

*Seating Arrangements in Chamber*

into two sections or blocks a few months after a general election and during an adjournment of the house.

I have already indicated some of the problems which are created by this unprecedented situation. There now remains to consider my position as Speaker of the house in connection with these recent events.

The legal rights and duties of the Speaker are to be found in the statutes of Canada, the standing orders of the house, in the constitutional and parliamentary authors and finally in the customs and precedents which have become constitutional conventions. According to Campion, the Speaker is the representative of the house itself, in its powers, proceedings and dignity, and the chief characteristics attaching to the office of Speaker of the House of Commons are authority and impartiality. Campion states also that it is the duty of the Speaker to see that the house is properly constituted before it proceeds to business.

It is in consequence among the duties of the Speaker to see that the standing orders of the house are followed in the course of its procedures and that the privileges of the house, once they have been defined and recognized, are protected. It is also the duty of the Speaker to be impartial and removed from politics, which has always been my aim since, hon. members, you did me the honour to elect me as your Speaker.

Sir Erskine May, sixteenth edition, page 42, has stated:

that parliamentary privilege is the sum of peculiar rights enjoyed by each house collectively as a constituent part of the high court of parliament, and by members of each house individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exception from the ordinary law.

Dawson, in his book on "The Government of Canada", writes:

The privileges, immunities and powers of the house of parliament of Canada are thus potentially those of the British House of Commons, although their primary basis is statutory and not established custom and inherent right.

In the Canadian house, questions of privilege take a wide range, but it may be stated in general terms that they refer to all matters affecting the rights and immunities of the house collectively, the rights of recognized parties, or to the position and conduct of members in their representative character. In this category may be placed questions affecting the recognition of a party, touching the seat or election of members, questions affecting the internal economy or proceedings of the house.

If the Speaker is to take any notice of these privileges and at the same time to

[Mr. Speaker.]

exercise the high degree of independence and impartiality which is justly expected of him, it is well that those privileges be first defined and decided by the house itself. Anson, in "Law and Custom of the Constitution", at page 130, as quoted by Beauchesne, fourth edition, page 94, says:

The house has always asserted the right to provide for the constitution of its own body, the right to regulate its own proceedings and the right to enforce its privileges.

Allow me to refer once more to the special traditions that surround the office of Speaker. While he is the servant of the house he is, at the same time, its spokesman and its symbol. His value to the house and its members continues effectively only when the house assists him in every way to maintain his dignity and his impartiality, and during my short term I have had the confidence of the house to the point where I know I can place myself and my problems in its hands.

It seems to me that having in mind the authorities from Sir Erskine May to Lord Campion, from Bourinot to Beauchesne and from Anson to McGregor Dawson and many others, a situation such as that now facing the house must be resolved by the house itself. It is not one where the Speaker ought by himself to take a position where any group of members might feel that their interests as a group or a party have been prejudiced. Nor should the Speaker be put in the position where he must decide, to the advantage or to the disadvantage of any group or party, matters affecting the character or existence of a party, for this surely would signify that the Speaker had taken what was almost a political decision, a decision where the question involves the rights and privileges of the house itself.

I cannot conclude this statement without some reference to the significance of these events for the future of the definition and status of parties in this house. It is not my place to evaluate the significance of these matters for the future of the ever changing structure and character of political parties; yet it is my duty, I believe, to bring to the attention of the house the novel character of the situation now before it, and more particularly the payment of allowances and the effect on the organization of parliament and parties and of the work of this house that naturally must be reflected by the emergence from time to time of new groups that invite the house to accord them the status of parties. Profound constitutional questions arise; for example, can a group of members which did not exist as a party at the time