved in this matter of relevancy, to hear the honourable Senator Lamontagne.

Hon. Mr. Grosart: With respect to Your Honour's reply, I am still wondering if Your
[Hon. Mr. Flynn.]

Honour is aware of any standing rule of the Senate that requires relevancy in debate.

Hon. Mr. Flynn: It is not a standing rule of the Senate, but a standing rule of logic.

Hon. Mr. Fournier (De Lanaudière): When we are dealing with matters of common sense, I do not think it is necessary that we have a written rule. If you are saying something that has no relevancy at all to the particular subject under discussion, then you are completely out of order, whether there is a written rule or not.

The Hon. the Speaker: May I now come back to the point raised by the honourable Senator Grosart. If I understand correctly, he is asking me to cite the rule under which this matter would come. I do not think there is anything in the rules on this matter of relevancy of debate, and in such circumstances the tradition is to rely on authorities.

May I suggest that at the present time we invite the honourable Senator Lamontagne to continue his remarks. I would appreciate, at the first opportunity, our going a little deeper into this matter of relevancy of debate.

The honourable Senator Lamontagne!

Hon. Mr. Lamontagne: Mr. Speaker, I certainly undertake to abide by your ruling but, as far as I am concerned, I believe I am perfectly within the range of this debate and within the purpose of this motion, because, if I understand its purpose at all, it is that Parliament, or at least one chamber of Parliament, should exercise more control over the executive in our system. In this executive sector there are people called civil servants. These civil servants and their powers have been referred to time after time during this debate by Senator O'Leary, Senator Grosart, Senator Thompson, and others, so I do not see why the honourable Leader of the Opposition should be so intemperate and impatient tonight. First of all, I have the impression that I have a perfect right to discuss these issues tonight, and, secondly, I do not think I am delaying the approval of any important legislation.

Hon. Mr. Flynn: No; the delay is due to me. I accept responsibility for the delay, but I suggest that you have opened up a new debate.

Hon. Mr. Lamontagne: I accept your word that up to now during my speech you have been pretty irresponsible. Let me proceed with my thesis. I think it is good to have this