

• (1650)

[English]

Resuming debate.

**Mr. Benjamin:** Questions and comments.

**The Acting Speaker (Mrs. Champagne):** The period for questions and comments is finished.

**Mr. Blaikie:** Not according to my reading of the clock.

**The Acting Speaker (Mrs. Champagne):** The Chair noted the time between 4.41 p.m. and 4.51 p.m. as the ten-minute period. The Hon. Member for Halifax West (Mr. Crosby) has the floor.

**Mr. Howard Crosby (Halifax West):** Madam Speaker, I listened intently to the remarks by the Hon. Member for Papineau (Mr. Ouellet) and others during this debate. While I want to make a positive presentation, I want to address myself particularly to the remarks of the Hon. Member for Papineau.

I will say that his presentation was well balanced and quite fair. I think he made some important criticisms of the rules that would be in effect if this motion before the House respecting the Standing Orders were passed.

However, he failed to deal with the realities of the situation. The rules currently in force are provisional rules. If action is not taken to make the Standing Orders permanent, that is to say the permanent rules for the process and procedure of the House, we will revert to the situation that existed in December, 1984. If Members of the House cannot agree upon a set of rules as the Standing Orders of the House of Commons, and no action is taken, we will go back to the situation that existed on December 7, 1984.

I believe the Member for Papineau and other Members have failed to address that situation. We are in a legislative limbo with respect to the Standing Orders of the House of Commons, and that is not a satisfactory situation.

No one would disagree with the proposition that the best way to obtain rules for governing any forum, particularly the House of Commons, is by the advice and consent of all Members. Unanimity is the desirable state. However, what is done when that state cannot be achieved? Do we abandon our obligations as a Government? Do we fail to put into force what the Government thinks ought to be the rules that prevail and govern the processes and procedures of the House of Commons? Clearly it is the duty and obligation of the Government to act in the absence of achievement of the consent that would be required for unanimity.

I do not see how any Member can seriously take the position that Members of the House are the sole custodians of the rules of the House, and must achieve unanimity to effect any change. If this was the Ottawa Lawn Tennis Club one could agree with that proposition. However, this is the legislative body for Canada. We owe an obligation not to

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ourselves simply as Members of the House of Commons, but to all Canadians who view this as the forum for public discussion of legislation and other parliamentary matters. It is essential that this House of Commons have permanent rules enshrined in Standing Orders of the House of Commons.

The obligation of the House is to provide Standing Orders of a permanent character. It is not our obligation, duty, or responsibility to await until we achieve that highly desirable state of unanimity, and keep everyone in a state of limbo with respect to the rules and processes of the House. That would be a totally selfish attitude.

I find it difficult to accept the position of Members of Parliament who state that unless they agree, unless they have the rules the way they want them to be, they will withhold consent and thereby prevent the unanimity with respect to the Standing Orders that we all desire.

The Government has not only the mandate to act, it has the responsibility to act. That responsibility is not just to Members of the House of Commons, but to all Canadians.

When we consider the changes that are brought about through this motion, I think any Member of the House of Commons—particularly the Member for Winnipeg—Birds Hill (Mr. Blaikie) who has pored over the rules of the House day after day, time after time—realize and recognize that the current rules do not form a perfect document. Change is necessary and desirable.

For example, I find fault with the current rules that relate to legislative committees. I think they are a misconception of the work and mandate of a legislative committee. I do not believe they provide anything positive in terms of the improvement in the processes and procedures in dealing with Public Bills before the House of Commons. I believe that change is essential.

I particularly have objection to the manner in which Private Members' Business is now carried out in the House of Commons. Anyone who suggests that it is not in the interests of all Members of the House and the Canadian public generally who are interested in parliamentary affairs to limit speeches in the House of Commons, to have sensible timing of debate so that debate cannot be protracted beyond all reasonable limits, is not taking his or her duties as a parliamentarian seriously.

I suggest that every poll that has been taken, every public opinion that has been expressed, has contained the complaint that the House of Commons delays and takes dilatory action with respect to matters before the House of Commons. That can be justified sometimes in order to attract public attention to a particular matter, but it has become the rule in the House of Commons to delay and use delaying tactics. The result is that the public suffers. Members of the House of Commons are paid to be here and the public awaits our action. It is the public that hopefully benefits from parliamentary action. Therefore, we do ourselves and the people of Canada no justice