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OFFICIAL REPORT
(HANSARD)

Thursday, March 16, 2000

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Thursday, March 16, 2000

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Gar Knutson (Parliamentary Secretary to Prime Minister, Lib.): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to three petitions, and I move:

That the House do now proceed to orders of the day.

[*Translation*]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I rise on a point of order. Yesterday, a rather unusual situation occurred, when a substantive motion was introduced in this House questioning the impartiality of the services provided to parliamentarians of our political party, the Bloc Quebecois.

The actions in question led us to take the most serious step possible in a parliament, a motion of non-confidence in the Speaker. While there is before this parliament a motion of non-confidence in the Speaker, something that has not occurred since 1956—it has been 44 years since such a motion has been tabled in this House—a motion amply justified by the abhorrent actions by the House of Commons administration in connection with the confidentiality of services provided to this party, yesterday, the government refused to debate this substantive motion.

It preferred instead, because the Liberal Party convention is starting, to run roughshod over Quebec with Bill C-20. There was a vote against Quebec yesterday in this House. Today again, the government is getting ready to run roughshod over this motion.

Parliament is in crisis, the Chair is in crisis, the entire institution of democracy is in crisis. The Liberal Party is using parliament as a partisan tool, on the eve of its convention.

What is going on in this parliament? Watching as things unfold, debating motions and bills, as if nothing were wrong. This historical institution of parliament is in jeopardy, and the Bloc Quebecois motion will not be debated. Do sovereignists no longer have any place in this House? Do the members of parliament representing Quebec—indeed 70% of Quebec is represented by sovereignist members—no longer have a place?

• (1010)

Does the fact that we have concerns about the Chair, that we are questioning the institution, that we are the victims of an unprecedented partiality of House of Commons services mean nothing?

Mr. Speaker, what message are you sending to Quebec? That it is more important to debate any old motion than it is to debate the issue concerning the Chair? Will the government members from Quebec allow scorn to be heaped for long on the right of Quebecers and on democracy in this parliament?

Yesterday, we had a discussion. I spoke to you outside the House. I respectfully put my point of view to you.

If the Parliament of Canada is not in fact a partisan instrument used by the Liberal Party, because the Liberal convention is coming up, and if the Parliament of Canada has an ounce of pride left, it seems to me that the Chair has full authority to decide that, in this House, we will not do as the government tells us, but will debate a fundamental issue.

Does democracy still have any meaning in this House? Are the individuals legitimately elected by the people of Quebec entitled to speak? Are they entitled to question the institution? Are they entitled to want to debate the question of impartiality? Are they entitled to debate their rights or is it more important to proceed to government orders?

In what kind of country are we living? What is going on? Does parliament no longer have any value? Have parliamentary principles disappeared? Is it that, because the government wants to get

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rid of the separatists in this parliament, a non-confidence motion concerning the Chair is unimportant? It is business as usual.

When the Speaker leaves the chair he is replaced. You have all the powers. You can decide. You, Mr. Speaker, can decide that we will discuss the real issues. You can tell the people of Quebec and the rest of Canada that you will not let this parliament become an instrument of the Liberal Party of Canada. You can tell Canadians that you consider the parliamentary institution more important than the Liberal Party convention.

We know this is embarrassing for the government. We know that it is a pain. We know that it is annoying to have to tell Liberal supporters "Parliament is in crisis. We acted in such a way that we will now have to debate a motion". We know that it is tedious, but it is a serious issue. Parliament is not at the service of partisanship. Parliament is here to allow parliamentarians to hold debates in a democratic fashion.

The reason for this institution to exist is that, over the course of history, people realized that conflicts could not be resolved through violence and that it was not possible to lead nations through a monarchy, with one person deciding and telling others what to do. People realized that it was necessary for their representatives to talk to each other.

There is a green carpet in this place, which is called the House of Commons. One day, it was decided that England's districts would be represented in a place where everyone would have the right to speak.

Do you know what distance separates both sides of the House? The length of two swords, plus a foot, plus an arm's length. Do you know why? Because people used to fight in parliaments. But times have changed. Today, we have an institution where it is possible to settle ideological differences in a civilized manner.

Issues must be settled democratically. But for the first time in years, actually for the first time in the history of this parliament, we have taken a giant step backwards, with members now being told that from now on in parliament decision are made by the government and the government alone. It is disturbing to the government to see separatists across the way, as if there were no separatists in Quebec. Half the people in Quebec are separatists and, the way you are acting, it will soon be three-quarters.

• (1015)

I must tell you that there is a political price to pay. I want the Speaker to know, I want this institution to know, I want the officials who are here to know. They are accustomed to democracy being respect and they cannot believe what is happening: they are being denied their right to speak, and they cannot believe the cavalier fashion in which this government is acting and its partisanship in reducing the Parliament of Canada to slavery. What is happening here is ugly, very ugly.

Everyone is outraged. I am outraged. People who are watching us are outraged. Quebecers are outraged. International democracy is outraged, because this will be known.

I know that there are democrats on the other side, people listening right now, and I appeal to their sense of democracy. It will become known in certain countries that the Parliament of Canada, which is challenging its Speaker, because the rights of an entire political party have been violated, does not wish to discuss the problem. It prefers to present a motion to proceed with the orders of the day. It prefers to pass a bill that will take away the rights of Quebecers. It prefers to consider a motion by the Progressive Conservative Party, which is very interesting in itself, I agree, but is completely out of step with what is actually happening here.

The institution of parliament is in crisis. Canada is in crisis and there is a price to be paid. I cannot believe that there are not members opposite who, deep down, agree with what I am saying.

Whatever my opposition to this country, if there is anyone who respects the institution of parliament, it is I. I have told my colleagues a hundred times that we must respect parliament because, when parliamentary debate ceases, when people believe that democratic expression is no longer possible, there is a serious problem.

Today, I appeal the government's decision. As the Speaker, as the guardian of my rights, as the guardian of the rights of this political party, as the guardian of the rights of all the opposition parties, as the guardian of the rights of all members of the House who are not members of cabinet, and as the guardian of ministers' right to speak, I ask you now to require the government to take the much more urgent route of a substantive, rather than an ordinary, motion.

If you fail to do so, if you fail to listen to us, Mr. Speaker, not only will you disappoint us, not only will you strike us a hard blow—we separatists will understand that we are not important in this parliament, that the vote of the thousands and millions of Quebecers who elected us means nothing here in Ottawa, and I did not think it had come to that—not only will you be denying the representation of all these members, but you will also be allowing an extremely sad message to be sent to international democracy.

The message will go out that the institution of parliament in Canada is in crisis and that it prefers to resort to motions.

That is inadmissible, and I can understand—I am speaking for myself, not for my party, but people might support what I say—that nothing more can be done in this institution. In every forum, I will explain it very ardently to Quebecers. I know that right headed federalists will find it sad that I should do so, but in all the forums in Quebec, in all the radio stations, in all the media, I will explain to citizens that nothing more can be achieved in the Parliament of

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Canada. Even though we have been elected, we are second-class citizens.

The fact that the rights of all these members are trampled on does not matter at all to the Chair. The members just have to deal with some motions about health or whatever, routine business. It just does not matter. The Bloc Québécois, which represents two thirds of Quebec, has been cheated. Our rights have been trampled on. We have been the victims of a process that carries for us a high political price.

We want to defend ourselves legitimately. We want to explain to citizens that the only tool we, sovereignists, have in this Parliament is our voice, the possibility to speak, to explain our views, to confront our ideas and to confront the government.

• (1020)

Clearly, Mr. Speaker, you are party to that situation. You, the Deputy Speaker, the Speaker and all those in position to make decisions—better let me speak, because I might as well tell you that this may be the last time I speak in this Parliament—are all accessories to this dubious manipulation. The Chair is now serving the Liberal Party. That is the message people will get if you fail to make a decision.

The Deputy Speaker: Order, please. I have given the hon. member for Roberval a lot of latitude in his remarks on the point of order he raised, because I must hear it. However, I think he is going a little too far when he suggests that the Chair is conspiring with the government on this point.

The Chair is here to rule on points of order. This is why I have listened to the hon. member. At this point, I would like to continue with other members and make a ruling. However, that ruling will be made in the context of our practices and the precedents of this House, which, no doubt, the hon. members will quote for me. As we must continue, I recognize the government House leader.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I do not want to talk too long on this matter, since it is a point of order. This is not a period of debate. I will limit myself to a few comments.

First, the government has no intention of letting such an accusation against the Chair sit for long on the order paper. It is of course not true. The government too would like to debate the charge, this motion of non confidence as it was put, in the very near future. I do not agree with this accusation, but we will talk about it again, and I am quite prepared to debate it.

However, I think you should be aware of certain facts. First, I intend to meet with the House leaders of the other parties. I would like to set a date in the very near future so we may purge the House of this accusation. As I have said, I do not agree with the accusation

at all, but I will debate it when the time comes. I think we could do so in the coming days, and I am prepared to initiate discussions with the other House leaders.

Today had been allotted to one of the opposition parties, not only as a matter of practice, but in keeping with our constitutional conventions of there being a number of opposition days—in this case, seven—before the budget votes to pay our employees' salaries, benefits to Canadians, social benefits and everything else we have to pay are concurred in.

An hon. member: Bring a tear to our eye.

Hon. Don Boudria: Mr. Speaker, pardon me, but a constitutional expert over there is offering us advice on the importance of opposition days and how they operate.

In the meantime, with the greatest respect for the institution and for the Chair, it is our intention, after I meet with the opposition House leaders, to put this matter on the order paper in order so that it may be debated, so that we may see the end of it. Today, however, I would like address the motion by the Conservative Party, this being a day previously allotted to that party. No doubt hon. members will recall that I had allotted Monday for it, moreover.

That is what I wanted to say to the Chair, but I certainly do not want to drag this matter out in parliament. When the motion comes before the House, I too will have the opportunity to make a big speech, and it will not be the least bit like the one we have just heard. It will of course differ a great deal. I will, however, give it only then, out of respect for the traditions of this House and the way we have to do things.

• (1025)

In the meantime, I submit that the motion as moved by the Parliamentary Secretary to the Prime Minister, is perfectly in order, that voting on it ought to follow immediately, that we should carry on our usual work day today, and that a meeting among the House leaders ought to be held, as I have just proposed.

[English]

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I appreciate the opportunity to speak to the motion which is before us on a point of order. I would like to draw your attention to Marleau and Montpetit, starting at page 365 under Routine Proceedings, and I quote:

The daily routine of business, commonly referred to as "Routine Proceedings", is a time in the daily schedule when business of a basic nature is considered, providing Members with an opportunity to bring a variety of matters to the attention of the House, generally without debate.

We have an issue being brought forward by a member of one political party that is perhaps uncomfortable for us to discuss here but nonetheless is on the order paper and will therefore have to be discussed.

Routine Proceedings

To continue, at page 369 of Marleau and Montpetit dealing with a precedent, I quote:

On April 13, 1987, the government attempted to skip over certain rubrics under Routine Proceedings when the Parliamentary Secretary to the Deputy Prime Minister moved that the House proceed from "Tabling of Documents" to "Motions" which, if carried, would have had the effect of superseding all intervening rubrics. The Speaker had ruled out of order a similar motion only a few months earlier. A point of order arose, a debate ensued and the Speaker reserved judgment.

This is exactly what is happening here today where the government wants to bypass Routine Proceedings because of its convenience and its desire, not the House's desire, and therefore this precedent I think applies specifically.

In his ruling Speaker Fraser expressed concern and in the end he ruled that the motion could stand but stand for that one time only. At page 370 of Marleau and Montpetit he stated:

—the House would be served best if the government were allowed to proceed, in this instance only—

The article finishes up:

He elaborated further that the decision was circumscribed by events for which the rules of procedure offered no solution and was not to be regarded as a precedent.

That particular issue arose because the government's agenda and the agenda of the House was being seized by various motions and issues that disrupted the proceedings of the House and the House could not do its business. That is not the case before us at the moment. The government can do its business. The government just does not want to handle the daily routine of business and issues being raised by members of the House.

I would like to draw to your attention, Mr. Speaker, some historical content that the House of Commons has to defend itself against the crown, the government. The Speaker is the person who speaks on our behalf as members of the House of Commons. The Speaker has to uphold the rights and privileges of us as members in the House against the crown.

We have before us a motion to pass by opportunities of members to bring to the House issues which they feel important. We have had the government House leader and the Parliamentary Secretary to the Prime Minister who represent the government dictating to the House that we will do their business rather than the business of the House. This is the issue, Mr. Speaker. You have to uphold the members, not uphold the crown. That is your duty and it is our privilege that you do so.

Government members have spoken about this being an allotted day and that these allotted days have to get through because we are coming to the end of the supply period. Without going into a great deal of historical reference, we know that allotted days are the final crumbs that we in the House have to debate the business of supply and the granting to the crown of supply in order for it to do its

business. It is the final few crumbs left on the table for us to hold the government to account.

• (1030)

Because it has squeezed that final few crumbs right to the end of the supply period and denied us during the normal period of supply the right to debate these issues, the government now finds that its agenda is constrained in order to allow us the few crumbs and rights that we have through allotted days.

The point is that you have a duty, Mr. Speaker, to uphold the privileges of the House against the crown. The crown does not want us as members to debate issues that we could bring up under Routine Proceedings. I ask you to rule the motion out of order.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I will be very brief with my remarks. To reinforce what my hon. colleague from St. Albert has just said, what we are debating, this particular point of order, strikes to the very essence of this Chamber itself.

Nothing could be more serious than when a political party brings a motion of non-confidence in the Speaker. I cannot imagine what could be more serious. Whether I, my colleagues or other colleagues in the House from whatever party agree with that particular motion is irrelevant. How could the House continue to do its business as long as that black cloud hangs over this place? We must deal with it.

For the government to move to bypass, to circumvent Routine Proceedings in the manner in which it has and to crack the whip on its backbenchers to get them to fall in line and to basically turn their backs on their own rights and privileges just to support their party and the government, is despicable, to be quite blunt.

If this were allowed to continue, as it did yesterday and as the government has moved to do today, I suggest that there is room for each and every member in this Chamber to rise on a point of privilege. It is our privileges that are being usurped by the government trying to wipe Routine Proceedings off the orders of the day and move to its agenda.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, some very good points have been made. I start out by saying that when, not if, the motion of non-confidence in the Speaker comes before the House, I do not intend to support that motion. That is, as the hon. member before me just said, irrelevant to the point which we are debating today.

I think there is kind of a natural tendency, and I give the government House leader the credit of thinking that it is a Tory opposition day and we do not want them to lose their day, et cetera. That is kind of a reasonable way of thinking, but the more I think about it, the more I hold to the view that I held yesterday.

I assumed that yesterday we would go through Routine Proceedings, get to motions and have the debate on the motion of non-confidence in the Speaker. That did not happen because we moved to go to orders of the day.

Again, that was related to the government's agenda. That was not related to any particular urgency with respect to Bill C-20, as I argued over and over again in this Chamber and in committee that there was no particular urgency that required that bill to be passed yesterday. By way of being consistent with my own views on this, I have to say that we now have a repeat of that situation.

The government House leader has suggested that perhaps the House leaders could get together and decide when this motion could be debated. At first glance I thought perhaps that was something for the House leaders to discuss. To the extent that that leaves it in the domain of the government as to when this will be decided, I have to say on reflection that I do not think that is acceptable.

• (1035)

What if there was a genuine atmosphere of non-confidence in the Chair, which I would dispute? Nevertheless, what if there was? Would we for one moment think that it would be appropriate for the government to put off resolving that matter? We would not.

I do not think it is the prerogative of the government, by virtue of this procedural manoeuvre of moving to go to orders of the day, to determine when it is that the House will be seized of a matter that is pre-eminently a matter for the House and for the Chair, and not for the government.

What happens between the Chair and the House is not a matter to be managed by the government. It is a matter to be managed between the Chair and the House. We have a procedure for doing that. We have Routine Proceedings and we have motions, and that is the time at which it should come up.

As for my colleagues in the Progressive Conservative Party, I know how I would feel if I thought my opposition day was about to be lost because of this. On the other hand, I think there is certainly an argument to be made for holding up for all time the right of the House to manage this kind of issue as opposed to the government and that would be a higher principle than preserving one's opposition day.

A very strong argument can be made based on some of the things that have already been said, but also based on the principle that this is something that should be dealt with at the earliest possible opportunity. It is something that should be dealt with on a timetable determined by the House and not by the government.

I know some people will say that it will be the House that will pass the motion to go to orders of the day and so the House will have spoken, and make that sort of argument, but we know full well

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that argument has its limits because it will be the government that will determine whether or not that motion passes.

Sometimes there are occasions when we should go beyond the quasi-political fiction that when the majority speaks the House speaks. There are some things that belong to the House in a sense that goes beyond what the majority can decide in terms of a vote, that have to do with the House itself, and that have to do with the relationship between the Chair and the House. I would just urge the Chair to take this matter very seriously.

It also looks or has the potential to look—and I do not think it is in the interests of the Chair or of the House to look this way—as if there is a reluctance on the part of the Chair to have this dealt with, and I do not think that is true. That is not the attitude that the Chair has toward this motion and certainly it is not the attitude that it should have.

Rather than creating the impression that there is any anxiety about that debate, it would be better in terms of precedent, procedure, the relationship between the Chair and the House, the prerogatives of the House itself and finally the perception of the Chair itself, to deal with this at the earliest possible moment pursuant to the procedures that we have established for this, that is to allow us to go through Routine Proceedings. It will be inconvenient for all concerned, but democracy is sometimes inconvenient, as we found out to our sleep deprivation in the last few days.

[*Translation*]

Mr. André Bachand (Richmond—Arthabaska, PC): Mr. Speaker, I will be brief. We have listened to all those who spoke on this issue. We have had a long week. We voted for 36 hours.

I believe that both these questions are very important. First of all, as some have said, we have to preserve what is left of our powers as opposition parties, that is to propose subjects and have a specific day to discuss them. However, it is equally true that a motion of non-confidence in the Speaker is also a very important element.

What happened here since the beginning of the week undoubtedly heated things up, so why not deal with both issues today? Why not ask the consent of the House to sit tonight and discuss the Bloc Québécois motion. We sat for nights to vote on a bill, so why not do our regular day of work and debate the supply motion and keep on sitting tonight to discuss this very important subject?

• (1040)

Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ): Mr. Speaker, the Conservative Party made a very interesting suggestion and I imagine you will eventually draw it to the attention of the members of the House.

Routine Proceedings

My colleague from Roberval has explained in very eloquent terms the philosophical, historical and political reasons why you should declare out of order the motion introduced by the Secretary Parliamentary to the Prime Minister.

With your permission, Mr. Speaker, I would like to take a few moments to go over some more technical considerations.

In the last few hours, we have had time to carefully read through some literature, namely Erskine May, Beauchesne and Marleau-Montpetit, to determine if there was actually something allowing a motion such as the one introduced by the government to have precedence over a non-confidence motion against the Speaker.

We found nothing which could justify a decision that a motion to proceed with the orders of the day has precedence over a non-confidence motion against the Speaker.

Yesterday, you made a decision. Some might argue that this decision was motivated by the fact that the House was subject to an order imposed by the government through the double gag procedure used Monday regarding Bill C-20 and that consequently, since it was on the agenda of the government and that there was only one day left for third reading, the Chair had no other choice and felt compelled by this order of the House to give precedence to the motion introduced by the government yesterday.

Earlier, the government House leader made some fallacious arguments to justify that we revert once more to Government Orders, though a non-confidence motion against the Speaker is on the Order Paper.

He said: "We have an opposition day. There are only a few left. We have little time for these opposition days, so we must hurry to allow every party to have its opposition day". The same government that pressured this House for close to four weeks to ram through Bill C-20 before the Liberal Party of Canada convention, thus using the House for purely partisan purposes, could easily have reserved a number of days for the business of supply. It did not do so. It resorted to partisan tricks to make the House do what it wanted and have Bill C-20 passed according to its own agenda.

Mr. Speaker, as I was saying, we consulted the appropriate literature. The books on procedure clearly state that a non-confidence motion concerning the Speaker takes priority over any other issue. The Leader of the Government in the House of Commons showed the true autocratic nature of this government a few moments ago when he said that the government does not intend to let this issue go on for very long. But it is not up to the government. It is not a decision that rests with the government. It is a decision that rests with the Chair. It is a decision that rests with the House.

Mr. Speaker, since you are the protector of the rights of each member of this House, the protector of the rights of the opposition, of the minority in this House, I urge you to deem the motion

presented by the Parliamentary Secretary to the Prime Minister out of order, *prima facie*.

● (1045)

The existing literature contains no reference, provision or precedent suggesting that the motion presented by the Parliamentary Secretary to the Prime Minister can take precedence over the non-confidence motion.

By contrast, as I said, there is every indication that the non-confidence motion must take precedence over any other issue, and I am asking you to rule on this, Mr. Speaker.

[*English*]

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, I concur with the hon. member from the NDP and with the hon. members from the Bloc.

We are supposed to be in a democratic society. We come here and the people expect that it will be democratic within the House of Commons. If there is a non-confidence vote then it is imperative that it be debated and debated by both sides of the House. All of us, every person who is here, should have a say in that.

This is a very serious situation. If we were not allowed to do that, if we were not allowed to debate it, then the people of Canada would probably say—maybe we want to do this; who knows—that they are taking all the Liberals out in the next election if we do not have an opportunity here to show that their voices have been heard. That is for sure.

Hon. Don Boudria: Mr. Speaker, there might be disposition to an agreement that is developing. I would like to have the actual wording of it in a few minutes, but the general understanding, to express it right now, is that at the conclusion of Government Orders this afternoon the House would not proceed with the private member's item, that debate on the motion in the name of the leader of the Bloc Quebecois would commence at that time, that the debate would conclude at 11 p.m., and that it would be followed by a 15 minute bell and a vote.

I think that is the general thrust. I would put that in the form of an official motion. I seem to note general agreement for that across the way. If that is the case and if there is an understanding that would be the case, we would be prepared to withdraw—

The Deputy Speaker: I will assist in this matter at once. I am quite prepared to suspend the sitting for a few minutes to allow discussions to continue.

The Chair wishes to consider its position in light of the submissions that have been made by the hon. member for Roberval, the hon. member for Prince George—Peace River, the hon. member for

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Winnipeg—Transcona, the hon. member for Richmond—Arthabaska, and the government House leader.

[*Translation*]

This is a very serious situation. The Chair has taken note of everything that was said and I would like to thank all members for their assistance.

SITTING SUSPENDED

The Deputy Speaker: Therefore, I will now suspend the sitting to the call of the Chair.

(The sitting of the House was suspended at 10.48 a.m.)

• (1110)

[*English*]

SITTING RESUMED

The House resumed at 11.10 a.m.

* * *

BUSINESS OF THE HOUSE

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there have been consultations and I think there would be consent for the following motion. I move:

That the motion in the name of the Parliamentary Secretary to Prime Minister be withdrawn;

That the House proceed to Motion No. 59;

That no later than 6.30 p.m. this day, all questions necessary to dispose of Motion No. 59 in the name of the member for Laurier—Sainte-Marie shall be put and a division or divisions be deemed to have been requested, provided that the division or divisions may not be deferred and the division bells shall ring for 15 minutes and provided that Members Statements and Oral Questions shall also be held today at the usual times.

I understand that if we did not have that in the motion we perhaps would not have question period. Further:

That the allotted day previously scheduled for this day be held tomorrow, March 17 and that any vote requested on the allotted day be deferred until Tuesday, March 21 at the conclusion of Government Orders.

[*Translation*]

The Deputy Speaker: The House has heard the proposal of the government House leader. Is there unanimous consent of the House to allow him to move this motion?

Some hon. members: Agreed.

Mr. Michel Gauthier: Mr. Speaker, I agree with the motion, but I want to ensure there still will be an oral question period at the expected time.

Hon. Don Boudria: Of course.

Mr. Michel Gauthier: Fine. I had not understood that.

The Deputy Speaker: Is there unanimous consent of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

[*English*]

The Deputy Speaker: I want to thank all hon. members for their assistance in coming to this arrangement. I also want to say that with respect to the debate that is about to then happen I want to urge all hon. members to conduct themselves in accordance with the very best traditions of parliament. I would like to cite, if I may, from Redlich, *The Procedure of the House of Commons*, something about such a debate. It states at page 146:

The rules prescribe that due notice of motion must be given that on some future day a vote of censure upon the Speaker will be moved. It need hardly be said that such an event is abnormal and happens but rarely, and that such a motion would only be acceded to by the House if the circumstances fully justified it. . . . it would appear seriously to undermine the exalted position and dignity of the Speaker if, in addition to his application of the rules being open to challenge upon special and important occasions, it was competent for every member to call in question the Speaker's authority whenever he chose, and if he was liable at all times to be called upon to defend the correctness of his decisions.

I commend these words to all hon. members.

* * *

• (1115)

[*Translation*]

HOUSE OF COMMONS

THE SPEAKER

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ) moved:

That this House resolve that it no longer has confidence in the Speaker, since it is of the opinion that he showed partiality in deciding that the question of privilege raised by the honourable Member for Rimouski-Mitis on Wednesday, March 1, 2000, was unfounded and in rejecting the point of order raised by the honourable Member for Beauharnois—Salaberry, to the detriment of the rights and privileges of all the Members of this House.

Mr. Stéphane Bergeron: Mr. Speaker, I would like to point out that the hon. leader of the Bloc Québécois will share his time with the hon. member for Roberval.

Mr. Gilles Duceppe: First of all, Mr. Speaker, I would like to make some remarks before dealing with the fundamental issue.

I want to thank all opposition parties for making the government understand the necessity of debating this issue, even if today marks

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the launching of the Liberal Party convention. I want to thank more particularly the PC members who agreed to postpone their opposition day.

I think that, in doing so, they are showing a deep respect for this institution. I cannot really say the same about the behavior of the government party so far.

Here is my second point. Some people claimed that we tried to use this motion as a tactic to delay debate on Bill C-20. This is totally ludicrous; this argument is not valid because we proposed to submit to the Standing Committee on Procedure and House Affairs two cases that, according to us, are still in contravention of the procedures of the House.

If the proposal submitted by the hon. member for Rimouski—Mitis had been accepted, the debate on Bill C-20 would not have been delayed, we would not be debating this matter today, and there would have been no motion. We do not want to point fingers or to make heads roll, we only want to help this Parliament work in a better way and to make all its members feel as equals, because this is what they are and because there are no members more equal than others. This is basically our position.

Let me remind you of the facts. This fight over a bill negating democratic rights in Quebec, Bill C-20, has been very emotional. There was no reason, except the Liberal convention, to ram this bill through the House. And it is because of this that the House is now in this predicament.

Not only has democracy in Quebec been under attack, but even the process has been interfered with. Fanaticism has reached new heights. The quality of debates in this institution and even the very possibility of having debates in this place are stake.

We submitted a substantial number of amendments. Many of them were ruled out, and we did not object. To our great surprise, however, two amendments we had not even submitted were ruled out of order. It is a bit surprising to get a ruling before one's case has been made. We had a hard time understanding what was going on.

This raises the issue of the basic principle of confidentiality in the dealings between members of the House and the legal counsel who are there to serve them. How can the House make a ruling, how can it have knowledge of an amendment we intended to submit but did not? But we did get a ruling. We think this is a serious matter, and that the whole situation should be looked into.

● (1120)

The second item is the 144 or so amendments which we brought forward. After we had tabled them, we were told by House officials: "They are not in order because they contained the word sovereignty." According to them, this is an ill-defined concept which has nothing to do with Bill C-20, which speaks only of

secession. Very well, we said, we will change "sovereignty" to "secession" in all these amendments in order to reflect the advice we have been given.

This we did, and the decision was the same. Now we are beginning to wonder. Either we were badly advised, intentionally or not, but we followed that advice, and this reflects on the quality of the services provided. Or we were properly advised and they did not think we were going to use the word "secession", and logic had nothing to do with it.

The only logical thing to do, if it can be called logical, was to reject them. Otherwise, there was a risk that Bill C-20 would not go through this week, and what is most important for this government is not so much this bill as the convention of the Liberal Party of Canada. We are well aware that the Prime Minister wants to arrive with the bill in his pocket, not with some scandal floating around. Neither goal was achieved.

This is why we challenged these two decisions and told the Speaker that it was vital that they be reconsidered. We opened the door, as we have always done since our arrival here, because we respect this institution. We will always remember as a fundamental and historical lesson on what a parliament is this maxim used by our anglophone friends "We have to agree on how to disagree". We totally agree with that.

We are not here—it is hopeless, even if it would be nice—to try to win people over to our side, but rather to represent those who elected us. That is our job. We must use the debate to shed some light on the situation and to see to it that even those who do not agree with us as well as the people in general better understand where we are coming from. I think it is a very democratic way to proceed.

We left a door open in suggesting that this matter be referred to the Standing Committee on Procedure and House Affairs. I remind members that this would not have delayed the debate on Bill C-20 and would have corrected the situation with regard to the debate on Bill C-20, but it would have given us a way to see to it that such a situation does not occur ever again.

I still have difficulty understanding why this door was slammed shut after we had opened it. As I said when I moved this motion, I wished I did not have to do such a thing because I have learned, over the years, to work with the Speaker. We have had a good relationship so far. I hope that, despite all that has happened, it will be possible to restore this relationship because the door is still open.

This is not just about you. It is about this institution. It is about our rights. It is about the rights of all members. We cannot accept that the clerks, for example, can make a ruling because they are aware of our intentions because of the amendments we want to

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propose, whereas this is not the case for ministers. They have their own legislative counsel. We become aware of their amendments when they appear on the Order Paper.

There should not be a treatment for the ministers and a treatment for the other members. That, in my opinion, is fundamental. I am not saying that there was malice or not, but that there is a problem. And when there is a problem, it is our duty to deal with it, and the more so if there is an element of doubt hanging over the institution's impartiality. What we want is to improve the climate of debates.

• (1125)

We know that debates are tinged with emotion, but in spite of all the emotion involved, we must be sure, not at 50%, 60% or 70%, but at 100% that everyone of us here is equal. We must be 100% sure that our mechanisms are good. However, when we see that these mechanisms are not working properly, it is imperative that we correct them. That is what was proposed in the question of privilege raised by the hon. member for Rimouski—Mitis, and in the point of order raised by my colleague, the member for Beauharnois—Salaberry.

In both cases, we were wondering about the reasons why the Bloc members came to feel sure they had been treated differently, without suggesting that it was due to malice. That is something the Standing Committee on Procedure and House Affairs could have examined. That could have been decided as soon as Monday.

I will end my remarks on that note and let my colleague, the member for Roberval, complete our representation and explain the situation. I remind you, Mr. Speaker, in all friendship, that we have to settle that question, and that is the question that matters to us. This is what matters to us.

The Speaker: The debate will proceed as follows: to start with, there will be 20 minute speeches followed by 10 minutes for questions and comments. As we heard earlier, the hon. member of the Bloc Québécois will be sharing his time with the hon. member for Roberval.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I join the leader of the Bloc Québécois to thank members of the opposition parties, who accepted this debate, which is of paramount importance to us, and made it possible.

The questions I would like to ask at this time are: why is there a parliament and why are we here today? Why have we been elected to this parliament?

Parliament was not created to be used by the government or the monarch but to serve the people. Parliament is much more ancient than democracy; at the time of the monarchy, it was decided to bring together elected representatives of the people to act as a check and balance, give advice and tell the king "We like this, but

we do not like that". The voice of the people could be heard through parliament.

Parliament was never meant to be used by the king, the monarchy or the government. Parliament's role is not to support the government. Its role is to express ideas and to serve as a check and balance to the huge powers of the executive. This is why ministers and the Prime Minister have to answer questions by the elected representatives of the people every day. It is a normal process. We call it democracy, and this is what gives it strength.

The government, before making important decisions, must submit to a public debate and face all members of parliament. This process allows us to improve legislation; it is the fundamental difference between a monarchy or a dictatorship, where decisions are taken and imposed from the top down, and a democracy, where the government does not have all of the power. Of course, it does have the power to manage the affairs of the country, but this power is subject to public debate.

For the government, there is a political price to pay when decisions are taken. This is what democracy is all about. This is what we are doing here. I hope that members understand that they have an important responsibility to express views that differ from the ones held by the government, since government members are bound by the principle of cabinet solidarity.

• (1130)

Opposition members are here to express points of view. This is why society has been able to solve problems without fighting. There is no more bickering, no more war; we do not fight any more, we debate. We have found a civilized way of expressing points of view.

It is all very well for those who have the majority to rule, but they will have to pay a political price for their actions. If those actions are not good, then parliament can debate them. It alerts the population. The media are an integral part of the democratic process and they ensure that our decisions, our debates are made known to the public. This forces the government to improve its legislation. It restricts the scope of the government's activity. It does not give the government all the power because parliament acts as a check and balance.

There are three principles underlying parliament. The first is that parliament is totally independent from the executive. Parliament is where the people are heard. Parliament should not have to serve the executive. Parliament is not the servant of the executive; it is rather a check and balance to the executive. The second principle is that the Speaker has to be neutral.

Mr. Speaker, I tell you this sincerely. I consider that you have always made very high quality rulings in this House. I wanted to say this to you during this debate. The Chair must maintain this neutrality at all cost because the Speaker is the one who protects

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me. He is the one I called upon this morning, asking “Does our presence here mean something or not? Just because we are separatists, does that mean we do not have the right to speak?” It is up to the Speaker to protect me, give me the right to speak, allow me to put questions to the government and make my point of view known. You have always done this admirably.

The third principle is the one of confidentiality regarding everything going on here. Every political party has the right to work in full confidentiality, to avail itself of the services of the employees of the House, who serve us admirably. We call upon the Clerk, we call upon the Sergeant-at-Arms, we call upon the whole staff that works here, and we always get impeccable service. We are entitled to such service.

Those with a long career in parliament know that their first duty is to set aside their political opinions and be as generous with a separatist—even though we are in the federal parliament—as with a government member. They have always done so admirably.

But a problem has occurred. There has been a breach of the principle of confidentiality and openness with respect to a political party, in doing its job; as a result of administrative measures taken in the past, and to which we subscribed in good faith, the confidentiality of the services of the legislative counsel who is here to serve members, be they members of the Bloc, Conservatives, members of the Reform Party, New Democrats or even Liberals, has come under question.

The work of the legislative counsel must be absolutely non-partisan, and entirely confidential. He is a person who works selflessly to allow members to put their point of view across, draft a bill, or draft amendments. All this is in the realm of political strategy, it is a sensitive issue, it is hard to do. It is a sensitive issue because the legislative counsel must abstain from expressing his own opinion. He has to be an expert at the service of MPs of all political stripes, and that is hard to do.

The way the work is organized has, however, resulted in a situation where their proximity with the clerks of the House of Commons, and the fact that the computer, a new working tool, now allows people to access anything that is being worked on, has led to certain elements of the Bloc Québécois strategy—and it could just as easily have been the Reform, the Conservatives or the NDP—being used in good faith by someone wishing to expedite decision-making on whether to accept or reject amendments. This is what the Speaker has to do, and a number of people are involved in it.

• (1135)

What I wish to say is this. Unfortunately, a problem arose. It has now been realized that this close proximity means that confidentiality is no longer assured. One of the basic principles of parliament is right of access—and I know that the Liberal members across the floor are completely in agreement with me—to non-partisan technical assistance.

This is why I believe you need to reconsider the ruling that was made, perhaps a little too hastily, or perhaps without all aspects being presented. I would ask you to reconsider this decision, because it is fundamental and it concerns one of the principles of parliament.

Everybody will come away from this motion with their head a little higher if you make one of the following decisions.

The first would be to re-establish the matter of confidentiality by changing our current procedure, which no longer ensures confidentiality for us.

The second would be to provide resources directly to the parties to enable them to have their own legislative counsels to ensure their data will not be disclosed again. Otherwise, we will have to assume that confidentiality is no longer valued by parliament, and I know that this is not the case.

Mr. Speaker, I would be very happy to propose the withdrawal of this motion or to vote against it if you honestly agreed to give the principle of confidentiality its full due. Administrative changes are required: either the parties must be given their own legislative advisors or this matter must be put before the Standing Committee on Procedure and House Affairs for its consideration and recommendations.

This is what we are asking you, it is the aim of the motion. I am sure that, in your usual wisdom, you will consider our remarks to be extremely serious and intended to serve parliament and nothing else.

In concluding, I move:

That the motion be amended by adding after the word “Beauharnois—Salaberry” the following:

“on Friday, March 3, 2000,”

This is simply to make it clear that the matter was raised then. I consider it important to add it. It does not change the substance.

I would ask you to consider our request with your usual open-mindedness and you will have our full support. But it seems to us something must be done to ensure confidentiality.

The Speaker: The amendment is in order.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I would like to say, as is the custom, that I am pleased to take part in this debate, but it would be an exaggeration, because a parliamentarian cannot be pleased to take part in this kind of debate.

This is a very serious debate. Personally, not only do I see no reason to have such a debate today, but I also think that the Chair has always acted in a proper and totally impartial manner in this House.

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When the member presented this motion to the House, he said that the rights and privileges of all parliamentarians were at stake, as well as democracy itself and the confidence that all members must have in the Speaker.

• (1140)

I agree with the member, probably only to the extent that the motion concerns the rights and privileges of all members, and also the principles of democracy.

First, I would like to talk about political objectivity and impartiality. I do not intend to review the points that are being disputed but rather to stress the impartiality of the procedure and practices followed by our Speaker.

In the ruling you issued in March on the point of order raised by the member for Beauharnois—Salaberry regarding motions on amendments relating to Bill C-20, you pointed out that the decision was made, and I quote:

—from a strictly procedural perspective—it [the decision] was made in accordance with the traditions and practices of this House.

As for the question of privilege raised by the deputy House leader of the Bloc Québécois relating to the issue of confidentiality of the information between the legislative counsels of the House and the members of parliament, the Speaker concluded, and I quote:

—there is no mention of any breach of confidentiality whereby the text of proposed motions of the hon. member or her party has been made known to persons working outside the field of legislative support operations or to other members. Confidential information proprietary to the Bloc Québécois and several of its members remained completely and absolutely confidential.

Certainly, no one can claim that members of the other political parties received copies of these motions. I still do not know what they contain.

Mr. Speaker, you continued as follows:

Consequently, I am unable to find that this constitutes a prima facie question of privilege or a contempt of the House.

In other words, Speaker's rulings were made with respect for the impartiality of your position and for the rules and practices of the House of Commons of Canada.

Members often disagree on the content of a piece of legislation—there is nothing unusual about that. In fact, there is a whole group of people in our society who do nothing but differ on the interpretations to be given to legislative documents. They are known as lawyers, and that is how they earn their living. There is therefore nothing strange about lawmakers sometimes differing in their interpretations.

We can also disagree on the wording of the Standing Orders. But there can be no disagreement about the impartiality of the Speaker,

about the impartiality of the personnel who support the Speaker, and about the impartiality of the Speaker's rulings.

Of course, we have a proud tradition of impartial speakers. You are such a speaker, and your predecessors were as well. As I am fond of telling my colleagues in the House, I have been around this building for many years. I began working here on October 25, 1966. Many of my colleagues were much younger when I first entered the House.

Even in the days when my duties were very different, I sat in the gallery so as to listen to the debate and the rulings of the Speaker at the time, the late Lucien Lamoureux.

• (1145)

I attended his funeral in Aylmer, Quebec some time ago. He represented the riding of Stormont—Dundas, now so ably represented by the chief government whip.

Later on, I heard the rulings of Speaker Jérôme and of Speaker Sauvé, who later became Her Excellency the Governor General, as well as those of Dr. Lloyd Francis, John Bosley and John Fraser, not to mention yourself, Mr. Speaker. This does not mean I was always in agreement with the Speaker's rulings, far from it, in fact.

Sometimes rulings are brought down, which do not please this side of the House or on the other, but that does not mean the rulings I did not like were partisan and in favour of the other side of the debate in question. That is not the same thing. The differentiation must be made.

Mrs. Pauline Picard: That is not what the problem is.

Hon. Don Boudria: Some hon. members are saying that is not the problem, or the issue.

Yes it is, actually, because what we have before us today is a motion of non-confidence. This is not a debate about whether members ought to have additional privileges, whether there should be legislative counsels for each party. That is not what we are debating today. It ought to be, but it is not. What we have before us is a motion of non-confidence in our Speaker. That is what we are debating.

The duties of the Speaker of this House date back to the creation of the institution. We have taken our inspiration from the British tradition, dating back to at least 1376. At that time, the Speaker of the House of Commons was the spokesperson for the House to the Crown, as is our Speaker today.

A few days ago, Mr. Speaker, representatives of the various political parties accompanied you in presenting the engrossed Speech from the Throne to Her Excellency. This presentation of the throne speech is a highly symbolic gesture, and one which lets us

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know that you are indeed still the representative of this House to Her Majesty, and in the Canadian context, to Her Excellency the Governor General.

Upon taking up your post, you stated in this House that you were its servant, not its boss. That is true. You have powers that were vested in you by us all. You have powers that we have given you.

Moreover, our parliamentary traditions, in recent years at least, have changed the procedure for electing the Speaker of the House, precisely to increase the confidence that we all have in the Chair. Mr. Speaker, you were elected twice by your peers in this House, by secret ballot.

You are not the Speaker of the government, you are not the Speaker of the Liberal Party, nor are you the Speaker of the Reform Party or that of the Bloc Québécois. You are the Speaker of us all. We all chose you. This is my position in this debate and I hope that I am reflecting the views of all those who sit here and who, after careful consideration, may decide to give you their unanimous support later on today.

• (1150)

Perhaps additional services could be provided to parliamentarians. Perhaps we, in this House, could decide to organize the legislative services differently, perhaps not. These are all important issues—

Mr. Bob Kilger: Administrative issues.

Hon. Don Boudria:—administrative issues, as the chief government whip rightly pointed out. We could also change the rules of the House. But, of course, the Speaker will never change our rules. He interprets them, he is our servant. It is up to us to change the rules and to ask the Chair to administer them for us. This is how things must work in a parliament.

As we speak, a House committee is considering changes to the rules. This was precipitated somewhat by the hundreds of amendments that were brought forward at report stage but, at the same time, the committee is considering all kinds of possible changes to the Standing Orders of the House of Commons. There is also the Board of Internal Economy, on which I and the chief government whip sit, under Your Honour's chairmanship, as do members of other political parties.

If we want to, we have the necessary tools to increase services to members if there are deficiencies in that area. The members opposite maintain there is some kind of lawyer-client relationship with the legislative counsel. Nowhere is this written. We could very well decide that it will be so in the future, not retroactively, but it would be possible for each party to have its own legislative counsel or its own legislative services, which would then be assessed by someone acting on behalf of the Chair. If that is what we decide to

do in the future, fine. I am prepared to join this consensus or at least to debate the issue at the Board of Internal Economy and to change the rules if necessary.

But the Speaker of the House should not be blamed for any perceived deficiency in our services. I am not even sure a deficiency does exist. At any rate, any service we do not have here in parliament was certainly not taken away by the Speaker. That is for sure.

You know full well, Mr. Speaker, that at the start of your mandate we, those of us sitting on the Board of Internal Economy, tightened up the services available to members. We did away with some, but, once again, it was not you who took them away; it was I, he, the others on the board representing our various caucuses.

You chair the meetings, you seek consensus and, of course, you and your staff, who are highly qualified and who work faithfully for us, recently day and night, help put in place the services available to all members, as voted on by us all together. I have a hard time understanding, in fact I do not understand at all, why discrepancies at that level could be considered your responsibility.

To summarize very briefly, I think, Mr. Speaker, and it is my firm conviction that, first, your rulings are fair. I am convinced you are not involved in partisan politics. You are fair and therefore not partisan.

• (1155)

What some of our colleagues are after does not involve confidence or non-confidence with respect to you, Mr. Speaker. If members wish to refer this matter to a committee of the House, to the Board of Internal Economy or an ad hoc committee comprising the leaders, I would willingly sit with my colleagues.

In the meantime, I would ask, at the end of today, that one of them rise and, in a symbolic act, seek unanimous consent to withdraw this motion. In according you this unanimous consent, Mr. Speaker, we will be in a way expressing our full confidence in you, something I have always had in you and which I hope we all have both in you and in the manner in which you acquit yourself of your duties.

[English]

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I would like to direct my hon. colleague the government House leader to this issue.

The Reform Party of Canada as Her Majesty's official opposition feels that this particular issue is one of the most important issues that can ever be brought before this Chamber. We have already heard a number of members refer to the need for the impartiality of the Chair. Debating this issue is of supreme importance. The Speaker of this place is tasked with the job of upholding the rights and privileges of each and every member equally.

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In debating this issue among Reform Party members it soon became apparent that the only way to address this was to have a free vote. If there was ever a reason to have a free vote on an issue, this one would be it, rather than taking a caucus position as we often do when we debate other issues, because of the importance that we have placed upon the Speaker's position.

The Speaker is tasked with upholding the rights and privileges of each and every one of us. Each and every one of us should be called upon to grapple with his or her conscience, with his or her projection of whether you, Mr. Speaker, have always acted in an impartial manner over the past number of years. We came to the conclusion that each member would have to make that choice for himself or herself.

I would ask the government House leader if it is his understanding that the Liberal members in this Chamber will be doing likewise.

Hon. Don Boudria: Mr. Speaker, the issue of internal party discipline is very interesting. I have no idea what it has to do with the debate at hand.

We could exchange with members across the way which party kicked out more members than the other party. It could go on for a long time. There are remnants of that scattered all over the back row on that side of the House. I do not know what that would accomplish. I recognize the hon. member is the whip for his party but he is asking me a question for a whip. I am not the whip but perhaps he will participate in the debate later.

The most important thing for us to remember is twofold. First let us not trivialize this in that manner. I do not think we should do that. Second, we should all remember that there was a free vote. There were several. In 1993 the votes were so free that we had a rather curious situation of a tie. After several votes, and then a subsequent vote, each one as free as the previous, it resulted in the excellent choice of you, Mr. Speaker, to hold the high office which you now hold.

● (1200)

Again, in 1997, not only were the votes free but they were secret. We did not even know who was first or second after we voted. The only thing we knew was who was last because that person was eliminated from the ballot. Through all these votes we arrived at the choice of Speaker, a choice of which I am personally very proud. I hope that I am saying what all of us, or nearly all of us if all of us is not achievable later today, will also say.

That is the important issue in this debate today. We are not discussing what whip is bigger than the other whip. We are discussing whether or not we have confidence in the Speaker, and I do.

[*Translation*]

Mr. René Laurin (Joliette, BQ): Mr. Speaker, I would like the hon. government House leader to explain what he means by his remarks.

What we are seeking today is not additional services from the House legislative counsel or clerks. We called for changes because there arose a situation which gives us cause to believe that there has been a breach of the confidentiality we expect. Information was passed from the legislative counsel to the clerk. In his ruling, the Speaker tells us that this should be seen as a normal state of affairs, something to which we were not accustomed before because it was not the situation then.

The Speaker having told us this, we no longer trust the team with whom we are dealing because there has been a loss of the confidentiality we need. It is a fact that amendments we had discussed only with legislative counsel were rejected, meaning that this information—we clearly had proof—had been passed on to a clerk. So this is one occasion on which we have good reason to lose faith in the existing system.

Furthermore, if, pursuant to the ruling of the Speaker, it is a normal state of affairs that the clerks should work with the legislative counsel within the allowed framework, the same situation occurred when we were advised to use the word secession instead of sovereignty. Which we did. If the legislative counsel works jointly with the clerk, they should have been in agreement. We did what we were told and, at the end of the day, over one hundred of our amendments were turned down, just because we did what we were asked to do.

We believe that sometimes the clerk works in co-operation with the legislative counsel, and other times, he does not seem to do so. Where are the confidentiality and the trust we are entitled to? This is why we introduced a non-confidence motion. I would ask the clerk—we are not asking for the Speaker's head—to make sure this does not happen again. We have nothing against the current Speaker, but we are opposed to situations that result in our being unable to work in total confidence.

If the government House leader is willing to change his mind on this, I will point out to him that we had already suggested that this motion be referred to the Standing Committee on Procedure and House Affairs for discussion. If this had been accepted, we would not be having this debate today. But it was turned down.

Hon. Don Boudria: Mr. Speaker, it takes some twisted logic to reach the conclusions I have just heard from the hon. member across the floor. The non-confidence reads as follows:

That this House resolve that it no longer has confidence in its Speaker, since it is of the opinion that he showed partiality—

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This is what is in the non-confidence motion. If it were the type of motion the hon. member has described, then it would not be a non-confidence motion, but something else again. Coming from the members, a motion could be formulated along these lines “That this House change the organization of its legislative counsel; or that this House change the method by which legislative counsel interacts with the clerk” or some such thing.

• (1205)

This is an interesting debate, but it has no connection with the non-confidence motion. That is why I am saying that, at the end of the day, this non-confidence motion might be withdrawn, because it is the wrong approach.

If the objective is what the hon. member has just described to us, I hope he and his colleagues will ask the House to withdraw it. This gesture of unanimity—for it will require unanimous consent to do so—will in itself express the confidence we have in you.

Second, the hon. member’s response to another part of the question is “It is not a debate about getting extra resources”. Well now, I am quoting the hon. member for Roberval, who was speaking about getting the necessary resources; I quickly jotted down what he was saying. That may not have been the purpose of the motion as moved by the hon. member for Laurier—Sainte-Marie, but the member who shared his speaking time referred to this as one of the reasons why this non-confidence motion was before us.

I am therefore asking the hon. member to look later on at today’s *Hansard* to see what his own colleagues had to say, because that is exactly what this is all about.

I will be affirming my confidence in you later on today, Mr. Speaker.

[*English*]

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, normally when I rise to my feet I say it is a pleasure to address the House. While it is a privilege today it is not particularly a pleasure that we have to debate this motion, but debate it we must at this time. Before I start I would like to mention that I am splitting my time with the member for St. Albert.

So far the speakers I have heard have skirted the real issue we are debating today. I do not really believe that the members did not like your ruling because of the confidentiality issue that is in the motion. I do not think that is it at all, because we dealt with the same issue back in the previous parliament when the member for Yorkton—Melville brought forward almost an identical concern of confidentiality of legislative council. He brought it to the attention of the House at some length in a detailed presentation to the Speaker. At that time there was a ruling on that, and I did not see any of the Bloc members rising up in arms over it. You dealt with it, Mr. Speaker, gave it a ruling and we moved on.

I still believe we need to address the issue of confidentiality. I believe we need a change in the standing orders but that can be done and should be done in committee. It should be brought back for all of us to agree to, and I think we can do that readily.

It is not really about the confidentiality issue. It is not because the clerks and the staff have not done their jobs properly. In my opinion they have done what they have been doing as long as I have been here, since 1993 certainly. They have consistently served the House with incredible professionalism. I say that as someone who came here in 1993, not knowing what to expect but has been consistently pleased and honoured to be able to work with the clerks and the staff of this place. It is not about them in my opinion at all.

It is not because question period has become unruly and the ministers have quit giving answers or anything like that, although that is true. It is not about the unruliness of the place at all.

I would argue we are here because parliament is becoming increasingly dysfunctional and increasingly irrelevant because of the actions of the government. That is what this is about. No one from the Bloc has mentioned it, but this comes the day after Bill C-20 was pushed through the House in what I think was a very undemocratic manoeuvre by the government. That is what we are talking about today. This is a response to the frustration felt by opposition parties in this place. I believe, although I do not have inside knowledge of their meetings, that is what this is all about.

• (1210)

To summarize just briefly, I believe there are three things that make this place tick. The first is that partly we run this place based on the rules. We have rule books. We have Beauchesne’s, the standing orders and the new book of Canadian parliamentary rules put together by our clerks. In part it is the rules that make this place work. We respect the rules. We interpret the rules. It is part of what makes the House of Commons work well.

Second, this place is built on goodwill and honourable agreements between men and women of this place. That is why, Mr. Speaker, you consistently rule when someone stands in their place and says something that you take them at their word, as you have to, as you must, as we all must. That is the only way the place functions.

We function on the honour system. We come together, whether it be in this place or in your chambers or in another room, and come to an agreement on how we are going to proceed. All the rules in the world cannot cover all the eventualities so we work together as honourable people should. That is the second thing we do and have to do.

The third thing, and the reason we are in this debate today, is that the government has an obligation to govern. It has been elected to do that, and I give it that. It also has an obligation to respect the

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rights and minority rights of the smaller opposition parties in the House of Commons. It has consistently failed to do that. It is out of that frustration that this motion is before us today.

I could speak at great length on this issue, but in the short time available to me I will go to the immediate past history. I think of last fall during the debate on the Nisga'a agreement where time allocation was brought in at every stage, restricting our ability and the rights of the opposition parties to debate and bring their concerns forward on one of the most important agreements in Canadian history.

To get back to the honourable agreement idea, we were finally able to push the government to agree to have the committee travel. It was not going to travel at all. When we finally got out in the field we found out that the witnesses we expected at those committees were all flown in from hundreds of miles away to stack the committee to make sure that opposition voices and points of view were not heard. That started to build the frustration.

We are at a record setting level of time allocation rage that this government is on. By far it exceeds what happened in the Brian Mulroney government. It has been 63 times that we have had either time allocation or closure motions since the government took office just over five years ago. It was 66 times in the entire 10 years that the Tories held office. This motion is before us today in response to the frustration of not letting us debate this stuff. That is a shame because the target in my opinion is totally wrong.

I think of the two most important bills that the government has tabled this year, Bill C-20 and Bill C-23. They are both important bills whether or not we agree with them. I happened to agree with Bill C-20 and voted in favour of it. Even when we try to agree with the government and work with it to advance a piece of legislation, we still say let us hear the opposition points of view. Let us bring in a good array of witnesses. Let us travel and talk to the different provincial governments on what one might argue is the most important act this parliament has ever passed on the division or separation of another province.

What happens? The government consistently brings in closure here. It brings in closure in committee. It does not allow the committee to travel. It restricts the witness list. At every stage it sticks us in the eye with a burnt stick and says "You have to do it our way. We have all of the power because we have the majority". The frustration level continues to build because of that.

How can an opposition party do its job when at every stage, whether in this place or in a supposedly independent committee, the government uses its majority to tell the minority parties that have opposition views or contrary views that not only will they not carry the day, which is one thing, but that it will not even listen to them. That frustration level is exactly why we are debating this motion today, Mr. Speaker. It is not about you, as far as I am

concerned. I am going to vote against this motion, gladly. It is not about you doing your job, Mr. Speaker. It is a response. This is the climactic moment of a series of arrogant Liberal government moves which have restricted the ability of opposition parties to do their work. It is because of that, sadly, that we are here today.

• (1215)

I do not agree with the motion and I wish we were not debating it, but I know full well what it is about, and no one should kid themselves. It is not about you, Mr. Speaker. It is not about your consistency in the job. It is not about that at all. It is in absolute hand-wringing frustration of trying to deal with this government.

What happens in committees? Forty per cent of the committee reports that are supposedly drafted in committee are released to the press before they come to the House. We have been on our feet many times about that. We may as well read the whole budget in the press before it comes to the House. Legislation is given to other people before it comes to the House.

Time and again we see the House, this parliament, treated as a second-rate institution instead of the first-rate institution it should be. Instead of treating MPs with dignity and the House with dignity, the government asks if it can get a media spin out of something. Can it force something through with its majority? It is a shame.

The other bill is Bill C-23. It is another important bill, whether we agree with it or oppose it. Why has the government restricted the debate? Why has it restricted the witnesses? Why has it refused to travel? Why? Because it does not tolerate opposition views.

In conclusion, Mr. Speaker, you will remember that saying of people who have died in defence of the theory "I may not agree with your point of view, but I will die defending the right for you to make it". That is what is wrong with this place. It is not you, Mr. Speaker. It is not the staff. It is not the legislative counsel. It is a government that has consistently refused to listen to other points of view and give the minority parties, who represent over 50% of Canadians, the chance to make those points known.

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I agree with my hon. colleague from the Reform Party, who comes from an area of the country where I grew up. I also do not believe this is about you, Mr. Speaker. In fact, I plan to defeat the motion. I was going to defeat it the second it was brought forward.

The hon. member for Fraser Valley mentioned the frustration that we feel because of what the government is doing. He is a member of the official opposition. Imagine how he would feel being a member of the fourth party in the House of Commons, trying to get issues across.

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One of the most eloquent speakers in the history of the country debated Bill C-20, the hon. member for Winnipeg—Transcona. I believe he was speaking on behalf of all Canadians in wanting that debate to be extended. There are many people who have expert opinions and very wise opinions on Bill C-20, but of course they were not allowed to speak to it.

The member also knows that it is not just this government. From 1984 to 1993 we watched the Conservative government ram through legislation like the GST, the most hated tax the country ever saw. It was rammed through the House and then former prime minister Brian Mulroney stacked the Senate with his friends. John Buchanan from Nova Scotia was one of those appointed to the Senate. His whole purpose was to say yes to the GST.

The frustration we feel in opposition is quite evident, but the government backbenchers must be awfully frustrated as well. Can the hon. member shed some light on how backbenchers must feel when the government is controlled by the Prime Minister's office and not necessarily parliamentarians when legislation is brought forward? They do not get a chance to debate the legislation as well.

Mr. Chuck Strahl: Mr. Speaker, I will comment on that by citing two recent examples which frustrated this side of the House but must have driven that side of the House nuts. The two examples I would bring are the following.

The first is a motion brought forward by the government House leader, Motion No. 8, which sat on the order paper for a day or two before, by all reports, about 40 Liberal backbenchers said that the motion would take away the rights of not only the opposition parties, but also the rights of government members on the Liberal side to even bring amendments to bills.

• (1220)

If Motion No. 8 had passed—and, thankfully, it was withdrawn under pressure from all sides of the House and the government's own backbench—it would have allowed every member of parliament to introduce one amendment. Imagine if the House leader of the NDP had been allowed to bring forward one amendment to Bill C-20. He was successful in having two amendments passed; not just brought forward, but actually passed to improve the bill. If Motion No. 8 had been brought forward it would have curtailed the rights of every single member of parliament except those in cabinet. Members of the cabinet would have had infinite ability to amend at will. That is the first example.

The other example that I bring forward is a current problem, which has been in the newspapers for the last week or so, which has to do with the immigration committee. There are three issues.

The committee was dealing with a minority report on changes to the immigration system. Members passed a motion in the commit-

tee stating that the report would be considered in public. That motion was passed by members of the committee.

What happened? Immediately the chair moved that the committee proceed in camera and refused to have a vote on whether to proceed in camera. Even though a motion had been passed that it be a public debate, the committee proceeded in camera to consider the report.

As well, documents were given to us from the immigration department detailing an entirely new immigration act and how it would be presented to the House, including information that the minister would sign off on the new bill on March 7, when the committee had not even tabled its report or recommendations. What happened? The committee was treated with complete disdain by the government. The government completely ignored the input of members of parliament on that committee.

We now have the bill in our hands. It is not a draft bill. The deal is done. The die is cast. The committee was treated with absolute disdain by the government, which had already signed off on the bill. The government ignored the wishes of the committee, proceeded in camera when it voted to proceed in public, and has now run roughshod over the rights of not only members on this side of the House but also on that side of the House.

Those are just two examples of how the backbenchers on that side must feel about the way they are treated by the frontbench.

The Speaker: Before I recognize the next member to speak in this debate I want the House to know that I am giving all possible latitude to this particular motion. However, I think that once in a while members should at least refer to the issue we are talking about today. I am going to give all of you all kinds of room, but I would like you to bring it back a bit so that we can tie it together. As you know, because you have all read the motion, this is about confidence in the Speaker.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, this is certainly not a gala day for the House in that we are debating this particular motion. You have just commented on the fact that the debate seems to be rambling on to other areas, and you have heard what the opposition had to say with respect to the frustration we have felt because of the actions of the government, the actions of the crown, which has manifested itself in an expression of non-confidence in you. For that I feel that this House is not being well served by the motion. I want you to know, Mr. Speaker, that I will vote against the motion.

I looked at the question of privilege raised by the member for Rimouski—Mitis. I did not find that her privileges had been violated. We are privileged people as members of parliament. We have been given and have wrestled from the crown the right of free speech and the right to be protected from the crown, and we ask you, as the Speaker, to uphold these rights.

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When I looked at the question of privilege that was raised by the member, I did not find that she had brought forth the fact that the crown, the government, had infringed upon her freedom of speech, nor denied her some of the rights which we have wrestled from the crown over the many, many years since the Magna Carta was first signed in the United Kingdom.

• (1225)

As we know, that was the first time that power was wrestled from the monarchy, who had to consult the barons and the aristocracy. Since that time it has evolved to the common people which the government has to consult to obtain their concurrence before anything can be done.

We have a large body of privilege which protects us. Through the evolution of the parliamentary democracy in the United Kingdom we have come to have a Speaker who speaks on our behalf. That is why the person is called the Speaker.

I would like to quote from Marleau and Montpetit, at page 256, concerning the historical perspective of the Speaker of the House. It states:

The year 1642 marked the end of the Crown's influence over the Speaker, when Charles I, accompanied by an armed escort, crossed the Bar of the House, sat in the Speaker's chair and demanded the surrender of five parliamentary leaders on a charge of treason. Falling to his knees, Speaker William Lenthall replied with these now famous words which have since defined the Speaker's role in relation to the House and the Crown:

May it please Your Majesty, I have neither eyes to see, nor tongue to speak in this place, but as the House is pleased to direct me, whose servant I am here; and I humbly beg Your Majesty's pardon that I cannot give any other answer than this to what Your Majesty is pleased to demand of me.

Unfortunately, Marleau and Montpetit continue to say:

While Speaker Lenthall's words heralded the end of the Crown's influence over the Speakership, it was the beginning of the government's authority over the Chair.

That is an unfortunate statement because the government should never have authority over the Chair in this House. There have been times when we have been frustrated by rulings of the Chair, but the important thing is that the rulings be fair and that they abide by the rights and privileges that we have wrestled in the past from the crown.

I would ask the hon. members of the Bloc Québécois before they vote this evening to examine the question of privilege raised by their member and the Speaker's ruling. I know of their frustration against the government, but I do not expect them to take their frustration out on you, Mr. Speaker, because you are there to uphold our rights, and provided you uphold our rights, you are doing your job. I would beseech members of the Bloc Québécois to examine the privilege which they felt had been impinged upon, to

look at your ruling, Mr. Speaker, and find, in the words of this motion, that you did indeed make the proper decision.

Mr. Speaker, you have a responsibility every day to uphold our rights. I can think of a time when I rose in the House in the last parliament to deal with an issue concerning an income tax bill. In 1993, at the beginning of the 35th Parliament, we changed the rules to allow bills to be sent committee before second reading, the concept being that the principle of the bill could therefore be debated at committee. As we know, second reading is to deal with the principle of the bill. Therefore, if the bill was sent to committee before second reading we could debate the principle of it. However, an income tax bill is dealt with first by a ways and means motion, which draws, in essence, a circle around the bill. Therefore, it cannot be debated in principle at committee because if it goes outside the ways and means motion it is illegal. I guess that would be the word. The Chair ruled that it was perfectly legitimate for it to go to committee before second reading. I found that offensive because I felt that the government had won; the Speaker had sided with the government.

The rights that we have as individual members have to be upheld by you, Mr. Speaker, and if there were ever any doubt in your mind, you must err in favour of the individual member.

I remember the words of our very competent clerk who spoke to me one time and said that in this country, with the Westminster style, we have government in parliament and we have Her Majesty's government sitting in the front bench, the Privy Council, the cabinet. They are also members of this House and have the responsibility of representing the crown in the House. We have seen how they have used their authority to put motions on the order paper that were flagrant violations of the rights of the House. We had one earlier this morning but fortunately they withdrew it.

• (1230)

It is rhetorical and hypothetical to say how the Speaker will rule, but I would hope that whatever the decision, the first priority of the Speaker is to uphold the rights of the individual member against the representatives of the crown who sit on the front benches over there.

As members know, we have won these rights at great cost. I may be wrong in my date, but I think it was in 1392 that one Speaker in Westminster literally lost his head because he stood up and defended the rights of free speech by individual members in the House of Commons.

I beg the members of the Bloc to reconsider their position on the motion. I do not feel it is fair that they have expressed their frustrations against the crown in a motion of non-confidence against you, Mr. Speaker. That is patently unfair because you, Mr. Speaker, are here to uphold our rights against the crown, and in this particular motion I believe you ruled in an appropriate fashion.

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The Speaker: I do not want to make light of this because this is an important debate, but I for one am very happy that they stopped cutting off the Speakers' heads.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I rise today to oppose the motion that is before the House and to make an argument as to why I think the motion should not only be opposed but why it is inappropriate.

It is obvious that there is a disagreement between the movers of the motion and the Chair and this is not unusual in parliamentary life. Mr. Speaker may recall that I have had the odd disagreement with the Chair myself over the years, both with the current occupant of the Chair and previous occupants of the Chair. I recall finding myself very disagreed with, shall we say, by Speaker Fraser at a time when I urged him to intervene to prevent time allocation on a motion having to do with free trade. He took a different view of what his responsibilities and capabilities were under the rules at that time. That was a ruling which very much favoured the government.

The fact is that what I had urged the Speaker to do on that occasion, if it had been done, would have frustrated the will of the government. However, the Speaker made a decision on the basis of what he thought were the rules, the precedents and the responsibilities of the Chair which had the byproduct of being favourable to the government. I do not believe the decision was made with the intention of being favourable to the government, but all decisions taken by the Chair have a byproduct. They either suit person A's strategy or person B's strategy. They suit the strategy of the government, of a particular opposition party or whatever and that cannot be avoided.

To suggest that because a particular ruling favours one party over another or one side of the House over the other and that is in itself prima facie evidence of partiality, is to either misunderstand the notion of impartiality or trying to make an entirely different sort of political point in the guise of challenging the impartiality of the Chair.

• (1235)

I think the motion is ill-advised. These motions should occur rarely and they do occur rarely. It is very rare indeed that there is an authentic feeling of the Chair having acted in a way that is not impartial and that would fully justify such a motion. There have been occasions in the past but they have been very rare, and I think they should be rarer still; that is to say, I think we would have been better off without this motion.

A point has been made and it is worthy of discussion. What we have before us is in some respects not just a particular strategy of a particular political party on this side of the House, but I think it is fair to say that what we have here is a manifestation of a growing

frustration in the House with the way things have operated around here for the last little while.

The opposition House leader spoke at some length, almost to the point of having to be brought to relevance by the Chair, about many of the things that have frustrated the opposition in this parliament. However, they are relevant to explaining for the sake of the Chair why it is that this motion is before the House. In that sense there is some relevance because we do seem to be developing a parliamentary culture in which we can no longer delay the passage of legislation by debating legislation.

Delay has an important political function. Delay has the important political function of getting in the way of a government that may want to be doing something so fast that the public does not catch on to what it is doing until it is over. Getting in the way of the government may have the legitimate political function of getting in the way of a government that wants something to happen in a way that does not permit those in a civil society who are opposed to what it is doing, to have their say before the bill is passed either before committee or in all the other various ways that people find to make their views known.

Delay is a very important function of what it is that opposition parties do. At a previous time, when there was much more opportunity to delay by debate, it was a bit of parliamentary chicken being played with public opinion: Was opposition members holding up the thing too long? Was it finally time for them to shut up and let the thing go or did the opposition have a point, and should it continue to be debated in the hope that the government will change its mind?

Both opposition and government had to gauge public opinion. The opposition might have said that it had its say on it and that it should let it go, or the government might have said, no, it needed to let the opposition keep talking because a lot of people out there were really upset and a full airing of the issue was needed. We do not have that any more. We do not have the game of what I refer to as parliamentary chicken with public opinion.

We have developed a parliamentary culture where if something is really important we have time allocation right away; by right away, I mean within two or three days. A couple of examples come to mind because frankly this has not been a parliament in which we have had a lot of really significant legislation. It has been kind of parliamentary light. We have had changes to the Canada pension plan, Bill C-20 and a couple of other significant pieces of legislation. The first thing the government did was move time allocation after a couple of days of debate.

You are in a kind of catch-22, Mr. Speaker, that is very problematic for the opposition. If we know that the government has the intention or at least the habit of moving time allocation, then some opposition parties are driven to other forms of obstruction.

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We then have the government saying that we are obstructing the bill and that we do not really want to debate the bill so it brings in time allocation. If we debate the bill for a couple of days, it says "Well, we have had lots of time to debate the bill" and it moves time allocation. We kind of lose either way.

● (1240)

This is the kind of frustration that is now being visited upon you, Mr. Speaker, and unfairly. You are the prisoner of the rules of the House. You have to act according to the rules of the House and, unfortunately, the rules of the House are not always devised by the House in the best sense of the word. Many of the rules that the opposition parties find most frustrating and distasteful are not rules that were devised by the House in the best sense of the word, that is to say, by all party agreement. They are rules that have been imposed on the House by this government and by previous governments in the interest of achieving a certain amount of advantage for the government over the opposition.

This has a cumulative effect and you, Mr. Speaker, have to enforce these rules, and we have what we have here today.

The so-called genesis of the motion, the dispute about the limits of confidentiality and whether solicitor-client relationship pertains just between the member and the legal counsel they are dealing with, or whether it is between the member of parliament and the whole team, are things that need to be sorted out. It is not a question of assuming that the way things operate now in that respect are totally correct.

As a parliament and as a House we need to have a good look at that because obviously some members have some problems. They feel there should be watertight compartments where there is a great deal of leakage from one person to another or one element of the system to another. There seems to be no consensus as to whether or not that sharing of information between legal counsel and the table and clerks of committees is in violation of some principle or not or whether it is a practice that has grown without much scrutiny but which sometimes has negative consequences. All these things need to be looked at.

What is really happening here today is the result of the cumulative frustration felt by opposition parties.

Mr. Speaker, you have heard me make the point before that you are a prisoner of the rules of the House. Certainly what almost happened a week ago would have put you in solitary confinement, to extend the metaphor. Motion No. 8, under the guise of appearing to give you more power over what amendments would or would not be accepted at report stage, would have given you a certain power. It would have said that you had the power but that you could only use it that much. You would have been in an even tougher position than you sometimes find yourself in now. I know the Chair cannot say so, but it is not hard to imagine that the Chair shared the relief of the opposition when the motion was withdrawn.

I think you, Mr. Speaker, should actually have more power than you do. As I say, you have heard me make this argument before, but what is needed in the House is for the Chair to have more power, even more power over amendments at report stage, not more power over amendments at report stage as delineated by the government but according to your own judgment as to what is appropriate at report stage. You should also have more power over time allocation.

If we could arrive, as a parliament, at a place where we could agree that the Speaker should have that kind of power, then the opposition, it seems to me, would feel much better about this House than we do if we knew that in times when the government was abusing its power, that you as the Chair felt you had the power to step in and protect the opposition from illegitimate or ill-advised use of the power of time allocation.

● (1245)

I say with respect that was not the particular intention. What I am saying is in keeping with the spirit of the intention of the McGrath committee when we recommended back in 1984-85 that the Speaker be elected by secret ballot of the House of Commons. That first happened in 1986 when Speaker Fraser was elected after 13 ballots.

The idea of making the Speaker the creation of the whole House as opposed to an appointee of the government was so that the Speaker would be able to have more power than Speakers previously have had. I would say not out of any criticism of the Chair at this time but as a general point which I have made not just to you, Mr. Speaker, but to a previous Speaker, that I do not think that intention behind the secret ballot has been completely seized.

Speakers have argued, as you have and as Speaker Fraser did, that they need to receive more instruction from the House, that there needs to be more of a consensus from the House if that is the way the Chair is going to act. I respect that although I would still argue to the contrary.

I would hope that given that this is the consistent position of the Chair on this matter, that at some point as a House or through a recommendation from the Standing Committee on Procedure and House Affairs, or however it comes about, we could arrive at a position where the Speaker would have more power to protect the rights and privileges of opposition parties not to have debate shut down. I would hope that we could arrive at a place where delay is seen as legitimate and is permitted to happen in the form of debate rather than in the form of finding whatever procedural loophole can be found and carrying it to the point of the ridiculous just to call attention to the plight of the opposition with respect to any particular bill.

That calls into disrepute the whole House. It calls into disrepute the democratic process. We do not do anyone any favours by

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looking like a bunch of people who cannot manage their own affairs or who have to vote for 48 hours continuously and that sort of thing. This does not do anyone any good as far as I am concerned.

There is another point that I would like to make before I sit down. Unfortunately it is those kinds of parliamentary antics that get the attention of the media. We do not belong to just a parliamentary culture, we belong to a certain kind of media culture.

If we were debating something intelligently day in and day out, would there be anyone in the galleries or anyone paying any kind of attention? Would anyone say that a good point was made about a bill and then someone else would make a counterpoint? That would actually inform the public about what was going on in parliament, what good ideas were being exchanged and what the opposing arguments were. We could do that until the cows came home and no one would pay any attention whatsoever, but boy, if we vote all night or we have some kind of procedural spat, then we are all out there in the foyer talking about it.

The media thinks this is the democratic equivalent of worldwide wrestling or something. I have always liked wrestling but I do not like this kind. I would rather that we conducted ourselves in a way that was superior to the way that we have been conducting ourselves and that we had the assurance that some attention would be paid when we do conduct ourselves as I think we should. That is something that is far beyond the power of the Chair to change and seems far beyond my power to change. It is something that all of us can continue to work on.

In the meantime I think this motion is ill advised. Perhaps a reference at some point or a spontaneous initiative on the part of the Standing Committee on Procedure and House Affairs could look at the whole process of how amendments are dealt with when they are being drafted and whom they are shared with, where confidentiality lies, where solicitor-client relationship obtains, et cetera. That is all worthy of discussion, but it has nothing to do with whether or not you are acting impartially, Mr. Speaker. Therefore we in the NDP intend to vote against this motion.

• (1250)

[*Translation*]

Mrs. Monique Guay (Laurentides, BQ): Mr. Speaker, I would just like to make a comment and say that this motion is not a personal attack on you personally, but rather the sign, I would say, of a deep malaise in this House, where we had the feeling the Chair has been held hostage by the party in power, which is unacceptable.

If there is someone in this House I trust it is you, Mr. Speaker. Because up to now—I was elected here seven years ago—you have been fair in all your rulings.

But lately in the House we have sensed quite a change in the attitude of the government regarding your authority, and this is unacceptable.

So, I wanted to make this comment. I can assure you that for my part, as a member of parliament, if we come to an agreement and manage to restore your powers, you will always be able to count on my support.

However, if we decide to introduce amendments to a bill and call upon a legislative counsel, and this person keeps our documents confidential, it does not make sense that they should become common knowledge.

I am working on amendments to a particular bill. I am wondering whether I am going to call upon legislative counsel because I do not trust them. If, as an elected member of parliament, I can no longer trust the people who are supposed to help me draft amendments or work on bills, and if I feel my rights as an MP are being breached, I cannot work properly. I will no longer feel like defending the interests of my constituents here in the House. I do not believe this is what my constituents want.

I do not know how you are going to solve this, but I believe that somehow we are going to have to make sure that your powers are fully restored and you can freely decide and choose. Second, we have to find a way for us members to restore our trust in the people who are supposed to work for us here in the House and to eliminate partisanship.

[*English*]

The Speaker: I guess the hon. member for Winnipeg—Transcona can comment on the commentary.

Mr. Bill Blaikie: That is what I intend to do, Mr. Speaker. I think the member made a point which is relevant to the debate and relevant as to why the motion which she appears to support should not be supported. The member said that as far as she is concerned it is not about the Chair, it is not about you, Mr. Speaker. It is about how she feels about these other things that have happened.

All I am saying is I understand how the member feels about these other things that have happened and I think there are some problems that need to be sorted out. However I do not think that they can be sorted out by this process. I suppose we could say the Bloc members were creating a procedural opportunity to talk about what they wanted to talk about, but I think it was an unfortunate choice of a procedural instrument.

A non-confidence motion of the Speaker is something that should be saved for things that really do have to do with a lack of partiality on the part of the Speaker or some other serious charge. It is not that what the Bloc is concerned about is not a serious matter,

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but to try to fit this square peg of a concern about all the things that the member has mentioned in to the round hole of whether or not the Speaker should be censured I think is a mistake.

• (1255)

The motion is not going to carry if I read the House correctly. When that is all over I think we will have debased the currency of motions of censure of the Speaker and we will still have the problem that the member talked about. We will have to find another way to deal with it. Whatever that other way of dealing with it is, is the way we should have sought in the first place.

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Mr. Speaker, I wanted to thank the hon. member for Winnipeg—Transcona for his discourse and for what I consider to be his wise comments. He is a member of longstanding in the House and has a great insight when it comes to matters such as these.

I was going to ask him if he was part of the World Wrestling Federation because he mentioned things in his speech about wrestling matches and such. I did not think that was salient to the debate so I will not ask that. What I would rather do, given his long and distinguished career in the House, is ask him for his view and thoughts on some of the misguided barbs that came the Speaker's way.

By the way, Mr. Speaker, I want you to understand where I stand on this matter. You have done a very effective job in the House. It is a tough and difficult job. It requires patience, good judgment and the kinds of things that are necessary to keep 301 people reasonably in fashion and informed in a manner consistent with what I believe Canadians want the House to represent. I commend you in terms of the kind of approach you have taken, the attitude you display and quite frankly, the professionalism that is yours as a result of the kind of experience that you bring to the position.

I think the member referenced this somewhat in his speech. I want to ask the member whether or not some misguided barbs that came the Speaker's way perhaps were displaced anger and frustration and the Speaker happened to get in the way of that. There are all kinds of reasons and motivations for why these things occur.

I did want to get the hon. member's perspective on that. Perhaps he would oblige the House by answering that question.

Mr. Bill Blaikie: Mr. Speaker, first I will say to the hon. member that if he wants to learn more about the relationship between wrestling and politics, he should not talk to me. He should talk to the governor of Minnesota.

In some respects I answered the question. In my speech I indicated that I thought the speaker and others had said the same,

that unfortunately through this motion the Speaker has become the object of a frustration that would be better directed at finding a solution to some of the problems that people feel exist with respect to some of our processes here. There may have been certain things said about or to the Speaker, certainly not by me but perhaps by others, which would fall in the same category as being ill advised and out of place. This kind of anger should be directed at either the government to the extent that the government is culpable, or to the whole process to the extent that we collectively have some responsibility for making sure the place works better than it does.

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, as you and the House well knows, there was a gentleman who was in the House for many years, Mr. Stanley Knowles. He respected the House, the rules of the House and especially the Speaker probably greater than any other parliamentarian who has ever been here.

The member for Winnipeg—Transcona knew that gentleman very well. Could he briefly comment on what Mr. Knowles would say on a motion of this nature?

Mr. Bill Blaikie: Mr. Speaker, I make it my practice not to try to speculate as to what other people would do in certain circumstances, particularly those who are no longer with us. With the greatest respect, I would decline to try to speculate on what Mr. Knowles would have thought in this case. I know he had a strong predilection over the years for upholding the Chair and showing great respect for the institution of the Speaker. People may be able to draw conclusions from knowing that.

• (1300)

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, I will be using the full time. Sometimes in the House one is not really anxious to speak on issues and sometimes one is, and this is one time that I feel very privileged to have the opportunity to speak.

When I walked in this morning it was interesting to look around and think how strange a world we work in and how strange the situation is. We are actually here debating whether or not you should keep your job, Mr. Speaker. That is a very strange issue to be discussing. It would not happen in any other walk of life.

Can we imagine the Royal Bank discussing in public whether or not employees or management personnel should keep their jobs? While you sit there, Mr. Speaker, we are discussing whether or not you should keep your job, not only in front of 301 members but in front of millions of people who are watching this debate. Before I go any further, I want to say that we in the Conservative Party feel you should keep your job and we will be voting that way in the end.

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The Canadian public should understand what a different world we work in. Just in the last two days we have certainly seen circumstances to prove how different our world is from the normal world of the working person, the employee in the private sector.

If members of a company discussed in public whether or not a person should be kept in their position of employment, they would probably be charged with infringement of the rights of privacy of an individual or could be charged with constructive dismissal. You could charge us with constructive dismissal if we were in the private sector. This is how much of a strange environment we work in.

Your job is certainly not easy. Every time you make a decision you automatically make some people disappointed. Every decision you make makes some people disappointed. Sometimes we are disappointed in your decisions. Sometimes we are elated if you support our position, but every time you make a decision you will disappoint someone. We should all understand that you can never make everybody happy in your job. It is a very difficult job.

In 1988, when I was first elected, I remember we were on the government side and we had an awful lot to say in the selection of the Speaker at that time. The Speaker was one of our members. Even although the Speaker was one of the members on the government side, I am sure we were just as disappointed in his rulings as many times as the opposition was, but perhaps the opposition did not realize that at the time. I just want to point out that yours is a difficult job and we understand that you cannot please everybody all the time.

I also think we should understand that this whole issue arose in a very emotional situation. I do not agree with the Bloc's position and their main purpose of being here, which is to separate from Canada. I do not agree with that, but I definitely agree with their right to be here to state their position.

I also want to point out that last night after we were through we went back into the lobby. I just happened to be on the phone in the phone booth in the lobby and I watched the Bloc members and how they handled the disappointment of the decision we made on Bill C-20.

I have never seen a group of people so emotionally disappointed. They showed their emotion with tears, hugs, holding hands and everything. I respect that, I really do, but it struck me how emotional it has been for them. This is very important to the Bloc members. I admire them for their passion. I admire them for their ability to plead their case as strongly as they do. I admire them for the position they take, even though I do not agree with it. I truly do.

When we pass a tax bill, a Canada pension bill or a veterans bill, we do not see members going back in the lobby and hugging each other and showing tears of emotion one way or the other. When we talk about helicopters or even HRDC, that does not happen. That is

what happened here. This is a very emotional debate and this non-confidence motion is tied up in the whole cloud of the emotion of the debate.

• (1305)

I say to Bloc members that I was truly moved last night, to the bottom of my heart, by how much it affected them, and how much I admire what they do and how they do it. I do not agree with them but I admire how they do it.

We are dealing with a real serious issue. It is a very serious charge. Although we deal with debate every day in the House of Commons, we do not often deal with this. This is the first time I have ever had to deal with it. We are actually discussing the removal of the Speaker from his position.

You are our leader. You are our umpire. You are the one who makes sure that everybody is dealt with fairly and that everybody has his or her share of time in the House, an opportunity to speak. No matter whether or not you agree with it you always ensure, as it is your job to ensure, that we have our say and are treated fairly. From where we sit it appears that you do that.

We are now being asked to consider removing you from your job. We do not agree with that. On one hand we do not agree necessarily with your decision on this issue, but it is your job to make decisions and it is our job to respect those decisions. We totally support your tenure in the chair as our Speaker and will not be supporting the motion that would have you lose your job.

I go back to some of the issues like the emotion I was talking about. Many things have brought us to this point today. This is not just about something that happened in the administrative office of the Speaker. It is all involved with the emotion in terms of Bill C-20. It is involved in the tactics the government is taking, the tactics it has used throughout this parliament to try to restrict debate, limit our ability to move amendments and thwart us in our job. This is part of our frustration, aside from the emotions.

The situation was exacerbated because of the nature of the bill. If this decision had been made about the helicopter issue or another issues it probably would have never come to this censure motion. I hope, Mr. Speaker, you understand that is part of this whole thing.

Also, it is a reaction by all of us on the opposition side to the abuse that the government has made of the rules to try to expedite debate, to take shortcuts and to restrict us from doing our job.

It is interesting that I just came across some notes from when we were in government. Some Liberal members took offence when we invoked time allocation. When the minister of Indian affairs was in opposition he said that parliamentarians who represent the people should not be so quick to ram agreements through the House. That

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is exactly what the government is doing now. The minister of public works said:

We could have debated it in order to afford all members an opportunity to receive criticisms and comments from their constituents, to urge the public to understand what we are talking about, to understand all about this. . . bill that we are trying to push through as fast as we can during the night.

That is what the Liberals said about the Conservatives when the Conservatives were in power, and now they have invoked time allocation a record 63 times to do exactly what they were so much against when they were in opposition.

The government has tried to distort the rules and abuse the rules, especially in the case of Bill C-20 which has been so emotional. It stopped debate at second reading. It limited the powers of the committees. It refused to travel to hear people all over Canada even though every Canadian will be affected by this maybe some day. It attempted to restrict the power of the MPs to present amendments.

This bill is extremely emotional and extremely important to Bloc members. They felt thwarted in their job. They felt frustrated, as we all do, but for them it was exacerbated because of the importance of the bill. That should have been taken into consideration throughout the debate.

The first issue is the ruling from the Speaker concerning confidentiality from the law office of the House that we are dealing with today. We disagree with the decision from the Chair. The notion of all House employees being part of the team equally under the blanket of secrecy and therefore privy to everything is not the same as a solicitor-client relationship.

We have to have confidential meetings with House officials. We have to be able to deal with them on a confidential basis. We have to expect that our discussions with them in drafting bills and amendments and everything else is confidential and not to be shared with anyone else in the office, any other party and especially the public.

• (1310)

We support the Bloc in its point but we feel it is an administrative issue and certainly not a reflection of the Speaker who presides in the chair. It is a problem that we would want addressed. We would certainly want to be assured that confidentiality is a priority in the House. We expect confidentiality to be just that and nothing less.

I often wonder if this had been government information whether it would have been shared or presented in the same way. I suspect it would not have been, but I hope that is not the case. In the instances which were brought to the House by the Bloc House leader we believe the secret information was shared too broadly in an attempt to provide services under trying conditions. I emphasize trying conditions. We view this as extremely serious when confidential

information is shared. We go to the legal advisers and we treat them as solicitors. We need confidentiality, especially in the adversarial relationship we have in the House.

Members in this caucus have received written assurances from the House lawyers that consultations on these matters will be kept confidential. We certainly hope the Speaker will take steps to ensure that those assurances are followed through, but there is a cloud over these professional consultations now because of this situation. It is a clear impediment to the way we do our work. Nonetheless the Speaker's finding on this issue was in support of what happened and we tend to disagree with that decision. However, again, it is the Speaker's right to make that decision.

As a party and as a caucus we will work to change the system. We will use the powers we have within the administrative structure to pursue that end. After all, we create the rules. These are our rules. They are not the Speaker's rules. If the rules need to be changed or enforced in a different fashion, it is our responsibility to see that is done, as well as the Speaker's. The tools are there to do this and we will use them. We do not need to have the Speaker step down in this case, not even close to that.

The remedy is there in committees and the Board of Internal Economy. Although we disagree with the ruling we accept it. We do not find it sufficient reason to remove or even censure the Speaker. We oppose this motion. Nothing happened here that could even come close to causing the Speaker to lose his job.

As I said earlier, we do not always get the decisions we want from the Chair. We do not always like the decisions but we accept them. We know that is the Speaker's job and we know that he cannot always rule in our favour even though we are almost always right.

I was elected in 1988 and the Speaker at that time made decisions that we found disagreeable or even offensive sometimes to us even though we elected the Speaker. We accepted them in the same way we accept the Speaker's decisions now. We know the Speaker does not write the rules. He does not invent the administrative practices, but it is the Speaker's job to ensure that they are administered in the proper way.

I wrote this speech prior to the passage of Bill C-20, which changes many things I was going to say, but it does not stop me from saying that during the great debate on Bill C-20, and it was truly an experience to be involved with that debate, the government refused to let the committee seek opinions of Canadians in Quebec, in Nova Scotia and in British Columbia.

We were driven by an agenda to meet the Liberal convention that started last night, today, tomorrow or some time. The whole agenda was driven to get this done and passed before the Liberals had their convention. To do that they had to run over some of us. They had to

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run over some members of the Bloc. They had to run over some rules in the House. I believe that was a driving factor and it should not have happened considering how important it is, especially to the Bloc members.

Mr. Lynn Myers: They might even vote twice on the same amendment.

Mr. Bill Casey: We are entitled to two votes. The government House leader is especially culpable in this. The House leader has a special duty to parliament. He is an officer of the House and he has a special duty to ensure the rules are followed. He has a special duty to not follow the rules or instructions of the PMO and to protect the procedures and the operations of the House. Otherwise the House will pay and that is what we are doing here today. Because the rules were abused and because there was a temptation to take shortcuts and restrict the process, we are paying the price today. Mr. Speaker, you are paying the price today because you have to sit and listen to this.

• (1315)

During the short time in dealing with Bill C-20 we have seen members led down a path where their rights have been curtailed, the rights of Canadians to be heard in committee have been trampled and important relationships which make this place work have been thrown in the trash barrel, all in the interest of getting the bill passed in time for the Liberal convention. I truly believe that the Bloc moved this motion in an emotional moment, in a cloud of uncertainty while we were dealing with an issue that is so important to them. I do not believe this would have happened with any bill or issue other than Bill C-20.

Mr. Speaker, we as a party will not support the motion to have you lose your job, not even for a moment. The previous speaker for the Bloc indicated that it was not a reflection against you, Mr. Speaker. I think it is quite pertinent to have said that.

Considering the emotion and all the clouds surrounding this whole issue, the rush to judgment and time allocation and restrictions, the emotion felt by the Bloc members which I cannot underestimate or understate, I would ask you, Mr. Speaker, to ask the Bloc members if they would now withdraw the motion. They have indicated that it is not against you; it is against the administration practices used in one serious instance. Rather than go through a vote, I ask you, Mr. Speaker, to ask the Bloc members if they would withdraw the motion.

[Translation]

Mr. André Bachand: Mr. Speaker, I rise on a point of order. Through you, my colleague asked the members who moved the motion to consider withdrawing it.

What I want to say is this: after first listening to all members, including those of the Bloc, we truly think that nothing justifies to

open wider the scar that the Speaker has to endure in terms of the tradition. This is a very serious motion and we understand everybody's arguments.

But I think, after hearing what all our colleagues have to say, that if, through you, we cannot ask the Bloc to withdraw the motion while recognizing certain administrative problems, we, the Progressive Conservative Party, would ask the House to do it.

I put the question to you, Mr. Speaker, and depending on your answer, we will ask the House to withdraw the motion.

The Speaker: First, the hon. member for Richmond—Arthabaska cannot move such a motion. Second, I would like to ask the hon. member for Cumberland—Colchester a question.

[English]

I have to understand. Is the hon. member seeking permission to get unanimous consent from the House? Is he seeking to put a motion for unanimous consent? Would he answer my question, please.

Mr. Bill Casey: Yes, Mr. Speaker, I am asking for unanimous consent that this motion be withdrawn.

The Speaker: It is in order at this time to put the motion.

• (1320)

[Translation]

Mr. Stéphane Bergeron: Mr. Speaker, the proposal made by the Progressive Conservative member is well intentioned. I might tell him that, in his speech this morning—and I will make mine in a moment—the Bloc Québécois leader indicated that he was prepared to withdraw the motion. However, we will not withdraw that motion unless the Chair indicates it is the intention of the Chair to take a very close look at this issue and to make sure that the problem we raised is corrected.

Perhaps I could elaborate on this issue in my speech. However, under the circumstances and in the absence of any commitment whatsoever, I must say that we will not give consent to withdraw that motion.

[English]

The Speaker: I am going to get to that motion in just a second, but first I am going to go to a point of order.

Mr. Ted McWhinney: Mr. Speaker, I rise on a point of order. Following the constitutional law of parliament, it would only be competent for the mover and seconder of the motion to consider withdrawing it. There is no issue of delegation of powers to other members.

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The Speaker: As I said before, it would require unanimous consent first. This House by unanimous consent can do almost anything it wants.

[*Translation*]

Mr. André Bachand: Mr. Speaker, I thank the hon. whip of the Bloc Québécois for his openness. Ultimately, the issue is whether the House and the Chair can find a way to begin discussions on the various points raised this morning.

I am a rookie in federal politics, but I can tell you that this motion is a very important one. As I said earlier, if we manage to heal today's scar, while at the same time addressing the issues raised by a number of parliamentarians, including the whip and the leader of the Bloc Québécois, parliament will regain a lot of the nobility it has lost since the beginning of the day.

I conclude by asking this question: Is it possible, in your opinion and in the opinion of the parliamentarians who are gathered here today, to get to the core of the issue without tearing apart our parliamentary system?

Mr. Gérard Asselin: Mr. Speaker, I do not wish to rise on a point of order because I do not wish to lose my right to speak. I will leave it to you to debate the points of order so far. I want to be sure not to lose my turn in questions and comments following the speech by the Progressive Conservative member who was the last to speak in the debate.

Mr. Bob Kilger (Stormont—Dundas—Charlottenburgh, Lib.): Mr. Speaker, I will take this opportunity to speak briefly to this point of order following the comments made by the Bloc Québécois whip.

First of all, when I arrived here today, I found it to be a particularly sad day for parliament, for this institution to which we all belong. But as I listen to the speeches by members of all political parties, I am beginning to regain my enthusiasm and faith in our institution, because there is less and less talk of the confidence we have in the Speaker.

• (1325)

So far, we have been unanimous in our support of and our confidence in you as the Speaker. We are perhaps finally getting around to identifying more specifically the problem which has led to the debate today, which is one of administration.

I would hope that, particularly those who sit with you on the Board of Internal Economy, the board which you chair, are aware that it is one of the structures to which we turn to try to improve our institution, with human resources or additional funding to improve our services, so that we will be better able to serve our constituents and do our job as parliamentarians.

But we must recognize that the Chair itself cannot act unilaterally. As a servant of the House, the Speaker relies on us as parliamentarians to convey to him the values and the rules by which we wish to be guided and the way in which we wish this parliament to function.

[*English*]

I know we all sincerely want to be very respectful of one another and in doing so we are being respectful of the institution. I submit on the one hand, to repeat myself as I think it is important, the Speaker cannot unilaterally make changes.

I look forward to hearing more from my colleague from Verchères on this because I think we are finally getting to the crux of the issue here. There is a debate about an administrative issue, some would say a shortcoming. I do not think for any of us it is quite clear yet as to what it is.

If I could take a bit more time in case I do not get an opportunity to come back, I could offer a new perspective to the debate. While all of us are privileged from time to time to be asked to take on certain responsibilities, in my short tenure here I have had the opportunity to be associated with you, Mr. Speaker, and I respectfully submit even more importantly with the institution, in sharing with you the Chair which is so symbolic of this democratic institution. You as the guardian and the servant of this House as the chair occupant elected by all of us, by your peers, have never left any doubt as to your integrity, your fairness and in particular your deep love for this parliament.

In that former life, I worked closely with your associates, with the clerks, the men and women who work very closely with you and advise you and advise us. I went as religiously as I could to those morning meetings in 139-N. I have some very fond memories of those meetings. I saw the men and women who worked on our behalf through you to make this place run the way it does, as well as it does and as effectively and efficiently as it does. Certainly they talk to each other. I was there and heard about how this party wanting to do this and that party wanting to do that. Certainly they talk to each other but never, ever, in the three years or more I was associated with the Chair, did I ever see one instance or even the slightest indication that anything that was taken from one party would be shared with another party in the House. I am sure that was the case for many, many years before I came here and that will never change nor should it.

• (1330)

In closing, there was an offer made in the first intervention from the government's side by the House leader. He made the offer that we would welcome the opportunity, through whatever mechanism or agreement there might be among the House leaders and the parties, to discuss the issue and to find a resolution to that administrative problem, or perceived administrative problem at this time until I know more about it. I am confident that given the

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goodwill of the men and women here working on behalf of all Canadians, we can find a solution to that administrative challenge.

The Speaker: You must admit that this is a strange point of order. Nonetheless, I see the hon. member for Cumberland—Colchester is on his feet and he had the floor, but I will go to the member for Charlevoix. After that he will have his chance to question if we decide to go on.

Mr. Bill Casey: Mr. Speaker, in an attempt to address the concerns and ensure that this does not occur again, I make an amendment to my request that we consider by unanimous consent to have this motion withdrawn.

I would like add to that motion a condition that the Board of Internal Economy be ordered to examine as a matter of priority the legal services provided to the members of the House, and not only would that be ordered but it would be agreed by all parties that agreed to that motion, if it is agreed to.

The Speaker: We will deal with this in two sections, as my colleague from Edmonton Southwest has said often. Does the hon. member have the unanimous consent to put the motion?

Some hon. members: Agreed.

Some hon. members: No.

[*Translation*]

Mr. Gérard Asselin (Charlevoix, BQ): Mr. Speaker, following the speech by the hon. member from the Conservative Party, I would like to make a comment. I want to thank his party for giving us the opportunity, because this is their opposition day, to debate a motion which was on the Order Paper and to which priority was given today.

In previous speeches, reference was made to how the members of the Bloc felt last night at the time of the vote on Bill C-20 at third reading. I can tell you that the hon. member for Beauharnois—Salaberry has worked very hard, as did the staff in the leader's office and all members of the Bloc who have read Bill C-20 over and over and were aware of its importance for the future of Quebec.

First of all, we want to state clearly that it is up to the National Assembly to decide the wording of the question and then it will be up to the people of Quebec to decide their future.

It is true that, yesterday, third reading was very emotional for Bloc members. The first time I voted for the Parti Québécois was in 1970, and from then on I have always voted for sovereignist parties.

I would never have been a federal member here in Ottawa had the Bloc not been created after the failure of the Meech Lake accord.

I understand that members from Ontario, Manitoba and all across English Canada voted in favour of Bill C-20. What I had trouble understanding and what made sad was seeing the Liberal members of Quebec vote, with a smile on their face, in favour of a measure to put a gag, handcuffs and fetters on Quebec. They said to Quebecers "You are not intelligent enough to decide your own future". I had trouble with that.

● (1335)

It gave me a better understanding of why Liberal members from Quebec voted in favour of the Constitution in 1982, a Constitution that was never accepted by any Premier of Quebec, whether sovereigntist or federalist. No Premier of Quebec ever accepted that Constitution. However, 74 Liberal members of the House voted in favour of it.

Since yesterday, I understand things better, because I saw Liberal members of Quebec vote in favour of Bill C-20, the famous clarity bill. This legislation will ask "Is the question acceptable or not, is the majority acceptable or not?" That is what affected us.

In closing, I want to ask a question to the Progressive Conservative member who spoke before me. I know that the Progressive Conservative Party is somewhat divided on this issue. If he had been a member from Quebec whose role is to defend Quebecers' interests, would he have voted in favour of the bill?

[*English*]

Mr. Bill Casey: Mr. Speaker, with all due respect to the member, I am a member from Nova Scotia. I hope I represent the interests of Nova Scotia in the way I vote on issues. I respect his right to represent his constituents in the way he feels he should vote. However, that is not the issue we are talking about on this motion.

He mentioned in his comments that I remarked on the emotion. I believe the government made a mistake in not anticipating how strongly the Bloc members felt about this issue. The government should have gone out of its way to make sure that members had the opportunity to speak, to bring witnesses and to participate in the debate even more than usual rather than invoking time allocation, restricting the committee meeting and restricting the travel of the committee. All kinds of committees travel everywhere. Here was a committee that was extremely important, especially to the Bloc members, and it was restricted from any travel whatsoever. Then there was an effort to try to restrict our ability to put forth amendments.

I believe the government made a mistake in the way it handled this. It should have given them more consideration rather than less.

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In that way the hon. member could have ensured that the concerns of his constituents were well heard and that he was allowed to do his job. However, because of the tactics that were used, many of the Bloc members were completely prevented from doing their job of protecting the concerns of their constituents.

Mr. Ted McWhinney (Vancouver Quadra, Lib.): Mr. Speaker, this has been a very interesting morning, as several speakers have suggested.

I compliment the members of the Progressive Conservative Party for voluntarily conceding their opposition day on a matter that is of great concern to them, to debate a motion which I believe they and other parties will not be supporting.

In a certain sense, one is reminded of Nelson Mandela's principle of healing and reconciliation after periods of great intellectual torment and turbulence such as we have experienced. It has been an experience to go through those exhausting hours of debate overnight. It is in a way a trial by ordeal. Many members of this parliament have been through it three times in the last three years. The issue that must of course arise is, can we not do better.

You have been a very indulgent presiding officer, Mr. Speaker, on a matter affecting your privileges and the privileges of the House as an institution. You could have restricted the debate by applying criteria of relevance but you have, sir, if I may say so, shown great generosity in allowing the debate to sometimes stray.

• (1340)

Allow me, though, on the most immediate technical point to make one statement that I think should be on the record. We have an enormous respect for the technical staff attached to the office of the Speaker. These people are not appointed on the basis of ideology or political preference. They are career people. They are professionals. They are technocrats. They serve the Speaker. They will serve your successor whenever that time comes and they will serve no matter what government is in office. I think that should be on record. The Speaker's staff is an extension of the Speaker himself.

Many Speakers are not constitutional lawyers. There is no reason why they should be. They do not necessarily have a great knowledge of parliamentary precedents. The staff supply that detailed knowledge, the history. It is for the Speaker to decide how to use the history. But without that staff, the Speaker could not function. I think it is agreed on all sides that the office of the Speaker, the technical staff, are beyond any reproach and we all have enormous confidence in them.

History has been referred to here. You, yourself, Mr. Speaker, in a moment of passing humour, referred to people losing their heads, your predecessors in that office. That was at a fairly early time. I am reminded of the comment of the great Mr. Justice Oliver Wendell Holmes that it is revolting to have no better justification

for a present day position than that so it was in the time of Henry II. These are old precedents and we have to review history creatively as something that develops.

The office of Speaker has changed. There is certainly a great difference between the office of Speaker in the pre-modern period, which I suppose could take us up to the time of King James I, and the period afterward. The notion of a contest between the Speaker and the government of the realm is out of date. It was surpassed by the economic and social developments, the English civil war which was a battle between two rival elites, the passing of power from the aristocratic group to the landed gentry, still to be continued later on. The precedents from that era have to give way to the modern office of Speaker and the modern parliament. Today parliament is vastly different from what it was before the Hanoverian kings came into Great Britain and before the system of cabinet government developed and responsible democracy. When Dicey speaks of the sovereignty of the king-in-parliament, he is speaking of parliament as an institution, the government, but the Speaker is a part of that.

This is recognized in the further legitimacy given to your office, Mr. Speaker, by the principle of election, which, as we all know, is very recent in this country. I think it only goes back to your immediate predecessor. However, the extra legitimacy is there to invest you with powers as part of the whole constitutional system of the country.

What Dicey referred to as the thing that makes work the new modern parliament and the modern system of checks and balances within it, was the observance of the parliamentary constitutional rules of game within parliament by opposition and by government. The minority has its rights but so does the majority and the Speaker's function is there to see that the business of the country is not unnecessarily delayed or obstructed. There is a judgment call here that he has to exercise.

As I said, in the last three years of this parliament there have been three different occasions of these marathon all-night sittings that certainly exhaust members and, continued indefinitely, might certainly do worse than that. If there can be 400 amendments to a bill of two or three pages and two or three clauses, then why not 4,000 or 40,000? So we are getting into a very practical issue.

It is interesting to note that other parliaments than our own have changed their procedure. In some ways the pre-emptive concern since the quiet revolution with Quebec issues has obscured the task of modernization and updating of parliamentary institutions and parliamentary processes and we have lagged behind.

• (1345)

I referred in another context a couple of days ago to *Mr. Smith Goes To Washington*. Jimmy Stewart, the great actor, spoke 22 hours in a filibuster to hold up what he thought was an ignoble

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project. They cannot do that any more in the United States Congress.

Just imagine Mrs. Thatcher's Britain or Clement Atlee's Britain. The House of Commons in Great Britain, from which we derive our inspiration if no longer our binding precedents, functions differently today.

We have passed the stage of the Victorian gentlemen's club of the late 19th century when parliament debated two or three bills a year sometimes. We are into hundreds of pieces of legislation and everybody has to understand that. The parliamentary rules need re-adjustment, and the Speaker in the same way, in a creative, progressive interpretation of history, interprets his lot in that way. I find in this sense that what we have done in the last week is unproductive and uncreative.

If one asks "Does the Speaker not have inherent powers in relation to amendments and legislation?", the answer is yes. Every piece of legislation, every amendment, is scrutinized in terms of its grammatical accuracy. It is scrutinized in terms of the congruence of the French and the English languages.

I believe also, Mr. Speaker, although I have never asked you about this point, that you exercise a prudent control over what might be called the bowdlerization of the language or inappropriate expressions within it. Is it not within the power of the Speaker to control what he might consider redundant, superfluous or trivial amendments? Can we have an amendment to an amendment? I will not say this in relation to the debate on the clarity bill, but on the Nisga'a bill we had amendments replacing a semicolon with a colon. Surely we are at the point where the functioning of the modern parliament and the role of the Speaker requires the Speaker to use powers, to consult with the technical officers of the staff and, if necessary, to use his discretion to strike out certain measures.

This is not uttered, though, as a criticism of the conduct of all the participants of the great debate of the last few days. As we have all said, there was great feeling in many parts of the House and it is possible that some or all of the main actors might act differently if they were doing it again. Nevertheless, I think the spirit of this motion and the way in which this debate has emerged would be to allow all parties, in the calm and healing spirit after the debate, to consider seriously ways of modernizing our procedures and ways of supporting the Speaker in the constructive use of his inherent, prerogative powers. Can we not do it differently?

I would have hoped that a more constructive measure would be to have somebody, whether it is the committee on procedure and House affairs, come back with suggestions for avoiding these marathon debates; come back perhaps as they have done, I think under your guidance, Mr. Speaker, with the all-party committee that selects private members' bills for giving priority; to come up with suggestions that would aid the Speaker in saying to people

who are sponsoring legislation or sponsoring a great mass of amendments to be reasonable and to consider also the rights of all parliamentarians and the country to have business adopted in an expeditious way. Can we not agree on this? I would hope there would be attention to this.

It occurs to me that not everybody has used the facilities available. It amazed me with the Nisga'a treaty, for example, when I was faced with a unanimous report of an all-party parliamentary committee, that we would then later have a marathon debate in parliament. The whole notion of committees was that parliament would delegate responsibility to the committees and then would trust the committees and respect their judgment. Could this have been done with the clarity bill?

We had an extensive debate in December. Was a legislative committee necessary? It is these sorts of matters that now can be approached by all parties.

• (1350)

We should stress that what emerged in all parties, and I think also with our colleagues in the Bloc, was a recognition of your office, Mr. Speaker, its own privileges and a respect for the conduct of the office and the conduct of parliamentary officials. We have trust in the institution of the Speaker. We have confidence in the officers, including the staff members.

The constructive thing coming out of this debate is the concession by all the parties in the House to suspend, with the consent of the Conservatives, their day in parliament, which was to be today, to get on to this issue; and you, sir, to allow a larger debate on the conduct of parliament, which much transcends the technical issue in this motion. That would be the constructive lesson to draw from all of this.

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, I appreciate the opportunity to make a few remarks. They will be more in the form of comments, but I would appreciate feedback.

What is one of the most important roles the Speaker in the House of Commons plays?

I want to say at the outset where I am coming from. If the Speaker were to err in his day to day decisions involving a conflict between the government or the leadership and an individual member, that ruling must always protect the individual member. I am making that assumption at the outset.

The answer to my question "What is one of the most important roles the Speaker plays?" is, to protect the rights of individual members, to protect individual MPs from the power that the crown exercises, the government, the people in authority over us. We must always respect that authority. I respect your authority, Mr. Speaker. As well, we must always ensure that everyone here is accountable.

House of Commons

There are many ways that you, the Speaker, do this. Obviously there are upfront decisions that you make every day in the day to day proceedings of the House, in debate, in question period and in the routine proceedings of the House. But there are also behind the scenes activities that take place in parliament which are very important to individual members. There are the support services that assist members in their ability to represent their constituents.

We deal primarily in this place with the making of law, the rules that all Canadians must play by and, in order to assist us in dealing with legislation, we as individual members need to have good quality, confidential research and legal advice in analyzing and drafting legislation and amendments. The legislative support staff is used mainly by opposition MPs, as the government has its own staff to do its work. MPs in the House lose confidentiality and solicitor-client privilege with their lawyers, but the government does not because it employs its own.

Since 1993, and I think the member may agree with me, I have watched the degeneration of debate in the House. We spend much less time in actual debate than we did when I first arrived in parliament. Why? It is because there has been a decline in the democratic process, in the spirit in which affairs should be conducted in the House. Much of that is due to the heavy-handedness of government. Members of the opposition have been trying to use the standing orders of the House to make their voices known. The standing orders are there to ensure we have democracy. Democracy needs to ensure that minority voices are heard. I use the word "minority" loosely because we in opposition represent 60% of the people of Canada.

I appeal to the Speaker to preserve that atmosphere of democracy which should surround all the debate and support services in the House. I cannot think of one good reason we cannot have client confidentiality in the legislative support services provided by the House of Commons. I have heard all of the excuses, like the parties have negotiated the changes, the support staff work for the House, et cetera, but the office of the Speaker exists to protect us and must not allow any change in this area which erodes the protection and support individual members must have.

• (1355)

I thank the Bloc for introducing this motion. It allows me to bring forth this concern.

I would like to make one more tiny point. The recent change in policy of the House of Commons was really done behind the backs of members—

The Speaker: I would love to give you more time, but there are only 10 minutes for questions and comments, and I am going to give the floor to the hon. member for Vancouver Quadra.

Mr. Ted McWhinney: Mr. Speaker, the hon. member made some very thoughtful comments. I think there has been a very

marked decline in parliament since we were both elected in the class of 1993. I think a lot of this relates to the unexpected but foreseeable consequences of televising the House. This has put an accent on question period which has changed very markedly from the traditional role of question period to a form of most interesting and exciting soap opera. However, it has taken away attention from the debates.

When I attended as a scholar in earlier years, the debates were interesting and lively and, by the way, there was much participation. I think that is something to consider. A logical development of this would have been to invest the committees with more power, to follow the way of the French or the American committees. I think this is a reform that has been in waiting for perhaps 50 years because we have been concentrating on other things.

I would have one comment, though, on committees. The committee on the clarity bill was a legislative committee. Once it is a legislative committee it is within the domain of the Speaker to exercise a certain degree of guidance over the conduct of the committee. I am told that the Speaker's powers have not really changed, even with the rules, but by custom they have been allowed to fall in abeyance. I think there would be a good disposition in the House to encourage the Speaker, whomever the incumbent is, to exercise those inherent powers of the office more fully and not to succumb to this loose parliamentary practice where, in a sense, the House sometimes seems to be conducting its own Rafferty rules.

I know, Mr. Speaker, you have had some vexation with this and it might be a lesson from this debate to use your powers. You would have the encouragement and support of the House to do that.

[*Translation*]

The Speaker: I will now go to the member for Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, but there are only two minutes left before statements by members.

Mr. Yvan Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, BQ): Mr. Speaker, I will try to be brief. I am sure I will still have the opportunity to ask more questions this afternoon.

Many members have said that raising this issue was a serious matter. What I would like to ask the member for Vancouver—Quadra is this. Does he not believe that it is precisely because we hold the office of the Speaker of the House in such high esteem that we are convinced he is the only one who can settle the dispute we are having, with regard to the legislative counsel and the clerks?

He is the only one who can do it because they come under his budget. He is the boss and he can decide when, how and what can be done. Is the member in agreement with this statement. As a constitutional expert himself, could he tell me whether there is another way, when we are in the middle of the debate on a bill, when we have lost confidence in the way things are being run,

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when the government refuses to put its bill on the back burner, than to appeal to the Chair?

Mr. Ted McWhinney: I have every confidence in the office of the Speaker of the House. He must exercise his authority with confidence. He has the skills and he must be encouraged to exercise his powers. Up to now the Chair has had a self-censuring attitude. This has been going on for several decades unfortunately, but that can be changed.

expenses, preventing the Ackermans from providing a decent living for their family.

Farming in this country is already in jeopardy. Rulings like this one will only contribute to its further decline. I strongly oppose this decision and call for the ministers of agriculture, finance and revenue to overturn this unfair ruling.

* * *

STATEMENTS BY MEMBERS

• (1400)

[Translation]

LIBERAL PARTY OF CANADA

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Mr. Speaker, today, the Liberal Party begins its biennial convention, bringing together delegates from all regions of our country.

Men and women will come to discuss Canada's economic and social future. They will determine the choices and options to meet the challenges of 2000s.

In short, we will debate matters that are of public interest, the facts of life and, most importantly, we will propose and adopt ways to improve the quality of people's lives.

I therefore wish good luck to the organizers of this major political event for our political party, and there is no doubt our government will draw on the proposals made this weekend to enrich its work.

* * *

[English]

BRITISH COLUMBIA FRUIT GROWERS

Mr. Werner Schmidt (Kelowna, Ref.): Mr. Speaker, British Columbia fruit growers are experiencing serious problems because of low prices and high expenses in their orchards. In order to compete in world markets many have begun replanting to high density, better quality fruit trees.

Two such people are my constituents Bill and Sheila Ackerman, orchardists in the Kelowna area since 1985. Until the orchard is once again productive Bill and Sheila must rely on off farm income.

Does the federal government commend the efforts of British Columbia fruit growers? No. In a callous ruling government tax collectors have chosen to restrict the deduction of legitimate farm

THE ENVIRONMENT

Ms. Aileen Carroll (Barrie—Simcoe—Bradford, Lib.): Mr. Speaker, a report commissioned by Environment Canada reveals that up to 100,000 seabirds are killed every year in the oily waters off the coast of Newfoundland. I am certain that Canadians are as angry as I am that these waters are being used as a dumping ground for oily wastes by ships headed to the U.S.

Due to totally inadequate environmental surveillance and ridiculously low fines for polluters, these ships pump their bilge with impunity before they reach U.S. territory. A conviction for fouling European or American waters can cost shipping companies up to \$1 million. In Canada the average penalty for the few ships apprehended has been a puny \$7,000.

When will this country get into active pollution regulation enforcement and commit the funds to make our enforcers a real threat to these environmental criminals? They cannot get away with causing the slow death of seabirds in Europe or the U.S., but they do it in our waters where the fines are merely a cost of doing business. I ask members—

The Deputy Speaker: The hon. member for Etobicoke—Lakeshore.

* * *

BARAKOVA MINE

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, Canadians are concerned when disasters bring hardships to and take the lives of people in regions around the world. I rise today to draw the attention of the House to the Barakova mine disaster which took place last Saturday in the eastern region of the Republic of Ukraine.

The Barakova mine explosion was caused by methane gas mixed with coal. This horrific tragedy is said to be the nation's worst national industrial disaster since its independence in 1991. The disaster claimed the lives of 80 miners, hospitalized many and brought tremendous emotional suffering to families.

I join my constituents in the Ukrainian community and all Canadians in extending my deepest sympathy to the survivors and to the families of those who are now suffering as a result of this disaster.

GOVERNMENT OF ONTARIO

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, I was pleased to take part in a round table discussion in Coutice in my riding last Thursday. This meeting centred on economic development and transportation in Durham. We had representatives from agriculture, municipal government, truckers, environmentalists, and indeed from all walks of life.

The people of Durham are tired of the finger pointing that the Harris government of Queen's Park is so famous for. While we work into the wee hours of the morning here in Ottawa, the legislature in Queen's Park has not even sat this year. We know which government is working for the people and which is not.

The people of Durham want government to work toward resolving their health care problems. Canadians know that over \$80 billion in total health care spending, or around 9.2% of our GDP, makes us one of the biggest spenders in health care in the world.

No, it is not about money. It is about management of that money. The Harris government taking health care money out of designated trust accounts and spending it on other things is part of the management problem. The people of Durham want the Harris government to stop playing cheap politics and get back to work.

* * *

• (1405)

WILLIAM BARKER, VC

Mr. Inky Mark (Dauphin—Swan River, Ref.): Mr. Speaker, this week marked the 70th anniversary of the death of Canada's most decorated war hero, Lieutenant-Colonel William Barker, VC. Lieutenant-Colonel William Barker, VC soared through the sky during the first world war, shooting down 50 enemy aircraft in his famous Sopwith Camel biplane.

Born in 1894 in Dauphin, Manitoba, Barker joined the Canadian Mounted Rifles in 1914. He spent a year in the trenches before transferring to the Royal Flying Corps where his efforts went on to win him the Victoria Cross.

He died test flying an airplane near the Ottawa Rockcliffe airport in 1930. His funeral was the largest ever in Toronto's history with more than 50,000 spectators and a cortège of more than 2,000 soldiers in uniform.

On June 1 the heritage minister will unveil a commemorative plaque in his honour in Dauphin, Manitoba. The Snowbirds, another Canadian icon, will take to the skies to celebrate this special occasion. I invite all members to attend this historic event.

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[Translation]

HIGHWAY ACCIDENT IN
SAINT-JEAN-BAPTISTE-DE-NICOLET

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, this morning, in Saint-Jean-Baptiste-de-Nicolet, six preschool children died in a highway accident.

Four children died on impact, a fifth child died on the way to the hospital and another child died later. Three children remain in hospital, one of them in critical condition.

On behalf of myself, the Bloc Québécois and all members of this House I offer my deepest sympathy to the families facing this terrible catastrophe.

I would like them to know that we share their pain and hope they may have the courage to carry on through this awful trial. I would also like to express the hope that the children currently fighting for their lives in hospital may fully recover as quickly as possible.

I would remind all the families affected by this tragedy that, as the great writer Alexandre Dumas said one day, those we have loved and lost are not where they used to be, but they are with us always wherever we may be.

* * *

PRIME MINISTER OF CANADA

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, I will congratulate our Prime Minister, if I may, for his determination to work on behalf of the interests of Canadians.

The bill on clarity in a way confirmed the supreme court opinion that, unequivocally, a question on the future of Quebec had to be clear, as did its results.

The Canadian government had to face up to its responsibilities, and that is precisely what we are doing. What we are dealing with here is our country, its future, and our determination to preserve and improve it. That was the challenge faced by the Prime Minister and the Minister of Intergovernmental Affairs.

Today I wish to salute the courage and determination, and the worthwhile accomplishments, of our Prime Minister, who is the leader of a strong government, a team with the future of our country, Canada, at heart.

* * *

[English]

MINISTER OF FOREIGN AFFAIRS

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Mr. Speaker, three Canadian children have been illegally held in the state of California for over six months. Yesterday Canadian authorities met

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with their counterparts in the state of California to obtain custody of these children, but instead of gaining custody they will have to apply to a California judge three weeks from now and hopefully obtain custody then.

They have already been there for six months and three more weeks is entirely unacceptable, especially for young children to whom three weeks is a lifetime.

I would like the Minister of Foreign Affairs to explain to the House why sparing the life of convicted murderer Stanley Faulder in a Texas prison warranted his direct personal intervention but he will not lift a finger to help three Canadian children be returned home where they belong.

* * *

CANADA

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, yesterday in the House we passed an historic bill, Bill C-20, to protect the interests of all Canadians when it comes to the possibility of a province indicating its desire to separate from Canada, but today a senior American defence official is quoted as referring to Canada as the 51st state.

• (1410)

The Canadian Minister of Industry is indicating his desire to eliminate the foreign ownership rules of our most important of industries. The Canadian Minister for International Trade is still discussing ways of giving away our sovereignty and resources such as water through the WTO.

The Conservatives and Reformers would only like the Liberals to put up their for sale sign faster. Only New Democrats such as my colleagues from Halifax West, Winnipeg—Transcona and Regina—Qu'Appelle are standing up for Canada. I ask the Liberals who are having their convention this weekend which flag they will be flying, the Canadian flag or the American flag?

The Deputy Speaker: The hon. member for Sackville—Musquodoboit Valley—Eastern Shore knows that using props in the House is quite out of order.

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[Translation]

LIBERAL PARTY OF CANADA CONVENTION

Mr. René Laurin (Joliette, BQ): Mr. Speaker, instead of coming up with a new face at the head of their party, the federal Liberals have decided to give a younger look to their membership, by inviting thousands of young people to attend their national convention this weekend in Ottawa.

At first glance, it would seem that an old party could not be faulted for wanting to rejuvenate its base of party faithful by seeking memberships from young adults, whether students or workers. However, when that objective prompts Liberal organizers to approach a group of some forty students in the lower grades of secondary school, 13, 14 and 15-year olds, holding out the prospect of an all-expenses paid trip to Ottawa, and when this is done behind the backs of parents and school administration, there are grounds for objection. This is unacceptable and irresponsible.

Thanks to the initiative of Jean-François Coderre, president of the federal Liberal association for the riding of Joliette, that is exactly what happened in a least one comprehensive high school in my riding.

What next? Recruiting in the elementary schools or in daycare centres? One may well wonder.

* * *

MANIGANCE FOLK GROUP

Mr. Claude Drouin (Beauce, Lib.): Mr. Speaker, the second edition of the international folklore festival will take place in Tokyo, Japan, in July. A total of 73 countries, including Canada, will take part in this international event held under UNESCO and the IOC.

Some 2,000 participants will present, through dance, the cultural elements of their respective countries.

Canada will be well represented by the folk group Manigance, from the town of Sainte-Marie.

Until now, this group has played a major role in the cultural development of the region that I represent, and has been a source of pride for all the residents of Beauce.

From now on, we will share that well deserved pride with all Canadians, through this very prestigious international event.

I wish Manigance the best of luck during the event and I know it will do a great job at representing our country at the world level.

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[English]

HEALTH CARE

Mr. Norman Doyle (St. John's East, PC): Mr. Speaker, the Minister of Finance was reminded on many occasions not to forget health care in his new budget. In his budget speech of February 28 the minister indicated that post-secondary education and health were the big priorities of Canadians. He then went on to say that these two areas would receive a one shot infusion of \$2.5 billion spread over four years and 10 provinces.

In the case of Newfoundland, that amounts to \$10 million a year for four years. If we assign half of that to health care, that is \$5

million a year spread over 34 hospitals and health care centres, about the cost of one doctor per institution.

The finance minister did not forget health care but he came very close to forgetting health care. With an underfunded health care system in crisis and a budget in surplus that simply is not good enough.

* * *

AGRICULTURE

Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Mr. Speaker, every year the world celebrates International Women's Day. This year was no exception, and at this time I would like to draw attention to the vital roles women play in our rural communities and the contributions they make to the agriculture industry in Canada.

Farm women are integral to the success of the country's agriculture and agri-food industry. In addition, through their volunteer work and their community leadership rural women play an important role in strengthening their communities.

These women have helped to make the agriculture industry the success that it is today. They will have a hand in shaping the future and making this industry and their communities better places in which to live and work. I applaud them for their contributions.

* * *

CORRECTIONAL SERVICE CANADA

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Mr. Speaker, would you like a membership in a club that gives you more time to lift weights, play baseball and ping-pong? It is easy to join. One just needs to be an inmate at Drumheller Annex in Alberta.

• (1415)

The assistant warden says the reason for giving prisoners more leisure activities is so they will not want to escape. Last year Drumheller had nine escapees.

Apparently Correctional Service Canada has decided inmates spend too much time just watching TV and chatting. What is CSC's solution? Give the inmates more perks so they will not want to escape. Officials are even going to add a gym, woodworking equipment and an activity room. Is this part of prison rehabilitation so inmates can get future jobs as ping-pong instructors?

What will the minister offer victims and victims' families? Law-abiding citizens must often deny their own children such benefits in order to pay the taxes that provide perks for prisoners.

Today's lesson for the solicitor general is prison is not supposed to be fun and games.

Oral Questions

[Translation]

QUEBEC

Mr. Maurice Godin (Châteauguay, BQ): Mr. Speaker, the parliamentary battle over Bill C-20 is over, but the political fight has now begun.

The undemocratic nature of Bill C-20 reveals the base instincts of this government, as it pursues its assimilating attack against the people of Quebec, while showing its inability to renew a federalism that is centralizing, dominating and wasteful.

Through their support of this bill, the federal Liberals from Quebec are showing their true colors and are confirming their subservience to the interests of the rest of Canada.

The excellent budget brought down in the National Assembly this week marks the beginning of economic deliverance for Quebec. Pursuing the battle will make Quebec's social and cultural deliverance a very close reality and its political emancipation a greater possibility than ever.

Together, let us continue the fight, the fight for the freedom of the Quebec people.

ORAL QUESTION PERIOD

[English]

HUMAN RESOURCES DEVELOPMENT

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, the Prime Minister thinks being a good MP means giving his own riding more money than the entire province of Manitoba, Saskatchewan or Alberta. Fancy that. His interference with HRD grants and contributions is precisely what the HRD officials are complaining about.

Now another briefing document that we have dealing with trust funds in the Prime Minister's riding says "it would appear that this section of the Financial Administration Act was not respected". That is an admission of guilt. Why were the police not called in?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the hon. member is talking about the investments made in the Prime Minister's riding. Total grants and contributions during the period of time that we were talking about was somewhere in the area of \$20 million.

Let us look at some of the Reform ridings. Let us look at North Vancouver: \$21 million. Let us look at Kelowna: \$39 million. Edmonton East: \$45 million. Is the hon. member saying that those ridings did not deserve those investments?

Oral Questions

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, she might have just separated out the actual TJF grants. None of these people were involved in fancy dealings either to get somebody on board to help them out.

The minister gave us her opinion yesterday which probably a few people appreciated but not many. Not only does her department refer to widespread disregard for the law but so does this new briefing note we have. Let me quote from it again. "It would appear that this section of the Financial Administration Act was not respected". Her department thought the law had been broken. It realized it.

Was it the Prime Minister's involvement that kept the police from being called in on this?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the hon. member is referring to draft documents. Yesterday they were talking about questions and answers that were prepared by the department's communications officials. They were hypothetical questions that were never asked. They were hypothetical answers that were never given.

The employees in the Department of Human Resources Development have never been instructed not to uphold the law.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, well let me assure her that even draft recognizes graft. It is shameful that the minister continues to say—

The Deputy Speaker: I could not tell whether the hon. member said draft or graft. I assume she said draft and I hope that that is the case. I know she will want to continue with her question.

• (1420)

Miss Deborah Grey: Mr. Speaker, let me quote again from the minister's own documents. They are not hypothetical. They said, "We were told to be flexible and responsive and not to lapse funds. Now we are being told we have to obey the Financial Administration Act". How about this one, "The rules are not new. They are just being enforced now". How about this one, "It would appear that this section of the Financial Administration Act was not respected".

The evidence is here regardless of whether she would just hope that it is a draft or not. I would like to ask the hypothetical minister—

The Deputy Speaker: Not only is the member for Edmonton North using inappropriate language, she has run out of time. The hon. minister may reply to the allegations contained in the preamble if she wishes.

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the Reform Party just continues with Reform mythology. First of all Reformers told Canadians that \$3

billion was missing. That is not true. Why do they not admit that? Then they said \$1 billion was missing. That is not true. Why do they not say that?

What is true is that a department looked at itself, found that it could improve its administrative practices and is doing just that.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, the minister is always anxious to respond to allegations we have not made. How about some that are clearly before the House?

Yesterday the minister refused to answer direct questions about her department's practice of violating the Financial Administration Act. Today we have additional documents showing the minister received clear advice that the Financial Administration Act was not being respected.

I ask the minister again, why was her own government department not obeying the law of the land?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, again I reject the accusations of the hon. member.

Miss Deborah Grey: That is great, honey, but they are not arguments.

Hon. Jane Stewart: Let us recognize what the hon. member for Edmonton North said. Yesterday she was talking about girls. Today she is calling me honey. To quote a dear friend of mine, I am certainly not your honey.

Some hon. members: Oh, oh.

The Deputy Speaker: I am sure there are not many honeys in the House. The hon. member for Calgary—Nose Hill.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, the minister may think this is a big yuk, but I can assure you that Canadians do not.

We have a treasury board document that also advised the minister, "One cannot create a trust fund within the CRF", that means public money, "nor can one try to get around it through a shell game by using a so-called trustee". That is exactly what her department did in the Prime Minister's riding. An act of parliament was violated but what did the minister do? She just shrugged and said "Oh, that was inappropriate".

Did the minister turn a blind eye because this was in the Prime Minister's riding?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I have spoken on a number of occasions about the trust funds that the hon. member is making reference to. In fact I agreed that it was not administratively correct for the employee in question to have created those trust funds. But the

employee of the department did it in all good faith to try to assist people getting jobs.

If the hon. member wants to suggest that the trust funds were created and that someone gained personally from them, then let her bring that fact and that information to the floor and we will deal with it that way.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, yesterday, the Prime Minister admitted that René Fugère had represented him on one or two occasions. A little effort to remember and especially a letter from his own office did the trick.

I therefore ask the Deputy Prime Minister whether he can confirm that it was once or twice, or might it have been more like three, five or perhaps ten times?

• (1425)

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, the important thing is that René Fugère was never an employee of the Prime Minister.

The Prime Minister's spokesperson even confirmed this in the *National Post* last May when he said that Mr. Fugère was an active member of the Liberal riding association who, in the past, had sometimes served as a volunteer and represented the Prime Minister at certain events, and that that was all.

And that is all, Mr. Speaker.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Deputy Prime Minister seems to like letters. I will read him part of one:

I confirm that I have met with René Fugère on several occasions since my election as the member for Saint-Maurice in 1994. Mr. Fugère took part in numerous activities as the representative for the federal member for Saint-Maurice, the Prime Minister of Canada. This is public knowledge—

This is signed by Claude Pinard, MNA for Saint-Maurice—the member mentioned PQ MNAs, so we are obliging—and deputy speaker of the National Assembly.

Does this not contradict the Prime Minister's version, and is the government not rather concerned about Mr. Fugère's activities in the PMO?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, I see no contradiction, because René Fugère was never an employee of the Prime Minister.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, yesterday, the Prime Minister acknowledged with our help that René Fugère had represented him a number of times. He was not paid, of course; he works on commission. It would really be beyond all if he had two salaries.

Oral Questions

Will the Deputy Prime Minister acknowledge that when René Fugère, a man very close to the Prime Minister, who represents him everywhere, intervenes with Human Resources Canada, he has impact, almost like that of political intervention?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, the hon. member is mistaken in suggesting that Mr. Fugère represented the Prime Minister, after making certain enquiries.

I believe that when Mr. Fugère did represent him it was without pay and not as an employee of the Prime Minister, as I have just said.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Deputy Prime Minister can say what he likes, everyone in the riding of Saint-Maurice, it is common knowledge, knows that René Fugère regularly represents the Prime Minister.

I have understood one thing, though. In the last election, the Prime Minister said, and I quote "When something involving Saint-Maurice ends up in a minister's office—I need not say more". He should have said "When something involving Saint-Maurice ends up in a minister's office—I need not say more. René Fugère will attend to it personally".

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, on behalf of the Prime Minister I totally reject the unfounded insinuations of the hon. member.

* * *

[English]

HEALTH CARE

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, my question is for the Minister of Health.

As the Minister of Health knows, the NDP believes that Bill 11 in Alberta is in violation of the Canada Health Act. The minister has been reluctant to come to this conclusion. We do have some legal opinions on this matter which we are willing to table with his co-operation after question period.

I ask the minister, if in his final analysis he does not agree with these legal opinions and with us and comes to the view that in some legal way the Canada Health Act is not being violated, is he prepared to change the Canada Health Act so this threat to medicare that Alberta is now posing will be eliminated?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the member knows I have not been shy at all in speaking about Bill 11. I went to Calgary last week and I said it is not the right thing to do because it will not help with the problems we face. Private for profit medicine in Alberta has been proven to have longer waiting lists, higher costs and there are issues about quality of care.

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The issue of the Canada Health Act depends on what the bill is. Right now the premier is talking about amendments. We have not seen regulations. It is not even at second reading. Let us wait and see what happens in the legislative process.

In the meantime it is the wrong thing to do from a policy point of view and we have said so.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, it is two weeks since the bill was tabled. It is four months since the premier revealed what he intended to do.

Can the Minister of Health give the assurance to Canadians that if the process he is hoping will work in Alberta does not work, that he is prepared to use the Canada Health Act, or to strengthen the Canada Health Act as is recommended by a resolution coming before the Liberal convention this weekend, in order to make sure that what is happening in Alberta does not become a death sentence for medicare?

• (1430)

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, I can give the hon. member and the House the following assurance. We will do whatever is necessary to protect the principles of the Canada Health Act and to protect medicare in Canada. If the hon. member has legal opinions he would care to share with us, we would be happy to have them.

In the meantime, let us work together not only to discourage private for-profit medicine, which we think is wrong, but to strengthen medicare in Canada. Let us work together to renew medicare for the 21st century.

* * *

LOBBYISTS REGISTRATION ACT

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, my question is for the Minister of Industry. The Lobbyists Registration Act, which is enforceable by the RCMP, demands that all lobbyists register with the registrar. Yet the Prime Minister's friend, Mr. René Fugère, carries on his activity lobbying different departments and never bothers to register.

The Prime Minister told the House that when he realized there was something wrong at CITEC he picked up the phone and called the RCMP, and rightfully so. Why has the Prime Minister or the Minister of Industry not picked up the phone and called the RCMP on René Fugère?

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, the information concerning allegations that Mr. Fugère had not been registered and had lobbied was passed to the RCMP by the registrar, which is the appropriate way that this should be dealt with.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, violating the Lobbyists Registration Act is very serious and a conviction results in fines of up to \$100,000 or two years in prison.

According to the minister, they have been in touch with the RCMP. What I would like to know is has the minister informed the RCMP that René Fugère lobbied for two hotels in the Prime Minister's riding? Did he tell the RCMP that he lobbied for HRDC for funds for a sawmill in the riding of Champlain?

What we would like to know is what information does the RCMP have and when can we expect an answer back?

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, of course the RCMP will conduct its investigation. It will deal with the results of that investigation with prosecutors from the Department of Justice in the normal course.

I do not expect that they will be consulting with the hon. member on what they should do, but you can be assured, Mr. Speaker, that the normal course of justice will be followed.

* * *

HUMAN RESOURCES DEVELOPMENT

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, access to information documents show that the Department of Human Resources Development was requested to prepare an explanation of an alleged misappropriation of funds connected to the \$6 million TJF grant to Iris Hosiery in Montreal. That was in June 1998.

Can the minister please tell the House the nature of this alleged misappropriation and the government's response?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, what I can say is that in the case of Iris Hosiery, 1,440 employees are now working there who probably would not be without this relationship that includes Government of Canada money, private sector money and, again, the acceptance of the Government of Quebec.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, of course what the minister leaves out is that it was supposed to create 3,000 jobs for that money.

Let me quote from the access document. It says:

Please verify whether or not this is the first time that we heard about the misappropriation of funds and what have we done/are doing about this investigation?

That was two years ago. The minister said she wants to be transparent. Here is her chance. Has the minister referred this matter to the RCMP and if not, why not?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the hon. member makes reference to the 3,000 jobs and that would have been the investment from the government of \$8.1 million. When we discovered, due to certain

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complications, that not many jobs had been created, the investment from the Government of Canada was reduced to \$5.9 million.

[Translation]

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, in 1996, the Council for Canadian Unity received \$8.4 million from Human Resources Development Canada to create jobs. Its rate of success was 30%. Worse yet, it is estimated that the council made \$8 million in profits.

Can the minister tell us where the money went and what it was really used for?

• (1435)

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I believe the hon. member is talking about a program called Experience Canada. Yes, indeed it is a very important undertaking that encourages young people across the country to find employment opportunities in another part of the country so that they can enjoy and understand other cultures. I can see why this hon. member would not like that approach.

[Translation]

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, in spite of the mediocre results achieved by the Council for Canadian Unity and its excessive profits, and in spite of the concerns expressed by its officials, the council was just given a new \$9 million grant.

On what basis was the decision to give a new \$9 million grant made?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I can confirm that on this file the department is working with the Council of Canadian Unity to address the needs of this particular program.

We on this side of the House believe that it is an important undertaking to provide opportunities for young Canadians in any part of this country to be able to travel to another part to get work experience and experience about their country.

[Translation]

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, a \$6 million grant was given by Human Resources Development Canada to the Bas Iris company, in the riding of Anjou—Rivière-des-Prairies. The owner of that company has made a \$21,000 contribution to the Liberal Party.

What exactly is the connection between the two?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the democratic process allows citizens to

make contributions to any political party, our party or even their party. In fact, if they would look at the record they would find that transitional jobs fund grants have gone to private undertakings that even supported that party.

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, HRDC is just full of political patronage. This \$6 million was dished out just before the 1997 election. This riding in fact was a pretty tight race. The garment industry came along and said "Do not do this. It will mess up the industry".

Why was generosity to Liberals enough to overcome the complaints and concerns of the garment industry?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the focus of the interventions of my department are on individuals. In this particular case, 1,440 individuals who did not have the opportunity to work before now have the opportunity.

[Translation]

Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ): Mr. Speaker, in 1996, the Council for Canadian Unity received \$8.4 million. What was the outcome? A total failure. As a reward for its poor performance, HRDC gave it \$9 million in 1999.

Is there some connection between the success of the Council for Canadian Unity in obtaining funding and the presence in the equation of another friend of the Prime Minister, Rémi Bujold?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, let me say again that on this side of the House we believe that a program like Experience Canada is worth the investment.

I can confirm to the hon. member that the moneys that have been provided to this program have only been expended for actual costs incurred.

[Translation]

Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ): Mr. Speaker, there is a strange coincidence in this affair.

The Vice-President of the Council for Canadian Unity is also vice-president of a company awarded a contract by the Council.

An hon. member: The buddy system.

Mrs. Suzanne Tremblay: Is this a repeat of the René Fugère business, but this time with Rémi Bujold?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, it is obvious that the hon. member is against national unity, but we do not share those views in the least. We are in favour of national

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unity, and we are working in the interests of all Canadians in this matter.

• (1440)

[English]

Mr. Werner Schmidt (Kelowna, Ref.): Mr. Speaker, Iris Hosiery received \$6 million of taxpayers money that top garment industry officials thought was crazy. Never mind the record of the owner of Iris. Never mind the warnings of the industry. Darn it all, there are socks to be subsidized.

Was the \$21,190 that Iris and Mr. Badia donated to the Liberal Party necessary to get this grant for Iris?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, you must understand that from the point of view of that party it is “never mind the 1,440 people that are working”.

One of the things that is clear, and I will say it again, members on that side of the House do not believe that the Government of Canada should be working with communities and individuals to ensure that they have the opportunities to benefit from this great country. Well, we feel quite differently.

Mr. Werner Schmidt (Kelowna, Ref.): Mr. Speaker, never mind all the garment workers who lost their jobs because of this particular grant.

The industry officials indicated very clearly that many of the garment industry workers would have to leave their jobs if Iris got this particular grant. In fact, the Canadian Apparel Manufacturers Institute warned that job losses would take place right across this country. Iris got the grant anyway.

Is \$21,190 the price of doing business with the government?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I reject the allegation made by the hon. member. If he has proof that there was something inappropriate here, then let him bring it forward.

[Translation]

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, in the Human Resources Development saga, the Prime Minister has acknowledged that, if an investigation turned up serious problems, the money would have to be repaid.

Is the Council for Canadian Unity exempt from the rules, or is it going to pay back the money?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, as I said earlier, any money forwarded to this program was for actual costs incurred.

TAXATION

Mr. Sarkis Assadourian (Brampton Centre, Lib.): Mr. Speaker, my question is for the Minister of Finance.

[Translation]

Some hon. members: Oh, oh.

The Deputy Speaker: Order, please. There is so much noise I cannot hear the hon. member who is just over to my right. This is unbelievable. Quiet down, please. We must be able to hear the questions and answers.

[English]

Mr. Sarkis Assadourian: Mr. Speaker, my question is for the Minister of Finance.

In recent days questions have risen about the impact of the Alberta government's flat tax on middle income people. Some have suggested that middle income earners will actually lose part of their tax cuts due to flat tax.

Could the minister explain what exactly is happening with this tax?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the hon. member's question is very pertinent.

Brad Severin, who is an eminent Alberta tax accountant, has in fact confirmed the unfairness of the Alberta plan. He has said, for example, that in the year 2001 the taxpayer earning \$65,000 a year will pay \$170 more in taxes under Alberta's plan than under ours. As Mr. Severin says, it only gets worse as time goes by. By the year 2004 they will pay \$440 more.

The question is: Why does—

The Deputy Speaker: I am sure we would all like to hear the question but there is a limit. The hon. member for Peace River.

* * *

HUMAN RESOURCES DEVELOPMENT

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, when the HRDC minister granted the \$6 million to Iris Hosiery in Quebec, she did so even though the president of the Canadian apparel industry stated that this subsidy would jeopardize the level of competition in the industry.

Let us try to get this straight. HRDC subsidizes a company supposedly to create jobs even though it was told it would kill jobs in the same industry by driving competitors out of business. Was this done because Iris Hosiery was a large donator to the Liberal Party of Canada? What else is it?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): No, Mr. Speaker.

Oral Questions

• (1445)

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, it just happened to donate \$21,000.

Listen to what the former HRDC minister had to say when he announced this questionable grant: "Some would say today's announcement has a strong pre-election aroma about it". That is it exactly. This grant really does stink.

Will the HRDC minister admit now that this had nothing to do with creating jobs and everything to do with winning the election in 1997?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, it was anticipated that the products from Iris Hosiery were going to be for export.

I would note that the investment of the Government of Canada was 16.3% and that the company itself invested \$54.9 million. I would also say that this project was supported not only by the local municipality, but of course by the Government of Quebec.

* * *

INDUSTRY

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, my question is for the Minister of Industry.

Recently the Minister of Industry was reported as saying that he wants to go to the bargaining table to open up the question of foreign ownership. He also predicted the end of foreign ownership restrictions on Canadian airlines, communications companies and even Canadian banks.

I want to know whether the Minister of Industry was speaking on behalf of the Government of Canada when he said this. Is this really government policy?

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, that is incorrect. In fact what I said was that I expected, as was the case in the last round of WTO negotiations, that issues related to the ownership limits in telecommunications would likely be something that we would look at moving forward.

There is some interest within the industry to do that as well. However, I would point out, as the member suggests, that if we were to make changes in ownership limits we would expect concessions from our trading partners.

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, the minister did say that he would like to put these issues on the bargaining table.

It seems to me that he wants to trade away our economic sovereignty. The trading away of economic sovereignty would mean the loss of political sovereignty. At the same time the Prime

Minister is saying that he wants to stop the Americanization of this country.

I want to know how the minister's policy of bargaining these issues away and putting them on the table squares with what the Prime Minister is saying.

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, I think the difference between our view and the NDP view is that we believe that Canadians can succeed in the global economy.

We recognize that globalization is a reality of the changing technologies, the changing investment structures and the changing patterns of the world. Canadians can win in that environment. Canadians win in the telecommunications sector. Whether they are companies like Nortel, Newbridge or others, we get the jobs. The jobs have to be here for us to succeed in that global economy.

That is the difference. Their walls would never work. The jobs would go.

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CANADA SAVINGS BONDS

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, internal Bank of Canada correspondence clearly states that over the next 12 to 18 months there are plans to privatize the administration of the Canada savings bond program.

Yesterday the minister said that the decision has not been taken and in fact it is not being contemplated.

Was the minister not only half right? While no final decision has been made, is privatization not being contemplated and have companies not been approached?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, as I indicated yesterday, there are a number of options which are being looked at in terms of the back office of the Canada savings plan, which is currently being administered by the Bank of Canada, such as merging it with a Department of Finance agency, outsourcing conceivably to the private sector, but also outsourcing possibly to Public Works and other government departments.

Fundamentally, the privatization of the entire situation is not being looked at. Outsourcing is certainly a possibility.

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, outsourcing and privatization are fairly similar, but we are talking about the backroom operation of the Canada savings bond program.

• (1450)

Will the minister commit to referring this important issue to the Standing Committee on Finance for further evaluation before any final decision is made?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the hon. member is a member of the House of Commons finance

Oral Questions

committee. If he wishes to raise it there and the House of Commons finance committee would like to see the pertinent officials appear before it, I would more than delighted to comply.

* * *

CITIZENSHIP AND IMMIGRATION

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, my question is for the Minister of Citizenship and Immigration.

Apparently the Mike Harris government in Ontario plans to charge a discriminatory \$925 tax to Ontarians who wish to adopt foreign orphaned children.

Can the minister confirm that indeed this is true and whether there is any federal government involvement in this plan to tax Ontarians?

Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I want to assure the member that the first I heard about this was when I read about it in the newspaper. It is federal government policy that immigrant children should not be charged the right of landing fee.

Furthermore, once the new citizenship bill is passed, foreign-born children who are lucky enough to be adopted by Canadian parents will enter Canada as citizens.

Furthermore, I guess I would have to say that first Premier Harris picked on welfare moms, then squeegee kids and now it is foreign orphans. I hope he will reconsider this policy.

* * *

HUMAN RESOURCES DEVELOPMENT

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, the minister refused to answer a serious allegation about a misappropriation of funds in the case of Iris Hosiery of Montreal.

Farmers in my riding are going broke supporting the habits of this minister. Her own department raised the issue of misappropriation in an internal document.

Can the minister tell the House the nature of this alleged misappropriation and has she referred the matter to the RCMP?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, if the hon. member has details of an issue that he would like to have referred, then let him bring them forward.

In the case of this undertaking I want to be clear again that the project was supported by the Government of Canada, it was supported by the municipality, it was supported by the Government of Quebec, and at the time it was a Bloc member who was in the riding and he supported it very vigorously.

[Translation]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, in the matter of the Council for Canadian Unity, Gordon Bean, a senior official in the Department of Human Resources Development, wrote in a letter that, despite all the staff available, he felt the objectives on participation could not be met. Nevertheless, the minister paid out \$9 million to the Council for Canadian Unity.

Will the minister acknowledge that this money is used only for federal propaganda purposes and to pay off party chums?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, on this side of the House we absolutely believe that the right thing to do is provide opportunities for young Canadians to travel the country, to get to know the country so they can understand when they go home to share their experiences with others, their families and neighbours.

We know the members of that party are not interested in that. That is why we are here and they are there.

* * *

[Translation]

CANADIAN HERITAGE

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, last year, Canadian Heritage did not include the Fête nationale des Acadiens in its calendar of national celebrations.

After pressure from the Acadian community and the SAANB, the Minister of Canadian Heritage apologized and corrected matters. This year, the same problem arose again. This is really scornful treatment of the Acadians.

My question is as follows: When will the Minister of Canadian Heritage settle this problem once and for all?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I would like to thank the member, who kindly informed me of the error this week. As soon as he informed me, I corrected it.

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CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

Ms. Diane St-Jacques (Shefford, PC): Mr. Speaker, I asked the Minister for International Cooperation to provide a list of companies dealing with CIDA that had been audited and paid even if their file was incomplete.

• (1455)

She provided a list of all the companies that had received contracts, without indicating which ones had been paid even if their files were incomplete.

Oral Questions

Does the Minister have something to hide? Is she afraid that these companies might include the ones that contributed \$695,000 to the party in power in 1997 and 1998?

[*English*]

Hon. Maria Minna (Minister for International Cooperation, Lib.): Mr. Speaker, the hon. member, I am sure, is referring to the CIDA Inc. program. No projects in CIDA are paid without invoices being provided at any time.

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JUSTICE

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, each year the consumption of alcohol during pregnancy results in hundreds of Canadian children being born with fetal alcohol syndrome or other alcohol related brain damage. Some provinces have also reported that 50% of the inmates in our jails suffer from this incurable but preventable tragedy.

Can the Minister of Justice advise how the Government of Canada is responding to this very troubling statistic about fetal alcohol syndrome?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, first of all, let me congratulate the hon. member for the publication of his recent book entitled *Fetal Alcohol Syndrome: The Real Brain Drain*.

As the hon. member has pointed out, fetal alcohol syndrome or fetal alcohol defects are completely preventable birth defects. In fact, the young people born with these defects suffer from lifelong health concerns and too many of these young people end up in trouble with the law. That is why my colleague the Minister of Health and I are working together with community groups across the country to better inform and develop—

The Deputy Speaker: The hon. member for Calgary—Nose Hill.

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HUMAN RESOURCES DEVELOPMENT

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, I hold an HRDC document titled “Urgent Request—Subject: Bas Iris—Transitional Jobs Fund Project”, which states: “Please verify whether or not this is the first time that we have heard about the misappropriation of funds and what have we done/are doing about this allegation?”

The minister is being asked a very straightforward question. There is an allegation in her own department of misappropriation of public funds. We have heard nothing about the result of this. The RCMP have not been called in that we are aware of. We are asking her about the status. We are also asking—

The Deputy Speaker: The hon. Minister of Human Resources Development.

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, let me quote from a letter referencing Manufacturier des Bas Iris from the department, which states:

[*Translation*]

“In these circumstances, I do not think it necessary to recommend any change to the existing contract”.

[*English*]

The department looked at this and found that a change to the contract was not necessary.

* * *

FOREIGN AFFAIRS

Mr. Gordon Earle (Halifax West, NDP): Mr. Speaker, Canada is the 51st state of the U.S., according to a top U.S. defence official. The U.S. is preparing to deploy a national missile defence system, violating the anti-ballistic missile treaty and angering and provoking other powers, and it expects this government to play ball.

Will the government say no to another arms build-up, no to supporting the U.S. missile defence system and insist that this entire matter be brought before the United Nations? Or, is the government indeed comfortable with being called the 51st state?

Mr. Denis Paradis (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Mr. Speaker, the United States has not taken a decision yet to deploy a national missile defence system and Canada has not been formally asked to participate in an NMD system by the U.S. Consequently, it is a completely hypothetical question. We cannot yet take a position. There are still too many unknowns.

I have to add that the U.S. has confirmed that the deployment of a national missile defence system would require a change to the existing anti-ballistic missile treaty of 1972. The U.S. is pursuing discussions with Russia on this matter.

* * *

[*Translation*]

CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

Ms. Diane St-Jacques (Shefford, PC): Mr. Speaker, I think the minister has misunderstood my question. I will therefore repeat it.

I was speaking of a list of companies dealing with CIDA that had been audited and paid even if their files were incomplete.

She provided a list of the companies that had received contracts, without indicating which ones had been paid even if their files were incomplete.

Point of Order

Is the minister afraid that these companies might include the ones that contributed \$695,000 to the party in power in 1997 and 1998?

• (1500)

[*English*]

Hon. Maria Minna (Minister for International Cooperation, Lib.): Mr. Speaker, first of all, as I have said before, no payments are made without supporting invoices. Second, we will not issue final payments to companies that do not submit final reports that are satisfactory. Third, we now have a new method of payment. A company will only be paid if it meets specific results which are agreed to in advance.

I provided the hon. member with a complete list of all companies that received CIDA programs.

* * *

PRESENCE IN GALLERY

The Deputy Speaker: I draw the attention of hon. members to the presence in the gallery of Mr. Seamus Brennan, Minister of State at the Departments of the Taoiseach and Defence and Government Chief Whip of Ireland.

Some hon. members: Hear, hear.

* * *

[*Translation*]

POINTS OF ORDER

STANDING COMMITTEE ON AGRICULTURE AND AGRI-FOOD

Ms. Hélène Alarie (Louis-Hébert, BQ): Mr. Speaker, this morning democracy took a turn for the worse in the Standing Committee on Agriculture and Agri-Food. On December 15, 1999, the committee passed the following motion:

That this Committee study and report to the House about a clear and mandatory labelling mechanism for genetically modified organisms.

Contrary to the decision by the committee, the chair, despite our repeated requests, has refused to call the sub-committee on procedure in order to establish a schedule for calling witnesses, drafting a report and so on. In the face of this refusal, I tabled, in February, a notice of motion to have the decision taken by the committee in December 1999 implemented.

This morning, we began the debate on this motion, but after one hour, the question was put on the motion, contrary to Standing Order 116 provides, and I quote:

116. In a standing, special or legislative committee, the Standing Orders shall apply so far as may be applicable, except the Standing Orders as to the election of a

Speaker, seconding of motions, limiting the number of times of speaking and the length of speeches.

Furthermore, at page 855, Marleau-Montpetit, provides:

In general, the rules governing the process of debate in committees are the same as those in the House of Commons. However, the Standing Orders exempt committees from certain rules which apply in the House: those governing the election of the Speaker, the seconding of motions and limiting the number of times a member may speak on an issue and the length of speeches.

The decision by the committee chair contravenes the rules of the House. And yet, Marleau-Montpetit provides on pages 856 and 857, and I quote:

The Chair presides over the deliberations in committee, recognizing speakers and ensuring that the deliberations adhere to established practices and rules, as well as to any particular requirements which the committee may have imposed upon itself and its members.

• (1505)

Although I had not finished speaking, the committee chair, once again contrary to the rules established for the House and for committees, immediately put my motion to a vote. Marleau-Montpetit goes on:

Any ruling of the Chair may be appealed to the committee. There is no appeal to the House on rulings of a committee chair except through committee report.

Generally, if the chair had properly carried out his duty to protect the right of expression of parliamentarians, he would have allowed me to finish my speech, particularly since the committee had never adopted the special rule limiting the duration of interventions and the time allowed to debate a motion.

Mr. Speaker, I once again appeal to your sense of democracy to intervene and put an end to a situation that is, unfortunately, occurring too often in committee.

You need to overlook the rule that you are not allowed to intervene in committee deliberations. There have already been instances of a Speaker intervening in order to put an end to a practice that was jeopardizing members' freedom of expression. I quote Beauchesne, 6th edition, citation 760(4).

760(4). In 1986, after a grievance was raised in the House concerning procedure in a committee, the Speaker undertook to write to all committee chairmen pointing out that when a grievance is not resolved satisfactorily in committee it often results in the time of the House being taken when the grievance is raised in the guise of a question of privilege. (*Debates*, December 9, 1986, page 1932).

It is your responsibility, under Standing Order 10, to intervene in order to put an end to such practices. The credibility of the House and of the committees is at stake.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the hon. member herself told us in her arguments that the Speaker of the House did not have the authority to reverse a committee decision, except after having

received a report from that committee that was tabled in the House. In fact, the member herself indicated that her point of order was clearly not a point of order.

I urge the Chair to be neutral and objective as it always is and to not get into this exercise, since the member herself said that doing so would go against the rules.

The Deputy Speaker: I note that the hon. member for Louis-Hébert quoted the big book that we now have, thanks to our clerk and to the other officers at the Table who worked very hard to prepare such a document to help us. But the important thing that she did not read is on page 885, and I believe the Leader of the Government in the House alluded to it in his comments. It reads as follows:

It is not in order for Members to allude to committee proceedings or evidence in the House until the committee has presented its report to the House.

I believe it is important that the hon. member raises these issues concerning the rules in committees after the tabling of a report. Further on, I read the following:

This restriction applies both to references made by Members in debate and during Oral Question Period. If there is an irregularity in the committee's proceedings, the House can only be seized of it once it is reported to the House.

• (1510)

I would hope that after a report, if a problem persists, we will be able, at that time, to raise a point of order.

I want to deal with the other points of order, but first we will hear the weekly business statement. The House leader of the opposition.

* * *

[English]

BUSINESS OF THE HOUSE

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, I think we have had quite a bit of kerfuffle over the last week or so. We have had extended hours. We have had day and night sittings. Given that the time allocation and all the other things are behind us, I hope after today we are into a new era in the House.

Could the government House leader tell us the business for the rest of this week and for next week? In particular perhaps he would address the fact that we have several supply days coming up in a row next week. If there is a supply day on Wednesday, I wonder if he has any plans to ask to extend the hours to make that more of a regular supply day so that we can have a good debate on the issue of the day.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, first of all let me read the business statement and then I will gladly answer as well the very important issue raised by the Leader of the Opposition in the House.

Points of Order

The business for the next week is actually quite straightforward. The opposition House leader has alluded to it. There are several supply days to proceed with between now and the end of the supply period. Friday, Monday, Tuesday and Wednesday shall be allotted days.

Next Thursday I hope that we can deal with the Senate amendments to Bill C-6. I intend to raise this at the House leaders meeting on Tuesday. In any event I would also like to proceed probably even beforehand with the following pieces of legislation: Bill C-10 on municipal grants; Bill C-12, the amendments to the Canada Labour Code, and I understand that a number of members of the House have made representations to proceed with this bill; and Bill C-13 on the health institutes.

On the conduct of business next Wednesday, given that the day as the hon. member has mentioned is somewhat shorter than other days when we do allotted days, I would be prepared to negotiate with other House leaders to offer an extension on that day to make it at least somewhat more similar to other days. Of course that would have to be arrived at by consent. But I think certainly on our side of the House we are favourably disposed to doing that.

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POINTS OF ORDER

TABLING OF DOCUMENTS

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, yesterday in the House and repeated again today in response to questions on whether Alberta's Bill 11 violates the Canada Health Act, the health minister said, "If the hon. member has a legal opinion with respect to it now, I wish she would share that with the House".

I have two legal opinions commissioned by the Canadian Union of Public Employees, one by Joseph Arvay and Murray Rankin with an opinion on a number of issues in relation to the Canada Health Act particularly regarding the proposed Alberta health care protection act, Bill 11. The second is by Steven Shrybman and is called "A Legal Opinion Concerning NAFTA Investment and Services Disciplines and Bill 11: Proposals by Alberta to Privatize the Delivery of Certain Insured Health Care Services".

Both documents give the opinion that Bill 11 violates the spirit of the Canada Health Act. Given what the Minister of Health has said in the House, I would ask for unanimous consent to table both documents.

The Deputy Speaker: Is there unanimous consent to table the documents?

Some hon. members: Agreed.

Some hon. members: No.

Points of Order

• (1515)

[*Translation*]

COMMENTS IN CHAMBER

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, yesterday in the House, while the Minister of Intergovernmental Affairs was giving his speech on Bill C-20, I heard some particularly offensive and pejorative, not to say racist, language.

I am certain that the member who used the expression “bras de nègre”—

The Deputy Speaker: It is possible that the hon. member used words in the House that were perhaps disagreeable to her and perhaps even to other members, but the Standing Orders are very clear: a point of order or question of privilege must be raised as soon as possible. This should have been done yesterday and, in my opinion, it is too late today. I hope that we can disregard the problem, if indeed there is one, because it is a bit too late now to raise the matter.

Mrs. Marlene Jennings: Mr. Speaker, I find it regrettable that the member for Joliette should not have an opportunity to withdraw these words, because I am certain that he would have wished to do so. But I—

The Deputy Speaker: The hon. member for Joliette has undoubtedly heard what the hon. member said and I think that we should consider the matter closed for now.

STANDING COMMITTEE ON AGRICULTURE AND AGRI-FOOD

Mr. Odina Desrochers (Lotbinière, BQ): Mr. Speaker, I know that earlier the member for Louis-Hébert rose on a point of order concerning what happened this morning in the Standing Committee on Agriculture and Agri-Food. I wish to tell the government House leader that I also understand that we cannot intervene when the report is not finished.

However, I wish to point out that the entire issue debated this morning concerned the agenda. It is difficult to prepare a report when the chair does not even respect the points previously agreed to.

The problem is as follows: on December 15, 1999, the committee had already considered a decision and a majority of it had agreed that, this morning, the chair of the committee was to authorize witnesses being invited so that this point could be discussed. But this morning, the committee literally refused to discuss this issue, and it is important—

The Deputy Speaker: Order, please. I agree with the hon. member that it is important, but the points he is raising are exactly the same ones the hon. member for Louis-Hébert raised.

I have already made a ruling on this, and it is up to the committee. Committees are masters in their own house, as we say in English, although the way I said it in French may not be the right way. However, committees can reach decisions on these matters, and when a report is tabled in the House after consideration in committee, a ruling will be made.

If some hon. members have problems with the behaviour of a committee or its chair, or anything of that sort, this must be raised in committee, not here in the House. We are not a court of appeal for the committees, except in very specific circumstances, which are given in this excellent work one could spend a whole afternoon consulting.

I would encourage the hon. member to do so, instead of raising this matter in the House at this time.

[*English*]

ORAL QUESTION PERIOD

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, I rise on two points of orders which both relate to things that took place during Oral Question Period today.

Earlier the hon. member for Sackville—Musquodoboit Valley—Eastern Shore was chastised by you for using a prop in the House of Commons. Following that, a question was posed by the member for Mississauga South to the justice minister who basically advertised a book he had written so that all could see it and it would be on camera.

• (1520)

Given that the debate today on a point of order evolves around a perception of a lack of impartiality displayed by the Speaker, I think that also should have received a rebuke.

Second, in the last number of days the Speaker has disallowed several questions posed by the official opposition on the grounds that they were irrelevant to government policy. Today, the member for Brampton Centre questioned the finance minister on the implications of the Alberta tax move toward a single rate tax and never made any connection to government policy.

Neither the questioner nor the answerer, and I use the term loosely, made any effort. This appears to be an abuse of the time allotted to members for asking questions of national import of the government. That question should have been disallowed and we should have moved directly to the next questioner so we could get on with holding the government accountable for the use of taxpayer money.

The Deputy Speaker: I am pleased to deal with both points of order. The first relates to the use of props. The hon. member is

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quite correct that the Minister of Justice did make improper use of the prop and she received proper chastisement from the Chair from the point of view of my finger.

In fairness, I was suspicious when I saw the minister pick up the book but I thought she was going to quote from it, which of course would have been proper use of the book had that been the case. She did not. She only held it up and that is why she got a finger lashing from the Chair.

I know that hon. members quail at the prospect. The member for Edmonton North has quailed before when that has happened to her, which is very seldom of course, and I know the Minister of Justice felt the same nervousness. She knows that it is wrong to have done that. A flag is a different thing from a book. One cannot read a flag to the House and that is why I was quick to jump in and it was too late to do anything else.

With respect to the second issue, the hon. member points out that perhaps the Chair should have been a little more vigilant and ruled the question about the flat tax out of order. However, it is fair to say that the Minister of Finance from public accounts in the newspaper has been urged to adopt a flat tax in Ottawa as part of the national tax policy. I suspected that the question having to do with the imposition of a flat tax in another province was perhaps tied into the possible adoption of such a policy at the national level and accordingly allowed the question.

Given the nature of the answer perhaps that was unwise, but the minister had his day and that was that. I cannot answer for any other question periods since I am usually not in attendance.

I thank all hon. members for an entertaining number of points of order this afternoon and we will now go to orders of the day.

* * *

HOUSE OF COMMONS

THE SPEAKER

The House resumed consideration of the motion.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I will be splitting my time with my hon. colleague from Edmonton North.

[*Translation*]

Mr. Stéphane Bergeron: Mr. Speaker, I rise on a point of order. I thought a member of the Bloc Québécois would resume the debate after Oral Question Period.

The Speaker: We are following the same order as we do during debates. I have the list here. The last member to rise was a Liberal;

it is now the turn of a Reform member. The Bloc Québécois will have its turn in due course.

• (1525)

[*English*]

Mr. Jay Hill: Mr. Speaker, I rise today to address this historic debate. It is not a debate that I take joy in addressing. However it is one that I believe is crucial to the future of this very institution. As I have stated many times in this place, one of the main reasons I was motivated to run for office was the need for parliamentary reform.

The motion brought forward by the Bloc today strikes at the very heart of the democratic foundation the House is built upon. In the six years I have been in this place, I have witnessed the rights and power of individual members of parliament systematically eroded. This power grab is especially troubling in this parliament where the government has a mere 38% of the popular vote. In an effort to protect its slim majority and to impose its legislative agenda upon Canadians, the government has put its agenda ahead of democracy.

It is your job, Mr. Speaker, to ensure that this does not happen. You have been entrusted with upholding the traditions and practices of the House of Commons, and I say with all due respect that these traditions have eroded under your watch.

Points of privilege have been raised on numerous occasions by members of the opposition. Few have ever been recognized as such by the Chair. A great number of these grievances have been made regarding the government leaking information to the media that is meant for the House and the government implementing measures in legislation before that legislation is even passed. This mocks and misrepresents the role of parliament.

The defence against this attack on the institution of parliament began in 1989, long before you occupied the chair, Mr. Speaker. On October 10, 1989, over the GST controversy, the hon. member for Windsor West, now the Deputy Prime Minister, was quoted in Speaker Fraser's ruling as saying that it was clearly contempt of parliament to misrepresent the role of this House. Speaker Fraser went on to say:

I want the House to understand very clearly that if your Speaker ever has to consider a situation like this again, the Chair will not be as generous.

On November 6, 1997 the present Speaker, when ruling on the controversy surrounding the government's setting up the Canada Pension Plan Board before the legislation was passed authorizing the government to do so, said:

—the Chair acknowledges that it is a matter of potential importance since it touches the role of members as legislators, a role which should not be trivialized. The dismissive view of the legislative process, repeated often enough, makes a mockery

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of our parliamentary conventions and practices. I trust that today's decision at this early stage of the 36th Parliament will not be forgotten by the minister and his officials and that the department and agencies will be guided by it.

I personally raised the matter regarding the Canadian Wheat Board on February 3, 1998. Nothing was done.

We had the naming of the head of the Canadian Millennium Scholarship Foundation before there was legislation setting up the foundation. It was raised in a question of privilege by the hon. member for Calgary—Nose Hill, and the Speaker did nothing.

It was not that long ago when the Minister for International Trade on March 30, 1998 sent out a press release entitled "Marchi Meets with Chinese Leaders in Beijing and Announces Canada-China Interparliamentary Group". At that time there was no Canada-China interparliamentary group. The minister gave the impression to some one billion people in China that the association existed when parliament had not as yet approved it. Again this was raised and the Speaker's ruling on November 6, 1997 was referred to. Nothing was done.

On April 20, 1999 the matter of the government leaking a government response to a report of the Standing Committee on Foreign Affairs was raised in the House. The next day the government House leader apologized for the leak and assured the House that it would not happen again.

The very next day after the apology the Parliamentary Secretary to the Minister of Indian Affairs and Northern Development stood in the House and quoted from an in camera meeting. There is a litany of cases of leaked committee reports that goes unchecked and unchallenged.

The Prime Minister announced the date of this year's budget outside the chamber. As far as I know this has never been done. It has always been announced in the House.

The most recent case is the leaking of Bill C-23. The act to modernize benefits was given to EGALE before being tabled in the House, allowing an interest group time to release a detailed analysis of the bill before the critic of my party could even see the bill. The member raised it and the Speaker, in my opinion, ignored it.

• (1530)

A number of my colleagues from all parties spoke today of their frustration with the way in which the government operates. I think that is what is being expressed today in this motion.

In all of these cases, the Speaker made speeches on the integrity of parliament yet never took action to protect it. Only on two occasions did the Speaker find it necessary to recognize the severity of a point of privilege; one, involving the former member

for Charlesbourg regarding the formation of a Quebec militia, and the other was to censure two members of the official opposition who criticized the Speaker in public.

On numerous occasions the Speaker was called on to defend the integrity of the House and, in my opinion, did not do so.

Each member who is present tonight will be called on to make a very personal decision. First, whether to vote strictly on the basis of the motion or whether to vote based on their perceived opinion of whether or not the Speaker has ruled in an impartial and neutral manner during his tenure.

Second, individual members, if they decide the vote is not limited to the actual motion before the House, will be called on to wrestle with their own conscience as to whether they should vote to censure the Speaker, support him or abstain.

Third, members will have to decide for themselves, should they choose to vote in favour of censuring the Speaker, if their dissatisfaction is more with the Speaker or the government's abuse of power and the Speaker's inability to deal with that abuse.

As I said earlier during my interventions on this debate, I urge all members to consider this matter to be of the utmost importance. I am sure they do. I urge all members in all parties to consider this a real free vote of conscience. Each member will have to grapple with their own conscience because this is an issue of paramount importance to this place.

Mr. Rey D. Pagtakhan (Winnipeg North—St. Paul, Lib.): Mr. Speaker, I was amazed by the remarks of the whip for the Reform Party. He said that during the vote we should judge the Speaker on the basis of his tenure since his election.

Let me caution the whip of the Reform Party. The motion before us is very clear on the timeframe with which this motion has been placed. The timeframe relates to the question of privilege and the question of points of order raised by the Bloc Québécois around March 1, 2000 and for which the Speaker made a ruling on on March 13. It is only around that time, as premised in this motion before us, that we should base our vote of conscience as to whether we must indeed censure the Speaker. I would caution all members to do this with deliberate care. To go beyond the letter of the motion will set a dangerous precedent. We will not be honest with ourselves and we will not be true to our intellect. We will be guided by our emotion and not by reason.

This House is a place for debate and a place where we can vent issues. However, to suggest that we can vote on the basis of the Speaker's tenure following his election and not on the basis of the timeframe within this motion is setting a dangerous precedent. I appeal to members not to do this. We can vote in the way we would like to vote but let us vote intelligently on the basis of the

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timeframe contained in this motion before us. How would the member explain this?

Mr. Jay Hill: Mr. Speaker, if the hon. member across the way had been listening to my remarks he would know the answer before he made his intervention.

I do not take this lightly at all and I do not think the House does. This is not a normal proceeding. This is something that comes up very seldom, as well it should.

• (1535)

I stand by my words. I believe that different members at different times vote on different things in the House in different ways. However, it is up to each of us to decide what is meant by our vote and defend that to our constituents when called upon to do so.

I reject the fact that all we can do with this particular motion is focus strictly on the motion. If we were to do that, if we were to judge this solely on the basis of the motion in front of us, in my estimation what we would be doing is disavowing everything and every rule that you have ever made, Mr. Speaker, and our feelings about that, whether we support those rulings or not.

I do not want to see a case where every time we turn around someone is bringing forward a motion like this; a different party or a different member. This is serious business. This is not something where every time the Chair rules on a point of privilege or a point of order and we get upset about it because we did not get our own way, that we will bring forward a motion to censure the Speaker. This is much too serious for that.

I think everyone knows that because, to my understanding, the last time this happened was in 1956, a long time ago. That is why in my presentation I said that it was up to each and every one of us to decide what we will base our vote on tonight, to take it very seriously and to very clearly understand in our own minds why we will be voting the way we will and to be prepared to defend that to our colleagues, and, if it is a true free vote, to our colleagues in our own party, to our colleagues in this chamber from all parties and, most importantly, to defend it to our constituents.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, I am pleased to rise and address this today and most specifically to thank you for being in the Chair. I think that is important. The most important part about it is the fact that you are sitting in the Chair and that you, probably more than anyone, realizes that this is not about two specific little rulings. This is something that is huge, as my colleague has just mentioned. I think all of us, and especially yourself, should realize what an enormous issue this is.

By way of introduction I want to say that I appreciate everyone's views on this. This certainly goes beyond partisan politics. I know our caucuses had a lengthy discussion about this. Everyone in the

House needs to pay particular attention to this. In fact, my own House leader in his remarks this morning talked about the big issue here of government arrogance. He thinks that because the government has had maybe a little too much free rein with too much closure and too much time allocation, a change in the standing orders may be something that should be addressed. I appreciate that and I respect that.

Mr. Speaker, this motion is about you. You know it, I know it and that is why you have been sitting in the Chair all day.

I will go back several years, Mr. Speaker. You and I have both been in the House for several years. You will remember when I came in 1989 we both sat under a different Speaker, Speaker Fraser, who I appreciated very much. I did not get my way all the time. I was treated as an Independent then, but I do remember John Fraser taking me into his chambers and saying, "You have been elected fairly and squarely, and even though you are sitting as an Independent, I have to respect you and treat you that way".

When you ran after the 1993 election, Mr. Speaker—and I guess we can be honest with each other—you and I both know exactly how and why it is you are sitting in the Chair. There were discussions, everyone had a vote and we supported you. I am not complaining about everything you have done over the years. Frankly, I cannot imagine anyone even wanting your job. I do not know why you went for it but you did and you have sat through a couple of very awkward parliaments, because of the separatist issue more than anything we might think about. We have had very raucous times in the House since you became the Speaker.

• (1540)

Aside from all that, I think we need to look specifically at some of the decisions that you have made. I will not quote at great length from *Hansard* because I want to speak from my heart today. I could go back to times—before the flag flap and I was still here as an independent member of parliament and the only representative of my party—when we were not allowed to even question anything that the Speaker did.

You and I, Mr. Speaker, if we go back, will remember the time I did an interview and someone asked me if I thought the Speaker was being ruled or whatever by the Liberals. I remember making the comment that perhaps some decisions do look like the Speaker is in the hip pocket of the government. You will remember all too well that when I got on a plane later that day you tracked me to Alberta and you tracked me all weekend and then the day I came back you will remember what you told me, Mr. Speaker.

Now, not many years later, it seems like it is just free rein and it has become very public. There have been page-long interviews about you and some of the decisions that have been made. I do not think it is fair that we can go around willy-nilly and say that the

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Speaker ruled against me. Dear knows, you have ruled against me many times and you have had every right to. I respect that, Mr. Speaker. Because I am quick-tongued and I am mischievous you have to do that sometimes. I respect that. You know that and I honour that. However, that does not give me the right to say that it was not fair, that he was hard on me so I will bring forward a motion of censure. That is ridiculous and cannot happen every second Tuesday.

You will also remember, Mr. Speaker, a huge thing. Let me just make reference to the flag flap. I do not want to use props, dress up or do fancy things, but there was something that just cut to the quick of my heart when someone, first of all, equivocated for far too long on that issue and then said “No, you cannot display your flag”. If I am proud of my flag, darn it, I want to stand on the roof top. I do not want someone else who happens to dislike my flag to be able to rule over this place and have you under their influence to tell me that I cannot be proud of it. That was the flap and you remember it. We were all probably glad to get through those days.

Probably the most dangerous or frightening one I see is that our legal counsel people have been muffled. You and I are not lawyers, Mr. Speaker, but we know that when lawyers take an oath of confidentiality they mean it. Now I think that not only have we been compromised with the legislative counsel decisions that you have made, but I think these lawyers themselves, who are proud, passionate people and serve this place to the best of their ability, are probably agonizing about the oath they took as a lawyer. I think that your decisions have compromised them.

Would you, Mr. Speaker, like to tell a doctor in this place “You cannot live by, in your very gut, the Hippocratic oath that you took?” You know they could not do that, Mr. Speaker. We were all here when Shaughnessy Cohen dropped among us. It was devastating for us. How can you say to a doctor, “Oh, no”. How can you say to a lawyer “No, I am sorry, the oath of confidentiality that you took just does not matter any more. Partisanship overrides it”. There is something frightening about that and I think something dangerous as well.

I will finish up because we do not have much time to address this and I want other people to be given a chance. Let me just say, Mr. Speaker, because you realize that this is such a serious issue, and I do too, that I have very serious concerns about the very democratic rights of every member in this House regardless of political stripe and so should you.

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, I want to make the observation. The member brought up the issue of the flag flap. I remember that very well as well. She uses that as an example of an improper decision on your part, a bad decision I guess she is suggesting. Anyway, it is a decision that she certainly does not agree with. I do not know what she is exactly questioning but she is using it as an example to question your integrity as a Speaker.

• (1545)

Mr. Speaker, I was there when you ruled on the flag situation and I agreed with your ruling.

What are we to say? Are we going to be questioning your right to sit in the chair? Are we questioning your integrity because members on the opposite side disagree with you when in fact members on this side agree with you? No matter what, when you are a referee or a judge or looking on and trying to make decisions involving human beings, not just human beings in this Chamber but human beings in the entire country, then there is no black and white. There is always going to be disagreement.

I ask the member what is the point of bringing up the fact that you ruled in a way she did not agree with on the flag debate as an example of why you do not belong in the chair at this time?

Miss Deborah Grey: Mr. Speaker, of course you know also that was just one example that I used.

If I could answer in the clearest shortest way possible, I am a July 1 baby and I happened to care pretty deeply about that so I did disagree with your position, but I did not bring forward a motion of censure on the Speaker. I thought I made that very clear in my speech. There are all kinds of things that you have ruled on that I have disagreed with. Who cares? Some of us agree, some of us disagree. That is fine. The member over there can certainly have his decision and say he agreed with you. That is great. I disagreed with you. I got my say. I did not get my way. That is fine. I respect that.

The actual point I referred to about the flag flap decision was the fact that you equivocated for three weeks about it. You probably went through more pain than any of the rest of us. I am not sure if it was three weeks but it was a long time. Who am I to give you advice but if you asked for it, I would probably say the quickest decision is always the best decision. Maybe not the spur of the moment decision but think it through.

I guess I have to go back to high school, Mr. Speaker. You know that if we had students who were misbehaving we could not tell them to just sit there for a while and we will come back by the Easter holiday. You know that if there is to be punishment or a decision to be made they will respect us as teachers better if we think it through, then come back and be decisive. We know that.

The flag flap was just one example. Maybe it was not the best but it is the one I was thinking of because I happen to be wildly in love with those two Canadian flags hanging beside you. They are gorgeous.

Mr. Grant McNally (Dewdney—Alouette, Ref.): Mr. Speaker, this is a very serious topic we are discussing today. It brings

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emotions to the surface and we recount different applications of rulings that you have made.

Actually all three of us share the same former profession as teachers. Over time there is application of the rules and there is a person who is in the place of determining the ruling or application of rules to one team or another team, to one side or another side. What would my colleague's perception be on the application of the rules fairly to all groups, whether that be members of different parties in this place or two different teams in a sporting event? How might that factor into this debate as well in the perceived application of the rules fairly to all members from all sides?

Miss Deborah Grey: Mr. Speaker, someone finds it disgusting. Someone finds me disgusting. I guess he is certainly entitled to his opinion. Surely to heaven this thing is bigger than some person's opinion about me.

Regarding the application of rules, we know it has to be to both sides. You were a coach. I just had a kid from Niagara Falls in my office yesterday who was talking about you as a football coach in the glory days. You know also that if kids on your own team mouth off at you or whatever and you do not discipline them, you will have a lousy team and probably a pretty lousy record as well.

• (1550)

Just in terms of personal respect, in my coaching I remember that it is easy to pick on the other side, but the girls on my volleyball team at Dewberry School knew perfectly well that if they did something wrong and Miss Grey said they would go to the showers, they did not mess with it. They knew that was exactly what was going to happen. One cannot favour one side over the other. It does not work.

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, I will be using the entire 20 minute period. I am sure members opposite will be delighted to hear that.

This is an interesting debate. In some of the speeches people are positioning themselves in one sense to be great defenders of the democratic process in this place. They are saying that they are not attacking you for partisan reasons to perhaps go at the government in a different way. That is what I have been hearing all day. I find that quite remarkable. It is a subterfuge; that is probably the best way I can think of it.

The motion of non-confidence in the Speaker comes from the party that just lost all its amendments in relation to Bill C-20, the clarity bill, and the fact that it is upset about that is probably why we are even having this debate. Mr. Speaker, instead of debating the issue of the status of health care in the country that the fifth party wanted to put forward today on an opposition day, we have found ourselves through negotiations with the House leaders

coming to an agreement that we should somehow put that off for a day and debate this motion and talk about how you are doing your job. To then hear people say that it is not partisan makes me laugh. It is clearly and purely partisan beyond a doubt.

In preparing for this job I sat with some excellent Speakers in the provincial legislature. You will, sir, remember Speaker Edighoffer, a fine gentleman who served the province of Ontario in an exceptional way as Speaker. There was Speaker Warner. Speaker Edighoffer was a member of the Liberal caucus when he was elected and then he became Speaker. Of course one must then withdraw from all those caucus and partisan activities, as one should. Speaker Warner was a member of the New Democratic Party when he was elected under Premier Rae. He too withdrew from caucus participation because no Speaker can be involved in even knowing what the government is thinking in terms of the policies or platforms it is going to put forward.

We expect an awful lot of our Speakers in this place and in the provincial legislatures and so we should. I thought about how I could define what it is that we expect of the Speaker. Rather than reinvent the wheel, I did some homework and came up with something which I thought said it all. In 1986 the then Leader of the Opposition, the Right Hon. John Turner, said:

You know what we demand of you, Mr. Speaker. Perfection! We want fairness, independence, decisiveness, patience, common sense, good humour, upholding the traditions of the House, knowledge of the rules and an intuition for the changing mood and tone of the House as we move through our days.

That is a fair definition of what the House expects of its Speaker.

The other aspect of this is that you, sir, do not make the rules. We do. Through the process that is put in place, the House of Commons sets the rules down. We have a process whereby they are approved by the House of Commons. I know you would agree that in addition to all the issues of fairness, independence, common sense and good humour, that you are in fact a servant of the House of Commons. As a result you have to do a job in as impartial a way as you possibly can and not get caught into any kind of personal partisan feelings that would take away the rights of anyone in a minority position.

• (1555)

The reason I say that is I find it really interesting that members opposite who have spoken here have begun their speeches by saying that the government is heavy handed, that the reason we are having this debate is that we have had too many motions of time allocation and that they do not like the way the government is operating and doing business. Mr. Speaker, what in the world has that to do with you?

I would say it proves to me the point that this is nothing but subterfuge and a way to say that they are mad that they lost a bill, a

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vote, a motion, 400 amendments or whatever it is. They cannot get at the government any more, and there is an interesting reason for that by the way, so they will attack the Speaker.

One of the Reform members said that the government only got 38% of the vote. When I was elected in 1987 in the David Peterson government that was about the percentage of vote we had in Ontario. When there are five parties it is not the government's fault opposition members cannot get their act together. It is not the government's fault that they do not seem to be able to agree on policies. We have what some refer to as a pizza parliament with five different parties opposite. The standings are that out of 301 seats we have 157 and that is a majority. The next closest party has 58.

I can understand the frustration of the opposition because the mandate was given to us, not by you, Mr. Speaker, not by your office and not by the table officers or the staff. I want to touch on that because not only is this subterfuge of attacking you a way of getting to the government, but what they have actually done by this motion of non-confidence in the Speaker is to attack our staff and our table officers. I find that particularly offensive and absolutely uncalled for.

I must admit I am surprised to see it coming from the Bloc. One of the things I have been impressed with and surprised about in this place is that if we take away the issue of Quebec separatism, the members of the Bloc whom I have worked with on committee are compassionate, caring, hardworking, dedicated members of parliament. In fact I have travelled with some of them to other places in the world. I have not found that they foisted their particular brand of separatism on the people in Strasbourg, France where I attended the Council of Europe. I have found them to be very good MPs who contribute to the process and the work in this place.

The Bloc members in a fit, a temper tantrum, and it can be described as nothing else because they were out of ideas, they were out of tools with which to try to shove wrenches into the machinery of government, said "We cannot get those guys over there, so we had better go after the staff". How did they do that?

The concern of the member for Rimouski—Mitis was that some 700 motions had been submitted quite properly, although there were two the Bloc claim were never really submitted properly, and they were rejected. There were well over a thousand. We would still be here voting.

I would like somebody in this place, you, Mr. Speaker, or anybody else, to tell me that the Canadian public sent any one of us from any one of the parties her to stand up between 6 o'clock at night and 6 o'clock in the morning and then 6 o'clock in the morning to 6 o'clock at night three days running, 24 hours a day, and have our names called to vote on a motion that would change a comma to a semicolon.

That cannot be called democracy. That can have no basis in governing this land. Lord knows it is difficult enough in your job, Mr. Speaker, to try to govern 301 of us who can be unruly because of the partisanship. This is a blood sport and we all know that. This is a tough business. There is some truth in that old saying "If you can make it here you can make it anywhere".

• (1600)

You have a job that is really a thankless job. You try to keep order, to keep direction and to find ways to ensure that. It is not to direct anyone, not to direct government, not to direct opposition. Members of this place have more freedom than any institution in the world.

Bloc members have said that their privileges have been violated because their amendments were not accepted. There is something that goes with privileges in this country. It is called responsibilities. Bill C-20 has three clauses and is one and a half pages long. I understand their fervour, their passion, their desire to lead their province out of Confederation. All Canadians understand that. They also understand that is a minority position in the province of Quebec today.

All the polls indicate that the desire for and the interest in separatism are at historic lows, but I understand it probably more than I did three years ago when I arrived in this place. As I said before, I respect them for many of the things they do in an effort to be members of this place. However, I would suggest it is not responsible to submit over 1,000 amendments to a three clause bill that is a page and a half long. Most of them, the vast majority of them, were either redundant or simply not substantive.

Without a doubt that is a clear message which says "we cannot win this so how can we make it as uncomfortable as possible". I do not know what it costs to run this place. In some ways I find that argument irrelevant. We are sent here and if it costs it costs, but it is just such a waste.

We went through it with the Reform Party that took the same approach to the Nisga'a treaty. I understood its passion. It is not your fault, Mr. Speaker, that Reformers had 471 amendments and it is not your fault that they lost them all. Lord knows I have never been terribly supportive of the policies of the Reform Party, but I did not see Reformers pull a tantrum and file a motion of non-confidence in the Speaker just because they lost the 471 amendments. They took their lumps. They went home to western Canada, British Columbia, or wherever they are from, and fought the battle at the local level.

That is what democracy in this place is about. This is an abuse in my view. It is an abuse of you, Sir. It is an abuse of your deputies. It is an abuse of the staff.

There are three types of members in this place. Members opposite might find this hard to believe, but I am actually not a

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government member in those terms. I am a member in support of the government. There is a difference. Government members are the cabinet. The Prime Minister and his cabinet are indeed the government. The rest of us who were elected as Liberals choose whether or not to be in support of the government. That is the role we play.

We hear members opposite calling for free votes for people in this place, that there are not enough free votes. I have never been involved with a government where there is more opportunity for free votes, more opportunity within the caucus system and within the committee system to make changes.

The democratic process around here frankly is quite remarkable. I say that from the backbenches where some would say on a clear day I might have trouble seeing the Speaker. The reality is that the process is in place for members, and I might add it is in place for members opposite to have input.

• (1605)

It is just past 4 o'clock. I am told that at 3.30 p.m. today a press conference was held in this precinct where the critic for citizenship and immigration released a yet to be finalized and yet to be approved report of the citizenship and immigration committee on the immigration and illegal migrant issue.

I find that incomprehensible and despicable. It shows a lack of respect in you, Sir; a lack of respect in the committee; a lack of respect in the traditions of this place, of every person who has gone before us in this place. He is simply saying he does not like this report. Do you know why? It is because he never showed up at the meetings to help us write it. He released it and accused the committee of not listening to him. It is fundamentally wrong and childish. Yet that is happening.

I hear members stand in their places to talk to you about this issue. They say that things have deteriorated around here. It is quite interesting. We have members in opposition. We have members in support of the government and we have members who are the government. It has always been thus. We all have a role to play.

I served for five years in opposition to what I thought was an arrogant government. I thought it was a government that was not listening, that got in by accident. It was the New Democratic government that was in Ontario for five years. I can remember thinking that if the people had a chance to vote again the morning after the election they would never have put those guys in power. They did not believe that was going to happen.

Hon. Lorne Nystrom: Respect the people.

Mr. Steve Mahoney: That is a fair comment. I would throw that one right back over there: respect the people. We hear members saying that we only have 38% of the vote. We have 157 of the 301

seats. Whether or not the member likes it, it is called a majority. Whether one uses old math or new math it is called a majority and we are the government. It is not about saying we are the government and we will do what we want. It is about saying we are the government and we have—

Mr. Odina Desrochers: You are so stupid.

Mr. Steve Mahoney: That is a wonderful comment. We have a member over there who called a minister of the crown girl yesterday and today called a minister of the crown honey. Now we have a member over there shouting that I am stupid. I suppose many of my teachers would have agreed with that assessment. My mother and dad at times certainly would have agreed with that assessment. My wife who is in the gallery would agree with that assessment on an ongoing basis.

Is that what we are down to? Is that the quality of debate in this place: "You are stupid?" What is going on here? Members will know that there are few in this place who get more passionately partisan than I at times.

Mr. Stéphane Bergeron: Is it possible?

Mr. Steve Mahoney: It is not probably possible, but I would like to think, whether I am here or on that side of the House, that I respect this institution and that I respect the rules.

We know the difference and the reason we do not have brawls, although we have come close on a couple of occasions. The distance between the Prime Minister and the Leader of the Opposition is the distance between two people holding swords with the tips barely touching. Why is that? The symbolism of that for me says it all about Canada. We do not kill one another. Our weapons are our minds. Unfortunately some of the weapons are a little less sharp than others. Our weapons are our minds. Our ammunition is our words. That is why it gets so heated in here. That is why we get so partisan in here. That is how we do battle. That is how we fight on behalf of the people who sent us here to represent them.

• (1610)

I received an e-mail the other day in my office from a constituent I have never met who referred to a recent newspaper article in which there were some rather unfair criticisms of my style and so on. The e-mail said "I do not agree with that reporter. I want my MP to be heard. You keep it up". I will keep it up. There is no doubt about that.

This is a most reprehensible attack on you, Sir. It is a reprehensible attack on the table officers, on the staff and on the very institution that we would all die for. We know that. Many have died for it. We celebrate our veterans when we bring them here. We will continue to fight to uphold that democratic principle.

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If members do not like what they see they should not attack the Speaker. They are trying to shoot the messenger who is just doing a job. If they want to attack us that is fair ball and we will give it right back.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, obviously I cannot do justice to rebutting a 20 minute diatribe with one minute but I will take a quick run at it.

The hon. member for Mississauga West chastized opposition members for calling other members names such as girl or something along those lines. Yet I note that he resorted to calling one of my colleagues childish, reprehensible, despicable, and words like that. I throw this right back at him.

He said that the motion the Bloc Quebecois put forward attacks the staff and table officers. That is not how I read the motion. Where in the motion does it say anything negative about the clerks and table officers for whom I have the utmost respect?

Mr. Steve Mahoney: Mr. Speaker, I would like to answer the member because I think he has made a good point. In the point of privilege the member for Rimouski—Mitis said the deputy principal clerk sent a letter to the office, et cetera. Her concern, as I understand it, was that 700 motions had been rejected. Two of them had never been officially submitted.

Also, as I understand it, the staff were working from their data base because they had worked with the member opposite to prepare these amendments. With 700 amendments on their data base, they did not go through them line by line and check them all off. Two of them were not included in the total number submitted. I think they probably made a mistake, but does that justify an attack on them? Surely not.

[Translation]

Mr. René Laurin (Joliette, BQ): Mr. Speaker, the hon. member for Mississauga West speaks of respect for our institutions and the public as if he were the embodiment of respect. But what could be more disrespectful than to stop people from expressing their views?

Unable to speak in the House, what else could Bloc members do besides taking action and creating situations to alert the public and the people who were being denied the right to speak through their representatives in the House?

We voted for 40 hours. With 40 hours more, the committee could have heard another 40 witnesses.

• (1615)

This is what the Liberals did not want to hear. The Liberal Party wanted to use our institutions, and even the Chair at times, to justify its action.

[English]

Mr. Steve Mahoney: Mr. Speaker, I suppose if we had another 80 hours we could have heard more witnesses.

How long do these members want to continue to debate the issue of sovereignty? I can tell them that people in my riding and I think people in the rest of Canada, including many people in Quebec, are simply fed up with it. The bill put some clarity forward. Who can argue against that? Who can argue against a question, in all honesty, that simply asks: Do you or do you not want to separate from Canada?

There were three paragraphs in the bill. The legislation consisted of a page and a half. Do we need 1,000 amendments to clarify it, or is that not, very clearly, simply an attempt by the Bloc Quebecois to put a wrench into the machinery of government?

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, I will try to bring the debate back to the issue.

There have been some newspaper reports recently which have suggested that the member for Mississauga West does not have any substance in his speeches. I say unequivocally and on the record that there was a smidgen of substance in the member's speech.

Personally I have respect not only for the Chair, not only for the office, but for you personally, Mr. Speaker. I can say that unequivocally as I stand here today. I would hold that very dear and true to my party.

Mr. Speaker, you have a job that is almost impossible to do. You have a job that takes the wisdom of Solomon. Obviously you will have some difficulties in trying to satisfy each and every member of the House. I want you to know, Mr. Speaker, that you have the respect of our party.

I believe the member tried to put a partisanship twist on what we, the Progressive Conservatives, did by giving up our supply day so this motion could be debated. I would like some clarification because, quite frankly, we gave our day so that this motion could be debated. We did it because we felt it was necessary that this motion get out of the way, and I would like—

The Speaker: The hon. member for Mississauga West.

Mr. Steve Mahoney: Mr. Speaker, the member opposite will be happy to know that my quarrel in this instance is not with the fifth party. My concern is the abuse of the system because the Bloc failed to derail the legislation.

I do not disrespect Bloc members for disagreeing with the bill. That is their right as elected parliamentarians. But once we lose in this place, we lose. That is the way it works. That is reality. They cannot turn around and say, we lost, we cannot get the government to change, so we will attack the Speaker. That is wrong.

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Mr. Rick Borotsik: Answer the question.

Mr. Steve Mahoney: I have answered it. My problem is not with the member for Brandon—Souris. He should take a Valium and relax.

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, I have a comment for the benefit of the member for Mississauga West, who was not in the House at the time of your decision on the flags on the desks, which was raised by the member for Edmonton North—

Mr. Steve Mahoney: Yes, I was.

Mr. John Bryden: Anyway, it was raised by the member for Edmonton North as an example of why the House should not have confidence in you as the result of the decision on that occasion.

I want to remind Canadians of what happened on that particular occasion when you ruled against having flags on our desks. I remember vividly the member for Medicine Hat throwing the flag on the floor of this Chamber. That flag lay on the floor of this Chamber, on the rug with people walking around it, for some time afterward.

I remember thinking to myself, Mr. Speaker, how wise your decision was. The reason we do not have flags on our desks is because it encourages us to use the symbol of our country for partisan reasons. It was a very good decision.

• (1620)

Further to that, I realize that party, not the Bloc Quebecois because I appreciate it moving this motion in protest and it has a right to do that, but the Reform Party constantly confuses attacking the government with attacking parliament. The decision with the flag was a case where the Reform Party was attacking parliament. Again we hear the Reform Party attacking you, Mr. Speaker, when it really means that it wants to attack the government. It is dissatisfied with the government, but constantly it confuses it, and it is such a shame.

Mr. Steve Mahoney: Mr. Speaker, I want to thank the fifth party for agreeing to give up its opposition day today so that we could debate this motion. If that settles the member down and reduces his blood pressure, I am happy to contribute.

The member referred to the flag debate. I was in this place. It was at the beginning of this parliament.

We hear people talking about decorum in this place. Let us take a look at what has happened.

I remember a member of the Bloc picking up his chair and walking out of this place. He took it to his riding. That is real decorum, that is. We have the young people stealing the furniture for goodness sake.

I remember members opposite wearing Mexican sombreros and doing hat dances outside. I do not know what they were protesting.

People painted a car with a Canadian flag and drove it all around Parliament Hill.

These are parliamentarians. I think that Canadians are a bit embarrassed. They become embarrassed with the kind of nonsense they see in this place. I think it is a shame that the Bloc wants to take it out on you, sir.

[Translation]

Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ): Mr. Speaker, during such a serious debate, one of such grave importance, I was surprised to hear language befitting back street brawls.

I was also surprised to hear, in this House, statements that trivialized, minimized, and ran down the approach the Bloc Quebecois has undertaken today.

Before I get to the heart of the issue, I would like to make a brief aside. I heard the member for Mississauga West say that his constituents are fed up with this issue, that they do not want to hear one more word about the Constitution and Quebec's place within or outside Canada.

Very few countries in the world can say that one of their original constituents, a province, a founding nation was and still is excluded from a constitutional reform, which, in this case, took place in 1982. Few countries in the world can boast of such a sorry record, a sorry performance: deliberately excluding from and keeping out of their Constitution an entire people, a founding people of this country, a founding province of the Canadian federation.

That being said, I want to go back to the heart of the debate. This morning, I heard an hon. member say "Mr. Speaker, we are here to determine whether or not you should lose your job". As if the only thing at stake here was the job of one individual, namely yourself, Mr. Speaker, as the Speaker of the House of Commons.

We have heard that it is the responsibility of the Speaker of the House to take decisions and the responsibility of members to abide by those decisions. During the course of almost seven years that we have been sitting here in this House, Mr. Speaker, you have made decisions that were sometimes in our favour, and sometimes not.

• (1625)

We have always accepted your decisions, as it is our duty to do, because we have always had great confidence in you and in the institution that you represent as the Speaker of the House of Commons.

Some members, like the hon. member for Mississauga—West, have tried to make a direct connection between this motion of

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non-confidence in the Speaker and Bill C-20. I think that the leader of the Bloc Québécois has clearly stated—obviously the hon. member for Mississauga—West was not listening when he made his speech this morning and therefore did not hear this—that no such connection can be made between Bill C-20 and the non-confidence motion we are currently debating, because, had you ruled that there was a prima facie case of privilege with respect to the amendments—I will come back to that later—and had consequently heard or allowed the hon. member for Rimouski—Mitis to move her motion, the issue would now be before the Standing Committee on Procedure and House Affairs.

Long before Bill C-20 was passed, this issue could have been referred to the Standing Committee on Procedure and House Affairs, and today we would not be debating this motion of non-confidence in the Speaker. Therefore those who see things in a negative way and try to imply there is a link between this non-confidence motion and debate on Bill C-20 are mistaken.

What we are referring to is the fact that the Bloc Québécois prepared a number of amendments, with the help of legislative counsel, in preparation for the report stage, gave rise to this interpretation, because some seemed to think that it was way too many amendments for a bill with only three clauses.

This is not just a bill containing three clauses, it is a bill that goes to the heart of democracy in Quebec, that deals with the very existence of Quebec whether inside or outside Canada, or even with the future of any other province since the government wants us to believe it applies to all the Canadian provinces, and involves the future of any province either inside or outside Canada.

It is not just a bill with three clauses; it is a fundamental bill, probably one of the most fundamental bills we will have had to vote on in this House. Yet the government rammed it through the House, rushing through every stage. Not one stage was disposed of in a normal and reasonable length of time. We rushed through every single one of them.

Closure was imposed at second reading. They wanted to impose closure in committee to limit work. Since they were not able to do so, they imposed closure in the House, at report stage and at third reading. Double closure was imposed.

As I was going to say, it just happened that for this bill we drafted a number of amendments with the help of legislative counsel and we moved a number of those amendments. Surprisingly, we realized that two of the amendments drafted with legislative counsel yet never moved had been ruled out of order. What a shock.

There was a second surprise: a number of other amendments that we had moved were ruled out of order based upon technical criteria. For example, the bill referred to secession, so the word sovereignty was beyond its scope. We went back to work and replaced the word sovereignty by the word secession just to please the Liberal government and, surprise, surprise, these amendments were again rejected.

• (1630)

Members will understand that we wondered about the impartiality with which we were treated with during the whole process. We wondered about the confidentiality that must exist between the members of parliament and legislative counsel. We thought that it was so important that we raised a question of privilege. Why? Because we were convinced that there had been a breach of confidentiality.

We learned that this administrative change had been made about three years ago by the officers of the House. As a member of the House, I had not been made aware of that. Moreover, I am also a member of the Board of Internal Economy, and even though I do not usually miss a lot of board meetings, I never heard about the fact that this client-lawyer privileged relationship, this relationship of confidentiality between legislative counsel and members, had been changed, that someone somewhere had decided that legislative counsel would be required to share their knowledge of amendments with the clerks.

I must tell you that this is hard to swallow because it shows that there is a double standard in the House. When the government puts amendments on the Order Paper, does it submit them to the clerks beforehand? Of course not. Why then should the amendments prepared by members of the House with the legislative counsel be shared with the clerks? Why has the client-lawyer type relationship of confidentiality between members and legislative counsel been broken? We do not know.

What we do know, however, is that when we raised this question of privilege in the House, the Chair considered it. You then said, and I will quote you directly:

I am unable to find that this constitutes a prima facie question of privilege or a contempt of the House.

You continued by saying:

Hon. members should understand that House legislative counsel do not work in isolation. There is no separate database for legislative counsel as the hon. member suggests. The legislative database supports the work of all persons having duties within the field of legislative support operations.

I revert to my question. How is it that the government can put amendments in the Notice Paper without having to share the knowledge of these amendments with the clerks? I wonder how things worked here before this administrative change, which, as a member of parliament and a member of the Board of Internal Economy, I had never heard about, except a few days before all these incidents occurred, was implemented and even before—to go further—computers began to be used in the House, even before legislative counsel could put draft amendments into databases.

Am I to understand from your ruling that, at one time, clerks would sneak into the legislative counsel's offices, open their filing

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cabinet, go through their files to see what they contained, which amendments had been prepared, for whom and for what purpose?

• (1635)

It seems to me that, except for the desire to speed up their work and make it easier during the night after we submitted our amendments, nothing can justify that a clerk should consult the legislative counsel's databank to avoid inputting all the information once more, reprint and reformat everything, to make an end of it. That's it, that's all.

This certainly makes the work of the clerks easier, but in the past, when everything had to be done manually, how far did the clerks go to make their work easier? Did they go as far as to search through the legislative counsel's filing cabinets?

I am told that this change was made just three years ago. Therefore, you cannot suggest that it has always been done in the past.

When something as fundamental as the trust that should exist between each hon. member and a legislative counsel is breached, there is something more important, more serious, and with more far-reaching consequences at stake than a simple decision by the Chair with which we should comply.

Through your decision, you have somehow validated a practice, and that prompted us to raise the question of privilege. Mr. Speaker, for reasons I have a hard time understanding, you have decided that there was not a *prima facie* case that the privileges of members of Parliament had been breached, when we were deeply convinced that there was a case.

We thought we had clearly demonstrated that the trust, the confidentiality that must exist in the relationship between the hon. members and the legislative counsels, had been breached. Instead, in your ruling, a ruling that really shocked us, for the reasons I mentioned earlier, you validated this new administrative process.

If we cannot be sure anymore that the work we do with the legislative counsels will not be used for other purposes, surely you can understand that we seriously question the system. We are questioning it because we are there are other bills before the House, and we are working on a number of amendments regarding them.

We have heard the government House leader make a statement to the effect that, in light of what was happening with Bill C-20 and with Bill C-3 coming up for consideration, the government better take action. That is why he introduced his infamous Motion No. 8. Forced to backtrack on that motion, he has now placed Motion No. 9 on the Order Paper. He is taking precautions, in anticipation of what will happen with Bill C-3.

How can the government House leader claim to know what is going to happen?

Considering the events of the last days and weeks, the situation with the two amendments of the Bloc and also what happened with the other amendments declared out of order after we changed them, you will understand that it was rather disturbing to hear the government House leader say that he knew what was coming.

How can he know that? How could he know what was coming unless someone somewhere informed him?

The relationship of trust has been breached. Mr. Speaker, the ruling you made on the question of privilege by my colleague from Rimouski—Mitis is not just a ruling like any other. I want to tell you right away that the leader of the Bloc Québécois was heart broken at having to move a motion of non-confidence in the Speaker.

• (1640)

You know me well enough to know that I have profound respect for you and your office. You know that I respect you and your office. You also know that, if we are debating this motion today it is not, contrary to what the hon. member for Mississauga West said so outrageously, to satisfy some political agenda. That is not the object of the exercise.

It is unworthy of the hon. member to try to reduce what is now happening to a single manoeuvre or ploy by the Bloc Québécois because we are exasperated by our failure to defeat Bill C-20. That is not what we are doing today.

There is a saying that if wishes were horses, then beggars would ride. I repeat that if you had simply allowed my hon. colleague from Rimouski—Mitis to move her motion, allowed it to be debated, we would have long ago stopped talking about this question, except in the Standing Committee on Procedure and House Affairs where it would have been considered. This matter deserves due consideration. When you decided not to accept it, you brushed it off, and a fundamental relationship, a relationship of trust was definitively breached.

It might not be too late, but I want you to know that, contrary to what some might say, now it is not a question of whether we want to get rid of you or not. Because of the ruling, because of what has taken place, something very alarming, I am concerned by what the leader of the government said. He said "We knew what was coming". But how can he know what is coming? You see, the relationship of trust has been breached.

We did not have any other choice, and I must tell you that we were heartbroken to have to introduce this non-confidence motion. I would like to think that before the end of the day, something will happen that will allow us not to vote on it, otherwise my colleagues and myself will have no choice but to stand up in this House and vote for this motion. It would be a very hard thing to do, but there would be no other choice.

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Mr. Dennis J. Mills (Broadview—Greenwood, Lib.): Mr. Speaker, I have had the privilege of serving in the House for three terms. I have always thought that this was one of the greatest honours and privileges of my life.

I have always considered this was the nation's boardroom, the boardroom of Canada. This is the chamber where we come together to build a better Canada. Mr. Speaker, you are the chairman of this board. This is not the Prime Minister's chamber. This is not the chamber of the Liberal Party or the chamber of the Bloc Québécois. This is the chamber of Canada.

In the last six years something different has happened in this Chamber. Through the democratic process duly elected members from the province of Quebec have come here to say they are not here to build Canada but to begin a separate country called Quebec. There have been times when I found it very difficult to deal with this situation, but I have always tried to the best of my ability to work with members of the Bloc Québécois on certain social issues where I felt we were together and on which I think they have done a great job on behalf of all of Canada.

Last week during debate on Bill C-20 the Bloc Québécois put forward 1,000 amendments.

• (1645)

Had you not been fair, Mr. Speaker, you would have ruled many of them out of order. You made this entire chamber of Canada submit to the right of those members of parliament to put all their motions through. In summary, I want to say that action ratified your fairness in this Chamber and I continue to support you.

[Translation]

Mr. Stéphane Bergeron: Mr. Speaker, I would like to say two things about what my hon. colleague said. First, I think it is not totally accurate and correct to say that members of the Bloc Québécois are not here to build a better Canada. Of course, we are here to promote the sovereignty of Quebec. This is our main goal. But we are also here to defend the interests of Quebecers within Canada until Quebec becomes a sovereign country.

We never thought that our role was to make Canada a less attractive country, because we wish to maintain very close ties with the rest of Canada. Besides, it is not in our interest to make Canada a less attractive country or to portray it as such.

That being said, with regard to the issue raised by our colleague, I believe he is getting things mixed up when he says that you showed your sense of fairness and justice by accepting a certain number of amendments, namely the 300 amendment proposals to Bill C-20 moved by the Bloc Québécois. How could you have rejected those amendments? What right would you have had to refuse amendments that were acceptable and in order, simply

because they had been moved by the Bloc Québécois? Could you have refused them for this reason alone?

I am not referring here to the amendments that you duly accepted, despite the very subjective and partisan evaluations made by certain people across the way. I am not referring to that. I am referring to amendments that were refused without even having been moved, and to amendments which were refused after having been changed on the recommendation of the same people who had refused them and which were nevertheless ruled out of order.

Now, if the hon. member cannot understand that, maybe he should listen instead of shouting.

[English]

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, I have listened very carefully to the intervention from my Bloc colleague. I must say I disagree with a lot of the interventions from this side of the House, but I agree with what he has said and I will probably support him in the vote. This is not a partisan issue. I believe that we have to look at it as such because the Speaker of the House—

Some hon. members: Oh, oh.

Mr. Garry Breitkreuz: I refer to my previous intervention for those who are making catcalls. I would like to give a positive suggestion at this point.

The Clerk of the House and the law clerk are both appointed by the government. They are governor in council appointments. The Prime Minister's Office puts those people in place. One suggestion I can make is that these positions should be filled in the same way as the Speaker's position. The names should be put forward and approved by two-thirds of the members of the House.

I am asking if my colleague from the Bloc would agree that may be a positive suggestion. We have the whole question of confidentiality and solicitor-client privilege being put into question. The Speaker has a problem in that regard. I put that positive suggestion forward. I think we have to resolve some of these things.

[Translation]

Mr. Stéphane Bergeron: Mr. Speaker, my colleague from the Reform Party has raised a very important issue.

In a country that claims to be a model of democracy but that recently mocked parliamentary democracy as never before by passing a very vague bill on clarity, a bill that, according to the members opposite, was intended to protect the people of Quebec against themselves, we have a pretty strange democratic process, if we consider that the Chief Electoral Officer is appointed by the governing party, the returning officers in each of the Canadian ridings are appointed by the governing party and the Clerk and the

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Deputy Principal Clerk of the House are appointed by the governing party.

• (1650)

There are also a number of government agency officials that are appointed by the governing party, but at least the governing party has the decency to pretend to consult with the other political parties in the House, in some instances. Does it really take their opinion into account? That is another story. But at least, there is some sort of consultation.

It might be time now to consult more seriously with the political parties for the appointment of the main officials in this House.

Mr. André Bachand (Richmond—Arthabaska, PC): Mr. Speaker, I have only a short comment to make. If we have enough time, certain of my colleagues will speak to the motion as such.

Mr. Speaker, you can rest in peace. I heard nothing serious about you or about the Chair. I am not impressed with the fact that such an important motion, one that is very rarely used in parliament, has been moved. As we say in English, I ask my colleague from the Bloc Québécois “Where’s the beef?” in terms of the motion concerning the Speaker.

I have a lot of respect for the whip, who made a good speech. Undeniably, there is a problem, but then to make a connection with you, in a motion that takes precedence over everything else—I ask the whip to for an explanation. I also want him to explain to those who are watching us and who are calling my office to find out what is going on.

I ask the whip to enlighten me.

Mr. Stéphane Bergeron: Mr. Speaker, in response to the comment made by my colleague from the Progressive Conservative Party, I must say that I did not find his arguments very compelling either.

He should know, which does not seem to be the case, that members of the opposition have very few recourses in the House. I heard the parliamentary leader of the New Democratic Party say this morning that, yes, the problem raised by the Bloc Québécois was serious, but it was not the right solution.

I agree with him. We proposed another solution before that. We proposed that this whole issue be referred to the Standing Committee on Procedure and House Affairs, but the Speaker refused. What kind of recourse do we have left after that?

Once the basic relationship of confidentiality and trust with certain officials of the House has been breached and once the Speaker has ruled that everything is all right, that there is no problem, that there will be no discussion and no attempt to find a solution, there is no other option for us, as members of an

opposition party, than to say that we think the Speaker did not give a good ruling and that, consequently, we cannot have confidence in that ruling.

What kind of recourse do we have left? Maybe the brilliant and distinguished member for Richmond—Arthabaska will be able to find an answer to this question for me.

[English]

Mr. Rey D. Pagtakhan (Winnipeg North—St. Paul, Lib.): Mr. Speaker, I rise to debate the motion before us. I would like to refocus the debate on the motion itself. I shall divide my time with the member for Brossard—La Prairie. Motion No. 59, introduced by the member for Laurier—Sainte-Marie, reads:

That this House resolve that it no longer has confidence in the Speaker, since it is of the opinion that the Speaker exhibited partiality in determining that the question of privilege raised by the hon. member for Rimouski—Mitis on Wednesday, March 1, 2000 was out of order and in rejecting the point of order raised by the hon. member for Beauharnois—Salaberry, to the detriment of the rights and privileges of all of the members of this House.

Thus two points are raised as a basis, in effect, for censuring the Speaker of our House. First, there is the censure language, that “this House resolve that it no longer has confidence in the Speaker—to the detriment of the rights and privileges of all members of this House”. To this I say clearly and unequivocally that you have continued to earn my trust and confidence, Mr. Speaker, although from time to time I might have differed with your interpretation and adjudication of the application of rules. Furthermore, I say with equal resolute confidence that my rights and privileges have not been adversely affected.

• (1655)

I support your ruling given on March 13 on the question of privilege raised on March 1 by the deputy House leader of the Bloc Québécois. It is this ruling by you, Mr. Speaker, that is used as one of the bases for the censure motion before us. No doubt the Bloc Québécois did not particularly like your ruling, but I submit that dislike of a ruling in itself does not establish that you were partial when you rendered that ruling.

To allow the censure motion to prosper on the basis of this point would in effect condone a successful challenge to your ruling, an approach which is clearly forbidden and explicitly prohibited in the standing orders of our House. I will read Standing Order 10 at page six:

The Speaker shall preserve order and decorum, and shall decide questions of order. In deciding a point of order or practice, the Speaker shall state the Standing Order or other authority applicable to the case. No debate shall be permitted on any such decision, and no such decision shall be subject to an appeal to the House.

To allow the censure motion on this basis would also in effect say that the member for Rimouski—Mitis who initially raised the

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question of privilege has an impartiality and a level of wisdom superior to the Speaker.

I would submit that you continue to display superior competence and wisdom. I also believe that you have been impartial at all times. For these reasons I respectfully submit to the House that the censure motion before us loses ground and should be defeated.

I say to my colleagues, through you, Mr. Speaker, that this approach, as unintended as it might be, on the part of the Bloc Québécois by way of this motion, although it might be an imaginative tool to bring back debate on the clarity act bill, which received third reading and passage in the House yesterday and now goes to the Senate, and although it might be a tool to bring attention to other issues, allows challenge to the ruling of the Chair, the servant of the House. It is clear that to allow that would be in clear breach of our standing orders in the Chamber.

The rule is there and is intended to maintain decorum in and the dignity of the House. Without it there would be chaos. For the same foregoing reasons the House should reject the second point of the censure motion in rejecting the point of order raised by the hon. member for Beauharnois—Salaberry. Indeed, the sponsor of the censure motion said in opening debate that we must investigate and revisit that ruling. That is a clear indication of trying to challenge the ruling itself.

Let me state for the record of this debate, Mr. Speaker, the essence of your ruling on the question as found at page 4376 of *Hansard* for March 13:

In this case, I note there is no mention of any breach of confidentiality whereby the text of proposed motions of the hon. member or her party has been made known to persons working outside the field of legislative support operations or to other members. Confidential information proprietary to the Bloc Québécois and several of its members remained completely and absolutely confidential. Consequently, I am unable to find that this constitutes a *prima facie* question of privilege or a contempt of the House.

• (1700)

Your particular ruling was sound and impartial. It merits the support, confidence and trust of all members of the House in the best traditions of our parliamentary democracy. In compliance with Standing Order 10, a ruling of the Speaker should not be subject to appeal to the House.

Let me now address the argument raised by the House leader of the Reform Party in debating the censure motion before us. He said that the censure motion is not about the question of confidentiality, nor about the performance of the clerks and legislative counsel of the House. The Reform Party House leader went on to claim that the censure motion is a result of the government misreading the Bloc on Bill C-20.

The whip of the Reform Party also claimed that there should be a free vote as we judge our confidence in the Speaker based on the Chair's performance during your tenure, Mr. Speaker, since your election by the House a few years ago.

Let me just caution colleagues that the censure motion before us is very specific as to the two considerations which we have to vote on. They are the Speaker's ruling to which I alluded earlier as well as the timeframe during which the question of privilege and the point of order for which the aforementioned ruling was rendered, which was on or around March 1, 2000.

To extend the timeframe beyond the substantive scope contained in the censure motion as a basis for our voting would be ill advised to say the least. It would be reckless at its worst in the tradition of parliamentary democracy. It would be vindictive. It would be a mockery of our human conscience.

Let me end with a quote from *The Procedure of the House of Commons* by Josef Redlich. On the question of a vote of censure upon the Speaker it states:

It need hardly be said that such an event is abnormal and happens but rarely, and that such a motion would only be acceded to by the House if the circumstances fully justified it. . . it would appear seriously to undermine the exalted position and dignity of the Speaker if, in addition to his application of the rules being open to challenge upon special and important occasions, it was competent for every member to call in question the Speaker's authority whenever he chose, and if he was liable at all times to be called upon to defend the correctness of his decisions.

I appeal to my colleagues. Let us exercise due diligence and care. Let us vote based on reason, based on our established rules and order and based on wisdom. Let us summon the reason of goodwill in us. It has been with the gift of the Canadian electorate that we are here in the House. Let us use that gift wisely in a way that present and future generations can be proud of our place in this hallowed Chamber. Mr. Speaker, I continue to have confidence in you.

[Translation]

Mr. Jacques Saada (Brossard—La Prairie, Lib.): Mr. Speaker, we are currently debating a motion of non-confidence in the Chair. This motion was introduced by the Bloc Québécois.

A number of statements by my Bloc colleagues lead me to believe that this is just an excuse to keep on debating a bill the House has already disposed of, a bill I believe is strengthening my rights, my prerogatives and my duties as an elected member of parliament, a highly democratic bill, contrary to what my colleagues across the way might think.

Only seconds ago, the Bloc Québécois whip claimed he is here to defend the interests of Quebecers. What a coincidence, so am I.

I do not intend to reopen a debate that has already taken place in full compliance with our democratic and parliamentary rules, but rather to tie this political issue with the motion before us today.

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• (1705)

I will explain. In the speech he gave this morning, the leader of the Bloc Quebecois said “The Prime Minister wants to arrive to the convention of his party with Bill C-20, the clarity act, in his pocket, not with scandals floating around”. I thought the issue was the Chair, not the Prime Minister.

This same member also said, referring to the Chair, “I am not saying there was malice, but that there is a problem”. To introduce a motion of non-confidence in the Chair does suggest that the Chair has lacked integrity and acted with malice. It is a blatant contradiction of terms by the leader of the Bloc.

The reason behind the motion is not the quality of the work of the Chair, but rather a political fight. The non-confidence motion in the Chair is a means being used for a political cause.

How can anyone pretend to be a democrat while at the same time being prepared to use for political purposes the very symbol of democracy, the Parliament of Canada and its Chair?

This morning, the hon. member for Joliette reinforced the extremely unpleasant feeling that, for the Bloc, the end justifies the means. He said in so many words that the issue was not a lack of confidence in the Speaker.

It may not be a matter of lack of confidence, but a motion of non-confidence in the Speaker has been moved. This is inconsistency at its best.

Obviously, Speaker’s rulings may be challenged, but I do not think this a valid reason to question the Speaker’s integrity. Our Parliament is an eminently respectable institution, but it was created by human beings. It is managed by human beings. This means that it is fallible. By essence, it can be improved.

When we have the privilege of being elected, we inherit many responsibilities, one of which is to constantly strive to improve this institution with due respect for all its members, with dignity, and by rising above partisanship.

We have just spent almost 40 hours straight voting on amendments. Regardless of the content of these amendments, the process itself is totally absurd. This is the second time in a few months that all members have been held hostage. Surely the operation of our institution could be improved.

The right of all parliamentarians to debate is a fundamental right. But systematically obstructing the business of the House is not a right. It is a practice that reflects great weaknesses, a practice, not a right, which should be more tightly controlled.

Should a suggestion be made that we try to improve the operation of the House, I would go for that. If the suggestion is to find new ways to protect the democratic rights of all members of

Parliament, again, I agree. But I would not agree to withdraw the confidence of the House in the Chair.

This morning, the hon. member for Roberval expressed his respect for the Canadian institution. In that spirit, I urge him to withdraw this motion, which serves no one and does not contribute to the respect and dignity of the House and its Chair. Failing that, in the name of integrity and out of respect for our institution, I will have no choice but to vote against this motion.

[English]

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, first and foremost I want our friends from the Bloc to understand that we want our people from Quebec to be part of Canada. We know it is a very emotional situation, we really do, but I want to say that we in our party have great respect for you, Mr. Speaker. I cannot believe that anyone would put on the floor of the House a non-confidence motion in you, Mr. Speaker, in any of our clerks or in any of our people. I cannot believe it.

I understand that this is an emotional situation. I understand that there is a long debate, there has been and will continue to be I am sure in the future. But we want you to know, Mr. Speaker, that we do have respect.

I know from personal experience having been here with only two of us in our party, Jean Charest and myself, that had it not been for you, Mr. Speaker, I would probably never have stayed. But you encouraged me to be here because my people elected me and you treated me fairly. I find that you treat us all with respect. That is what it is all about. Yes, if there has been a mistake and if we do not agree perhaps with every decision you make, that is life. You do not agree with all the questions that we ask and I can understand that.

• (1710)

Certainly that is what this is all about. That is the democratic process and our colleagues have to understand that.

I ask my colleagues to withdraw the non-confidence motion. That motion is not the right thing to do. I ask that they consider that immediately. Yes, we want them to be able to debate. Maybe they should have had the 1,000 amendments and have been able to debate them, but I cannot agree with putting forward a non-confidence vote on our Speaker. I will not agree with it and neither will my colleagues. I ask that they withdraw the motion.

Mr. Greg Thompson (New Brunswick Southwest, PC): Mr. Speaker, I concur with my colleague from Saint John and my entire caucus. We support you.

We recognize that this debate came about primarily because of the frustration that the Bloc was experiencing with regard to Bill

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C-20. None of us disagree with the Bloc's sensitivity to this issue. That was exhibited through debate with the frustration and so on. It has led to a high level of frustration. I think the motion was launched on the basis of frustration, nothing more nothing less.

Mr. Speaker, it is the same frustration we all feel and which I know you felt when you were sitting here as a backbench member of parliament. I have taken the opportunity today to look at your career as a member of parliament. You are like any of us here. You earned your way to stand in this place and represent your constituents. I think you have done an extremely good job.

I was with you in a previous parliament, Mr. Speaker. I guess we share a commonality. We know what it is like to be a backbencher on the government side. My experience is it was probably more frustrating to be a backbencher on the government side than it is on the opposition side. This job by definition is frustrating regardless of what side we sit on.

There is a commonality between yourself and myself as members of parliament. You earned your way here. You sat out a term in that you were defeated in a general election in 1984 when your party was not very popular. I would not consider that a personal defeat but you had the fortitude to stand up and run for office again and you came back to this place. I did the same thing in 1993. I experienced personal defeat and came back to the House in 1997. Few members have that opportunity. Most of us will not go through that fight to earn our place, our right to stand in this place and defend our constituents, defend the things we believe in.

For the most part I think we do it fairly well. As members have stated here earlier in the day, it is one of the few countries in the world with a true democracy. We could almost identify with our 10 fingers, on two hands, the true democracies in this world. The number does not extend much beyond a couple of handfuls. It is a very small number of countries. Every night we see in the newscasts countries that have civil unrest, where decisions are made at the point of a gun and where there is no true democracy.

This is a place we can be proud of. People back home, my wife, my family, my own flesh and blood sometimes get a little discouraged by what they see happening in this place. It goes back, Mr. Speaker, to how you got here, how I got here and how everyone else got here.

• (1715)

It is a tough and brutal business. The weapons we use are merely words. From time to time we do get exercised. I have become exercised, because we are here fighting for what we believe in.

Members disagree in the House. You, Mr. Speaker, have seen it time and time again. We will fire away at a cabinet minister, or vice

versa, and when it is all over we will walk outside, shake hands or pat each other on the back and go back at it the next day because we honour that tradition. We honour the right to do that in this place.

Mr. Speaker, you are merely the referee. You have the toughest job. Being prime minister is not easy. Being the leader of the opposition or the fourth or fifth party is not an easy job, but it is easier than your job. We elect you to referee this place and we expect you to be perfect. We expect you to rule every time according to the way we see things. We always want to be right, but we very seldom are, and you do the best job as a mere mortal to referee this very intense setting. On a day to day basis you do it as good as anyone ever has, including Speaker Fraser, for whom you have a great deal of respect, and a Speaker I served under.

You were elected by us. I was elected by the people back home to stand in this place to state how I see it. They gave me the right and the privilege to do that. We gave you the privilege to referee this very intense forum.

You have heard comments today that, as a mere mortal, I do not know if I could take them. I could not.

An hon. member: You could not, trust me.

Mr. Greg Thompson: Mr. Speaker, the chairman of our caucus is speaking. He often tells me that if I do not like what he is doing as chairman, then I could do it. However, I could not. My personality does not lead me to be a referee.

Mr. Speaker, you are defenceless. In this place our weapons are our words. Sometimes we go off the mark a bit, using words that might be unparliamentary or taking a jab here and there. It is a tough job in which we want perfection, but we will never have perfection.

There have been some debates which have taken place in the House over the years which have led to difficult circumstances for Speakers. During the pipeline debate of 1956 a motion like this was before the House and it had a disastrous effect on parliamentary decorum and the role of the Speaker.

I was here during the omnibus bill which set up the national energy program. The bells rang for 16 days. The Speaker was put in a very precarious position. At that time there was frustration on this side of the House, so the Conservative Party instituted that weapon and the bells rang for 16 days before the issue was finally resolved.

That incident happened because of frustration on this side of the House. The members were using the rules, as they saw them, to send a message home. We have seen it in the House on a couple of occasions. During the Nisga'a treaty debate the Reform Party moved amendments which required us to vote around the clock for 48 hours, but the bill still passed.

• (1720)

Obviously the Bloc did that this week with Bill C-20. There were some 400 amendments and we voted around the clock for 36 hours.

They are using tools which are available to them, but at the end of the day they are extremely frustrated by the outcome. However, it is wrong of them to take it out on the Speaker. They are using the rules that exist. If there is any fault, I suggest that it has to do with too much being on the agenda, forcing human error. There is too much pressure being placed upon the legislative ability of the clerks, who work through the procedure and have to deal with what is before the House.

Human error will never be eliminated in this business. We are all mortals. We are all human.

Mr. Speaker, we support you. I think this House supports you. This is only on the agenda today because of frustration, nothing more and nothing less. We want you there. At the end of the day, I think you will find that you have a clear majority in the House.

[*Translation*]

Mr. Eugène Bellemare (Parliamentary Secretary to Minister for International Cooperation, Lib.): Mr. Speaker, I have a comment to make about the non-confidence motion against the Speaker of the House.

I must first tell you that I have always considered you as a distinguished person, a person who is extremely polite in the House, fair, impartial and showing wisdom.

I suppose that the members of the Bloc Québécois were extremely frustrated with Bill C-20 on clarity.

Mr. René Laurin: This is irrelevant.

Mr. Eugène Bellemare: I would like to demonstrate that, in rejecting some of the amendments made by members of the Bloc Québécois, you did show wisdom.

I do not have the list of amendments you rejected, but judging by those you accepted—I would like to quote a few, to show how ridiculous the Bloc Québécois was.

Some amendments read “That the act come into force on February 1, 2005”; “That the act come into force on April 1, 2005”; “That the act come into force on May 1, 2005”; “That the act come into force on June 1, 2005”—

Mrs. Suzanne Tremblay: Mr. Speaker, I rise on a point of order.

The Speaker: Order, please. I asked if anyone wished to ask a question or make a comment. I saw only one member rise from his seat, namely the hon. member for Carleton—Gloucester, and I

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recognized him. Perhaps there were others. With five minutes remaining, I was going to give him two minutes and a half and then allow two minutes for the answer, because no one else had risen.

Consequently he has about 26 seconds left.

Mr. Eugène Bellemare: Mr. Speaker, I will never be able to finish in 26 seconds, but I can understand the temper tantrums of the spoiled brats in the Bloc Québécois.

Some hon. members: Oh, oh.

Mr. Eugène Bellemare: These amendments said “This act shall come into force—”

Mrs. Suzanne Tremblay: Just a moment. Enough of these stupid remarks. The member has to stop insulting us, and right now.

The Speaker: Order, please.

[*English*]

Mr. Greg Thompson: Mr. Speaker, I am not sure how to respond to that, other than to say that this is a perfect example of how tough your job is from time to time.

I hope that we can end this debate in a civilized way. I know that emotions are running very high. It was very wise of the House to have this debate today to allow us to vent our frustrations.

In families, organizations and businesses when there is a problem, they deal with it. The good thing that is coming out of this exercise is that all members—Bloc, Liberal, Conservative, NDP and Reform—will have a chance to stand on their hind legs, say it like it is, get it out, and then we can get on with the business of the House.

• (1725)

Mr. Walt Lastewka (St. Catharines, Lib.): Mr. Speaker, I rise today with some pride and some disappointment. I am sure there are members who realize that I have known you for many years, probably longer than anyone in the House. I have known you since you were an educator and an administrator. I have known you through many elections, including the first time you were elected as Speaker of this great House, which was repeated four years later.

Mr. Speaker, I know the task that you have, to look after almost 1,400 employees, a large budget and to administer the House. Part of it includes our table officers and the people who serve to make sure that the House operates in an orderly fashion.

Mr. Speaker, I realize that many times you have asked for order in the House, not for your benefit but for the benefit of members.

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Many times you have to bring to our attention the fact that we need to get down to the orders of the day.

I know that you as an individual like to give as much freedom as possible to members and people in the House, and that sometimes we end up taking advantage of that, to our detriment.

I am sorry the member for Edmonton North is not here, but the member for Saint John mentioned earlier that you very strongly practise democracy and freedom. You support, probably more than anyone else, the underdog, the minority, the parties with one or two members. You give them a chance to speak, to debate and to be part of this institution. You do it not looking at numbers, but looking at the individuals who represent the people of this country. I thank the member for Saint John for her remarks.

You also tried, for many years, to improve the decorum of the House, working with members of all parties to focus on the reason we are here, which is to serve the people of Canada.

While you were a member you were the chairman of many committees, no matter which party was in power, because your abilities were respected and you were known to deal fairly with the mandate of a committee.

As Speaker you are not here to favour one party over another; you are here to encourage debate. I know that you defend outright that the attacks in the House should not be personal, but to the issues of the day.

• (1730)

Mr. Speaker, I know you have a lot of respect for this institution called the House of Commons. I know you believe very strongly in the importance of proper debate and teamwork of one party, another party, the table officers and the requirement for many people to work together to make sure the House of Commons functions properly. I know you review the precedents of the House many times and use it as your guide. You also protect this fine institution not just for today but for tomorrow and many years to come and to protect our country, Canada.

Mr. Speaker, members have mentioned today that you have ruled in favour of the Reform Party and you have ruled not in favour of the Reform Party. I know you have ruled in favour of the Bloc Party and not in favour of the Bloc Party. You have done the same thing for the other parties, as the member for Saint John said. You have ruled in favour and you have ruled not in favour. You have ruled in favour of the government and you have ruled not in favour of the government. I believe that is why you are there as the Speaker.

To me, this is an example of your impartiality and respect for the House and the House rules that we approve for you to carry out. Mr. Speaker, it is for that reason that I find this accusation of non-confidence totally outrageous and very disappointing. Al-

though people have said it is not a personal attack on your integrity, I am afraid it is. That is very disappointing to me.

I know of your patience and your fairness, Mr. Speaker. I am sorry, and will probably want to apologize, that the opposition has taken this opportunity to discredit you because they are trying to get at the government for no valid reason at all.

Before I conclude, I forgot to mention that I will be splitting my time with the member for Winnipeg South.

Mr. Speaker, I want you to know that I have full confidence in your ability to fulfil the office of Speaker of the House so we, as Canadians, can represent the 301 ridings. We are representing Canadians and we will do it to the best of our ability, as best possible as human-beings, for the good of our country called Canada.

Mr. Grant Hill (MacLeod, Ref.): Mr. Speaker, I admire the member for St. Catharines. I think he has been a pretty good and calm individual in the House. He has obviously expressed his friendly relations with the Speaker.

The issue to me is really one of the legislative counsel. The legislative counsel brought this concern to the House. I would like to know from the member if he thinks that legislative counsel should be able to keep a bond of client-solicitor privilege with members it has received documents from. This is one of the things that causes me concern. I believe this is a very special privilege and somehow it seems to have been eroded a bit with this issue.

Could the member comment specifically on the issue of client-solicitor privilege as it relates to legislative counsel?

Mr. Walt Lastewka: Mr. Speaker, I thank the hon. member for the question and his remarks.

I am not a lawyer. I am a team player. I know that the table, the legislative officers and the legal counsels all have to work together for the good of the hon. member, for me and for every member in this House. I believe, from the discussions we have had today and from the input that our table officers, our legal counsel and our legislators have received, that we will be stronger for that. I believe they have to work together to make this happen for us.

• (1735)

[*Translation*]

Mr. Odina Desrochers (Lotbinière, BQ): Mr. Speaker, it is painful to listen to the remarks made by the member opposite in this context because during his whole speech—I repeat, during his whole speech—he only talked about the past.

He talked about all the accomplishments, but he forgot something essential, namely to talk about the issue we are debating today. I would like to know his opinion on this subject.

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Since this morning, the Liberals have been trying to divert the debate we are having today. This debate has absolutely nothing to do with what happened last night in a vote that was won by the Liberals.

However, this debate is part of the process that led to that vote last night. Normally, it should have taken place before the bill was read the third time and passed. However, we know what the ruling was. The government rode roughshod over democracy to pass Bill C-20 so the Liberals could use this sad moment in the history of democracy to glorify themselves this weekend.

I would like to know from the member opposite whether he agrees that in 2000, not in 1940 or in 1950, we should be able to rely on people to do their work fairly, to keep this information confidential and not share them with partisan interests.

[*English*]

Mr. Walt Lastewka: Mr. Speaker, as I mentioned earlier, I came here in 1993. It was my first time as a member of parliament. The one thing I did over the first couple of years was to understand and respect the clerk, the table officers, the legal counsel and the Speaker of the House to do the right things for this institution and for Canadians across the country who we represent. Mr. Speaker, I maintain that full confidence in all of you.

Mr. Reg Alcock (Parliamentary Secretary to President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, I want to tell you how pleased I am to be able to participate in this debate. I was not aware, earlier this morning, that it was being called today and had to negotiate fiercely in the back rooms to get here. I wanted to be here because this is an issue that I feel very strongly about.

I was first elected in 1988 in the provincial legislature in Manitoba at a time when our party had only one member in the House. All of a sudden, we became the official opposition overnight, not unlike what occurred with the Reform Party. I was made the House leader and, in the course of a very few hours, had to learn and understand all the rules, the procedure, the precedents and the history of the House in order to get a feeling for how this place must work.

As I was sitting here earlier today listening to the member for Edmonton North, I was interested when, toward the conclusion of her remarks, she made a comment about being concerned about a reduction in the democratic rights that exist in this House. I forget exactly how it was phrased but it was in that general area. I want to say that I agree with that. I think there is a problem. I do not think it is a problem that occurred this week or this month. I think it is a

problem that has been growing over the last 30 years. Some who are better would go back further than that.

Because my particular interest is in the way in which communication moves in the world, I argue that it is because the world has speeded up so dramatically and there has been such a demand on this place to change. It has resisted change so much that one of the consequences has been that we have twisted some of the ways in which we function in order to accommodate these demands for speed by the external world rather than reform our institutions internally. I think we have to do that. It is an issue I study, an issue I write about and an issue I will be speaking about a great deal more. I wanted to take note that there is an important issue underlying this.

• (1740)

I am the Parliamentary Secretary to the Minister for Intergovernmental Affairs and I did not feel good going into committee and proposing the motion for time allocation on its work. It was something that did not make me feel good. I do not think that is the best way to function in a democracy but I did it. Nobody told me to do that. I did it.

I stood up and voted for time allocation every time it was proposed because I think this place is broken. However, if that is the situation we are in, if that is the situation that has been created and if that is the situation we have to live with, then I will support those things that we need to do at this time in order to make this place work.

One of the reasons I supported it as strongly as I did with the Bloc members was because they had said that this place was not working the way it was supposed to work. It was not "Let's come together and debate ideas and see if we can find a constructive way to build a better country". Instead it was "We are not going to allow this thing to happen, regardless. It doesn't matter what you do, what you say, what you propose, or how long. It is not going to change anything. All we are going to do is obstruct".

I supported it and I did some things that I hope, over the course of the next two years, will bring some reform. It may take longer. Our esteemed clerk will have a better sense of how long it will take for this glacier to move. I think there needs to be reform in how we function in the House.

Having said that, I want to tell all hon. members of the House that it is not the role of the Speaker to do that. It is our responsibility to do that. The referee does not make the rules.

There is something else I find interesting. When I served as a house leader it was in a house where the Speaker was appointed by the government and there was always a sense that the Speaker really played on the other team. For the time I was in the House, the Speaker was the Hon. Denis Rocan, whom I think you know, Mr.

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Speaker. He became a good friend of mine because he was so even-handed in the way he handled the work he did, even though he was appointed by the government of the day.

Here that is not the case. This Speaker is our Speaker; not our, as in we, the government, but all of us. We elected him. In fact, if I recall, Mr. Speaker, in 1993 you ran against Liberals, so you were elected by all of us. There were members from all parties in the House who elected you.

I want to tell hon. members opposite that we do not agree with everything he does. I have heard more than one member over here express a bit of annoyance. It happens, but as the Prime Minister often says, if the left is mad at us and the right is mad at us, maybe we are doing the right thing.

It is a tough job to herd cats. It is a tough job to make this place work because it is a feeling. We have a set of rules and practices, but the Speaker also has the ability to understand the House organically. If anything, I would argue, Mr. Speaker, that at times you have gone too far in urging a member to retract a statement and in trying to give somebody an opening to back away from something they have done to transgress the rules. However, I think that every time you have done it, you have done it out of respect for the House and what the House is all about.

This is a fight between the Bloc and the government in this particular case. We do not expect the Speaker to fix that fight. All the Speaker can do is referee and manage. We do not expect him to solve those problems. We set the rules. This Chamber sets the rules. This country sets the rules in the Chamber. It is not for the Speaker to do.

• (1745)

I want to say to you, Mr. Speaker, that I hope there will be opportunities over the next few years to debate how the House might evolve and how the rules of the House and the operations might evolve.

I profess to have not much but a little experience in this area. I want to express my personal support and my absolute confidence in you, Mr. Speaker. I am very sorry we are even having to debate this motion today.

Mr. John Harvard (Charleswood St. James—Assiniboia, Lib.): Mr. Speaker, I was not expecting to come to the House this afternoon. I was busy in my office in the Confederation Building, but I had the television on—

[Translation]

Mr. Stéphane Bergeron: Mr. Speaker, I rise on a point of order. I just want to know whether the member is on questions and comments or debate.

The Speaker: Questions and comments.

[English]

Mr. John Harvard: I am on questions and comments. Mr. Speaker, I heard the debate and I have come here to make a comment.

First let me say that the House has to know I consider myself to be a good friend of the Speaker. He and I lived together for five years. He and I and others shared a condominium here in Ottawa. I know the gentleman who occupies the chair. I respect him. I consider him a personal friend. When he was first elected as Speaker in 1993 I voted for him. I voted for him again in 1997. I know this man. I know that he is fair. I respect him. I know he does his job as well as anyone.

As a member of the House and as a friend, have I always agreed with every decision that he has made? No. I think that my good friend the Speaker sometimes is too soft on all of us and sometimes I would expect him to be a little tougher.

He is a good referee. He is a good umpire. I find it very strange that in this motion of censure the word “partiality” would be used, that the good Speaker would be accused of partiality. There is not a drop of partiality in his blood.

What I find interesting is that the Speaker allowed 410 motions with respect to the clarity bill. What does that suggest, hon. members? That suggests to me that the Speaker bent over absolutely backward to allow every possible motion, every possible amendment to allow the Bloc in this particular case, the opposition, the mover to—

The Speaker: Order, please. I would like to go on hearing the member but I am going to give the floor to the hon. member for Winnipeg South in response to a comment.

Mr. Reg Alcock: Mr. Speaker, I will keep my comment very short. I believe the Bloc member has a question also.

Certainly I underscore everything that the member just said. In fact it was the member for Charleswood St. James—Assiniboia who first introduced me to the Speaker and acted as a reference really when I was trying to sort out who would be the person we might choose as Speaker. It was an absolutely open vote. I have always respected the choice that I made.

[Translation]

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, what I find very disturbing in the comments by the member, with whom I worked and for whom I have a lot of respect, is that he did not address the issue.

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I know he is intelligent enough to know there is a problem, but he chose not to address it, and I find this disturbing. At issue is the changing nature of the relationship between the members and the legislative counsel. This is the issue. This is a change we were not advised of.

• (1750)

This change may well have been made in good faith, but we have every right to consider it as a breach of our privileges as MPs. We have the right to expect, when dealing with a legislative counsel regarding a private member's bill, or when working on amendments in a committee, that he will be the only one privy to the amendment until it is published in the Order Paper.

[*English*]

Mr. Reg Alcock: Mr. Speaker, the member is right. The member is entitled to know and entitled to raise a question of privilege and expect the House to rule on it. That is a fact. But in not being satisfied with the answer, is this what we will see from the Bloc all the time? If one loses, loses and loses, is the next arrow out of the quiver an effort to try to burn the Speaker? I do not understand it. The problem we need to solve is one which we need to solve, not the Speaker.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, I will be sharing my time with the member for Macleod.

This is a difficult debate to participate in as you can appreciate more than any of us. I say right off the bat that we recognize the discomfort you have been put in because of this debate. It is fair to say that most if not all members of the House like you very much personally and are very sorry to have seen this motion come forward.

The motion that has been put forward unfortunately is very narrow. It makes it difficult for all parties of the House to focus on exactly what we are debating. The motion talks about the decision of a particular question of privilege and also a decision to reject a point of order raised by another member of the Bloc. Only at the end does it talk about this being to the detriment of the rights and privileges of all members of the House.

I would have liked to have seen less of a focus on two particular decisions. I agree with members from the government side and other members who have rightly pointed out that if we are going to use our privileges as members to bring forward motions simply to stamp our feet and to show displeasure when the Speaker does not rule in our favour, clearly the House will become dysfunctional. That would be totally unacceptable both for members of the House

and for democracy itself. That is one observation I wanted to make about this whole thing.

There is in this debate and in the comments that have been made a sense that perhaps members do not have entire confidence in the impartiality of yourself in the chair at times, Mr. Speaker. I think those comments have come forward. Not knowing you well and personally, but over the six years in my dealings with you, I know that you would be inclined to take those concerns extremely seriously. I am confident that you would take those in the spirit in which they are offered and would want to evaluate whether there is any merit in that feeling because of course none of us are disinterested, are we?

All of us have our own opinions and members of the House have very strong opinions. We are not very shy about putting them forward at times. That is why we must rely on you, Mr. Speaker, as a referee to use wisdom, grace and good balance in ensuring that the affairs of the House are conducted in a way that reflects credibly on all of us but also on our country.

• (1755)

This is not just about us. It certainly is not just about you. This is about Canadians, our democracy and our parliament. We are players in a drama that has significance for all of us in a broader context. I know you are aware of this, having heard you speak and knowing your keen appreciation of the history and the parliamentary conventions of our country. But it needs to be said that this is some indication that there is some discomfort perhaps with balance and impartiality and I know that you would take it seriously.

The question of privilege that was brought forward having to do with legislative counsel is of concern to me as well. When my colleague from Surrey brought this matter up in the House, I made some comments on it also. I would commend to you the concern of many members of the House with respect to legislative counsel on two fronts.

One is their right and responsibility as professionals to act in a way which respects the convention of solicitor-client privilege without fear of being penalized or fear of being censored or fear of not being treated fairly if they insist on doing that. This is extremely important and I would suggest it should not rest where it is at this point. It really does need to be dealt with in a way that takes it beyond where we are today.

The other thing is the whole matter—and I know you are aware of my feelings on this but I just want to mention them again briefly—of this element in your ruling of the team. I would suggest if one member of the team, being a member of parliament, has information which is integral to his or her role and their work as a member of parliament and it is shared with other people against the member's knowledge and consent, it is far from teamwork. With respect I think that element of your ruling did not commend itself to my logic. I would say that this is a burning issue which is not going to go away. It must be dealt with in a way that is fair to everyone.

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As a member who respects you and respects this institution and democracy, the issue that sparked the debate on the motion today is an issue that must be dealt with in a different way than it has been today.

We have heard many opinions and you have many staunch defenders which is good. I am sure this has been very positive for you as you evaluate this debate. The issue is really whether this motion is worthy of support by members of the House. I would suggest that this is not a partisan matter, certainly not for me. This is not about the opposition or the government or about the Bloc or Reform, or other parties. This is really about whether we are prepared to submit ourselves to your authority acknowledging that to some degree this is a decision which cannot be taken frivolously or in a personal way.

We are all part of caucuses and we disagree with our colleagues from time to time. We even disagree with our leaders from time to time as you well know. This must be done with humility, grace, good sense, balance and an appreciation of the needs of the organization.

Your role is absolutely vital in the House of Commons. We appreciate the fact that you have operated with the skill, the grace, the good humour and the forbearance in many cases that you have shown. In my view perhaps this debate has helped to air some things and to bring to your attention perhaps some of the concerns on the minds of members. I think members who have been forthright enough to engage in the debate are to be commended. That is a very difficult thing to do because of the high respect in which both you and your office are held.

• (1800)

I would say that this has been, although painful, perhaps a healthy debate and one in which all of us have learned some things. I hope those comments will be helpful to members and to you in the context of the issue we have been discussing.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, many interesting points have been made by members. I would ask the member to consider whether or not this place should be operated in a sense of rigidity and that all things should be applied to the full extent and letter of all the rules and procedures of this place, or whether or not a certain discretion should be used given that the objective is that the House should be working. I think we all know the old saying about being careful of what you ask for because you may very well get it.

I am concerned as a backbencher that if we continue to abuse the privileges and the rights we have in this place what will happen is that we will be forced to undertake certain reforms within this place which in fact will tighten the rules even further and further erode the privileges, rights and opportunities that ordinary members of parliament have in this place.

I just pose to the member whether or not in terms of the ultimate outcome here the discretion and the wisdom of the Chair applied in this case were appropriate and indeed in the best interest of this place.

Mrs. Diane Ablonczy: Mr. Speaker, my colleague raises some very cogent points. I would suggest to him, though, that the word rigidity is a bit of a loaded word. When points of order and questions of privilege are brought forward to the Chair a precedent or what has happened before is always consulted. We have Beauchesne's referred to in almost every case, both by those who bring forth points and by the Speaker in responding to them and making rulings.

There has to be some stability and some order in the way these things are approached. We cannot sort of have one thing one day and another thing another day like situational justice. There has to be some order and some reason for things that are done.

The member talks about wanting to make sure the House works. The simple answer to that is for whom. We disagree with things that Bloc members have done but they are part of the democratic process and have a right to have the House and the process work for them as well. I think we need to be very fair minded about that.

The member scared me a bit when he said we would be forced to change the rules. It sounds like a bit of a threat. I would say with the government's majority and with some of the things its members have attempted in the last few days, perhaps that would not be a good thing to put on the table during this debate.

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, I have a very direct question. This motion very specifically challenges the impartiality of the Speaker and accuses the Speaker of being partial in a decision and presumably in other decisions. In this context that means that the Speaker is being accused of being partisan, because nothing occurs here that is not partisan if it is partial.

I would like to ask the member who just spoke if this is what she really means. Does she feel that in supporting this motion she has lost confidence in the Speaker's ability to be impartial and that indeed she is accusing him of being partisan?

• (1805)

Mrs. Diane Ablonczy: Mr. Speaker, the member, as he so often does, cut right to the heart of the matter. My simple answer is that I think there are some signals and some discomfort in this debate with the issue of impartiality from time to time. I mentioned that in my remarks.

In my view, Mr. Speaker has not demonstrated a degree of partiality that would demand full censure from the House. That is why I said that although this debate is positive it is probably too

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narrow at this point to urge members to vote in favour of this motion. I hope that responds to the member's question.

Mr. Grant Hill (MacLeod, Ref.): Mr. Speaker, I also feel a little chagrined at being asked to rule on my own confidence in the Speaker. I look upon the Speaker as a referee and arbiter of the rules.

I remember quite well that one of the first things I did when I came here in 1993 was to meet the various candidates for Speaker, yourself included. I had an opportunity to query you on an issue that I thought was important. I tried to decide whether or not you would be impartial. You convinced me that was important at that time. I am frank to admit that I gave you my vote. It was a secret ballot so no one would have ever needed to know that, but that is the way I voted.

I have found myself a little frustrated with some of the democratic processes in the House lately. I did not enjoy the process of debate, time allocation and restriction on the committee work on Bill C-20, the clarity bill. I believe there were mistakes made on both sides. There was obstruction going on in the House. I am not sure how I would have responded, if I were on the government side, to that obstruction. I did think that some of the things that were done were hasty and more heavy-handed than they needed to be.

On the processes of the House, in the last little while we have had two major bills where there has been significant opposition pressure brought on the government. We did bring those pressures to bear on Nisga'a to express our concern with the way this new bill had come through. The Bloc did the same thing with Bill C-20. It brought every mechanism that it could to bear to express its vigorous displeasure with that bill.

This, however, does not come down to whether or not the vigorous opposition that can be mounted should somehow be stifled. Neither does this come down to an issue of friendship with the Speaker or personal admiration for the Speaker. To me this comes down to the issue of whether or not these legal counsel, these officers who are there to give us help in crafting and organizing our affairs and to give us advice on making amendments to make sure that they are technically correct, can do their job if there is not the confidence of the members in them. I believe and echo the comments of my colleague who just spoke that this is the central issue we are debating.

I am not a solicitor. I know little of solicitor-client privilege. I am a physician. I know a lot about doctor-patient privilege. I know if I broke that privilege when I was practising and doing my job that I would be censured to a degree where I could not practise. I do not see the difference between solicitor-client privilege and the very sacred privilege between the physician and the patient.

In my view there is one way that I as a physician could release information on my patient, and that was with the patient's permis-

sion. It needed to be written and dated. Then I could share the information with the health team, with specialists, with the technicians doing blood tests, with those doing the tests that we ran and with the nurses in the OR. That is the only way I could share that information. If the patient gave me documentary evidence I could send the records to a solicitor, and only then.

• (1810)

I believe that our table counsel need to have the permission directly and specifically of the member for whom they are working before they release that information to the team. It would be very straightforward.

There are times when the team should know every word that is being proposed. There are times when that is not appropriate, where for strategic reasons or for whatever reasons the information should not be shared by the team.

At the heart of this issue is not Bill C-20, not the Nisga'a treaty, and not all the mechanisms we have for expressing our displeasure. At its heart is that very issue. Can legislative counsel function properly if they share every piece of information with the team? My comment is that they cannot.

I feel that legislative counsel will have to withdraw from those duties and keep their oath of office if that is what is expected of them. I would ask that this not just be looked at by the Speaker but by the table officers themselves, by the individuals who direct the affairs of the House. I believe that this ruling needs to be reviewed and revisited. I expect that this will be a healthy review of that specific ruling.

I will be voting my personal confidence in the Speaker tonight when we vote. I do not say that in any way to ingratiate myself with the Speaker, but only because I have found the Speaker to be partial on issues where I expected partiality and impartial where I have expected that to take place. I share those thoughts in sincerity with the Speaker and with the table officer. I appreciate the opportunity to do so.

[*Translation*]

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, I unfortunately did not hear the beginning of the speech by the member who spoke before me. I think I heard the last half, with which I agree.

Given this type of a debate, is the role of the Speaker not to ensure some respect for democracy?

Let me explain what I mean. The fact that four cannibals decide to eat a fifth one does not make it democratic. A decision taken by a majority is not necessarily democratic.

Closure used to be an exceptional measure, but now it is the rule. Not one bill gets through this House without closure any more.

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I would like the hon. member who just spoke to tell me if he does not think that part of the Speaker's role is to be able to intervene in such a case. I know there is another side to this. I would like to hear his explanation.

Mr. Grant Hill: Mr. Speaker, for me, what is at stake here is not the Speaker, but the legislative counsel. If the legislative counsel had the privilege to review the circumstances in this case, the rules have to be changed.

I have confidence in the Chair in this instance, but I think that there must be a special relationship with the legislative counsel.

• (1815)

[*English*]

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, my colleague mentioned a topic which is dear to my heart, which is the solicitor-client privilege between legislative counsel and members of parliament. If legislative counsel are taking orders or taking instructions not only from a member of parliament but also from someone else as to what information must be shared and when and how, that clearly creates a conflict of interest because they would have instructions from two different sources which have two different interests.

What does that do for him as a member of parliament? How does he feel about his confidence in the working relationship he would then have with legislative counsel and his confidence in the assistance and the quality of advice he is receiving under circumstances where that individual is—

The Speaker: Order, please. The hon. member for Macleod.

Mr. Grant Hill: Mr. Speaker, that does cut to the heart of the issue. It would in fact make me reticent to use legal counsel in the House. It would make me consider carefully going outside the House for legal counsel. I think it would be a shame if our legal counsel withered away, because surely they have the experience, they have the background, they have the abilities to look at all the legislative things in a way that legal counsel normally would not do.

I personally would be very uncomfortable having the two sides reviewing legislation in that way.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I will be splitting my time with the hon. member for Wentworth—Burlington.

I want to participate in the debate, having listened to the points raised. Perhaps I will start by responding to the member for Calgary—Nose Hill who, in answer to a question that I posed to her, suggested that somehow I was opposed to reforming the House. I want to repeat my statement for her.

My statement was that the reform would be necessary, to the point where it would add further constraints to the rights and privileges of members. I think that is different from reforming the House to have changes which will make us more productive. The idea is that we are all members of parliament. We enjoy certain rights and privileges. I would like to think that the fullest extent of those rights and privileges could be enjoyed by all members regardless of party.

The point I was trying to make was that we have opportunities to abuse our rights and privileges in this place. We can create literally hundreds of report stage motions. We can grind this place to a halt. We can put notices on the order paper for concurrence in committee reports. Every day when a bill is to come before the House for debate someone can rise on a concurrence motion and take up the time of the House simply to talk about anything that might have been talked about in a committee report. This place could grind to a halt.

Most members probably could think of a valid reason to stand on points of order, questions of privilege or points of information simply to take up a bit of time. It is not in our best interest, obviously. The best interest of all members is to use the time of the House and the resources that are available to us wisely. We are judged as a group on how wisely we use the time of this place.

The motion before the House has to do with a very serious matter. I concur that it is a serious allegation. I concur that something has to be looked at carefully, but I am wondering whether the arguments that have been made should to be put into two different contexts. One is the whole aspect of whether the points being raised by the people who would like to see something done are more directed at the problems they have with the governing party and with the strategies that the government uses in exercising the authority it has been given as opposed to the problems they have with our parliamentary process. I would put that on one side.

• (1820)

The other question is whether we are talking about the rules we will generally follow in regard to the macro picture of how we will deal in terms of the legislative counsel, the Journals branch and all of those resources we have, as opposed to considering this particular case. In this case one has to look at the substance of what was going on, the issue at hand and the strategy.

When I found out that there would be hundreds of motions before parliament at report stage on Bill C-20, it was clear to me, and clear to absolutely everybody, that it was a move of demonstration. It was simply a demonstration to handcuff the House and force it to go through a process.

Had there been 1,000 amendments we would have been here for three full days. It would not have achieved anything, other than keeping all members and people who support this place here. I am not sure that was a good use, so I looked at Beauchesne's. I have

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not looked at the new book, but I looked at Beauchesne's concerning report stage motions. It said that report stage motions were meant to allow members who were not on the committee an opportunity to have some input and influence on legislation. That is one of the reasons we have report stage motions.

I looked at what we were voting on and asked, how could it be? There were motions dealing with punctuation. There were literally hundreds of motions changing the same thing, adding a word here or there, which had nothing to do with the substance of the bill. I would have thought that maybe the Chair would have had the opportunity to simply say that they were not in the spirit in which report stage motions were intended and rule them out of order.

I just cannot see the whole issue of trying to tie up this place simply for a demonstration because some members will not get their way and the government will get its way. In a majority situation that is what happens.

The outcome of what took place here probably was the right outcome. It was the right outcome, in the best interests of this place and the people of Canada.

Mr. Speaker, in my six or seven years as a member of parliament, I have found that your wisdom and insight, trying not to apply rules on a rigid basis but trying to help us to be better parliamentarians, makes us all the better for it, and I will give you my support.

[*Translation*]

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, my question is for my colleague from Mississauga South and is very simple.

Most members of this House deeply believe in the need for confidentiality in some professional relationships.

I want to ask my colleague this: Does he believe confidentiality is essential to the role we have to play as parliamentarians? Also, does he believe that it is the role of the Speaker to insure that this confidentiality be restored if it can be clearly demonstrated that it has been questionable?

[*English*]

Mr. Paul Szabo: Mr. Speaker, it is a fair question. The member is asking for rigidity within the system that really is not in the best interest of the House.

If the member were going to be straight on this issue, what the Bloc was doing was making a demonstration. It was not a constructive effort to deal with the legislation.

I support the principle of maintaining confidentiality and the spirit in which our rules are set up, but when members, either individually or collectively, abuse the rules of parliament or the

privileges of parliament, then I expect the Speaker and those who run this place to make sure that the downside is mitigated as much as possible.

• (1825)

[*Translation*]

Mr. André Bachand: Mr. Speaker, I rise on a point of Order. I apologize to my colleague. I will be brief. There are a few minutes left in this sitting on this motion. To avoid division in parliament, to avoid a division of the rules which unite us, I would ask if, a few minutes before the end, the Bloc could withdraw its motion—

Some hon. members: No.

Mr. André Bachand:—since everything has been said, and we could then move on to something else.

Mrs. Suzanne Tremblay: No.

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, I have much respect for my Bloc colleagues. In my opinion they are the best opposition members because they have a good understanding of the parliamentary issues in the House of Commons.

I find it sad that they should have chosen this means to protest the outcome of Bill C-20.

Protest, in a democracy, is very important, and I feel it was appropriate for the Bloc members to protest. What I do not understand is the position of the Reform Party.

[*English*]

I understand why the Bloc might want to put this motion forward and support it when the vote comes. What I do not understand is why the Reform Party indicates that it will support this motion. While a protest is perfectly correct in a democracy, and I understand why the Bloc wants to protest, I do find that the Reform Party has confused the issue of being angry at the government for various decisions made by it and believing that they must attack parliament instead of the government.

There has been a long tradition in the House of the Reform Party confusing what the government does with what Mr. Speaker does. I think that is very sad. As I mentioned earlier, the flag debate was a classic example. Members of the Reform Party attacked the Chair, attacked this parliament, on the issue of whether or not a flag should be at their desks. I will always remember the occasion when partisanship really did affect our very symbols. Our symbols are the flag and this parliament and your position, Mr. Speaker. I will always remember the day when the member for Medicine Hat threw the Canadian flag on the floor because he disagreed with your decision.

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I implore the Reform Party, please do not attack parliament through the Speaker. Do not attack the institution that is the very foundation of our democracy. Let the Bloc Québécois have their protest. But I urge the Reform Party to vote against this motion.

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Mr. Speaker, I want to state right now that I am a Reform Party member and proud of it. I want to clarify for the member that I did not support this motion at all. I know many of my colleagues will not be voting in support of this motion. I just wanted to get that straight.

Mr. John Bryden: Mr. Speaker, I am delighted to hear the member opposite. I think this is certainly a motion that we should all vote our consciences on. I expect the Reform Party and every party, including the members of the Liberal Party, to vote their conscience on this issue.

• (1830)

[Translation]

Mr. Michel Guimond: Mr. Speaker, I ask for unanimous consent to allow my hon. colleague from Laval Centre a short period of comments and questions for a maximum of five minutes.

[English]

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Translation]

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, I will just make one comment.

The third millennium is starting in this House in a very sad way. The reputation of democracy in a developed society like ours, at least that is what it is claimed to be, was tarnished with passage of Bill C-20 on third reading last night. As if it were not enough, we are dealing today with a motion of non-confidence in the Speaker.

Clearly that does not suit the government, and we can understand that. Why this non-confidence motion?

This motion is before the House following a ruling made by the Speaker on a question of privilege raised by the hon. member for Rimouski—Mitis about a lack of confidentiality between parliamentarians and legislative counsel. The right to confidentiality is a fundamental right for any parliamentarian. If this right does not exist when all parliamentarians actually believe it does, there is a problem. It is a bit like the veto for Quebec.

For years, we believed that Quebec had that right. But Quebec was faced the hard fact. Quebec has never had, does not have, and will never have a veto within Canada as we know it today.

I know it was not easy for the leader of Bloc Québécois to move this motion on March 13. Nobody in my party could have done so lightheartedly.

Like quite a few of my colleagues, I have been in this House since January 17, 1994. I remember quite well your first election to the Chair. You were chosen by your peers. In doing so, they said they totally trusted your judgment, the judgment of an experienced parliamentarian able to rise above the crowd and serve the interests of democracy, which each and every one of the 301 members democratically elected to the House stand for.

Over the years, as a member of this House, I have often appreciated the quality, the moderation and the clarity of your rulings. Of course, you have not always pleased everyone, but we all know that it is impossible, and not always a good thing, to try to please all of the people all of the time, especially peers.

Mr. Speaker, I can easily imagine how hard this whole situation is for you, but I also think that adversity brings out the best in us.

What I am asking of you is that you acknowledge the importance of confidentiality in the conduct of professional discussions between members of parliament and their advisers in the best interest of Canadians and Quebecers.

I would ask you, as the prime and most important servant of parliament, to restore this confidentiality.

• (1835)

Healthy parliamentary democracy demands its restoration. Each and everyone of us will have the certainty of being fully equipped to best serve the interests of those who elected us.

In acting on this request, which I know to be supported by all parliamentarians of good faith on both sides of the House, you will show yourself to be a great Speaker and your prime objective to be the provision to all of your members of services appropriate to their duties.

It is your responsibility, it is within your power, and I sincerely believe that your decision will reinforce the confidence placed by this House in the Chair, since it will leave no doubt as to the manoeuvring room you must have in the performance of your duties.

House of Commons

Through your courageous act, you will show that, in this parliament, there is but one class of member, men and women able to assume to the best of their ability the responsibilities given them. You are the agent of parliamentary democracy, and I know you will prove this to be so, in stellar fashion.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I rise on a point of order. There might perhaps be unanimous consent for the following motion. I move:

That Motion No. 59 be withdrawn and replaced by the following:

That the issue of the confidentiality of the work of the legislative counsel be examined by the Standing Committee on Procedure and House Affairs; that the various possible solutions, namely

- (a) the restructuring of the service to ensure confidentiality; or
- (b) the reallocation of current resources to the various political parties to allow them to have their own legislative counsel services

be reviewed by the Committee, and that a report proposing concrete solutions be tabled in the House by June 1, 2000.

If we had unanimous consent, I think we could perhaps vote on this motion.

Hon. Don Boudria: Mr. Speaker, I rise on a point of order. Given the serious nature of the motion, and so that all members understand it clearly, I wonder whether we should not repeat it, because there may be some members who were not giving it their full attention. I have no trouble with it, but I suggest that, just to be very sure, we repeat the motion.

Mr. Michel Gauthier: Mr. Speaker, I ask for unanimous consent to move the following motion:

That Motion No. 59 be withdrawn and replaced by the following:

That the issue of the confidentiality of the work of the legislative counsel be examined by the Standing Committee on Procedure and House Affairs; that the various possible solutions, namely

- (a) the restructuring of the service to ensure confidentiality; or
- (b) the reallocation of current resources to the various political parties to allow them to have their own legislative counsel services

be reviewed by the Committee, and that a report proposing concrete solutions be tabled in the House by June 1, 2000.

● (1840)

[English]

The Speaker: Does the hon. member have permission to put the motion?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Paul Szabo: Mr. Speaker, I rise on a point of order. I think the issue before the House is very important. I believe the House leader of the government asked the hon. member to please repeat

the motion for the benefit of members so they could clearly understand that the solution was an agreed upon solution by all parties. I believe that the member who said no was not in the House at the time the motion was read and it is important. I would therefore ask that the motion be put again for clarity to ensure that this particular member did not misunderstand.

The Speaker: I am in the hands of the House. Do hon. members want the motion re-read? The hon. member for Mississauga South has asked to have the motion re-read for whatever reason.

[Translation]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I ask for unanimous consent to move the following motion:

That Motion No. 59 be withdrawn and replaced by the following:

That the issue of the confidentiality of the work of the legislative counsel be examined by the Standing Committee on Procedure and House Affairs; that the various possible solutions, namely

- (a) the restructuring of the service to ensure confidentiality; or
- (b) the reallocation of current resources to the various political parties to allow them to have their own legislative counsel services

be reviewed by the Committee, and that a report proposing concrete solutions be tabled in the House by June 1, 2000.

[English]

Mr. Philip Mayfield: Mr. Speaker, I rise on a point of order. I have listened to this being read three times. I would like to have some assurance from the government House leader that this will be taken seriously and not simply taken into the back room and destroyed so that we are back in the same position that we were before.

If I can have that assurance from the government House leader I will not stop this.

● (1845)

Hon. Don Boudria: Mr. Speaker, this is not my motion but I am certainly willing to commit the government to its full co-operation to have the committee report on that by the date in question of June 1. The original date was a little earlier in the earlier motion but two House leaders, I was one and there was another, proposed that it be backed up so that we could live with the commitment. So the answer is yes.

Mr. Philip Mayfield: Mr. Speaker, I would like to have it more clear than that. I would like to know if the government is committed—

SUSPENSION OF SITTING

The Speaker: Order, please. We are negotiating this on the floor of the House. We seem to be rushed into it. I am going to suspend

Business of the House

the House for five minutes. Do whatever talking you have to do and then I am going to either go ahead and ask about this motion or I am going to call a vote. You have five minutes to straighten yourselves out.

(The sitting of the House was suspended at 6.46 p.m.)

• (1850)

SITTING RESUMED

The House resumed at 6.50 p.m.

Hon. Don Boudria: Mr. Speaker, the hon. member asked earlier if the government were prepared to co-operate in a way to produce the report by June 1 to improve the parliamentary counsel services as described in the motion that was just read on the two different points. I am willing to give the commitment that the government would do just that.

The Speaker: The hon. member for Roberval is seeking unanimous consent to put a motion. Does the hon. member have unanimous consent of the House?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it agreed?

Some hon. members: Agreed.

(Motion agreed to)

* * *

• (1855)

BUSINESS OF THE HOUSE

The Speaker: I have received notice from the hon. member for Beauharnois—Salaberry that he is unable to move his motion during private members' hour on Friday, March 17, 2000.

[*Translation*]

As it was not possible to switch the position in the order of precedence, I ask the clerk to drop the item to the bottom of the order of precedence on the order paper.

[*English*]

Private members' hour will thus be cancelled and the House will continue with the business before it prior to private members' hour.

It being 6.56 p.m., the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6.56 p.m.)

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