

Procedure and Organization

I believe you should apprise the house of that fact before you put the question, which, as I say, may be some time after one o'clock tomorrow morning, and I think you should go further and refuse to put the question.

Some hon. Members: Hear, hear.

Mr. Knowles (Winnipeg North Centre): But in any case if Your Honour will apprise the house of the fact that this motion is contrary to the rules and privileges of parliament, I am confident that the house will govern itself accordingly. In fact, despite the non-confidence I have in the government I believe even the government would be guided by your opinion in this matter.

Mr. Speaker, since I seem to be taking a position which involves Your Honour in making a decision, may I make it clear now—and I shall do so again at the end of my remarks—that I am not trying to involve Your Honour in the details or in the substance of a motion; I am not trying to involve Your Honour in the question as to whether the time limitation should be two days, one day or many days; I am not trying to involve Your Honour in the question of any of the terms of proposed Standing Order 75c. But I am trying to involve Your Honour in the more fundamental and more basic question of whether any government has the right to seek to amend the rules of parliament in the way that is being sought on this occasion. That applies in any case, but it applies even more seriously now that we are under the closure motion of Standing Order 33. The statements I have just made of course must be more than just assertions of mine; they must be backed up by statements from the authorities. I should like to read a few of them.

First of all may I draw Your Honour's attention to citation 4 of Beauchesne's fourth edition which is found at page 8, quite early in this book which I trust members have read from cover to cover:

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;

Some hon. Members: Hear, hear.

Mr. Knowles (Winnipeg North Centre): I submit that an attempt to change the rules in a way that is contrary to that basic principle should not be allowed by the impartial occupant of the Chair. Let me go on:

—to secure the transaction of public business in an orderly manner;

Some hon. Members: Hear, hear.

[Mr. Knowles (Winnipeg North Centre).]

Mr. Knowles (Winnipeg North Centre):

—to enable every member to express his opinion within limits necessary to preserve decorum and prevent an unnecessary waste of time; to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse."

Some hon. Members: Hear, hear.

Mr. Knowles (Winnipeg North Centre):

In a close contest when the House is considering a highly controversial measure, the positions of parties are equalized:

Some hon. Members: Hear, hear.

Mr. Knowles (Winnipeg North Centre): Let me emphasize that. There is nothing in here about one side being master of the other. The basic rule of parliamentary procedure is that in a close contest when the house is considering a highly controversial measure the positions of parties are equalized. The quotation continues:

—the Government side may rely on its majority but the Opposition is strengthened by the rules of procedure which both are bound to observe and which the Speaker must enforce.

I submit, Mr. Speaker, that if any attempt is made to change the rules of this house and to do it in a manner which destroys that equality and gives the government not only the force of its majority but the force of the rules, we have gone completely contrary to the basic principles of parliamentary procedure on which this house relies.

I regard that citation 4 in Beauchesne's fourth edition as one which every member of this house should read very carefully before he decides what to do in the remaining part of this debate. I submit that because the attempt to change the rules by government majority, in a way that will destroy the quality between the parties, is wrong, Your Honour, under Standing Order 51 should so apprise the house before you put the question tonight, and indeed in my view you should refuse to put the question.

Some hon. Members: Hear, hear.

Mr. Knowles (Winnipeg North Centre):

Now let me draw your attention to citation 7(1). Again I am looking at Beauchesne's fourth edition. I wish to emphasize this sentence and one word in it as strongly as I possibly can:

Another collective right of the House is to settle its own procedure.

Mr. Lambert (Edmonton West): That is right.