

*Government Orders*

It happened not that long ago in Upper Canada and in Lower Canada, historically referred to as the Papineau and the Mackenzie rebellions of approximately 1837. Those were important events. In that sequence of historical events our forefathers had to pick up guns and went out to fight the King's Privy Councillors who were called the Family Compact and they were through the Governor imposing rules and laws here on the people of what was then Lower Canada and Upper Canada.

They had to go out and fight, and a number gave up their lives. Some were hanged later for treason for fighting for that parliamentary right, that legislative function that we have here now. This Parliament is charged, I assume, with carrying out that continuing legislative and oversight function. That is our job. I get a little nervous here when I see the Queen's Privy Councillor standing in this House moving closure on rules governing Parliament. Somehow, that is a conflict. I almost want to say it is a point of order. I almost want to say it is a matter of privilege. Somehow it is inappropriate for a Queen's Privy Councillor, a member of the executive branch, to stand in this House in the face of all the rights and freedoms we fought for and move closure to impose new rules which impair or run up against those principles I read earlier.

In many respects, as I think about that, I see the government ministers treating the legislative function of Parliament as a branch of government. I have heard that stated in this House before. How could one see it otherwise when in order to accomplish the executive function that the Queen's Privy Councillors have, the minister finds it necessary to come to this House and change its rules and to impose them on this House and to use closure in doing that.

That is why consensus is important. That is why I regret that it is not there.

I submit that we in this country cannot permit the executive branch of government to make the rules for Parliament. They did not let it happen at the time of the Magna Carta, they did not let it happen in 1756, and we should not be letting it happen now. We should not be permitting the incursions of executive authority that have occurred. I accept that they have occurred over the years. It has been a slow process. To the extent that they

have occurred, they are impairing the functions of this House.

In any event, we have to make our own rules in this place and we have to do it based on the principle that we protect the minority from the tyranny of the majority. That is why consensus is important.

I ask who is speaking for Parliament in this debate. If anyone hears from the other side, and every person on the other side of this House is a member and a player and a voter in this House, that we have to change the rules because government needs these rule changes to get legislation through, or our party or caucus in this House needs these changes, I say do not listen to them. It is not the government that needs the rules. It is Parliament that needs the rules. I suggest that I am seeing too much of a tilt here in favour of what government needs and not what Parliament needs.

In doing a bit of preparation for my remarks, today I stumbled on a little discussion on the state of affairs in the Australian parliament. It is a little outdated, a little simplistic, but the writer noted as follows:

In discussing Parliament, it is necessary to separate its key constitutional position from the rather subsidiary role which it now performs.

He is saying that in theory it has a pretty good looking role.

Constitutionally, Parliament is the linchpin of the democratic system, a great debating forum in which legislation is discussed and amended, in which policies are debated and criticized, and in which the actions of the government are overseen.

Sadly, he goes on to explain why that is really not what is going on now, and he says:

The government, through its majority, can restrict debating time and force the rapid passage of legislation. Members of Parliament have few staff or research facilities. The "committee" stage of legislative procedure, in which a bill can be examined clause by clause, has proved ineffective as a means of scrutinizing the huge volume of legislation.

Then he goes on. That was a sorry state of affairs. I almost felt a little sorry for them there in Australia. I do not think things are quite that bad in the Canadian Parliament, but I am nervous. We are close.

• (1230)

I was elected in 1988. Since I have been here I have had a feeling that Parliament is not fulfilling all of the functions that it should be. While I am still a rookie, and