

*Procedure and Organization*

It is normal in any legislature that bills must often be given priority by the government, not because of their importance, but because of their urgency. What happens in Canada but not elsewhere is that if unreasonable debate delays passage of such urgent bills, then the important ones may never be dealt with at all. The result is that a form of closure is introduced not by the government but by the opposition; closure of government business by exclusion of it from the Commons' order paper through the lack of time to deal properly with it; closure, Mr. Speaker, by frustration.

Every democratic assembly requires some procedure for turning discussion into decision. In the parliaments of the United Kingdom, of Australia, of New Zealand, and of India, there are procedures for bringing on decisions. It is simply non-responsive to this need to say, as hon. members opposite interject from time to time, that closure is available. Closure is indeed available. It is available as well at Westminster and available in most other parliaments. But it does not in these places stand alone. It does not stand alone because its very clumsiness, its time-consuming procedures, demand that it be used only infrequently.

For instance, what happened in the house yesterday and up until now shows how precarious a measure closure is and how inefficient it can be at times.

At the report stage of the Omnibus Criminal Code Bill, for example, closure would have had to be moved approximately 30 times, exhausting some 60 sitting days, almost 3 months, in order to deal with all amendments. We must not forget that the rule of closure cannot be applied to proceedings of standing committees which, therefore, can extend the debates over a very long period of time if not forever.

For this reason, closure is complemented elsewhere by other techniques, in the British House of Commons, for example.

● (8:20 p.m.)

[*English*]

Every democratic assembly recognizes that issues will arise from time to time which the minority in all conscience cannot accept, which the minority in order to be true to its values must oppose vigorously and never concede. This is right and proper. It is one of the bases on which rest our democratic institutions. No doubt the allocation of time rule which we are debating now is one example of

[Mr. Trudeau.]

such an issue which the opposition feels it must oppose vigorously and forever. But that base of having a right to speak is not the only base. It is complemented by periodic tests of the will of the electorate to give to the people at large the opportunity to pass judgment on the acts of the majority, and on the attitude of the minority. In a democracy the ballot box, not the filibuster, is the ultimate and appropriate technique of assessment.

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

**Mr. Trudeau:** Recognizing this principle, Westminster, the so-called "Mother of Parliaments", has survived its own adoption years ago of a time-allocation rule. If that bastion of free debate continues to flourish, what weight should the people of Canada give to the present opposition cries that a rule be voted on in reasonable time. In addition, the opposition must be given reasonable opportunity at regular intervals to bring before the house those matters of complaint about government actions which it feels must be aired in public. Prior to this session, the rules of parliament did not offer adequate opportunity for either of these things to be done. The rules, as already changed by this government in the earlier part of this session, have given to the opposition the right which it should have had a long time ago. What the government now seeks is nothing more than a right which it needs equally as much and which has been recognized as deserving and reasonable by most parliamentary institutions in the world.

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

**Mr. Trudeau:** There is yet another perspective to this debate, Mr. Speaker. In dozens of newly independent countries democratic legislatures are now being tested to determine whether the parliaments now in existence elsewhere are credible models. If we here hope to serve as evidence of the ability of a parliamentary system to adapt and to adjust, to serve better the needs of a changing society, better than any authoritarian structure, to be relevant to the demands made upon it, we must not deny the need for change, nor refuse to accommodate that need. Perhaps most important, we must not eschew techniques which have proved successfully elsewhere.

In this case we propose the adoption of a procedural rule which has been in use in the Mother of Parliaments for many years, a rule which has proved useful and necessary in the British House of Commons during that period