

Privilege—Mr. Nielsen

Madam Speaker: Order, please. I must call the hon. member back to order for two reasons. First, he is discussing a political matter; second, as he knows he must talk in the third person. It is not easy, but he must keep to that.

Mr. Domm: With all due respect, Madam Speaker, it is a very political matter. I will try to address my remarks to you directly.

The question we are discussing is whether the minister is responsible for the riding of Peterborough. I am not deviating from the subject. The minister responsible for the riding of Peterborough has been a complete disaster.

Some hon. Members: Order.

Mr. Domm: I ask you, as the Speaker of the House, to refer this matter to the Standing Committee on Privileges and Elections in order that I will be given the opportunity, as a backbencher in the House of Commons, to go before that committee to plead the case that, when constituents elect Members of Parliament, they expect those Members of Parliament to represent them here in Ottawa.

Some hon. Members: Hear, hear!

Mr. Domm: With all due sympathy for the groans and moans of the government opposite over its concern about what it obviously feels is an infringement of our rights, I would beg Your Honour to refer this matter to the Standing Committee on Privileges and Elections so that we do not have to take up hours in the House of Commons arguing what is purely and simply an infringement of our rights as Members of Parliament. I cannot function and represent my people with the interference of cabinet ministers who get nothing for Peterborough. I cannot operate in my riding with the interference of ministers who are not responsible for the riding in which they are interfering.

It will not work. The sooner we get this matter before the committee so we can present our case without time limitation, as is the case in the House of Commons, the sooner Madam Speaker will satisfy hon. members of the opposition that their privileges are not being infringed by ministerial offices being opened in ridings ministers were not elected to represent, or by regional ministers representing other members' constituencies and doing a lousy job of it.

Some hon. Members: Hear, hear!

Madam Speaker: Does the hon. member for Nepean-Carleton (Mr. Baker) want to speak on this question?

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I want to give you an authority.

Madam Speaker: I will hear the hon. member for Nepean-Carleton, but I am afraid after that I will have to cut off the debate.

Mr. Baker (Nepean-Carleton): Madam Speaker, if I may say so, what is really at issue here is the question of equality

among members. Any time we deal with the Standing Orders of the House, any time we deal with Parliament's traditions, precedents, or what have you, we deal with the question of the equal treatment of members in terms of their privileges—their right to speak and to represent.

This is really the issue, and it arises in a couple of ways. After a long period of effort through the work of the Standing Committee on Management and Members' Services, the House created constituency offices, at a great deal of public expense, so that Members of Parliament for respective ridings in Canada could serve the people. I think they could serve them and represent them in accordance with all of the traditions of parliamentary democracy as we understand it. Therefore, it is not just a matter of the government dealing with an issue because it has a majority; I will be arguing a point with respect to that shortly. It is Parliament which established these offices, which set stringent rules saying, for instance, that offices could not be used for political purposes. I stress, they could not be used for political purposes.

● (1600)

The allegation, of course, is that ministers are in fact infringing on this whole aspect of the equality of each of us as Members of Parliament, whether ministers or private members—no one is a backbencher. Ministers are infringing on this question of privacy, whether we are dealing with matters of tradition, custom or rules of order. I think that is the principle. The fact is, rules of order are only a part of what makes Parliament work; the other parts are customs, traditions and precedents which are set forth. These are precedents which we build over a period of time, like the provision for constituency offices.

Beauchesne's fourth edition has this to say:

The principles that lie at the basis of English parliamentary law, as Bourinot so aptly says, are: 'to protect a minority and restrain the improvidence or tyranny of a majority'.

It is not sufficient to say that it is not contained in the Standing Orders of this House. That is not what Bourinot says nor is it what Beauchesne says. It is not what Erskine May talks about in his learned treatises on parliamentary democracy. We talk about customs, traditions and precedents. If you translate that document, which applies to every aspect of our lives as Members of Parliament, and apply it to what is being done, as described by the hon. member for Peterborough (Mr. Domm), the hon. member for Yukon (Mr. Nielsen) and the hon. member for Broadview-Greenwood (Mr. Rae), you see that there is an expenditure of public money and, in fact, an imposition on that aspect of equality, the aspect of the representative part of the life of a Member of Parliament. It is wrong. If it infringes on Treasury Board guidelines, as someone said, then it is more wrong than absolutely wrong. It is illegal.

I say with respect, Madam Speaker, that I cannot conceive how this could not be an appropriate subject for consideration by a committee of this House of Commons. Traditionally, that committee is the Standing Committee on Privileges and Elections.