

Mr. St. Laurent (Quebec East): Mr. Chairman, I am sure we have all listened with much interest to the argument which has just been submitted by the hon. member for Kamloops upon the proper application of standing order 33. I think that it is hardly possible to discuss the technical points he has raised without first considering what is the purpose of this standing order. Standing order 33, as I indicated yesterday before giving notice of this motion for today, I think was designed to enable every member on both sides of the house to express his opinion on a measure by his vote in time to make that decision effective.

Mr. Drew: On every section.

Mr. St. Laurent (Quebec East): On every section. Even under closure that is what is required. Some form of closure has been found to be necessary in all parliaments and in 1912 it was found to be necessary here. Although the rules have been revised from time to time it has been found desirable to retain that standing order in the form in which it was first adopted.

The need for a provision similar to that provided by standing order 33 was expressed in words which I feel should commend themselves to all hon. members on both sides of the house. I should like to read what Mr. Attlee said in 1945 shortly after he became Prime Minister of the United Kingdom, and I quote:

I have sat too long on the opposition benches not to be sensitive of the rights of the opposition and of the rights of private members. It is the right and duty of the opposition to criticize the administration and to oppose and seek to amend the legislation of the government, but it is nonetheless the right and duty of the government to govern and to pass into law the program which it has been elected to carry out. The successful working of our parliamentary institutions depends on harmonizing these conflicting rights and duties. It will be the object of the government to preserve the rights of minorities as an essential feature of democracy while, at the same time, ensuring that democratic institutions are not wrecked by a failure to carry out and implement the will of the majority.

That is a fair statement of what is endeavoured to be achieved by the enactment of standing order 33. The hon. gentleman has said that there are four precedents, but there are three that were similar in form for the application of standing order 33 on a bill in committee of the whole. One was followed in all cases but the more recent case of 1932. The government would have preferred to have followed the earlier precedents because their application would have given the committee, if hon. gentlemen so desired, an opportunity before the rule was suggested, for a discussion of each clause separately. As the hon. member has clearly indicated, to follow the earlier

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precedents it is necessary to have each clause postponed once before the motion for the application of standing order 33 is made.

We believe that clauses 5, 6 and 7 are the really important clauses of the bill, the other four clauses being largely formal. We intended on Wednesday last to move the early postponement of the first four clauses so that debate could be focussed on clause 4 and the subsequent clauses before going back to the earlier ones. Those clauses contained the purposes for which the corporation was being set up and if those purposes were not acceptable and were not provided for there was no point in having the other clauses considered or discussed because they would have provided merely an empty shell.

As you will recall, the order of the house to proceed to the consideration of this bill in committee on Wednesday last was frustrated throughout the whole sitting of Wednesday. The house finally got into committee on Thursday and the government undertook to have the early clauses of the bill postponed after a brief explanation in order to facilitate the immediate consideration of the really important operative clauses.

Once again a concerted effort was made by hon. gentlemen opposite to prevent any progress being made. On Thursday evening when the Minister of Finance, as leader of the house, rose on a point of order to explain the procedure being followed by the government, hon. gentlemen opposite, who had been professing to uphold the rights of members to speak, were not willing to listen to the explanations of the leader of the house and frustrated those explanations by raising further technicalities.

Mr. Diefenbaker: Are the rights of parliament a technicality?

Mr. St. Laurent (Quebec East): No, the rights of parliament are not technicalities. There was a formal objection raised, not in respect to the rights of parliament but in respect to the rights of the leader of the house to exercise what is usually regarded as one of his rights as a member of the house.

Mr. Fleming: It was not a right; he asked for an indulgence.

Mr. St. Laurent (Quebec East): Perhaps it is that in the estimation of hon. gentlemen opposite—

Mr. Drew: It is in the estimation of anybody with any sense.

Mr. St. Laurent (Quebec East): —when an hon. member of this house is prevented from participating in the discussion of a question before the house.