

*Privilege*

then Finance Minister Doug Abbott. Here is what Mr. Diefenbaker had to say in this House:

When a government utilizes powers—in a way never contemplated by Parliament, we have a right to ask that Parliament and the country be given an explanation.

Mr. Diefenbaker went on to ask whether there is, and I cite him again:

—in any country—an occasion where taxation has been imposed by a minister by Order in Council.

Mr. Speaker, Mr. Diefenbaker would be stunned.

• (1120)

This government has not only the arrogance to contemplate taxation by Order in Council, it contemplates taxation by newspaper ads. Mr. Diefenbaker would roll over in his grave if he saw his successors on that side of the House consenting to this kind of action.

Later on March 9, 1948, on page 2028 of *Hansard*, Mr. Diefenbaker had this to say:

The statutes of the realm provide in most emphatic language that no tax should be levied on a subject without the consent of Parliament.

In no way, shape or form has parliament given its consent. Mr. Diefenbaker, as partisan as he was and as partisan as he could be in this House, would be appalled that our current Prime Minister and Minister of Finance run ads purporting to say and suggest that parliament has given its approval.

[*Translation*]

Mr. Speaker, I now draw your attention to *Hansard* for April 20, 1961, where we see that a pamphlet published by the Department of Agriculture—and I do mean a pamphlet and not a massive advertising campaign for the reform of our tax system—led Walter Pitman, who was then the New Democratic Member for Peterborough, to raise a question of privilege. In his statement, Mr. Pitman asked, and I quote page 3825 for April 20, 1961: “How can the people of Canada be told how A.R.D.A. will operate when this bill has not received second reading? Is there a suggestion that second reading has no effect? Is it the contention that a debate in this house amounts to nothing more than the rubber-stamping of a measure?”

I draw the attention of this House to the fact that this question of privilege concerned only an agriculture bill

which had not yet been presented to the House for second reading but which had already been tabled for first reading. But the question that concerns us today has not even been presented to Parliament for first reading. The question that concerns us here is the publication of advertisements in newspapers for a bill that has not even been drafted yet.

Mr. Pitman's position was supported by the late Lester B. Pearson, who said that the publication of the pamphlet indeed constituted an example of contempt for the House of Commons. Mr. Pearson said: “The question dealt with the circulation of a pamphlet dealing with an act of parliament before that act was passed. Therefore, undoubtedly, that action on the part of the minister is treating Parliament with contempt.”

[*English*]

Mr. Speaker, your predecessor at that time was the Right Hon. Roland Michener. He did not have to rule on the issue because no formal motion was submitted, but he nonetheless took the trouble to address the House on this issue of contempt. Mr. Speaker Michener stated at page 3826 of *Hansard* on April 20, 1961 the following:

There is a point that no one should assert that Parliament has acted before it has done so, particularly a Minister. If it is borne out by this document, I think the Hon. Members would have a point to deal with by Motion.

In other words he conceded the *prima facie* nature of the case. The ads run on August 26 of this year by the Department of Finance which said “On January 1, 1991, Canada's federal sales tax system will change. Please save this notice”, meet the criteria set down by Speaker Michener because they implicitly assert that Parliament has acted before it has done so.

I fear that this intellectual discourse goes beyond the contemplative powers of Conservative members opposite. What do these modern masters of our destiny care what John Diefenbaker thinks or Roland Michener thinks?

Perhaps I can quote some of their most recent contemporaries. The instant copywriters of the Conservative party with their instant preachers, the ministers of the current government, might be interested in what some of their recent contemporaries had to say.