

*House of Commons Procedures*

I think that we should commend them for it and once again, I do not agree with those who try to minimize their work and especially their goodwill.

Mr. Chairman, I do not intend to speak any longer, because I know that for 12 days we have been looking forward to that happy moment when we might express our opinion, by means of a vote, but I wanted to dissociate myself from those who have made such statements with respect to the Speaker and the officers of the House.

• (4:10 p.m.)

[English]

Mr. Barnett: Mr. Chairman, I should like to take a very few minutes of the time of the Committee to make one or two comments on the amendment which is before us in respect of this question of the abolition of appeals from Mr. Speaker's rulings. I noticed yesterday when the Minister of Transport was speaking that he made quite a little play on the fact that when he was on the Opposition side he had, if I remember correctly, advocated on three different occasions abolition of appeals. I must say, Mr. Chairman, having been one of the Members who was in the House at the time of what we commonly refer to as the pipe line debate, the thought that immediately crossed my mind was what his position would have been had he been on the Opposition side, in the context of that debate, in respect to the right of appeal from Mr. Speaker's rulings.

I mention this because I feel that very much of what is involved in this question of appeals from Mr. Speaker's rulings depends upon the occasion and the manner in which they have taken place in the past. I certainly agree with the Minister of Transport and with others who suggested that there has developed all too frequently a practice of appealing Mr. Speaker's rulings on grounds other than the simple merits of the ruling itself. If I may say so, I think that that change has taken place to quite an extent since the period when I first entered this House in 1953, a time when appeals were of very rare occurrence indeed and were something which no Member of the House thought of making lightly.

While I realize that the present Minister of Transport had an entirely different view from that which I had on the subject matter of the pipe line debate, nevertheless I would hope he would agree that, at least on some of the appeals which were made against the ruling of the Chair during the debate, the

[Mr. Marcoux.]

Opposition did have a legitimate right to feel that there had been a breakdown in the integrity and impartiality of the Chair. Had we not had the right of appeal under those circumstances, then I think there would have been a very difficult situation in Parliament, and perhaps the effect upon Parliament as an institution might have been even worse than that particular episode, in my view, demonstrated.

Mr. Pickersgill: Mr. Chairman, since the hon. gentleman has sought to interpret my views, I hope he will not take my silence as indicating agreement with the views he has just expressed.

Mr. Barnett: Mr. Chairman, I was not disposed to agree that that necessarily was the case, but I am quite happy to have the Minister clarify his own position in this regard.

The reason I have sought to express my own feeling in this regard in supporting the amendment is that if a situation of that kind developed at some future time in this Parliament, then the kind of mechanism proposed by the amendment moved by the hon. Member for Burnaby-Coquitlam could be a very useful and necessary safety valve to protect the integrity of the Speakership, and also the integrity of parliament as an institution.

I will not add much more, Mr. Chairman, except to say that one of the things I found rather puzzling when I came back to this House after an absence of some four years was to discover that the practice of voting when Mr. Speaker's ruling was challenged had altered so as at least to give the appearance that an appeal from a ruling of Mr. Speaker had become a party matter. In other words, as matters have stood in this Parliament and the last Parliament, if Mr. Speaker's ruling is appealed the normal practice seems to have developed whereby the Leader of the Government first rises to indicate that Mr. Speaker's ruling should be sustained. Whereas unless I am very much mistaken the practice in former years was, at least technically in the form of voting, that it was regarded as having nothing to do with party structure and it was usually a private Member on the front bench on the Government side who was the first to rise.

If I may say so, Mr. Chairman, I think this practice has tended to aggravate the development of a tendency in the minds of many people and many Members of this House to think that when we are called upon to vote on a challenge of a ruling we would