

*Procedure and Organization*

to be dealt with at a time. Of course, the report stage and third reading are to be dealt with together. There is to be a two hour debate with opportunities of ten minutes each for hon. members to express their reasons why the order should or should not be made, and in the house, by a majority decision of the house, the majority of voices decides whether or not the order should pass.

I think hon. members will recognize these are useful tools which will greatly facilitate the work of the house. I do not think we can lay down our pens on this particular task without also dealing with the pathological situation, the one that will occur from time to time where perhaps a united opposition, or in the case of 75B two of the opposition parties, perhaps the two minor opposition parties, will not be in agreement with the proposed order and thereby be able to bring the business of the house to a halt.

• (5:10 p.m.)

Rule 75c has a deadlock provision, Mr. Speaker. It is to apply in a situation where, as I have said, there is a united opposition against the government or where even two of the opposition parties, perhaps two of the minor opposition parties, are united in opposing the timetable which may be agreeable to the other two parties in the house.

I think it is only fair to point out the particular aspect of 75B which makes this safeguard proposal necessary, and that is that 75B really declares those things equal which in effect are not equal. For example, 75B declares that the 153 Liberals in the house are equal in weight and quantity to the 14 Creditists. It declares that the 22 members of the N.D.P., are equivalent in size to the 72 members of the Progressive Conservative party. In other words, it equates groups that have large differences between them and thereby creates what is in effect an unreal equity between them.

The hon. member for Winnipeg North Centre has said he assumes, and I take it he meant this seriously, that in most cases the government house leader will say, "This is it; either you agree to this order or I will make one of my own." I use his quotation from Mr. St. Laurent, and perhaps more in the vein in which Mr. St. Laurent intended it:

While there are certain things which we have a legal right to do it is not our manner to do so.

I would suggest that during the course of this particular session that fact has been quite evident in the running of the house. But I

equally put to you, Mr. Speaker, the possibility of two opposition parties using the leverage which 75B would give them to hold the house up to ransom, or even the possibility of one of the minor parties—where the other has indicated it was unalterably opposed to the legislation—trying to squeeze concessions in terms of time or of amendments to the legislation or other particular concessions which in the opinion of the majority might be neither wise nor just. It is because of this leverage that we feel there should be some safeguard against a provision which could so aptly be described as being undemocratic, which can certainly be described as being unparliamentary, and which equally can be described as contrary to the expressed written provisions of our constitution.

First, with respect to its undemocratic character, what it really indicates is that we would have minority rule, that a minority of members would rule how the house should carry on its business. That is not consistent with the basic tenets of democracy. In the long run the majority should be in a position to decide.

Second, I suggest it is an unparliamentary provision in the sense that there is no other assembly in the parliamentary system which in this way gives the whip hand to the small parties in the house, to a small minority of members. Equally I suggest it is contrary to the expressed written provisions of our constitution, about which we have heard reference already today. Section 49 of the British North America Act states:

Questions arising in the House of Commons shall be decided by a majority of voices—

In other words, I think that without more than is advocated in 75B, we have a rule that is undemocratic, contrary to the parliamentary tradition, and contrary to the expressed terms of our constitution. The hon. member for Winnipeg North Centre was prepared to claim fatherhood for 75B, and I am prepared to accord him the responsibility or, if he prefers it, the credit for having produced this particular proposal. But I just point out that in trying to get minority control of this house under 75B, and 75B only, he is really reaching for that which the electors of Canada refused to him and his party, namely, control of the House of Commons.

Because of the extensive description already given of 75c I will not delay over it long, but I do wish to emphasize its principal aspects. The first is that the application under 75c is conducted only with respect to a single