

*Speaker's Ruling*

[English]

Having studied the circumstances of each of these cases and having reviewed the rulings referred to by the hon. member as well as others touching on this matter, the conclusions I draw are quite different.

The status granted to minor parties for procedural purposes in certain of these cases was the result of the political exigencies of the time. In none of these instances did the Chair act unilaterally.

In his ruling of September 30, 1963, at page 386 of the *Journals*, Speaker Macnaughton, while dealing with the status of a New Democratic Party in the House, pointed out that the status of a party in the House was for the House itself to decide.

Speaker Macnaughton also made two comments which I feel are very important and which I would like to quote to the House. He said:

It is in consequence among the duties of the Speaker to see that the Standing Orders of the House are followed in the course of its procedures and that the privileges of the House, once they have been defined and recognized, are protected. It is also the duty of the Speaker to be impartial and removed from politics, which has already been my aim since, honourable members, you did me the honour to elect me as your Speaker.

● (1525)

I am still quoting Speaker Macnaughton.

It seems to me that having in mind the authorities from Sir Erskine May to Lord Campion, from Bourinot to Beauschene, and from Anson to McGregor Dawson and many others, a situation such as that now facing the House must be resolved by the House itself. It is not one where the Speaker ought by himself to take a position where any group of members might feel that their interests as a group or a party have been prejudiced. Nor should the Speaker be put in the position where he must decide, to the advantage or to the disadvantage of any group or party, matters affecting the character of existences of a party, for this surely would signify that the Speaker has taken what is almost a political decision, a decision where the question involves the rights and privileges of the House itself.

[Translation]

In the *Journals* of February 18, 1966 at page 159, Speaker Lamoureux, in the ruling on ministerial statements referred to by the hon. member for Winnipeg—Transcona, was loath to institute any change in the practices of the House at that time and indicated that he would not veer from the contemporary practice until such time as the House amended the Standing Orders to do otherwise.

In October 1979, when the issue of party status was again raised, Speaker Jerome returned to the 1963 ruling of Speaker Macnaughton to reiterate that this matter is not the responsibility of the Speaker to decide but rather, a matter for the House. I would draw the attention of members to the words of Speaker Jerome on page 69 of the *Debates* for October 11, 1979.

[English]

In his presentation, the hon. member for Winnipeg Transcona quoted from a subsequent ruling of Speaker Jerome given on November 6, 1979, and found at page 1009 of the *Debates*. This ruling concerned the Chair's responsibility to protect the rights of members of small parties.

One of the portions of the ruling quoted only in part by the hon. member is worth repeating:

The House will recognize in what I have tried to do, I think both representing the spirit of the protection of minorities in the House and also, I think the generosity of the House, that what those members are entitled to can be given to them with a generosity and a recognition that respects the fact that they are members of a political party, so long as it does not give them an advantage that they would not otherwise enjoy as five members and, secondly, so long as it does not deprive other members of their right to participate in some way.

[Translation]

Yet again, Speaker Jerome declined to go beyond the contemporary practices of the House while ensuring that the rights of the individual member were protected.

This important theme was once again taken up in a ruling by Speaker Fraser given on December 13, 1990 and found at pages 16703 to 16707 in the *Debates*. At that time the Speaker declared in very strong terms that the basic rights and privileges of individual members of whatever political persuasion are fully protected by the Chair. Stating, on page 16704: "The Chair pledges to do its utmost to continue to serve this House in as even-handed and impartial a manner as possible".

[English]

In the current circumstances, the existence of the New Democratic Party caucus has not been denied and the Chair will continue to ensure that each member of the House is treated fairly by the rules.

In arguing his case, the hon. member for Winnipeg Transcona acknowledged that his party's situation could not be resolved without, what he called, "an appropriate will to discern the difference between some previous situations and the situation we find ourselves in at the moment".

I find myself agreeing with the hon. member up to a point. In my view, what he called "an appropriate will" to resolve the situation must be found not in your Speaker acting alone but in the House acting as a whole.

● (1530)

[Translation]

As the hon. member for Laurier—Sainte-Marie rightly points out, the status of minority parties in the House has always been determined in general by the political make-up of the House.