

*Procedure and Organization*

eventually appeal to the conscience of the people of Canada—

**Mr. Lessard (LaSalle):** Be careful. You know what happened once before.

**Mr. Douglas (Nanaimo-Cowichan-The Islands):**—that a democratic assembly cannot continue to function efficiently and effectively if at any time a government of its own volition can change the rules of the house, particularly if those rule changes reduce, erode and restrict the rights of members of opposition parties.

**Some hon. Members:** Hear, hear.

**Mr. Douglas (Nanaimo-Cowichan-The Islands):** I need hardly point out to Your Honour that the real tragedy of what is happening is that no one in any part of the house wants the rules the government is now trying to ram through the house. The government does not want them. The government itself recognizes that the rules are poorly drafted, that they are unsatisfactory. It is quite possible that if a proper interpretation is put on 75b, then 75c will prove to be completely inoperable.

The government is not satisfied with this report. The opposition parties are not satisfied with it. But here is a government that is going to do violence to the whole spirit of parliamentary procedure in order to get itself a series of rules that nobody really wants, and with which nobody will be satisfied. And this did not have to happen. Continued consultation would have worked out a rapprochement. The parties were coming closer and closer together.

**Some hon. Members:** Oh, oh.

**Mr. Douglas (Nanaimo-Cowichan-The Islands):** I shall not repeat the various statements that have been made by the house leaders. Concessions have been made by all the parties in the house, which brought them closer together. The government would have been wise to have used the methods that were used in days gone by to seek a solution. Instead the government proposes to muzzle parliament and to railroad through rule changes by closure, thus setting a precedent that can have disastrous consequences in the years ahead.

Cromwell walked into the parliament at Westminster with his soldiers and said, pointing to the mace, "Take away that bauble". This government is chipping it away bit by bit, but the consequences might eventually be

[Mr. Douglas (Nanaimo-Cowichan-The Islands).]

the same. I heard Aneurin Bevan once say that "in Germany democracy died by the headsman's axe; we must be careful that here it does not die of pernicious anaemia."

• (5:50 p.m.)

**Some hon. Members:** Hear, hear.

**Mr. Douglas (Nanaimo-Cowichan-The Islands):** That is the danger, not the sudden, cataclysmic destruction of our democratic rights in one fell swoop like burning the Reichstag, but step by step eroding, restricting and constricting the rights of members of parliament, until what we have come to know as a democratic parliament is completely changed and altered.

I said we had two sources of defence: The first is the rules of the house which are now under attack and the second is Your Honour, who is the custodian of the rights and privileges of members of parliament. I should like to say to you, Mr. Speaker, that I have had the privilege over a good many years of sitting under many speakers, both in this parliament and in the provincial legislature, but I have never sat under a speaker whom I enjoyed more, for whom I had greater admiration, both for his fairness and for his skillful handling of the house.

**Some hon. Members:** Hear, hear.

**Mr. Douglas (Nanaimo-Cowichan-The Islands):** Irrespective of the decision which Your Honour may make today, I can assure you that that respect and affection will continue to be held by us all. But I say to you, Mr. Speaker, that the only final recourse we have, confronted by this unprecedented action, is to appeal to you under Standing Order 51, asking you to apprise the house that the matter before us is contrary to the rules and privileges of parliament.

We would not ask this on any question of substance. We would not ask this if the government were using closure to pass a motion dealing with something else, or to force through legislation. But we are contending that when the matter before the house has to do with something as critical, as fundamental, and as essential as the democratic rights of this House of Commons, we have a right to appeal to you.

In the final analysis opposition parties have only two rights of appeal; one is to you, Mr. Speaker, as the guardian and custodian of the rights of all members irrespective of party,