

Energy Supplies

tion giving a large amount of discretion to any cabinet, executive or government because we as parliamentarians have a responsibility in this chamber to act as a counterbalance to unlimited power being given to the executive of our country. I say that regardless of what political party makes up the cabinet. It is the basis and tradition of our system that parliament and individual members of parliament should have the opportunity to scrutinize government proposals and legislation. Governments should not go unchallenged and do just what they want to do, especially when they bring forward legislation like this in which there are absolutely no guidelines on what constitutes an emergency.

From time to time there have been circumstances in our country which have been deemed by spokesmen of one party or another to be emergency situations. The Chair is called upon with some frequency to rule upon whether from time to time a particular set of circumstances could be deemed to be an emergency for the purpose of setting aside the business of the House. In the course of your activities Your Honour knows how difficult it is to determine exactly what constitutes an emergency, because you are left alone to make that decision. However, in that determination Your Honour at least has the benefit of points of view and arguments from each side of the House as to whether certain circumstances constitute emergencies.

In this bill the government brings forward the proposition that if, in its opinion alone, there is an emergency with respect to petroleum supply and marketing of petroleum, it simply makes a decision and deems an order to be in effect from the moment it brings down an order in council. The government does that with the other reality in mind that its decision will be sustained—because of the nature of our parliamentary system—by its confreres in the governing party.

That is the reality, so where does that leave us? The minister suggests, for example, that somehow this bill allows parliament to consider an order. What do we find in clause 11(4), the subject of the amendment moved by the hon. member for Northumberland-Durham? Clause 11(4) provides the following:

At fifteen minutes before the expiry of the time provided for government business on the third sitting day following the commencement of consideration of a motion of which notice was given under subsection (2), or at such earlier time as the House of Commons is ready for the question, the Speaker shall put the question forthwith without further debate.

Mr. Speaker, on a matter of national importance, a matter of national emergency, members on the government side sit mute with regard to a provision which would in effect allow only three days' debate in this parliament by representatives of the people of Canada. What is happening to our concept of parliamentary democracy? I know the minister has a long history in the House of Commons. Up until now I have always considered him to be a supporter of the House of Commons and of parliament.

Mr. Bussi eres: He is.

Mr. Hnatyshyn: I thought the minister did not share the attitude of the Prime Minister (Mr. Trudeau), who is contemptuous of parliament and whose every act since he has been in power has been to limit the powers of parliament and to increase his own executive power and that of the office of the Prime Minister in the presidential tradition. I thought that as a member of parliament of some standing, one who came here as a backbencher and worked his way up to an appointment to the cabinet, the minister would have some appreciation of the tradition of upholding the rights of parliament and the right of people to be heard through their representatives in the course of debates dealing with national emergencies.

As I say the bill provides for three days' debate. After the coming election when there will be 282 members in this House, and when a matter of extreme importance from the point of view of a particular member's constituents is raised, do hon. members understand the limited opportunity a member who is not a front bench member will have to articulate in the House of Commons the concerns of his constituents? He will have no chance at all. If you divide three days of five hours each, or whatever it is—on a Wednesday it is only two hours—by 282, we will not even have an opportunity to rise in our place, if everybody wishes to be recognized, because it would take three days simply to go through that process.

● (1630)

Also what the minister does not address himself to is that we are, in effect, being placed in the position of having the normal parliamentary procedures stripped away from us. What rights do we have in terms of parliament being able to assess whether or not there is a national emergency and whether or not proposals set forth by the government are needed or are legitimate, or indeed whether they are adequate? Where is the right in this bill for the motion to go before a standing committee of the House where independent witnesses can be brought forward, or indeed where the minister or a spokesman for the government can be brought forward to be questioned in detail with respect to the need and requirement for such legislation?

I am not arguing against the general principle of this bill in its broadest sense—that in certain circumstances of national emergency with respect to the energy supply the government of the day should be able to take direct steps in terms of the allocation of petroleum and petroleum products across this country. What I am saying is that I have become more and more concerned since I came to parliament about the tendency of this government to build into its legislation, regardless of the subject matter, a kind of automatic guillotine provision, as this legislation has. Hon. members opposite tell me that this is an emergency kind of legislation, unique legislation, and therefore we should go along with a limitation of the debate to three days since this legislation will only be used at a time of emergency. If there is any time when a bill should not pre-judge the length of time parliament should be allowed to debate a matter, it is precisely in times of emergency.