

Procedure and Organization

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, that one word, the word "collective", is the word that this government is defying throughout this whole debate. That one word is something they do not understand over there at all. They think that because they may have a majority of seats in this house they have the right by majority decision to change the rules of parliament. Mr. Speaker, in the spirit of parliamentary procedure that is not the way it is done. We settle our own rules on a collective basis. Mr. Speaker, collectivity includes us all. I submit that what is being done now under closure is so contrary to the terms of Standing Order 51 that Your Honour should so apprise the house.

● (4:20 p.m.)

I go on with citation 7, paragraph (1), and perhaps I might read the first sentence again to connect it with the following sentence:

Another collective right of the house is to settle its own procedure. This is such an obvious right—

I wish it were.

—it has never been directly disputed—

It is being disputed now by the government opposite, and I think Your Honour should so find. The citation continues:

—that it is unnecessary to enlarge upon it except to say that the house is not responsible to any external authority for following the rules it lays down for itself, but may depart from them at its own discretion.

Your Honour has been apprised of the fact, which has been recorded several times, that the motion of the hon. member for Grenville-Carleton (Mr. Blair) is dealing with a recommendation by a committee which all of the opposition members on the committee opposed. It has been made clear that proposal 75c—they seem to think this comes from the committee and is before us in the normal way—is a proposal or direction from the government, which is an external authority so far as the House of Commons is concerned.

This attempt to change the rules of this house on the basis of an external authority is again contrary to the privileges, practices and rules of this house. Let me quote citation 8, paragraph (1):

The proceedings of the houses (Senate and Commons) are governed by statutes, by rules and orders adopted by themselves—

It does not say adopted by the majority, it says adopted by themselves. It states that immediately after the citation which says we

do this thing collectively. There is no authority, despite all the alleged authority there may be, for a majority to pass rules, and there is no authority for a majority to alter the rules of this house to meet the desire of an external authority, namely, the government. I submit what is happening now under closure is striking at the very fundamental proposition that the rules of parliament are parliament's rules, that they are the rules we arrived at collectively, and that they cannot be altered in this way.

Let me go on with the sentence in the citation:

—and by those usages which have grown up in the course of time and consequently become a part of their own practice or are derived from the common law of parliament by which they have consented to be guided in all matters of doubt.

Let me emphasize that word "consented". If I can zero in on the two words I have now quoted, the most important two words to this debate are the words "collective" and "consented", one which appears in citation 7 and the other in citation 8.

This the way the rules of parliament are made, and this is the way the rules of parliament are altered, by collective action and consent, not by dictation from an outside source, and not by the will of the majority being pushed roughshod over the minority, especially under a closure motion.

Citation 8(2) states:

The usages of parliament are to be collected from the entries in the journals, from the history of parliamentary procedure, from the treatises on parliamentary practice that have been published from time to time; and from the observations of experienced members, and the remarks of the Speakers in the House of Commons, with relation to the forms and methods of proceedings, as contained in the published debates.

It is difficult in this debate to single out individuals and put them in any special category. We are all equal in the debate as we are in freedom of speech, but I think it is significant that there have been no reasoned statements in defence of 75c from experienced members of this House of Commons. The older and experienced members—the ones who are steeped in the parliamentary way of doing things—know for a fact that we do not change the rules by the will of the majority, but that we change them collectively and by consent.

Perhaps I should read paragraph (3) of citation 8:

"In the interpretation of the rules or standing orders the house is generally guided, not so much