

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
April 29, 1980

EVENING SESSION

RESOLUTION NO. 31 (continued)

MR. J.L. SKOBERG (Moose Jaw North): — Prior to the break for dinner, Mr. Speaker, I was seconding the motion made by the hon. member for Saskatoon Mayfair in which he was calling for strengthening the role of the foreign investment review agency (FIRA). Surely that type of resolution before us this evening will gain the unanimous support of all concerned.

I am somewhat surprised, Mr. Speaker, that there was very little debate on some of the resolutions. I hope on this particular resolution of the hon. member for Saskatoon Mayfair that those opposite will recognize the importance of the resolution and its contents and speak emphatically on it and pass it this evening.

I think there is a lot of business to be done in this house, Mr. Speaker, and I believe this resolution at this particular time could well be discussed and passed this evening without any hesitation on the part of the opposition or this side.

Mr. Speaker, current events reinforced the urgent need for Canada to regain control of its economy. All three of the American-owned multinational giants in the auto industry — General Motors, Ford and Chrysler — are responding to the slump in the United States economy with layoffs in Canada. Surely that in itself, Mr. Speaker, will gain support from those opposite for this resolution.

Ford of Canada by this summer will have laid off about 5,000 workers which is 35 per cent of its work force; Chrysler of Canada has laid off 5,000 workers or 40 per cent of its workers; General Motors of Canada has laid off 5,000 workers or 40 per cent of its 33,000 workers; American Motors has laid off 34 workers at its Point Edward, Ontario Jeep plant.

The layoffs are a classic example, Mr. Speaker, of the dangers of allowing large foreign corporations to dominate our economy. The financially struggling Chrysler parent company has asked the United States government for \$1.5 billion in loan guarantees. At the same time Chrysler of Canada has its hand out to the Canadian government (and I understand that decision may possibly be made this week) for loan guarantees and subsidies of \$550 million in exchange for an estimated \$1.2 billion investment in Canada over the next five years. Chrysler is in effect, Mr. Speaker, asking Ottawa to finance what are foreign-owned enterprises in Canada, to in effect pay for the further entrenching of foreign ownership in this country and nothing is being done about it in so far as FIRA is concerned.

In the meantime, Mr. Speaker, Chrysler has decided to close its Windsor engine plant at the end of the current model year for three years to retool for a new fuel-efficient V-6 engine. The gradual reduction of production of larger engines already caused 2,000 layoffs by last August. Only 391 workers are still working at the engine plant and a total of 3,700 of 14,500 Chrysler auto workers are now laid off in Windsor. Surely, Mr. Speaker, this is justification enough for unanimous support of this resolution this evening.

Even if the Canadian government is prepared to pump money into Chrysler there is no guarantee Chrysler will not go bankrupt. Canada could lose huge sums of money for loan guarantees as well as the jobs already in jeopardy. The Ford layoffs, Mr. Speaker, at the Windsor engine casting plant are layoffs from a plant that has made money for Ford this year. Extra production will be transferred to the Ford plant in Michigan which is losing money at this time.

Incredibly Ford received a grant of \$68 million to build the plant (\$28 million from the Tory government of Ontario and \$40 million from the federal Liberal government). The grant contract does not mention the word job, let alone guarantee increased employment, and that really was to be the intention of some of the foreign investment review agency's terms of reference.

When announcing the cutbacks in Dearborn, Michigan, Harold Poling, executive vice-president of Ford Motor Company, described the cutbacks and layoffs as tough medicine. Sound familiar in Canada? Why would Ford want to close down a new and profitable plant in Canada to increase production in a money loser in Michigan?

Two American economists, Mr. Speaker, have investigated the phenomena of why plants are shut down, whether it be in the United States or Canada or wherever it may be. Professors Barry Bluestone of Boston College and Bennett Harrison of the Massachusetts Institute of Technology found that a disproportionate number of closings could be tied not to large corporations or small businesses but to decisions by giant conglomerates. More surprisingly Bluestone and Harrison said many of the businesses folded by the conglomerates actually were making a profit up to the day of their forced deaths. A corporate and especially a conglomerate closing, the economists recently told the house committee on small business, is more likely to be the result of a planned strategy to increase profits than is the closing of an independently owned business which may well constitute a truly involuntary failure.

Mr. Speaker, how does a conglomerate profit by closing a business, especially a business which is making money? I would suggest there are many ways. The economists explained this in one particular instance. They note that conglomerates are formed not to produce goods but to produce money. While a 7 per cent to 10 per cent profit on invested capital might be a healthy return for a normal business, a conglomerate's managers might think anything less than a 22 per cent return isn't worth their time and trouble so they close the plant and write it off. Again, Mr. Speaker, does that sound familiar?

Another conglomerate tactic, the economists said, is to siphon off the profits of a plant to finance other management priorities. They describe how U.S. Steel's 1970 annual report showed only 28 per cent of the company's capital investment budget went to steel plants themselves. The major share, Mr. Speaker, \$500 million, went into the company's chemical division and toward the purchase of shares in Disneyworld, a Florida condominium and hotel project and a chain of shopping malls. That was \$500 million from U.S. Steel.

They told how Youngstown Sheet and Tube Company, then the nation's eighth largest steel-making firm, was purchased in 1969 by a New Orleans-based conglomerate, the Lykes corporation. The acquisition was financed mainly by a major loan package which Lykes promised to pay out of the Sheet and Tube Company's very substantial cash flow. During the next eight years Lykes used Sheet and tube's cash to amortize that debt and to expand its non-steel operations. Lykes was clearly pursuing a pattern of planned

disinvestment in Sheet and Tube. The economists told the House committee there was no question that was their plan all along. Consequently, they said, most financial analysts agree Lykes must bear responsibility for a good deal of the failure at Youngstown. They quote Business Week magazine as declaring that the conglomerate's steel acquisitions were seen as cash boxes for corporate growth in other areas.

Bluestone and Harrison offered a short course in how to wreck a business for profit. Mr. Speaker, when I look across the way and listen to some of the intelligent remarks, I do believe many of the Tories opposite have taken a short course in how to wreck a business for profit and that's exactly what's going on.

Both large and small companies may run down their older facilities. And again, Mr. Speaker, does that sound familiar? They do that by not replacing worn-out machinery and by using the savings, often in the form of depreciation allowances, to reinvest in other branches of their own firms, in other businesses, or perhaps in municipal bonds which are paying off better or have dividends. Companies may actually close the other facility down altogether, putting the land and or buildings on the market, selling the machinery for scrap or to other branches or other firms, Mr. Speaker, multi-plant, multi-store, and multi-office corporations may gradually shift some machinery, skilled labor, managers, or simply marketing responsibilities from their older to their newer facilities located in some other city, state or country. I emphasize that last word, country. Thus the older facility may remain in operation at least for the time being but at a lower level of activity.

Although a multi-branch corporation may not physically remove any of the older plant's capital stock in the short run, the profits earned from that plant's operations are re-elevated to corporate headquarters to its newer facilities for use in new product development, for instance. Such milking of profitable plants is especially common among conglomerates whose managers have sometimes described these acquisitions as cash cows, according to Bluestone and Harrison. Such milking, the economists said, increase the chances that a business will run into trouble in the future. It is for reasons like these that companies like Ford abandon plants, then talk about tough medicine to the unemployed and to those people who are now walking the streets throughout North America.

It is not surprising that when faced with reduced sales, U.S. auto companies automatically choose to lay off Canadian workers or abandon Canadian plants first. I ask you, Mr. Speaker, where is FIRA, where are the regulations that made FIRA come into being, and where are the Conservatives and the Liberals in this particular regard? Canada can bring relatively little political pressure to bear on them.

In the present crisis the U.S. auto manufacturers are bargaining a threat of lost jobs for government subsidies. Even the hon. member for Qu'Appelle may possibly understand that. The recent experience with Ford should prevent the government from making the same mistake again. But taking into consideration the example of both, the Conservatives and Liberals there'll be no question probably the same mistake will be made again. The disastrous effects of the layoffs in the auto industry are one more example that the Government of Canada does not have control over the national economy. Multinational corporations based outside this country are almost unaffected by monetary and fiscal policies.

Mr. Speaker, the structure of the country's industry so dominated by branch plants,

makes the prospects of a Canadian industrial strategy a fruitless exercise. In most industrial areas Canada has remained a colony reliant upon others for research and development, export opportunities, management decisions, and most other characteristics of a modern industrial state, Canadians cannot blame the businessmen of the United States and other countries for grasping the opportunities presented by the national sell-out. But the federal government cannot continue to turn a blind eye to the problem it has created. It must introduce measures to induce Canadians to repatriate their economy, and must establish tough and clear rules of the game for foreign companies operating in Canada.

Mr. Speaker, I am suggesting that any company operating in a respective country will respect the rules of the game if they are clearly spelled out. Clear rules of the game are spelled out but they are not being enforced whatsoever. This should be FIRA's job. Up to now, as the member for Saskatoon Mayfair has pointed out, FIRA has been a miserable failure. Up to now FIRA has been both unable and unwilling to deal with the increasing drain on the dollar caused by dividend payments, assets transfers, licensing agreements, and many other situations. Actually the real position at this particular time of FIRA is to sell off more of Canada's assets. The people of Canada deserve an explanation of how, with this kind of a suicidal foreign investment policy, the federal government hopes to ever introduce effective policies for industrial development, energy self-sufficiency, or control over the Canadian dollar.

Mr. Speaker, I am suggesting there are ways of tackling the repatriation problem, if governments are prepared to move, which I unfortunately doubt. As long as we have either of the two old-line parties in power. It's very doubtful whether or not there will be any repatriation of the Canadian economy. The Government of Canada should recognize it no longer exists in the world of Adam Smith or laissez-faire. It should purchase direct control of resource and manufacturing industries, particularly, Mr. Speaker, those which promise growth and export markets, technology, employment and resource upgrading potential.

The joint venture route with existing owners may be appropriate in many cases. I say to those members opposite, if they pay attention to the joint venture route being used by this government at this time, they will realize that there is a possibility. Canadian governments have shown they can successfully control such industries when and if they want to. Canadian de Havilland and Polysar are all successful examples. But Canadian governments have also shown how to make such ventures fail. Under a Tory government, the Hon. Leader of the Opposition, one of Canada's greatest independent industrial projects, the Avro Arrow was sabotaged through government incompetence and indecision. The Tories' attitude towards the Arrow as a government-supported project, destroyed the base on which a Canadian aerospace industry could have and should have been built. Other free enterprise governments do not appear to share Canadian Tory scruples. They are directly involved in such industries, of particular note is France which has also many complex controls on foreign investment and is one of Europe's fastest growing nations.

Mr. Speaker, we would refute the conventional wisdom that private enterprise can always run commercial enterprises better than governments. Rather than accepting such doctrine, let its proponents demonstrate that a higher proportion of Crown corporations go bankrupt than do privately-owned businesses. I ask those opposite to stand up and try to suggest that there is a higher proportion of Crown corporations going bankrupt than privately-owned businesses.

AN HON. MEMBER: — See, there you are, not one of them stands up.

MR. SKOBERG: — The Government of Canada should create more instruments of national policy like Canada Development Corporation. Let us have three or four of them, perhaps of varying sizes and perhaps with mandates to operate within certain segments of the economy.

AN HON. MEMBER: — See, they feel guilty.

MR. SKOBERG: — We should charge such Canadian development corporations with responsibility to acquire or maintain control of Canada's growth industries to acquire the assets of the branch plants dominating certain sectors, with a view towards rationalizing them into efficient and autonomous industries to provide venture capital and management assistance to young Canadian companies so they are not forced to seek foreign investment.

Mr. Speaker, the Government of Canada should require that a high proportion of the voting shares of any foreign subsidiary, perhaps 75 per cent, be placed on the market for purchase by Canadians. For large existing corporations, this might be phased in over 10 years. For smaller companies or new ventures, the phase-in period may possibly be five years. Mr. Speaker, this would give Canadians the option of acquiring control of their economy; this would reduce the drain on the dollar through dividend payments and other financial manipulations; this would reduce the flow of portfolio investment from Canada by enlarging the domestic capital market and thus maintaining liquidity for investors. Given that, many of such branch plants may not be profitable companies and therefore are not attractive investments for Canadians. It would be appropriate, Mr. Speaker, perhaps to reduce the risk of the class of shares through means such as the tax system. I think many of us remember the Carter royal commission and the tax system that he recommended.

Since it is not the intention of Canadians to purge this country of all foreign companies and investors, and recognizing that they do confer some benefits to Canada through new products, technology, employment and exports, one might propose an option for companies not involved in exportation of natural resources. Mr. Speaker, this could be to allow foreign parent companies to maintain control subject to some conditions which could include that the board of directors must be at least 75 per cent composed of Canadians, none of whom hold executive capacities in other foreign-controlled companies. There could be a condition that there is a full public disclosure of such companies' financial statements. There could be that within an appropriate time period, use five to ten years, the company will be given autonomy for the development, production and marketing of specific product lines within the multinational or organization.

Mr. Speaker, if the company does not accept such conditions, regardless of the reasons, or would not meet such conditions then they would automatically have 75 per cent of the voting shares placed on the market for purchase by Canadians.

Mr. Speaker, the Government of Canada could, through changes of regulation of the provision of incentives in the taxation system, provide the means by which large holders of Canadian capital could direct a greater share of their investments through Canadian venture capital companies and into Canadian portfolio or debt investment instruments. This would apply particularly to the insurance companies, the mutual

funds and the pension funds. Small and medium-sized Canadian companies are often more valuable to foreign corporations than to Canadians because they can take advantage of internal economies of production, marketing, management, overhead, etc. Taxation measures could be introduced to reduce incentives to foreign buyers, and to enhance their potential return and investment to Canadian purchasers.

Mr. Speaker, the success of most of these suggestions is already familiar to the people of Saskatchewan. Crown corporations returned more than \$350 million in profits to the provincial treasury between 1944 and 1977, with only \$2.3 million in losses.

The Crown corporation SGI (Saskatchewan Government Insurance) has the lowest auto insurance rates in Canada. Sask Tel and the Saskatchewan Power Corporation provide the lowest rates in Canada, and still return a substantial profit to the people of this province.

The potash corporation, Mr. Speaker, which operates mines by itself and in conjunction with partners from the private sector, is an outstanding success. In 1977-78 the Potash Corporation of Saskatchewan grew to be the largest producer of potash in North America, and the largest potash exporter in the world. The corporation's gross sales exceeded \$100 million. The potash corporation realized a net profit of over \$10 million after paying \$29 million in taxes and royalties and reserve taxes.

Mr. Speaker, we in this House, and the people of this province, should be proud of this success. This should be an example for other provinces and, indeed, the federal government to follow.

SaskOil and SMDC (Saskatchewan Mining Development Corporation) are involved to a far greater degree than the potash corporation as joint ventures with the private sector.

Mr. Speaker, through these Crown corporations Saskatchewan's ownership of natural resources has risen from 15 per cent when the NDP took office in 1971, to 60 per cent today. That shows, Mr. Speaker, Canadians can take control of their own economy for their own benefit. Unfortunately, the members opposite do not agree, nor do they agree that FIRA should move in so far as the federal government is concerned.

Just a few days ago, Mr. Speaker, the Tories opposite were complaining that SPC's profit of \$40 million in 1979 was excessive and that a public utilities commission be formed to review the rates, presumably to prevent that profit, a profit which is essential for the corporation's future development. But, of course, the hon. member for Regina South doesn't accept the fact there should be future developments of our Crown corporations.

I can only say that either the Tories are bad businessmen or they want to destroy our Crown corporations. I do believe the latter applies in the majority of the cases. It is funny, they don't object to profits in private industry. I haven't yet heard the members opposite voice any concern over supermarket profits, or department store profits, which, for example, are up 89 per cent in 1979. Where were the Tories then? But why should they? That is where their party finances come from, Mr. Speaker, and that really calls the shots opposite.

We do not need to look any further than the last federal election and the issue of Petro-Can to know that's the Tory position, a position that people of Canada clearly rejected and with good reason, Mr. Speaker. The members opposite will be happy to know that

despite the bungling of their federal counterparts Petro-Can can and did make a profit of approximately \$130 million in 1977, as referred to by the hon. member for Saskatoon Mayfair.

But, Mr. Speaker, profits alone do not tell the whole story. Public ownership provides jobs and investment which stabilize the economy and creates a sense of national unity so important today. Public ownership prevents plants moving away to take advantage of cheap labor in undeveloped countries and ensures resources are developed in the interests of the people of this particular country.

Mr. Speaker, the foreign investment review agency under either the Liberals or Conservatives will never take the initiative to protect our economy or our jobs in this country. The present federal minister, the Hon. Herb Gray made a lot of noise when he was in government as a backbencher about Canadian ownership. Now he's in a position where he can do something about it, Mr. Speaker. Time will tell very shortly whether or not he's prepared to do it or whether or not he can convince his caucus that that has to be done in so far as giving FIRA the real tools to do the job.

Mr. Speaker, we've had others expound the theory of Canadian self-determination but what has happened? We know there is only one government prepared to use FIRA in the way it was meant to be used and that is the federal New Democratic Party. I can assure you that when the New Democratic Party federally is elected, FIRA will be put to work, to work for the specific direction or purpose for which it was intended.

Mr. Speaker, for these reasons and for those put forward by the member for Saskatoon Mayfair, I believe all members will surely want to speak on this this evening rather than deal with something else that isn't of vital importance in so far as this county is concerned. I believe all members should support this resolution. I am pleased to second this motion. I urge those opposite to support it unanimously.

SOME HON. MEMBERS: — Hear, hear!

MR. J.G. LANE (Qu'Appelle): — Mr. Speaker, it is nice to hear from one of the government experts in bankruptcies. Having listed several of them he forgot one in which he actively participated, one Golden Acres Motel which is a . . .

MR. SPEAKER: — Order! The debate has been very well in order up to this point. I just want to remind the member of the resolution that we are discussing at this time. It's item 18, Resolution No. 31, which deals with the foreign investment review agency and doesn't deal with the personal matters of any member in this House.

MR. SKOBERG: — Mr. Speaker, on a point of order, I believe the hon. member for Qu'Appelle knows full well that there was no bankruptcy when I was involved in the Golden Acres of the Fairview Developments. I would ask him to withdraw those statements because he knows he is speaking less than the truth.

MR. SPEAKER: — Order! That's not a point of order. I think it's a point of correction of the record which was put on the record out of order in the first place.

MR. LANE: — Thank you, Mr. Speaker. I'm glad we had one of the experts. I would just like to call to Mr. Speaker's attention the numerous listings of certain corporations that were facing financial problems by the hon. member to which I believe a response is in order. For example, he suggested Chrysler and how the government should perhaps

take it over. I think that's what his suggestion was. As I say the member opposite is an expert in that type of corporation. We are glad to hear from him. I think it's in order that we take a look, Mr. Speaker, at the record of the government opposite. When it talks about FIRA and the little monsters, (the FIRA little monsters that the hon. member was talking about) I'd like to show the hon. members opposite what their record is on foreign investment review. Perhaps the hon. member opposite wasn't awake back in 1974 or 1975 when foreign investment was a big political issue. It was the time of Walter Gordon and was a fad issue at that particular time. Lo and behold, the Government of Saskatchewan jumps in. It has an agency in the Department of Industry and Commerce to deal with foreign investment review.

That's 1974-75. I'll show you the branch of the Department of Industry and Commerce. It's referred to on page 18 of the annual report: foreign investment and intergovernmental affairs. You set up a branch or an agency in 1974 or 1975 but let me tell you what you've done with it. You can't find it in any annual report since. What happened is it withered on the vine because it was no longer a political issue. Now the Premier is trying to make foreign investment a political issue — the only one with the absolutely irrational premise that the reason for the break-up of Canada, the only reason, is that Canadians don't own enough of their industries. That's the Premier of Saskatchewan. That's the reason Quebec wants to separate says the Premier. Now it's an issue again.

This government remains silent on foreign investment review until it becomes what they think is a political issue or they want to use it for a political issue. I say you're guilty of fad politics when it comes to foreign investment. Your record belies your words. In fact you're hypocrites on the issue. In fact in 1974-75 you gave us a great deal of verbiage.

I'm going to ask leave to adjourn so I can read into the record the statements of the then minister, the present Minister of Mineral Resources, who had a lot to say about foreign investment. One of your better pictures is on the inside of the cover of this particular issue. I'm sure the hon. member would want to hear again, in the 1980s context, his commitments: the commitment of his government to foreign investment review; how much of a priority they placed on foreign investment review; how much the provincial government could really do in this very fundamental issue; what kind of a role the provincial government has had to play in foreign investment review.

All of these matters were well documented before this Assembly. I suggest, Mr. Speaker, all hon. members opposite would dearly love to hear the commitment by the government six or seven years ago — they would like to have their memories refreshed of the role the provincial government could play. Then I'm sure, Mr. Speaker, the public would like to follow on a year by year basis what happened to that foreign investment review agency set up in 1974-75 and how it managed never to appear in another annual report of the Department of Industry and Commerce. I know members opposite would dearly love to hear the record in some substantial detail, a record of failure, a record of not honoring the commitments made at that time, a record of calling on foreign investment review only when they happen to think it's a political issue without any firm, true commitment of foreign investment review.

Mr. Speaker, I beg leave to adjourn debate.

Debate adjourned.

Resolution No. 33 — Confidence in Mr. Speaker

MR. E.A. BERNTSON (Leader of the Opposition) moved, seconded by Mr. D.G. Taylor (Indian Head-Wolseley):

That this Assembly no longer has confidence in Mr. Speaker:

He said: Mr. Speaker, regretfully I rise to put item no. 20, Resolution No. 33. I tell you at the outset it's not the intention of the opposition to unduly prolong this particular debate. We will simply state our case and hope the question is called. I think this could have been dealt with on Friday. It could have been dealt with earlier today. We're dealing with it now, and I think it is not fair.

HON. R. ROMANOW (Attorney General): — Stand your motions.

MR. BERNTSON: — All of them?

MR. ROMANOW: — Yes. You didn't tell us that when you said you would debate something.

MR. BERNTSON: — I think it's unfair, Mr. Speaker, that this motion be left hanging on the order paper — unfair to Mr. Speaker that this shadow should be hanging over his head. I refer all members to a publication called Mr. Speaker — A Memorandum on the Position, Powers, and Privileges of Speakers in the Parliaments of the Commonwealth issued by the General Council of the Commonwealth Parliamentary Association, House of Parliament, in London. On page 9 of this particular publication, it says as it relates to Mr. Speaker's ruling:

Fourth, as precedents. The Speaker's rulings, whether given in public or in private, constitute the precedents which although not absolutely binding, serve to guide subsequent Speakers, Members, and Officers of the House. The Speaker may depart from the ruling of a predecessor but will do so only with the greatest reluctance and in special circumstances. Such precedents are collected and in the course of time they may be formulated as principles or rules of practice which are binding.

Mr. Speaker, that particular paragraph I think is in essence what we are trying to get across here today. I'll get back to that shortly.

Procedure and practice for criticizing the Speaker in contesting rules:

Any reflection on the character or imputation regarding the actions of the Speaker may be punished as a breach of privilege. Criticism by Members is possible only by a substantive motion. This immunity from criticism and challenge, except on substantive motion, has always been upheld as essential to the dignity and authority of the Chair. The successful working of procedure in the House requires also that there should be complete confidence in the impartiality of the Speaker and not only is his authority in the Chair fortified by many special powers, but there are a number of conventions ensuring both that he is impartial and that his impartiality is generally recognized.

On page 38, chapter 3, 117 in Beauchesne, referring to the Speaker, it says:

His actions cannot be criticized incidentally in debate or upon any form of proceeding except by way of a substantive motion. Confidence in the impartiality of the Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their object, not only to ensure the impartiality of the Speaker but also to ensure that his impartiality is generally recognized.

Mr. Speaker, I think most people are offended by challenges to authority. I think what would offend most people even more would be matters that would cause people to challenge authority. We talk about generally perceived impartiality, consistency in rulings, and I think it is important because rulings by Mr. Speaker are set down in record forever and they may be used as precedents in some later ruling. If there is not consistency there, you're caught in the situation at some later date when you are damned if you do and you're damned if you don't.

Mr. Speaker, I pulled from Hansard a few examples of what I am talking about. I would just like to read them into the record, Mr. Speaker. I'm talking specifically of the inconsistencies that have brought us to this motion today. I refer to March 8, 1979. I believe this particular item has become known as the budget leak debate. When a motion was put by the member for Nipawin, under rule 17, a priority for debate, Mr. Speaker ruled the motion out of order. The member for Nipawin said, 'Mr. Speaker, you have not stated to us why the motion was out of order.'

On April 11, 1980 when we were dealing in this House with the matter of privilege with the member for Qu'Appelle, the Attorney General put a motion and ran into a similar procedural snag. Mr. Speaker said:

I don't regard that as a good precedent and that in order to have this motion acceptable. I would have to have a preamble stating that, in fact, this constitutes a breach of privilege. Then I could proceed with it.

It seems to me, Mr. Speaker, that that is an inconsistency. On the one hand it is not for you to put the member's motion in order but at some later date, as a matter of fact, about a week or so ago, it was indeed in order to help the Attorney General get his motion in order.

Mr. Speaker, on April 2, 1980, on a point of order raised by the member for Indian Head-Wolseley, as it relates to a question raised by the member for Rosthern, Mr. Speaker, said, 'I listened to the member for Rosthern's question and I was unimpressed as to the urgency and importance of it.' Likewise, Mr. Speaker, the same day on a point of order raised by the member for Swift Current (this is Mr. Speaker's ruling), 'I didn't feel it was of sufficient urgency and importance to proceed further with it.'

On April 22 on a point of order arising out of question period on a question raised by the member for Saskatoon-Sutherland, Mr. Speaker said:

The idea of a resolution on the order paper should not be used to cut off or prevent what a person believes to be an urgent question on a matter which has come up in the question period.

On the one hand, Mr. Speaker, there is the rule which says, I do not see it as being

urgent or important, and on the other hand it says, the member felt it was urgent and important and therefore took up 11 minutes of question period.

On April 4, 1978, Mr. Lane from Qu'Appelle stood in his place and said, 'on a point of personal privilege, Mr. Speaker.' Mr. Speaker, 'there is no such thing as a matter of personal privilege.' That was April 4, 1978. On February 23, 1979, the Hon. A. Matsalla, at that time minister of tourism and renewable resources, rose a matter of what he called a point of personal privilege dealing with a matter which was covered in the Leader-Post suggesting . . . Well, the Leader-Post article was introducing the new legislature to all of Saskatchewan, and it introduced the member for Canora as just that, and not as a cabinet minister. Not only was that point of personal privilege recognized by Mr. Speaker, but it was added to by Mr. Speaker when he said, I wish to amend the point of privilege because the speaker (I'm paraphrasing) is not a member of cabinet. Apparently, the Leader-Post article had referred to Mr. Speaker as a member of cabinet. The inconsistency is still there. On April 4, 1978, there was no such thing as a matter of personal privilege. On February 23, 1979, personal privilege was not only recognized, but amended.

Mr. Speaker, I take you back to what the Commonwealth Parliamentary Association Houses of Parliament say and what Beauchesne's says, in order for this institution to work. Consistency and impartiality must not only be there, they must be generally recognized.

One other inconsistency I would raise, Mr. Speaker, is, on March 31, 1978. I am trying to remember precisely what it was dealing with. I think it was dealing with some allegations of abuse of franking privileges by the then leadership hopefuls of the Liberal Party. The point of order was raised, by the member for Qu'Appelle, that a withdrawal in the Assembly and a statement outside the Assembly re-opens the matter, continues the matter and makes it a whole new matter again.

Mr. Speaker's ruling was the fact that if a member goes outside of this Chamber and makes some statement to the press it was of no concern to him. You tie that in, Mr. Speaker, with page 12, chapter 2 of Beauchesne's 19.3.

Statements made outside the House by members may not be used as a base for a question of privilege.

I think, rightly so. That was probably a good ruling. But just the other day the member for Thunder Creek made some statement outside the House and indeed it did come into this House as a point of privilege, and was dealt with accordingly.

One other inconsistency, Mr. Speaker, is that of ministerial statements. On March 5, 1979 we saw the Minister of Industry and Commerce get up (this is page 265, 1979) and give what was simply a congratulatory message to the town of Melfort. It had nothing to do with him in his capacity as minister. Mr. Speaker has on many occasions in this House laid down the guidelines for ministerial statements. He has on many occasions in this House set down the guidelines for making his rulings and the fact that he couldn't make rulings until after he heard what was to be said.

In that particular case, in fact, after what was to have been a ministerial statement, Mr. Speaker ruled it was out of order. But when it comes to questions being put by members, it's a different ball game altogether.

It seems Mr. Speaker will cut a member off almost at any point in the question period, before he could have possibly known what the question was about or the urgency of it.

I take you to April 10 of 1978 when the member for Qu'Appelle was cut off and raised a point of order, Mr. Speaker said, I assumed the question had run out.

One further small inconsistency. On April 10 the member for Qu'Appelle asked a question to the minister responsible for SGI as it relates to Frank Buck and the agency thing. The minister responsible suggested it was a stupid question; it went unnoticed. The same question on April 15 was asked to the same minister as it related to a Mr. Smith. The minister again responded that it was a stupid question. At that time Mr. Speaker ruled it was unparliamentary and asked that it be withdrawn.

Mr. Speaker, we are now at the situation that brings us here today. It is not just the activities of the last week or two weeks; it's a culmination of many small things and they all add up. They all add up and bring us to the situation where we have precedents to fall back on, precedents set by Mr. Speaker that cover both sides of the coin. You are causing that situation now where you are damned if you do and damned if you don't.

As for the member for Thunder Creek, the other day, April 1, 1980, Mr. Speaker cut Mr. Thatcher off no less than three times. Mr. Thatcher was cut off again in mid-sentence. This was in response to a motion asking for the withdrawal and apology of the member for Thunder Creek and no one will question what he said was unparliamentary. But it just may be that there could be truth in breach. He was cut off in mid-sentence and the first part of that sentence, Mr. Speaker, was: 'I will withdraw them in an unqualified' and he was then cut off. That was April 1, 1980, page 1346.

I think the instance, Mr. Speaker, of Mr. Thatcher was a situation where emotions had bubbled over and it became more of an emotional and a personal argument rather than a strict application of the rules in an impartial and consistent manner. The record shows that Mr. Thatcher did withdraw in an unqualified way and he was cut off in the middle of that sentence where he was. In fact, withdrawing in an unqualified way. Certainly the perception could have been left, and indeed was left that Mr. Speaker was not acting with the consistency required of the Chair of any legislature if it is to act, or if it is to perform and carry out the procedures of the House in the best possible way.

The final indicator, in my view, was Friday last when the member for Thunder Creek withdrew certain remarks in an unqualified way and Mr. Speaker said words to the effect that he was not sure whether the withdrawal and apology were generous enough and he would put it into the hands of the House. He did and I think, certainly, to the embarrassment of the members opposite. But it indicated to me a lack of consistency in Mr. Speaker's ruling. The fact is the statements of the member for Thunder Creek had been withdrawn in an unqualified way, and Mr. Speaker chose to push it one step further, probably because of some personal abrasiveness between himself and the member for Thunder Creek.

Mr. Speaker's precise words on that occasion were, '... I think I will leave the matter in the hands of the Assembly. If they feel the apology is in accordance with the motion we have passed ...'

I think, Mr. Speaker, is obliged to make those rulings in a consistent fashion and not jeopardize his image of impartiality.

I take you back, Mr. Speaker, to Beauchesne's. This is where we started:

Confidence and the impartiality of the Speaker is an indispensable condition of the successful working of procedure and many conventions exist which have as their object, not only to ensure the impartiality of the Speaker but also, to ensure that his impartiality is generally recognized.

Mr. Speaker, convention and tradition alone are not enough. This recognition and respect has to be earned. I suggest, Mr. Speaker, that the inconsistencies I pointed out would suggest to any fair-minded person that the consistency of rulings and the generally recognized consistency of impartiality cannot exist.

The fact this motion is on the order paper, and the fact that the impartiality of Mr. Speaker is not recognized by a very significant and important part of this Assembly, I think is a rather damning indictment on Mr. Speaker. I say again this institution cannot work unless the impartiality and the consistency with which Mr. Speaker applies the rules of this Assembly is generally recognized. Mr. Speaker, the fact the motion is on the table and the fact we have cited a few examples of what we believe to be inconsistencies in the application of the rules of this Assembly cause me to move 'that this Assembly no longer has confidence in Mr. Speaker', seconded by Mr. D.G. Taylor (Indian Head-Wolseley).

SOME HON. MEMBERS: — Hear, hear!

MR. TAYLOR: — Mr. Speaker, members of the Assembly, as I rise to speak to this motion, I must assure everyone in this Assembly that we, on this side of the House, look on this motion as a very serious and substantive motion. It was only after careful and well thought-out action we did present this motion to this Assembly.

We on this side of the House, Mr. Speaker, all members, have a deep concern for the legislative process. We have every desire to have this House operate in the best interests of the people of Saskatchewan and this legislature. We have a pride in the British parliamentary traditions, as I'm sure every member in this House does. However, Mr. Speaker, we are elected here to legislate business of this province in the best interests of the citizens of Saskatchewan. To facilitate this function an important part of the whole process is the office of the Speaker.

It is the duty of the Chair to conduct the debate of this House in a most fair and impartial manner. Mr. Speaker, that is the important criterion — impartiality. The office of Speaker must be impartial and also appear to all members of the House to exhibit that impartiality. My colleague, the Leader of the Opposition, has pointed out many situations where it has appeared to the members of this side of the House that the Chair has not been consistent, or has ruled in one way to this side of the House and has ruled in a different way with regard to the government opposite.

I have noticed, Mr. Speaker, in our questions that many times we have been cut off before the traditional number of supplemental questions has been allowed. My colleague, the Leader of the Opposition, has pointed out areas where we feel inconsistency has taken place. I refer specifically to the situation of the motion at the time of the budget leak, where the Chair said it was not his role to help formulate the motion, and most recently the motion referred to by the Leader of the Opposition in which the Attorney General was forming a motion to have my colleague for Qu'Appelle

put out of the House. The question of urgency, Mr. Speaker, has been brought to your attention where our member for Rosthern's question was considered not to be of an urgent matter, but another question having to do with food additives and food dyes, which I suggest have been around for a long time and probably will continue to be, was considered to be of an urgent matter and therefor considered in the question period. Also my colleague for Qu'Appelle asked a question which the member for Nutana, the Minister of Revenue, Supply and Services, in my mind rather rudely called a stupid motion. Then when the question was posed again some five days later, it was ruled by the Chair to be unparliamentary. These are some of the inconsistencies I would like to draw to the attention of this Assembly, Mr. Speaker.

Mr. Speaker, the office of Speaker carries the authority invested in it by long-established tradition. However, the respect and the sense of fair play must be established and maintained by the individual in that position. Mr. Speaker, I'm sorry to say that although you have the authority of your office, because of your actions and attitude during the recent sessions, and especially this past session, you have lost the confidence of an important and significant part of this Assembly. Therefore, it is with some personal regret that I feel that it is in the best interests of this Assembly that I support the motion of non-confidence.

SOME HON. MEMBERS: — Hear, hear!

MR. J.A. PEPPER (Weyburn): — Mr. Speaker, I regret having to take part in a debate such as the one we are having on this motion. However, having been a member for over 16 years, having served this Assembly as deputy speaker for some of those years, having gained respect for this institution (it's ability to meet our needs as legislators and thereby meet the needs of the public we are bound to serve) and having gained more respect for this place the longer I have been honored to serve the public in it — for those reasons, Mr. Speaker, I feel compelled to take part in a debate briefly as much as I regret having to do so.

Now, Mr. Speaker, my regret isn't because I have even the slightest sympathy for the motion, for I have none. In fact I couldn't have any sympathy for the motion at all. It is all consumed on the people moving the motion and those supporting it. Nor, Mr. Speaker, do my feelings of regret come about because I'm having to rise in defence of a colleague, because I am not rising in the defence of a member for Westmount. Firstly, I do not believe anyone would be serious in suggesting that is what this debate is all about; and secondly, if anyone would be unbelievable as to suggest that, I would like to direct him to the records of this Assembly. They are transcribed word for word. I would direct people to that record; not a line or two, here or there from the record, but the complete record, that is the defence, Mr. Speaker, it is an ironclad defence, as solid a defence as any Speaker of this Assembly or of any other legislature in our country might wish in a test to his fairness, his even-handedness or his tolerance.

Mr. Speaker, I regret having to take part in this debate on this motion, because what this debate is about is the defence of this institution — this parliament, its officers, its traditions and its rules of conduct.

SOME HON. MEMBERS: — Hear, hear!

MR. PEPPER: — In this Chamber is the last place in which I would have thought we would have to defend this institution. In here is the last place I would have expected to have to defend the rule of law. Therefore my regret and therefore my being compelled

to speak.

The rules and the code of conduct in this Assembly have been developed over centuries. Literally thousands upon thousands of individuals have been involved in the formation and the evolution of those rules. In the same fashion as our common law was developed the rules and the procedures of this place were developed. Precedents established from time to time, and the following of those precedents later by other legislative bodies, are what modified and changed those rules. The deliberate and careful consideration and subsequent adoption of written changes to those rules have been a procedure used also in the also in the alterations of the rules we accept for governing ourselves. That has been the tradition in the British parliamentary system.

Mr. Speaker, I don't for a moment suggest that because this has been the tradition, this is reason enough for us to follow the same route, not to change. While I have respect for our traditions, in particular the traditions of our democratic governmental institutions land while I have great respect. I am not for a moment hidebound by traditions) I am rather more impressed with an assessment of how well that tradition has served us as members, in obtaining the kinds of results expected from us by the public which we are bound to serve.

SOME HON. MEMBERS: — Hear, hear!

MR. PEPPER: — Whether we sit, Mr. Speaker, to the left or to the right of the Chair — and I remind this Assembly that I have occupied a seat on both sides as well as the Speaker's chair itself — it is the results with which we need to concern ourselves. Because I believe that any fair-minded individual would conclude that the tradition, the rules under which we operate have served us well and are some of the best known to civilized people from the point of view of producing results for their society. It is for that reason that all of us should, if we don't already, treat these rules and the parliamentary tradition with respect, the lack of which I think gives rise to this motion and this debate, and the lack of which wouldn't be tolerated for even an instant in any of our courts. And it shouldn't be tolerated here either.

SOME HON. MEMBERS: — Hear, hear!

MR. PEPPER: — Mr. Speaker, I think that lack of respect is obvious and it's incumbent upon all of us to do something about it. An examination of the record of the last two months would bear out my statement. Nothing more clearly demonstrates my point than pages 2176 to 2186, inclusive, in the records. In those few pages, Mr. Speaker, perhaps an hour or so of debate, three speakers took part and they were interrupted by Mr. Speaker 14 times to bring them to order. All 14 times were virtually for the same reason. Anyone can review it and I invite them to do so. I say it is inexcusable at best and we need a better observance of the accepted civilized method of conducting ourselves in here.

SOME HON. MEMBERS: — Hear, hear!

MR. PEPPER: — In the earlier debate which I think gave rise to this motion, the member for Thunder Creek said, and I quote: 'I guess what has to come into this is a question of respect.' He is probably right about that, Mr. Speaker, and he is probably also correct in suggesting respect cannot be legislated, it has to be earned. What I believe isn't as properly understood as it might be is that respect in other people's eyes starts with self-respect. Yes, respect starts with self-respect.

I want you to know, Mr. Speaker, and I want other members to know I am proud of the fact that, I like members in all corners of this Assembly, hold strong views. I have never hesitated, whether sitting to the left or the right of the Chair, in giving those views with the strongest expression I could. And I have always believed the people of Weyburn constituency would judge whether or not that was sufficient. I take pride in that, but I take as much pride in the fact that I have, over the 16 years, been able to do that within the civilized, accepted rules and procedures.

SOME HON. MEMBERS: — Hear, hear!

MR. PEPPER: — I am proud of the fact I have never been named or asked to leave this place, and I am proud of the fact I can contribute my views and keep them in order. I demand respect from no one. I am satisfied and grateful for that shown to me.

SOME HON. MEMBERS: — Hear, hear!

MR. PEPPER: — And when this place prorogues each spring I go away with my self-respect intact. It is a formula I commend to all members and I suggest it is the only formula under which this place can be productive while at the same time bringing on itself the kind of respect it ought to get and absolutely requires from the public.

SOME HON. MEMBERS: — Hear, hear!

MR. PEPPER: — This institution, this legislature requires a high degree of respect from the public for some fairly important reasons. Our society isn't some barbarian society. It is a highly complex and we like to think highly civilized society. We live in a country where we, as individuals, depend each on the other for our very existence. We depend for that existence on rules or if you will, laws. Complex laws govern that existence in our society today. Those laws which govern all of us are made in our parliamentary institutions, the means we have accepted as our way of governing ourselves. These laws need to be respected by all of us. We need to have respect for them as well.

Now, Mr. Speaker, if this place falls into disrepute, the laws it makes will fall into disrepute also. They will be disregarded and when that happens our society, our so-called civilized society is going to be in a great deal of difficulty. A great deal more difficulty, I might add, than any one of us as individuals might experience with the odd bit of frustration we might have in understanding the rules of this place and seeing to it that we respect them or change them in a respectable way.

Mr. Speaker, the traditions of our parliamentary system, its rules and procedures have served us well and we have to show the proper respect for the rule of law or change the laws in a respectful way if we want them respected.

For those reasons and because this motion is based on neither of them I cannot support it.

SOME HON. MEMBERS: — Hear, hear!

MR. PEPPER: — The history of this kind of motion in the British parliamentary system is

scant indeed. On the few occasions where there is a precedent there has been some substance. Here there is none. I ask all members and the public to consider the facts. I ask them also to consider not some particular excerpt from our rules but to consider the overall body of rules which ought to govern us. We need not look for some loophole in the rules which is becoming all too characteristic of what some have described as the me generation. Rather, Mr. Speaker, we need to have regard for the rights and privileges of all. And we need to have regard for the light in which the public sees the Assembly. If we could do that, Mr. Speaker, we would be doing a service to the public which is what we ought to be doing. If we could do that we would be able to discuss rationally the public's business rather than this unnecessary and uncalled-for motion, which is what we ought to be doing. Mr. Speaker, we should defeat this motion for all of those reasons I have stated, and get down to the public business like responsible representatives of our people.

SOME HON. MEMBERS: — Hear, hear!

HON. D.F. McARTHUR (Minister of Education): — Mr. Speaker, I join this debate and I join with the hon. member for Weyburn in agreeing that this is indeed a regrettable and sad evening here in this legislature. It's not only a regrettable and sad evening, it's an evening that has become part of a regrettable and sad session. A regrettable and sad session because of numerous things we have seen happening in this Assembly which illustrate a deep lack of respect for the proper functioning and the proper procedures that should be followed in this legislature. I agree, Mr. Speaker, with the hon. member for Weyburn that this is an unnecessary debate. We should not have to be engaging in this kind of debate, this kind of debate which so seriously reflects the lack of appreciation on the part of the hon. members opposite for the proper functioning of a parliament such as we function in here in this Assembly.

The accepted impartiality of the offices of the parliament, Mr. Speaker, has as you well know and as all members well know, been a long-standing tradition of the parliamentary system. I say to you, Mr. Speaker, again as you well know that the most important of these offices for which the respect for the impartiality of the offices demanded is that of the office of Speaker. The Speaker in this Assembly is, and I think it's important we recognize this, more than just a person in this Assembly and is more than just an individual member in this Assembly. The Speaker represents a long-honoured, long-respected office within the parliamentary system, an office without which no parliament or no Legislative Assembly could possibly function.

I remind the members opposite that the office of Speaker is a creature not of governments, and indeed if you look at the history of parliaments, the office of Speaker is a creature not of the majorities within the assemblies and parliaments. The office of Speaker is a creature of parliament itself as an integral whole. The office of Speaker is here, fundamentally, Mr. Speaker, to protect the minorities within any parliament, to see that the minorities, the people who do not speak or represent a majority party or majority opinion, have an opportunity for fully participate in the activities of the legislature or the parliament. That is historical fact. That is the primary and basic reason why we have the office of Speaker.

It seems to me, Mr. Speaker, when that office and a person such as yourself filling that office has worked so hard to fulfil the responsibilities that are generated by that office, in order to protect the right of free and open debate of all members of this legislature. It seems to me incredible, that the hon. members opposite who after all represent the minority party in this Assembly should be in a position to find cause to be moving a

motion such as we see here before us this evening? I find that, Mr. Speaker, quite incredible.

Mr. Speaker, the purpose of this Assembly is to permit democratically elected representatives, such as ourselves, representatives of the people, to debate on policy, to debate on important matters of public interest and to legislate. History very early established, Mr. Speaker, that this kind of procedure (which is a fundamental thing within a parliamentary democracy), that this kind of business cannot be executed within a parliament without rules, without procedures, without standing orders and other instruments of order within a parliament. History established early that no parliament can function responsibly and effectively without an officer chosen from amongst its members to interpret rules, to ensure order and to oversee the orderly operation of the parliament or the Assembly.

As the hon. members have indicated, there must, of course, be complete confidence in the impartiality of the Speaker. But that, Mr. Speaker, is something which must be generated in the minds of the members of this Assembly as a result of a respect for the necessary function of this Assembly. It is not something, Mr. Speaker, which they can turn on or off and use for their own convenience . . .

SOME HON. MEMBERS: — Hear, hear!

MR. McARTHUR: — . . . and, Mr. Speaker, something which they cannot turn on, and off to use for their own partisan purposes within this Assembly.

That, Mr. Speaker, I submit to you is what the hon. members are attempting to do with this resolution. There are many conventions which have been established within this Assembly and within parliaments to ensure the Speaker is both impartial and is seen to be impartial. And those conventions, Mr. Speaker, I know are the ones which you follow to guide you in exercising your function as Speaker.

No one questions, Mr. Speaker, that you must make judgments in making decisions within those conventions. No one questions that! Surely the members opposite recognize fully that judgments must be made.

But, Mr. Speaker, I say to them again, when they decide to impugn the very view of impartiality of the Speaker they have done something very serious. They have mounted an attack, Mr. Speaker, on you personally and that is despicable given the circumstances. But, Mr. Speaker, in addition to that they have mounted an attack on the office. This is an attack on you personally and on the office of the Speaker. And as such, Mr. Speaker, because of the integral place of the Speaker within an assembly and within a parliament it is fundamentally an attack on parliament itself.

SOME HON. MEMBERS: — Hear, hear!

MR. McARTHUR: — It is fundamentally, Mr. Speaker, an attack on the very process which these hon. members, some 18 months ago, indicated to the people that they intended to serve with respect, honor and conviction.

The hon. member for Souris-Cannington (and he was joined by the hon. member for Indian Head-Wolseley) tries to build a case, Mr. Speaker, for this incredible motion; he tries to build a case which he says is based on inconsistency in decisions. He reads from Hansards of the past to try to build up this case. Well, I say to you, Mr. Speaker, his case is weak. It is pitifully weak, unbelievably weak. I listened to that case, Mr. Speaker.

SOME HON. MEMBERS: — Hear, hear!

MR. McARTHUR: — Mr. Speaker, I listened with great interest to that case because not everything is black and white; not everything is clear in exercising the functions which an officer of an assembly or a parliament must exercise. Not everything is black and white. It's not surprising that one could, if one wished to do this incredible thing of challenging the office of the Speaker, find some criticisms. I suppose I could find my own criticisms of certain things that are made. I would not do that, Mr. Speaker, because that I believe is wrong, fundamentally wrong. But, Mr. Speaker, the thing that struck me was the hon. members put together such a weak case. It's got to tell you something. It was just a childish list of petty grievances that could only come from someone who really didn't believe their case, who really . . .

SOME HON. MEMBERS: — Hear, hear!

MR. McARTHUR: — It could only come, Mr. Speaker, from people who did not believe the case they were making otherwise they would not make such a weak effort or it could only come from someone who has no understanding whatsoever of the nature, functioning roles and responsibilities of the office of Speaker. Now, Mr. Speaker, I have to assume they do have some understanding of the office of Speaker. Therefore, I have to assume there is some other reason for mounting this case based on this petty list of grievances.

Mr. Speaker, I think it's interesting to note this resolution arrived on the order paper after one of the most incredible displays of improper behavior within a parliament or a legislature; one of the most incredible displays of childishness and arrogance I have ever witnessed. The behavior of the hon. member for Thunder Creek the other day was really quite incredible. I would say the very fact that this resolution followed that incident tells you something very clearly. In addition, as part of this whole session, that was not an isolated incident either. We've seen challenges made to your role. Mr. Speaker, to your office, challenges made to the office of the chairman of committee; challenges which have no foundation; challenges which are clearly there and are presented for some other reason. I say to you, Mr. Speaker, that there is a very important relation to this that we, as members of this House, ask ourselves some questions about what is happening here.

Obviously with that list the hon. member for Souris-Cannington made he doesn't really believe the substance of this resolution. He's up to something else. The members

opposite are up to something else. I say to you, Mr. Speaker, what they are engaging in is what I call the politics of distraction. I say to you that in the view of the hon. members opposite this session has unfolded for them in such a way that the press, the public, the people of this province must be distracted. They must be distracted. The hon. members feel it is completely and absolutely essential that the people be distracted from what is really happening in terms of policy; what is really happening in terms of leadership; what is really happening in terms of functioning within the party opposite, the Conservative Party of Saskatchewan.

SOME HON. MEMBERS: — Hear, hear!

MR. McARTHUR: — This whole session, Mr. Speaker, has developed along a pattern of continually escalating and growing attacks on this institution, on the rules of this institution and on the functioning of this institution. That makes no sense unless there is some tactical reason for it. I say to you, Mr. Speaker, the reason for that is to distract attention. We reached the climax here, Mr. Speaker, with this resolution we are debating this evening.

The hon. members opposite as part of their tactics and strategy are willing to bring the very office of the Speaker itself, the most fundamental and historic office of parliament, into their despicable, tactical activities. I say to you, Mr. Speaker, what is it that they're up to? Why are they engaging in these tactics of distraction? Well I say to you, Mr. Speaker, there are a number of reasons; one of the reasons, Mr. Speaker, is because their party is in deep, deep trouble; their party is in disarray. They have no leader in this legislature, Mr. Speaker, and they are not willing to make any attempt to try to have that leader elected to this legislature. There's a reason for that, Mr. Speaker, because they're afraid; that's the problem, Mr. Speaker.

SOME HON. MEMBERS: — Hear, hear!

MR. McARTHUR: — Mr. Speaker, we've all witnessed the pattern of behavior by this party, its unwillingness to debate policy, to discuss policy. They have built their whole session on these kinds of attacks on this institution and on the conventions and functioning of this institution. I say to you, Mr. Speaker, that we shouldn't be misled I say to the hon. members on this side, we should not be misled. That's not because the hon. members have no policy; they have policies all right. We know where they stand on economic development; we know the fundamental kinds of attacks they're mounting on our Crown corporations in this province; we know their principles of privatization. We know all of those things which they stand for and we know where they stand on social policy. We know that their program and their policy, if they were elected to government would pass more and more costs onto the poor — those people who cannot afford to provide the services which are needed to exist in our society. We know their policy on agriculture, on the crowrates, on rail-line abandonment — no question on the policy, Mr. Speaker.

The problem is they don't want to debate it in here. They don't want to debate in here because they know the people will not accept it. So, they have to have a substitute, Mr. Speaker. Their substitute involves gaining attention, getting into the press, giving the impression of activity, giving the impression of having a role to play in this legislature by the kinds of attacks which they have been making on this institution and on the conventions and offices of this institution.

I say to you, Mr. Speaker, that's what's going on here. To understand this resolution, to

understand this motion, you have to understand this is an inevitable further step in this continuing need, this continuing process, this continuing strategy of building up a crescendo of attacks upon this institution in order to distract attention. They want to give some impression that they are doing something, that they stand for something, that they are functioning as members of the opposition.

I say to you, Mr. Speaker, and I say to the hon. members opposite that I hope soon they will stop and think about this kind of tactic. I'm quite frankly surprised and amazed that a number of the hon. members I know opposite would even participate in this kind of tactic. I'm very surprised at it. I say to you quite honestly that there really is no protection this institution has from any outside authority to protect against this kind of thing. If this is the kind of thing that fits into your tactics, then the institution has no protection, that's clear. You have the right and procedures and you can get press and publicity, and the institution, aside from the role that Mr. Speaker can play to the best of his ability, cannot protect itself with the help of any outside authority.

There is no authority in this legislature greater than the Assembly itself. If you destroy it, there's no authority outside that can restore it. You must take the responsibility for destroying it if that's what you're going to do as part of your tactic. I say the fact you're doing that as part of these tactics is shameful and despicable but furthermore, it's very, very difficult to understand because surely some of you, surely some members opposite, understand that when we leave this legislature, there must be some respect left for this legislature. There must be some ability for this legislature to function as a credible institution. The only way that can happen is if we leave the public with some sense of respect for the institution. The only way that can happen is if we inform the public we intend to recognize this institution. We do not intend to display contempt for this institution of parliament but to function within the basic and fundamental rules in which parliament itself must function.

I say to you hon. members, as part of your tactics you display complete contempt for this legislature as a parliament. It's reflected in your unwillingness to debate policy issues in this legislature throughout this whole session. That is contempt for parliament. It's displayed in your disregard for orderly behavior in this legislature, continuously. That is contempt for this legislature. And it's displayed now by your unwillingness to attack the most dignified, honored and respected office of this legislature, the office of Mr. Speaker.

They have done this, I say, in order to maintain tactical diversions, to hide their own weakness, to hide their own troubles, to hide their own unwillingness to involve in substantive debate, and most importantly, to hide the basic and fundamental problems they have with leadership itself within that party.

You have no leadership in this legislature. You have no leadership outside. You know not how to handle parliamentary debate. And so you engage in these kinds of tactics.

I close, Mr. Speaker, in asking members to defeat this motion, by asking the hon. members to consider accepting the basic fact that parliamentary democracy, in order to be strong, requires some basic level of respect for parliamentary institutions. It requires some basic level of respect for rules. It requires some basic level of respect for the dignity and functioning of the officers of parliament. Democracy needs respect from the public. The hon. member for Weyburn spoke eloquently on this subject.

Democracy also needs respect from those who serve democracy as elected representatives. Without that there can be no democracy itself.

Mr. Speaker, I say to the hon. members opposite in closing that I find it quite incredible that they should be pursuing this tactic for one bottom line reason. My understanding of Conservative philosophy (however much I may disagree with much of Conservative philosophy) is that at the very roots it is built upon an ideology which says there must be respect for the laws, the traditions, and the institutions of society.

That is what your former national leader, John Diefenbaker, stood for. That is what, basically as a bottom line, real true Conservatives have stood for over the ages. Now, Mr. Speaker, I ask you, how can the hon. members opposite even remain true to their own political philosophy with the kind of tactics and the kind of behavior they are pursuing?

Mr. Speaker and hon. members, I say we must defeat this motion. And in the course of defeating this motion we must lay to rest once and for all these kinds of tactics. The continuation of these kinds of tactics, Mr. Speaker, threatens the very basic functioning of this legislature as part of parliamentary democracy.

SOME HON. MEMBERS: — Hear, hear!

HON. A.E. BLAKENEY (Premier): — Mr. Speaker, I enter this debate. I enter it with no pleasure. Ordinarily I enjoy debates in this legislature. The function of this legislature is to provide a forum for debate. One of the rights and prerogatives we have as members of this legislature is to engage in debate. We have the right to put out point of view. We have the right to the best of our ability to represent the needs and aspirations of the people we represent. What we do not have, Mr. Speaker, is the right to call into question the institutions which we have taken a solemn oath to preserve.

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY: — What we do not have, Mr. Speaker, is the right to call into question the forms, the traditions and the very procedures of this parliament which have evolved over the ages into the system of government we have today. I am not suggesting that we have no right to question individual rules. Of course, we modernize our procedure. But, we cannot attack the basics of our system without attacking freedom and liberty itself.

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY: — One of the most basic institutions of our system of parliamentary government is the role of speaker. Writers on this have all stated the same principle Launby says:

The speakership is an ancient and honorable office, an essential feature of the parliamentary system. So great is the prestige attaching to the office that an affront to the Speaker is an affront to the House as a whole.

Now, Mr. Speaker, I submit that what we see in this motion before the House is just that, an affront. Not to Mr. Speaker Brockelbank, not to the government, not to all the collective members of this legislature, but rather an affront to the institution of the Legislative Assembly of Saskatchewan.

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY: — Now, Mr. Speaker, I am dismayed. I would like all members to consider the very grave nature of this attack on the institution of the Speaker which we are witnessing here tonight. Let's consider for a moment some of our duties as members of this Assembly. Clearly our first duty is to the people of Saskatchewan as their elected representatives. It is our duty to concern ourselves with their well-being. Members on this side of the House are here to formulate and provoke government policy. Members opposite are here to criticize the government, to ferret out mismanagement, to propose alternative policies. Certainly that is our main duty.

But, perhaps an equally important duty, although one which we perhaps have less in our mind, is the duty of honoring and abiding by the rules and procedures of this legislature. I say that is our duty because we cannot perform the first duty of representing our constituency, proposing policies and proposing alternatives, if we fall into the habit of riding roughshod over the rules and procedures of this legislature which allow us to perform our basic duty.

Over centuries we have decided as a people that we will place at the head of our Assembly a person chosen by us, Mr. Speaker. Over the centuries this legislative body has decided it will organize its own affairs, choose its own person and place him in a position of authority over us. The speaker is the servant of all the members of the Assembly. The speaker is the protector of all the rights of all the members of the Assembly; majority yes, minority yes. By years of tradition and precedent, two factors are kept in his mind. The rights of the majority to govern and the rights of the minority to be heard adequately. That is the tradition of which we are heirs. The idea, the principle, is that even though debate may be of the fiercest variety, even though the conflict of opinion may be as great as men of high principle and strong opinion can generate, even in all those circumstances Mr. Speaker will be there to protect our right to differ, to protect each other's personal honor, to protect this by ordered and regular procedure so that all opinions and all persons may be respected, even though these opinions be minority opinions, even though those persons be in a small minority in the parliamentary Chamber. I say to you, Mr. Speaker, that's our tradition, and motions of the sort we are debating here tonight hamper the Speaker's ability to fulfil this already difficult task.

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY: — We have before us a non-confidence motion in Mr. Speaker. My research indicates that in all the history of the Parliament of Canada and the legislatures of Canada such a motion has come to a vote only once before. My research indicates (and it could be wrong, it was done hastily) that only in the House of Commons in 1956 was a motion of censure raised against Mr. Speaker and voted upon. All of us, I think, may remember the particular and special circumstances of that occasion, which clearly have no parallel in our legislature here today.

The point I make is that motions of this kind are few and far between and are made only when the evidence is clear, unequivocal and decisive. Now, what we have to ask ourselves tonight is whether or not the case mounted in support of this motion indicates evidence which is clear, unequivocal and decisive. I listened to hon. members, and while they stated they were alleging partiality or lack of impartiality on the part of the Speaker they cited this piece of Hansard and that piece of Hansard and concluded there was inconsistency. Mr. Speaker, there may well have been

inconsistency. I may well indeed be inconsistent in many of my judgments. That hardly proves I'm partial. That hardly proves I am not discharging a trust which has been reposed in me, if one had been reposed, to attempt to be as impartial as I can.

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY: — Mr. Speaker, I listened to hon. members opposite, and we have to remember Mr. Speaker is not newly appointed but has been in that high office for five years, and I listened to the cullings of Hansard and I heard suggestions that this time he felt a question was of urgency and importance and that time he felt there was not urgency and importance, and the questions appeared to be somewhat similar. Or I heard them say that in one case he had called a member to account because he had used a term like a stupid question, and on another occasion he had not called a member to account. It happened, by the way, to be the same member. It's difficult to mount a case for partiality or impartiality on the basis of that. Never mind, this was the sort of evidence offered.

Mr. Speaker, I think we are losing all sense of perspective when we raise issue of that kind, losing all sense of the role of Mr. Speaker and the circumstances under which he must operate. Comparisons of Mr. Speaker's comments in debate or on a ministerial statement where there is not hot conflict with Mr. Speaker's comments during the question period are totally invalid. All of us know question period is by nature of a bear pit variety. Any one who has watched the Speaker in the House of Commons in Ottawa or at Westminster has seen Mr. Speaker during the question period making judgments — crack, crack, crack — making sharp judgments, decisive judgements and judgments which are not perhaps exactly the same as in debate because the circumstances are totally different.

Mr. Speaker, in the course of performing his duties, makes hundreds of judgments — judgment calls. No one can suggest that he who makes dozens and hundreds of judgment calls will always make them exactly the same way. More particularly, will they look to be exactly the same way when they are reduced to print? We are dealing not with the medium of print, but with the vocal medium in this House. I must say with regard to the large number of judgments made, Mr. Speaker's rulings and Mr. Speaker's judgment calls, while obviously not beyond question, represent a skill and perception in dealing with the rules of this House which are a credit to this legislature and to Mr. Speaker individually.

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY: — As the member for Souris-Cannington, the Leader of the Opposition said, he did not have a case based upon one or two or three overwhelming incidents of partiality. He really did not even raise incidents of partiality. He raised incidents of what he alleged to be inconsistencies out of which he asked us to infer partiality. I say the evidence was not there. He is frank enough to say it is a culmination of small things. I would have rephrased it — a culmination of petty things.

Mr. Speaker, it is suggested that the duty of the Speaker is to make judgments in the best possible way. That is clearly a duty in a theoretical sense. No speaker or no other member of this Assembly or no other member of any other office is called to account for failing to make decisions in the best possible way. We are all called upon to make decisions to the best of our ability . . .

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY: — . . . to the best of our ability under the circumstances in which we make them. It is one thing, Mr. Speaker, to make a judgment having had an opportunity to consult Beauchesne, in the quiet of one's office or study and to reach the conclusion that another judgment ought to have been made and accordingly this one was inconsistently with one made a year ago. It is quite another thing to make a judgment in the heat of strife and conflict which Mr. Speaker is called upon to do.

I say Mr. Speaker has served us well. He is the proud bearer of a proud name borne by parliamentarians who have added as much lustre to this legislature as any other name . . .

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY: — . . . as any other family name in the 75 year history of this legislature.

Mr. Speaker, I have had the opportunity to serve in this legislature for 20 years. Prior to that I had a number of dealings with this legislature. I've watched Mr. Speaker Johnston in office, and I've watched Mr. Speaker Darling performing his functions, and I've served in this legislature under Mr. Speaker Wood and Mr. Speaker Dewhurst on one occasion, and Mr. Speaker Snedker and Mr. Speaker Dewhurst on a second occasion, and now Mr. Speaker Brockelbank. I have been in government and I have been in opposition. I say that I have watched speakers make judgments under fire.

I particularly watched Mr. Speaker Snedker when I was in opposition. Mr. Speaker Snedker was a man of meteoric character, and I didn't always agree with Mr. Speaker Snedker, in fact I sometimes bitterly disagreed with him. I sometimes felt he had dealt with me and with my colleagues unfairly, and I muttered; but on calm reflection I reached the conclusion I may have been wrong. And if I was not wrong, even if on that occasion he had dealt with me unfairly, he was doing his best to discharge a very difficult job. However much I may have been tempted I did not on any occasion suggest that Mr. Speaker Snedker was anything but doing his very best to be impartial.

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY: — So I say of Mr. Speaker Snedker, and so I say of Mr. Speaker Brockelbank.

I could say comments about other Speakers. They would obviously bear less weight because they were when I was on the government side of the House. But as I say, for seven years I was on the opposition side of the House and had to make my judgment as to whether or not the speaker of the day was doing his best to discharge his obligations and uphold the great traditions of this legislature. As I say, I reached the conclusion he was doing that and he was in fact, in his way, adding lustre to this legislature.

I have said these things, Mr. Speaker, because I believe we should defeat this motion. I go farther. I believe the hon. members opposite should consider whether or not they might, with the consent of the House, withdraw this motion.

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY: — Mr. Speaker, they have made their point. Some of us fervently believe in the British parliamentary tradition. Some of us believe very fervently in the traditions of the houses of parliament and legislatures such as ours. I, and those who believe with me, will be saddened to see the affairs of this Assembly, I say, diminished, perhaps even degraded, by calling upon us to vote on a motion such as this on the basis of the inadequate. I would choose the word without any emotive overtone, evidence advanced before this House today. My plea to all hon. members, therefore, is to consider their position and particularly the members opposite, to consider whether or not their interests, the interests of the House, would not be best served by a withdrawal of this motion and a recognition that whatever the feelings of members opposite may be with respect to Mr. Speaker, he has in the months and years that have passed (and I'm sure will in the months and years to come) discharged his duties to the best of his abilities in a fair and impartial manner and in a manner which has added and will add lustre to this legislature.

SOME HON. MEMBERS: — Hear, hear!

MR. P.P. MOSTOWAY (Saskatoon Centre): — Mr. Speaker, I would like to add my few words to this motion put forward by the opposition. And I want to say I have sat in this legislature since 1971 and after having listened to the motion I really translate it into this statement — as far as I am concerned the motion really accuses the Speaker of being a human being.

It seems to me, Mr. Speaker, whether a speaker is partial or impartial is relative to where you sit in this House. It would appear to me, Mr. Speaker, that you have been fair and impartial over the years I've sat in this legislature and that's since 1971. As the Premier mentioned, I can recall many instances — correction, I shouldn't say many but some instances — where you and your predecessor made judgments and pronouncements with which this side of the House did not concur. But we accepted it gracefully, at least I thought we accepted it gracefully because we always felt the institution of the Speaker was much higher than anyone individual in this House.

SOME HON. MEMBERS: — Hear, hear!

MR. MOSTOWAY: — I say to hon. members, particularly the Leader of the Opposition and I say this in all sincerity — he brings up this motion in light of the fact he feels there has been a build-up of many small things over the past number of years. And I do say that is in one sense a sign of immaturity in an institution where I think maybe the public demands maturity.

Mr. Speaker, once again I emphasize that the motion to me simply accuses you of being a human being. I will be the first to admit you are human and you have made judgments we didn't agree with or judgments members opposite didn't agree with. I also want to bring to the attention of this House the matter of the question period.

Lord only knows you certainly have been very tolerant in that area, Mr. Speaker. There are times I questioned you to myself but respecting the institution I would be the last person to ever question you in your wisdom. You have at certain times cut short the question period and at other times extended it. I certainly never heard any complaints from members opposite when you extended it. I think they were thankful for it. I suppose maybe that's right and proper. But in the same token when you cut off the question period at the prescribed second. I don't think members opposite or you or

anyone else in the gallery ever heard us complain. Because, Mr. Speaker, we believe that you are a human being.

Members opposite, or at least one member opposite, have in the past alluded to the fact that you have had occasion to meet certain prominent personnel in this country. I want to ask hon. members if the fact I attended a meeting in Elstow, Saskatchewan, sponsored by the Social Credit Party at which Real Caouette was present and spoke, made me a Social Credit, if that made me biased? Maybe it did. I don't know. I've heard of the Broadbent issue. Mr. Speaker, I want to say I had the pleasure of meeting Mr. Diefenbaker on numerous occasions and heard him speak. I was always delighted to do so, but I don't know anyone ever called me biased because I did that. I also had the honored occasion to meet our Monarch on two separate occasions. Whether that makes me a monarchist or not I really don't know, Mr. Speaker.

I want to say, Mr. Speaker, . . . (inaudible interjection) . . . No, hon. members, I did not visit the zoo. I intend to visit the zoo in Moose Jaw this year . . . No, I would not say that. I would not say that at all, Mr. Speaker. I would be the last person to say that. I want to say, Mr. Speaker, that it seems to me a lot of pretty things are being brought out into the open. I say to members opposite and I also say to members on this side of the House, that it's certainly your privilege. But I do say we should be taking into consideration the sum total. Mr. Speaker, having looked at your way of operating the House, running the House as Speaker, as symbolizing an institution since 1975, and having been disappointed at times with what you have decided. I want to once again emphasize that the institution of the Speaker is bigger than any one of you and any one of us. It is bigger than the sum total of any of us. I'm not suggesting that there may have been thought of some political gain on the part of members opposite. Far be it from me to ever suggest that.

I do want to say it seems to me having been born and brought up in this province, that sometimes when you get into a desperate situation you will clutch at anything. I say to members opposite, direct your wrath at members opposite. That is fair play. That is part of the political process. But I urge you, and I know Mr. Speaker has his human faults, to direct your ire at members on this side, but do not tarnish the image, the impeccable image, of the Speaker within the framework of the Commonwealth and at least 1000 years of parliamentary tradition, because he who attacks will lose in the end.

Mr. Speaker, I certainly, with all the sincerity I can muster in my heart, will be urging all members on this side and that side to vote against that motion.

SOME HON. MEMBERS: — Hear, hear!

MR. BERNTSON: — Mr. Speaker, we have heard, I think, four or five speakers from the government side of the House. Not one of them alluded to or offered any defence for the inconsistencies we pointed out. The Premier, in fact, stated there is some allowances to be given for emotions that may flare from time to time, in this House, and I don't disagree with him. I am sure it was emotion on the part of Mr. Speaker that caused him in a very emotional way to cut off the member for Thunder Creek in mid-sentence while he was offering an unequivocal withdrawal and apology. I am sure it was with some degree of emotion that Mr. Speaker put the matter of the generousness of the apology of the member for Thunder Creek in the hands of the House.

The member for Saskatoon Centre raised the issue of partisanship and I suggest Mr. Speaker is in fact partisan. He comes from a very well respected and proud partisan

family of Saskatchewan and we expect that. We expect that he should be partisan. What we do not expect is that the application of the rules of this House should be done with the lack of regard for consistency we have pointed out here tonight. Of course, he is partisan for the whole of Saskatchewan to see on television, welcoming Ed Broadbent, as raised by the member for Saskatoon Centre, welcoming Ed Broadbent to Saskatchewan.

Mr. Speaker, my remarks in closing will be very brief. I say, again, and I refer to Mr. Speaker. A Memorandum on the Positions, Powers and Privileges of Speakers in Parliaments of the Commonwealth.

The Speaker's rulings whether given in public or in private constitute the precedents, which although not absolutely binding, serve to guide subsequent Speakers, Members and Officers of the House. The Speaker may depart from the ruling of a predecessor, but will do so only with the greatest reluctance and in special circumstances. Such precedents are collected and in the course of time they may be formulated as principles or rules of practice which are binding.

Mr. Speaker, there was not one word of defence offered by members opposite for what we set out as inconsistencies in the application of the rules of this House. Mr. Speaker, Beauchesne's chapter 3, page 38, 117(1) in part says:

Confidence in the impartiality of the Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their object, not only to ensure the impartiality of the Speaker but also, to ensure that his impartiality is generally recognized.

Mr. Speaker, the fact that the motion is on the order paper, I think, would indicate that the impartiality and consistency of Mr. Speaker and his application of the rules is not generally recognized. The fact that there was no defence from members opposite, I think furthers that argument. Mr. Speaker, if the vote on this motion breaks on party lines, I think the argument would be conclusive.

Mr. Speaker, the respect of your chair does not come through tradition and convention alone. It must be earned through the consistent application of the rules of the House Rulings made by the Chair, Mr. Speaker, become precedents for successors. Without consistency we find ourselves in that damned if you do, damned if you don't situation, and I urge all members to support the motion.

SOME HON. MEMBERS: — Hear, hear!

Motion negatived on the following recorded division.

YEAS — 11

Berntson
Lane
Swan
Andrew

Birkbeck
Taylor
Muirhead
McLeod

Larter
Rousseau
Duncan

NAYS — 29

Blakeney	Pepper	Allen
Bowerman	Smishek	Kramer
Messer	Snyder	Baker
Skoberg	McArthur	Mostoway
Banda	Kaeding	Hammersmith
Kowalchuk	Dyck	Feschuk
Byers	Vickar	Cody
Matsalla	Lusney	Long
Nelson	Thompson	Poniatowski
White	Solomon	

MR. LANE: — Mr. Speaker, on a point of privilege.

MR. SPEAKER: — What's the point of privilege?

MR. LANE: — On a point of privilege that the Minister of Highways, from his chair, shouted over — a bunch of Nazis, fascists, and I ask him to withdraw that statement as unparliamentary, and apologize.

MR. SPEAKER: — . . . an opportunity to check the record. I didn't hear anything. I'm sorry. There was a lot of fuss going on in the House. I'll take my opportunity to check the record. A matter of privilege is a most serious matter, as the members of this Assembly should understand.

MR. KRAMER: — Mr. Speaker, as a matter of fact, I did say that half of them over there were fascists.

MR. SPEAKER: — Order, order, order! Order! . . . (inaudible interjection) . . . Order!

MR. KRAMER: — Half of them are not.

MR. SPEAKER: — I'll ask the Minister of Highways to withdraw the statement he made.

MR. KRAMER: — I withdraw, Mr. Speaker.

MR. SPEAKER: — All right. And I will attend the record to see if there is anything on record relating to this particular matter.

The Assembly adjourned at 9:32 p.m.