

*Point of Order—Mr. MacEachen*

did exert some control over the abuses which existed at that point.

Having listened to the members on both sides of the House who have spoken, I think it is quite clear that there is concern about the abuses which have crept into the use of Standing Order 43. Everyone has agreed, in that regard, and I think we have heard some imaginative solutions to the problem. I really did not worry about Standing Order 43 until I listened to a speech given by the hon. member for Kingston and the Islands (Miss MacDonald). That speech is recorded at page 521 of *Hansard* for October 26, and in it the hon. member made an interesting comment, which I would like to quote before commenting further, as follows:

Just the other day a Liberal spokesman, the parliamentary secretary for urban affairs, came up with a very unique solution. His solution—and I have heard no minister repudiate what he had to say—was to discontinue all transfer payments to the provinces for social programs, whether for health, welfare or housing, social policy equalization. He would discontinue the whole lot.

What is important about that is not the criticism of the motion moved by the hon. member for Vaudreuil (Mr. Herbert). That is perfectly legitimate and understandable. What is important—“and I have heard no minister repudiate what he has had to say”—is that there is no chance to repudiate anything proposed under Standing Order 43.

The essence of this place, according to the right hon. member for Prince Albert (Mr. Diefenbaker), is debate, but there is no debate under Standing Order 43. The problem which faces all of us and which has been discussed by many hon. members is that under this particular procedure there is no opportunity for a fair exchange of views. If we are talking about something which is urgent and pressing and which demands debate but there is no provision for such debate under our rules, there is no discussion. So the rule has become bad. Its utilization has become indifferent. We have something which at one point had importance in our rule book, but which has now become the focus for matters of trivia about which we seem to hear much from hon. members opposite in this House.

● (2112)

Now, Mr. Speaker, I mentioned before that I thought some imaginative solutions had been developed by members on the other side. I think the House leader on the opposition side, the hon. member for Grenville-Carleton (Mr. Baker), made an interesting comment, and it is one with which I personally find a great deal of favour. Basically he said we should look at it from the point of view of the two criteria developed in Standing Order 43. They are that members must rise and explain the reason their motion is of urgent and pressing necessity, how the world will stop if the House of Commons does not stop its other proceedings to debate the motion and decide on it. Then Your Honour would base your decision on whether or not the circumstances outlined by the hon. member were sufficiently grave to allow the motion to be put. If Your Honour made that decision, then the motion could be put and we could dispose of it in the way which has become a tradition in the House of Commons.

It seems to me that the point is well taken because if we look at the operation of Standing Order 26, which has a relationship with Standing Order 43, we see that for example, the same terminology is used. The only difference is that in the case of Standing Order 43 one proceeds immediately with consent while under Standing Order 26 Your Honour decides whether or not the criteria have been met. On that basis, it seems to me that there is no reason why Your Honour could not permit in this case a mini debate to take place on the question of urgency before allowing a motion to be put.

I think that is the essence of the frustration which exists on this side of the House and, I think, among other members who are interested in a number of the subjects brought up from time to time under Standing Order 43. It is patently obvious the way in which this rule, as it has been interpreted in the last few years, discriminates against the very essence of the House of Commons, which is the clash of opposite views and the element of truth as a result of debate. The way we have operated under Standing Order 43 certainly goes against that very principle.

I think that Standing Order 43 at one time played a legitimate function in our rule book. I am sure there were times when the escape hatch of the rule, which said we could deal with a matter of urgent consideration without the necessity of a 48-hour waiting period—which is the normal way we approach things in the House—was used, and it would be a useful rule; but it does strike me that the problem we have to face now with Standing Order 43 is that it does not do what it is supposed to do. It has degenerated as a rule and it makes us a laughing stock in terms of what we do with the rule and what is written in our rule book.

The other point I wanted to make—which was a point made by the hon. member for Ottawa West (Mr. Francis) earlier this day—is this: The reason we are raising this problem is the impact that television is having on our proceedings. Television cameras pick up a member standing up and proposing a motion under Standing Order 43. Nothing is done and people say: “Why wasn’t there a debate? Why wasn’t there a decision made?”

It seems to me that this is only the beginning of the kinds of questions we must ask ourselves in terms of the way our rules make our chamber look to the audience outside. Until now people who came to watch the House of Commons were itinerant strangers, by and large. Very few people come here for major recreation; very few people follow our rules in debates of this nature. But the fact is that we have opened the doors, some fresh air is blowing in these stale corridors and we have to blow the cobwebs out of our rule book. An examination of Standing Order 43 can be one of the more important steps.

The last point with which I want to deal is the question of private members. I am a professional private member in the House of Commons, much more so than many of those members who have risen to speak on behalf of private members. Because I have been a private member longer than they