



FIRST SESSION - TWENTY-SIXTH LEGISLATURE

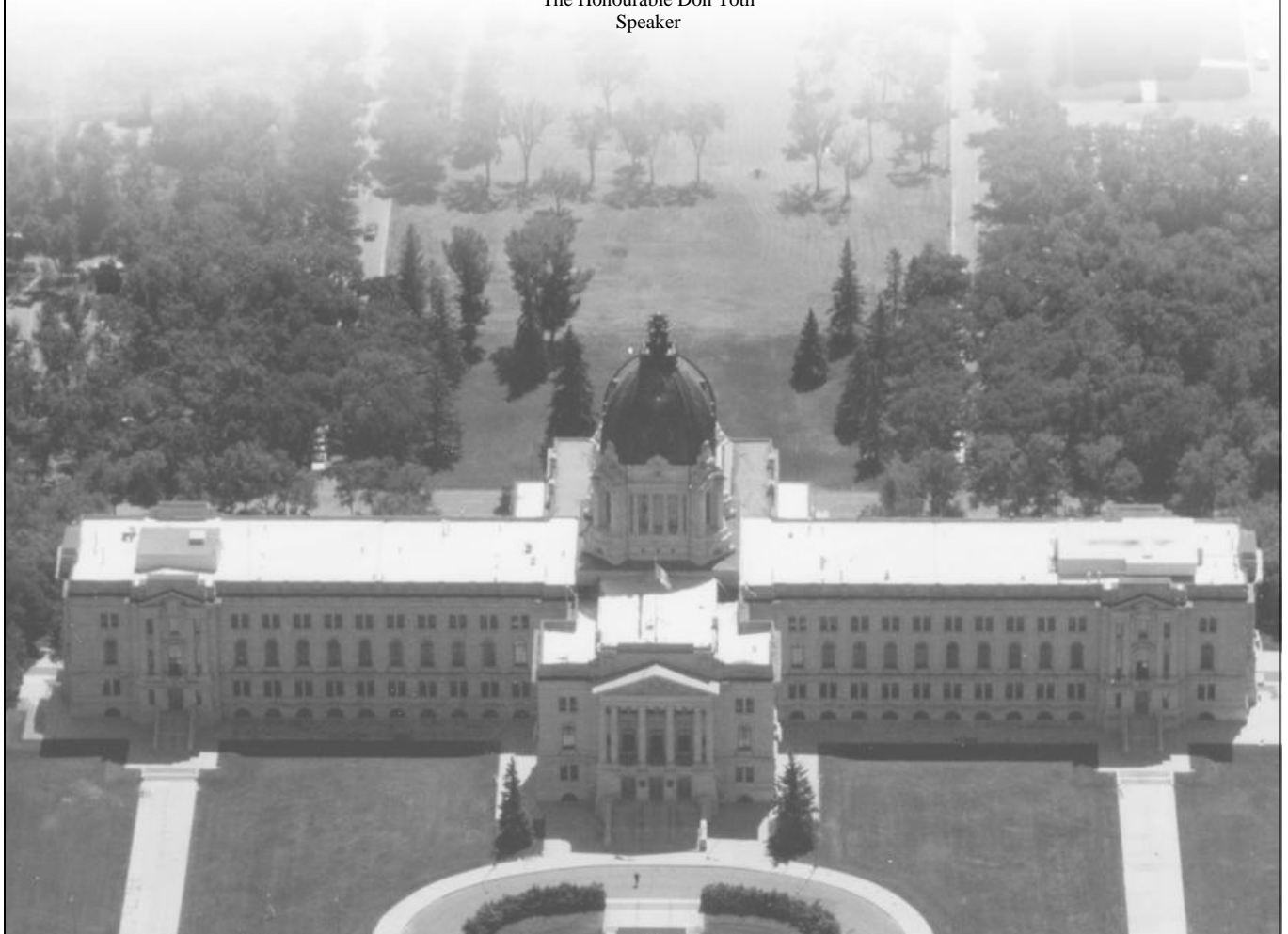
of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)

Published under the
authority of
The Honourable Don Toth
Speaker



MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

Speaker — Hon. Don Toth
 Premier — Hon. Brad Wall
 Leader of the Opposition — Lorne Calvert

Name of Member	Political Affiliation	Constituency
Allchurch, Denis	SP	Rosthern-Shellbrook
Atkinson, Pat	NDP	Saskatoon Nutana
Belanger, Buckley	NDP	Athabasca
Bjornerud, Hon. Bob	SP	Melville-Saltcoats
Boyd, Hon. Bill	SP	Kindersley
Bradshaw, Fred	SP	Carrot River Valley
Brkich, Greg	SP	Arm River-Watrous
Brotten, Cam	NDP	Saskatoon Massey Place
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Cheveldayoff, Hon. Ken	SP	Saskatoon Silver Springs
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Duncan, Dustin	SP	Weyburn-Big Muddy
Eagles, Doreen	SP	Estevan
Elhard, Hon. Wayne	SP	Cypress Hills
Forbes, David	NDP	Saskatoon Centre
Furber, Darcy	NDP	Prince Albert Northcote
Gantfoer, Hon. Rod	SP	Melfort
Harpauer, Hon. Donna	SP	Humboldt
Harper, Ron	NDP	Regina Northeast
Harrison, Jeremy	SP	Meadow Lake
Hart, Glen	SP	Last Mountain-Touchwood
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Hickie, Hon. Darryl	SP	Prince Albert Carlton
Higgins, Deb	NDP	Moose Jaw Wakamow
Hutchinson, Hon. Bill	SP	Regina South
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Junor, Judy	NDP	Saskatoon Eastview
Kirsch, Delbert	SP	Batoche
Krawetz, Hon. Ken	SP	Canora-Pelly
LeClerc, Serge	SP	Saskatoon Northwest
McCall, Warren	NDP	Regina Elphinstone-Centre
McMillan, Tim	SP	Lloydminster
McMorris, Hon. Don	SP	Indian Head-Milestone
Michelson, Warren	SP	Moose Jaw North
Morgan, Hon. Don	SP	Saskatoon Southeast
Morin, Sandra	NDP	Regina Walsh Acres
Nilson, John	NDP	Regina Lakeview
Norris, Hon. Rob	SP	Saskatoon Greystone
Ottenbreit, Greg	SP	Yorkton
Quennell, Frank	NDP	Saskatoon Meewasin
Reiter, Jim	SP	Rosetown-Elrose
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Schriemer, Joceline	SP	Saskatoon Sutherland
Stewart, Hon. Lyle	SP	Thunder Creek
Taylor, Len	NDP	The Battlefords
Tell, Hon. Christine	SP	Regina Wascana Plains
Toth, Hon. Don	SP	Moosomin
Trew, Kim	NDP	Regina Coronation Park
Van Mulligen, Harry	NDP	Regina Douglas Park
Wall, Hon. Brad	SP	Swift Current
Weekes, Randy	SP	Biggar
Wilson, Nadine	SP	Saskatchewan Rivers
Wotherspoon, Trent	NDP	Regina Rosemont
Yates, Kevin	NDP	Regina Dewdney
Vacant		Cumberland

[The Assembly resumed at 19:00.]

EVENING SITTING
GOVERNMENT MOTIONS

Sitting Times for the Assembly and Standing Committees

The Deputy Speaker: — The time being 7 o'clock, the House is now in session. We're on the proposed motion from the Hon. Mr. Gantefoer:

That the *Rules and Procedures* for the sitting times of the Assembly and the sitting times for standing committees shall be varied on an interim basis for the remainder of the first session of the twenty-sixth legislature as follows.

I recognize the member from Regina Dewdney.

Some Hon. Members: — Hear, hear!

Mr. Yates: — Thank you very much, Mr. Speaker. I'd like to continue my remarks that I started earlier this week and, Mr. Speaker, I'd like to start by just talking about history repeating itself, Mr. Speaker.

Mr. Speaker, the first thing that the Devine government in 1986 did after their re-election is that they moved a unilateral motion to change the rules, Mr. Speaker, regarding quorum. Mr. Speaker, history does in fact repeat itself, Mr. Speaker.

Today, Mr. Speaker, we see the new Sask Party government doing the exact same thing we saw the Grant Devine government of 1986 do after re-election. And, Mr. Speaker, the abuse to parliamentary democracy when a majority uses its power to abuse the minority is not a funny matter. Mr. Speaker, it's a very serious matter and it's one we should all take very seriously.

Mr. Speaker, we are today debating a motion made by the government that would unilaterally change the sitting hours of this Assembly, Mr. Speaker. And why are we doing that? Mr. Speaker, I'd like to talk about why are we doing that, Mr. Speaker.

Just prior to the hour of 5 o'clock, I took the opportunity to go through the pieces of legislation, nos. 8 through 21, Mr. Speaker. Yesterday I took great pains to go through Bills 1 through 6 many times to try and allow the members opposite to understand. Mr. Speaker, I tried to get the members opposite to understand just what we're dealing with.

Today, Mr. Speaker, I went through Bills 8 through 21 and I happened to skip Bill No. 7 and, Mr. Speaker, I need to go back and talk a little bit about Bill No. 7. But I want to tell you why I skipped Bill No. 7, Mr. Speaker, so the members opposite would understand. Mr. Speaker, we already passed Bill No. 7, so, Mr. Speaker, I didn't want to spend too much time on it. I know the members opposite might take a week or two to figure that out, but I want to tell them, Mr. Speaker, we passed Bill No. 7.

And then, Mr. Speaker, I went over another Bill rather quickly in the Bills 8 through 21, Mr. Speaker, and that was Bill No. 16. And again I want to point out to the House there's a reason why I went over Bill No. 16 because, Mr. Speaker, we already passed it. So I don't want the members opposite to be concerned there's a couple of Bills we hadn't sort of indicated where we might be on them, Mr. Speaker.

So, Mr. Speaker, just to recap, the majority of the Bills, 8 through . . . in fact 8 through 14, and then Bill No. . . . I believe it was 19, Mr. Speaker, are all pieces of legislation that members on this side of the House worked on very diligently when we were the government in preparation for the next sitting of the House, Mr. Speaker. So as a result, Mr. Speaker, the legislation you're bringing forward is in fact our legislation.

Mr. Speaker, we're likely to vote for it. We're not likely to spend a great deal of time talking about legislation that we in fact not only spent a great deal of time developing, Mr. Speaker, but that we believe in.

And, Mr. Speaker, in the Bills 8 through 21, Mr. Speaker, with the exception of Bill No. 16 which we already passed which was the budget Bill, The Appropriation Act, Mr. Speaker, Bill No. 9 was the one exception. Bill No. 9, which I often refer to as the double-dipping Bill, Mr. Speaker, where people can be in fact be on pension and collecting their full salaries at the same time and get 140 per cent of their salary one day after getting just 100 per cent of their salary, Mr. Speaker . . . 170 per cent, Mr. Speaker.

And I don't believe the taxpayers of Saskatchewan, and I don't believe your constituents would support that, Mr. Speaker. I don't think my constituents would support it, and certainly, Mr. Speaker, I don't think the average citizen of this province would support it. If they understood that they are paying twice for the same piece of work, Mr. Speaker, for the same job being done by the same individual, Mr. Speaker, I don't believe that they would believe in that, Mr. Speaker.

There is a proper and an appropriate role for retirement and for pension, Mr. Speaker, and when you retire, you should get your pension, and it should be income replacement, Mr. Speaker. But you shouldn't be able to do your job and stay in your same desk and continue employment with the same employer, Mr. Speaker, and both collect your pension and in fact collect your salary, Mr. Speaker, because we as taxpayers all of us would pay that, Mr. Speaker. So we'd pay 170 per cent of the salary the day after the person retires compared to 100 per cent the day before, and the person could be doing the exact same job, never, never having left his desk, Mr. Speaker.

So Bill No. 9, when that was brought forward by the bureaucracy, the members on this side, we opposed that. We didn't put that Bill forward because we didn't believe it was in the best interests of the people of Saskatchewan to pay twice for the same job. Some of you guys might believe that, Mr. Speaker, but I don't believe our constituents would. I don't believe our constituents would believe in that, Mr. Speaker.

And so Bill No. 9, Bill No. 9 we didn't support. I know you put it forward. You can expect, as I did the first time you brought

the Bill forward, I will oppose it. I asked you to go back and review the Bill and understand fully what it meant, and what did I get back, Mr. Speaker? Well I don't know; it's still on the order paper. They haven't withdrawn it.

Well maybe, Mr. Speaker, they'll take the time not to proceed with that Bill as well, or maybe at least carry it over till the fall and do some consultation with people outside the people who would directly benefit from it. Do some consultation with their farm neighbours.

I know my aunt and uncle and others who live out on the farm, they certainly don't want to see their tax dollar going to pay for the same salary twice for the same person, Mr. Speaker. They just don't have an interest in doing that and I don't think many of the people of Saskatchewan do, Mr. Speaker.

And, Mr. Speaker, members opposite who claim to be the guardians of the public purse and to be, you know, the responsible government that they think they should be, Mr. Speaker, well a responsible government wouldn't pay twice to get the same job done. So, Mr. Speaker, I think they need to look at that.

But, Mr. Speaker, we have dealt with each and every piece of legislation, or I've dealt with each and every piece of legislation, all 21 Bills that the government has put forward — indicated very clearly, Mr. Speaker, that the majority of these Bills are in fact supported by the opposition because of course we did the work to put them forward, Mr. Speaker.

And there's some extremely good work there that some of my colleagues, the member from Saskatoon Meewasin and the member from Regina Lakeview and others, spent a great deal of time making this legislation both relevant and important to the people of Saskatchewan and examining all the potential pitfalls and benefits of the legislation and putting forward good, solid, balanced legislation that will benefit the people of Saskatchewan.

So, Mr. Speaker, are we going to support that legislation that we worked hard to put forward? Of course we are. Of course we are, Mr. Speaker.

So, Mr. Speaker, I just want to take a few minutes to have some discussion about, you know, how the hours sort of add up. How the hours sort of add up about this imaginary crisis we have. And I'm going to call it an imaginary crisis, Mr. Speaker.

So now the hours from now on would be from — if this legislation passed without an amendment, Mr. Speaker, and we haven't necessarily decided what we're going to put forward in an amendment, Mr. Speaker, but — without an amendment, it's from 10 o'clock to midnight with one hour off for supper. So you do the math. That is 13 hours a day, Mr. Speaker.

So that's 13 hours on Monday, 13 hours on Tuesday, 13 hours on Wednesday. Mr. Speaker, it's 13 hours on Thursday. And on Friday, well it's . . . look Friday's a short day — short day. So we're only working 5 hours on Fridays, Mr. Speaker. So what do you have? You have 13, 13, and 13 and 13; you have 52 and 5 — 57 hours a week, Mr. Speaker. All right, 57 hours a week, 57 hours a week. And we've got, we've got five weeks. So

that's 235 hours, Mr. Speaker, 235 hours.

We need 75 hours for estimates. So you subtract 75 from 235, what do you have? What do you have, people? You have 160 hours left. You have 160 hours left. You've got a couple of pieces of contentious legislation so you might spend 40 hours on those. So then what are you down to? You're down to 100, 120 hours if you wanted to spend the full 20 hours on it. And then the rest of the legislation, Mr. Speaker, there might be 10 to 12 hours on it.

All of a sudden we've got about 120 hours more than we need, Mr. Speaker. About 120 hours more than we need, Mr. Speaker.

So how does this work? Why do we have a crisis? We've got 120 hours too much. Mr. Speaker, their own proposal puts forward about 120 hours more than is required to pass, to pass their budget and to pass their legislation and to . . . [inaudible] . . . the House, Mr. Speaker. So I don't know how their math works, Mr. Speaker. I don't know how their math works.

You know, I don't know if they've got a phony calculator or it doesn't add. I don't know, Mr. Speaker. But, Mr. Speaker, this isn't about making the hours work; this is about my way or the highway, Mr. Speaker. So what are we going to do? So we're going to start working longer hours and we're going to be done about May 1? So then what are we going to do for the last two weeks, Mr. Speaker? How does that work?

So we have an imaginary panic, Mr. Speaker. They hit the panic button. They hit the panic button because they don't even know how to manage the House themselves. They don't want to work with the opposition. So we have a crisis that isn't a crisis. We don't have a crisis, Mr. Speaker, but we have a crisis that isn't a crisis because they don't know what they're doing.

So what do we do about this little problem, Mr. Speaker? We've tried, I have tried now for the better part of 10 hours, Mr. Speaker, I've spent the better part of 10 hours trying to educate the members opposite about their mathematical skills, about their principles and values, Mr. Speaker, about how this Assembly should run, Mr. Speaker, and about how they could possibly cut a deal with the opposition and do the right thing without having to change their rules unilaterally, Mr. Speaker.

What did I get for results, Mr. Speaker? Well you see it, you see it. They haven't changed their position; they haven't met with the Opposition House Leader. They're still playing bully politics, saying they'll do exactly what they want to do, when they want to do it, and how they want to do it, Mr. Speaker. You'd think they were trying to sell a used car to somebody who didn't know how to drive, Mr. Speaker.

So how do we get ourselves in this type of situation, Mr. Speaker? I think you've got some people (a) who want to show that they're the boss, and that fits in well with the bully mentality. Mr. Speaker, you have some people who really don't know how to come to a deal, Mr. Speaker. It's their way or the highway all the time. That fits in well with the bully mentality. And, Mr. Speaker, you've got some members over there who are dredging up every conceivable potential horror story and problem, Mr. Speaker, when they don't exist. And, Mr. Speaker, that's paranoia. That has nothing to be with being a

bully, that's just pure paranoia.

But you know what? A lot of bullies are paranoid as well. They're paranoid somebody else will find out that they're a bully because they like being a bully but they don't want anybody to think they are a bully, Mr. Speaker, except those that they abuse. Understand, Mr. Speaker, and that's exactly the same situation that we have here. They want to be a bully. They want to unilaterally change the rules in this House, Mr. Speaker, but they don't the public to know that. They don't want the public to know that. They're paranoid that the public might catch on, Mr. Speaker.

So, Mr. Speaker, where are we at? Mr. Speaker, I spent some time here trying to create some openings for the members opposite to do the right thing and try to talk to them about doing the right thing but, Mr. Speaker, they just have absolutely no desire to work with us, Mr. Speaker. This is about being unilateral, Mr. Speaker, and doing things their own way.

Now, Mr. Speaker, they want to sit longer hours. They want to sit longer hours and for what reason, Mr. Speaker? Mr. Speaker, they want to sit longer hours. Might is right in their minds, Mr. Speaker. Mr. Speaker, they are so determined that they want to sit longer hours, Mr. Speaker. Mr. Speaker, at this time, Mr. Speaker, we'd like to accommodate them, Mr. Speaker. And I would like to move an amendment. I would like to move the following amendment, Mr. Speaker:

That all the words in clause 1 be deleted and replaced with the following:

Notwithstanding rule 6(1), the ordinary times for the daily meetings and adjournment of the sittings of the Assembly on Mondays, Tuesdays, and Wednesdays shall be 10 a.m. to 1 a.m., with a recess from 5 p.m. to 6 p.m.

Mr. Speaker.

Mr. Speaker, now we can debate the amendment for a considerable period of time.

[19:15]

The Deputy Speaker: — The member from Regina Dewdney has moved the following amendment:

That all the words in clause 1 be deleted and replaced with the following:

Notwithstanding rule 6(1) the ordinary times for the daily meetings and adjournment of the sitting of the Assembly on Mondays, Tuesdays, and Wednesdays shall be 10 a.m. to 1 a.m. with a recess from 5 p.m. to 6 p.m.

Question. All those in favour of the amendment? I recognize the member from Saskatoon Meewasin.

Some Hon. Members: — Hear, hear!

Mr. Quennell: — Thank you very much. Thank you very

much, Mr. Speaker. It's an honour . . . Mr. Speaker, I would like the member from Regina Dewdney to hear what I'm going to say so maybe the two members can stop in their exchange and settle their bets outside.

Mr. Speaker, it's an honour to follow the member from Regina Dewdney in this debate. I don't believe that I can be as eloquent, as pithy, as concise, or to put as much content into as few words as he was able to do. And I want to assure the House that I know that the member from Regina Dewdney did not take his seat for a lack of breath, for lack of stamina, for lack of energy, for lack of ideas, or for lack of arguments, Mr. Speaker.

I know that the . . . perhaps he took his seat because it's approaching his grandson's bedtime. But I believe that the member from Regina Dewdney was willing to speak until 10:30 tonight and was willing to speak on these important issues tomorrow and the next day if necessary, Mr. Speaker.

I know that certainly a central reason the member from Regina Dewdney took his seat, surrendered the floor to me, is because the tie that I'm wearing this evening is a gift from my daughter upon her return from Italy, and the member from Regina Dewdney wanted her to be able to see the tie which she may not have seen. I might have been wearing something else tomorrow or the next day when the member from Regina Dewdney took his seat.

Now I'm afraid to break to the member of Regina Dewdney that my daughter, I think, has more important things to do this evening than to watch this debate. The member from Kindersley says so does everyone else. But unfortunately for the member from Kindersley that, unlike my daughter, he ran for public office, and he is here as we are here to do the public business. And as my old friend Eric Cline was fond of saying, was fond of saying, Mr. Speaker, we fight hard for these jobs, and nobody wants to hear us complain about them. And I'm sure nobody wants to hear the member from Kindersley complain about his job that he sought quite eagerly.

Well I'm afraid that members of the opposition come with the job, Mr. Speaker. And I suppose that's the thesis of the debate and the thesis of the argument is that an opposition is pretty fundamental to the operation of our system, Mr. Speaker. And that's what we'll be coming to in this evening's discussion as we have over the last little while, Mr. Speaker.

And I have some comfort and solace as well, Mr. Speaker, for the member from Saskatoon Northwest. Early in the discussion, early in the remarks from the member from Regina Dewdney, the member from Regina Dewdney quoted the comments Stockwell Day made, I think, at the time he was leader of the opposition in Ottawa; leader of the Canadian reform alliance party or the Conservative Reform Alliance Party or another version like that very appropriately named but quickly changed and eventually of course became the Conservative Party of Canada. And the member from Saskatoon Northwest was very much amused, very much amused, Mr. Speaker. I thought surprisingly so that a social democrat from Regina Dewdney would be quoting a Conservative. I thought that was quite amusing. I don't know if he was loud enough to make *Hansard*, but he was certainly loud enough to be heard on this side of the floor, Mr. Speaker. He was very amused that the member from

Regina Dewdney would quote a Conservative and so . . .

I forewarn the members opposite that I may make passing reference to quotations from Churchill; perhaps Edmund Burke; James Madison, certainly a conservative in the American tradition of perhaps John George Diefenbaker. And not just for the enjoyment and pleasure of the member from Saskatoon Northwest, but at least I know that one member on the government side will enjoy some small part of my speech.

An Hon. Member: — It won't be me.

Mr. Quennell: — And the member from Kindersley says it won't be him. But I think I've already figured that out, Mr. Speaker. I think I've already figured that out.

Now, Mr. Speaker, we now have before us both a motion and an amendment, and I did want to address the spin that the government members and the Government House Leader particular wanted to put on the reasons for this motion. I think the amendment, to a certain extent, addresses those arguments on its own. But as you will recall, Mr. Speaker, that we had been told, the public has been told that the reason that the government's motion has been made is because the opposition, Mr. Speaker, didn't want to work. And this debate is, to a certain extent, Mr. Speaker, about laziness.

I think the amendment shows the opposition's willingness to work longer hours than the government would suggest. This discussion is caused by three failings of the government in the management of the House in which they have a majority, Mr. Speaker. Laziness is certainly one of them. Complacency is another. And arrogance, Mr. Speaker, is the third.

First to the issue of laziness, and there's been some commentary on this, and I think the public is somewhat aware of how the government got into the trouble that they're in. And it's not because the opposition didn't want to work. It all happened when the government realized that the opposition may very well want to work. That's what caused the problem. That's what caused the problem. When they were complacently thinking, well we'll judge our opposition by the way we were in opposition, they didn't think they had a problem. When they realized that they were dealing with a different opposition than they have provided to this province, an opposition that would want to do its job, Mr. Speaker, that's when the panic occurred.

You will remember, Mr. Speaker, from the previous discussion that took place, that Minister of Labour concerned about contentious legislation that he was responsible for, whether he had read it or not yet, Mr. Speaker, but concerned that that legislation might be contentious in the House — which it may be to a certain extent; it's difficult to say at this point, Mr. Speaker — the concern that that legislation might be contentious in some way, asked the question of his officials, said how do we ensure that the priority Bills of this government — of which there are six — how do we ensure that these Bills pass?

Because we only sat for two weeks in December for reasons of the election. And we introduced the Bills. We didn't want to sit . . . And this is where the laziness comes in, Mr. Speaker, begins to come in. We, the government, did not want to sit at

night. So they were short hours, those two weeks in December. I suppose everybody was tired from the election, but it's the government that decided that complacently that they didn't need to do the work to get their legislation passed.

So that being the case, Mr. Speaker, officials provided a calendar. And as I think the member from Regina Dewdney . . . [inaudible interjection] . . . yes, a simple planning tool, one of the members says. You don't have to, you don't really have to read. You just have to be able to count the numbers on the calendar.

And what did the calendar set out? Well the calendar set out that, assuming that the opposition wanted to scrutinize the Bills, assuming the opposition wanted to play the role that an opposition plays, assuming that the opposition would want to give the public time, the public time to scrutinize the Bills . . . And that's a very important feature in the role of the opposition, Mr. Speaker. I know you know this.

And commentators have commentated on it — I think that's one of the comments that John Diefenbaker had made and I might be referring to later — that it's not just so that the opposition has time to discuss the Bills in the House and look at the Bills in the House. It's so that the public has time to look at the Bills. And that's why the opposition might suggest that a couple of these Bills, not being urgent — central services Bill perhaps not being that urgent unless we expect a blizzard in July to kill somebody — that some of these Bills could go to public hearings over the summer and be scrutinized by the public.

But that's not the result of what happens here, Mr. Speaker. The result of what happens here is that we cram the whole examination of all these Bills into more hours in the same period of time. So members of the legislature, both government and opposition, don't have the time in the constituencies. The debate takes place at midnight in this legislature, not when the public is likely to be following the debate. Everything around these Bills has been designed to avoid public scrutiny of these Bills, Mr. Speaker.

Introducing them in a short sitting in December, then getting up without debate . . . and this all the government's plan and I use the word plan advisedly, Mr. Speaker. It's all the government's plan. And then coming here and avoiding not only a week of question periods — you know those impertinent questions that an opposition asks the government — avoiding a week of question periods, but avoiding a week of debate on their legislation which they call their priorities, Mr. Speaker, and a week that they were told they needed to have.

Because we've seen the calendar, Mr. Speaker. That's assuming that the 20 hours are needed, we have to go back on March 3. And if you do that, you're guaranteed your legislation on March 14 — not much, not much room there. For a while we heard that we weren't going to back — oh May 14 — not much room because our final day's May 15, so May 14 is our, you know, is almost the last moment. But it could be done, could be done.

Well government members didn't want to do that work. They didn't want to do the work in December of putting in some debate time on these Bills. They didn't want these Bills

discussed over December, January, February having been debated in the legislature. They didn't want to come back in March, early March — when they were advised to — and debate these Bills.

And so it's this government that didn't want to do the work necessary to manage their own legislative agenda. It's this government that wants to go out to the public say oh we have, we have a crisis. And we have crisis caused by the opposition not wanting to work.

Well, Mr. Speaker, the crisis was caused by the fear on the government side that the opposition did want to work, that the opposition did want to do its job, and that the opposition would do what the government was warned back in February, I suppose, that the opposition could do.

Which takes me to complacency, the second failing of the government evidenced by what's happened here. Laziness, complacency — together they add up to incompetency. What the government was thinking was, it doesn't matter if we want to actually put in the work. We can brag about the accomplishment of 100 days. We don't actually have to put in any work, or we don't have to put in any more work than necessary because we are the government. We won the election. And because we are the government and we won the election, what we want will happen.

And you hear it from the members opposite: we won; you lost. What you don't hear so much now from the members opposite you used to hear and I think it got out into the public and it didn't play very well, Mr. Speaker, was, we had a consultation on November 7, 2007; that's all the consultation we need.

[19:30]

They stopped saying that. They stopped saying that, Mr. Speaker. I think they've learned that that doesn't go over very well, but that still is the attitude that's within the crisis that the government now perceived that made this motion necessary, is a complacency about their majority combined with a laziness about doing the work to manage their own legislative agenda.

I mean, if you can imagine that this was actually deliberate, Mr. Speaker. I mean, imagine if you will a caucus meeting where the Government House Leader goes to the caucus and says, we've been advised that we must go back on March 3 to pass our legislative agenda, but our plan is not to do that. Our plan is to avoid four question periods and go back the following week. And if it turns out the opposition actually insists on having a public discussion about some of this legislation, we'll declare a crisis. We'll move a motion, and you — the government members — you can all come into the legislature till midnight to solve this problem.

I expect a meeting like that didn't actually happen, Mr. Speaker. If the Government House Leader wanted to run that scenario past his caucus, if he had done that, Mr. Speaker, I think . . . [inaudible interjection] . . . Yes, I think that April Fool's Day would have been too late to make a change, I think, because they would already have missed that first week of March that they needed, Mr. Speaker, and that they knew they needed. They'd been advised that they needed it, Mr. Speaker.

So of course that meeting didn't take place. If that meeting had taken place, I think even the newer members of the government might have said, just a second; is that how things around here are supposed to work? Is that how they usually work? No, I don't think that would have happened, Mr. Speaker. So it's unfortunate that the House Leader didn't run this scenario of how he would work this House in this kind of lazy, complacent way past his caucus, because I really can't believe that he did, Mr. Speaker.

Now the third failing of this government that has brought us to this situation, Mr. Speaker — and they're all related, of course, the three together: laziness, complacency, and arrogance — is arrogance. We don't need, we don't need to discuss legislation.

The private members of this House, in the view of the government, the private members of this House are there to put up their hands and vote. And the members of the opposition are there to put up their hands and vote on the losing side. That's the view of this government. That's the view of this government about the role of a Member of the Legislative Assembly.

And a matter of fact, I mean that's far more restrictive for private members on the government side than it is for us. I mean we'll have far more latitude on this side of the House, Mr. Speaker, far more ability to exercise our right to speak and debate and discuss than government members will in a legislature which the government treats as a voting machine, as a mere rubber stamp, Mr. Speaker.

And with the greatest respect to the House Leader — who I know was hanging on every word of the member from Regina Dewdney but is perhaps maybe giving some of my remarks a pass, but they are for the record so I won't worry — but with respect to him, and I do want to say with the greatest respect to the Government House Leader, Mr. Speaker, I think he exemplified the arrogance that brought the government to this situation when he was speaking to the motion, when he originally moved it on April 7, 2008.

And on that date in *Hansard* this is what the Government House Leader suggested the opposition do — the opposition do — to extricate the government from the government's mess, a mess created by the government's laziness and the government's complacency. And what should be done? The opposition should extricate the government from this situation. That's our role. And this is what he said, quote, to us: “. . . just start the debate and sit down and let it come to a vote after an hour or 20 minutes or whatever . . .”

So that's the government's solution to the problem the government created through its unwillingness to work, its complacency about the role of the legislature, and about what might take place in its first sitting — its first spring sitting, its first session of the legislature and the beginning of its term — this complacency that, well we're the majority. It'll all sort of sort itself out. And that that is the . . .

There's been a lot of talk, Mr. Speaker, about offers and whether they were reasonable or unreasonable. Well that was the offer of the Government House Leader on the record, Mr. Speaker. The offer of the Government House Leader on the record was: “. . . just start the debate and sit down and let it

come to a vote after an hour or 20 minutes or whatever . . .”

Well you know, I think the Government House Leader can tell his members that, Mr. Speaker. But isn't it the height of arrogance for the Government House Leader to tell the opposition that, Mr. Speaker? Isn't it? Isn't this just the height of arrogance, Mr. Speaker?

And this is a government that in a very short time, in a very short time has been marked, marked by incompetency and arrogance, Mr. Speaker — incompetency and mean-spiritedness, Mr. Speaker. And I say with some immodesty, Mr. Speaker, the member from Regina Dewdney I think was quoting me when he said that a colleague had said that it took Grant Devine four years to raise a demonstration of 2,000 people against the actions of his government. It may have taken more. Let's be generous to the Government of Saskatchewan, the Saskatchewan Party government. Let's be generous to them and say it took five months to do the same. It took five months, Mr. Speaker.

The member from Regina Dewdney also referred in this context to how what we are seeing now in imposing majority will on the minority within the legislature, and how that is a repetition of the history of the Grant Devine government and its attitude to the legislature, which by the way took a real toll not just on opposition members but government members eventually, Mr. Speaker. But I'll come to that later.

Mr. Speaker, the member from Regina Dewdney said that history repeated itself. And of course he was referring to . . . One epigram, I think, is those who do not learn their history are failed or doomed to repeat it. But there's another. And I'm afraid I'm not sure I can attribute the right speaker to this quotation, but that history does repeat itself — the first time is tragedy; the second time is farce. And if that's true, Mr. Speaker — and that seems to be true here in Saskatchewan — the tragedy is the Devine government, and now we are witnessing the repeat of history, but as farce.

Mr. Speaker, I've been asking myself since I realized that I might be in this debate and I might be in this debate for a little longer than, oh, 20 minutes or whatever — as the Government House Leader would have given the entire opposition in his solution to his problem — I've been pondering why I have the opportunity this evening to talk at some length, the luxury of talking at some length about democracy, about the important role of opposition, about the importance of the majority not imposing its will in direct contradiction and repression of the rights of the minority, why I have this opportunity. And other members of the class of 2003 — and I would use the example of the member from Saskatoon Silver Springs who was also elected in 2003 for the first time, as I was myself, Mr. Speaker — why I had this opportunity and over four years the member for Saskatoon Silver Springs never had an opportunity like this, Mr. Speaker.

And you know why, Mr. Speaker? Because the government of which I was a member respected the rights of the member from Saskatoon Silver Springs when he was in opposition. The government of which I was a member did not so mismanage the House that it could not pass its own legislative agenda. And if it had had difficulty, if that government had difficulty with its

legislative agenda, that government, the government of which I was a member, Mr. Speaker, complied with the rules it had negotiated with the members opposite when they were in opposition and paid the price, took our lumps. The government of which I was a member did not tromp on the rights of any opposition member including the member from Saskatoon Silver Springs to save face really, as a matter of pride, Mr. Speaker. That's what we're looking at here, Mr. Speaker.

Look at the priority Bills. Look at the priority Bills and the reason why we're changing, unilaterally changing by majority vote, like that's what's anticipated, Mr. Speaker, the rules of the legislature. It's merely a matter of pride. I think the member from Regina Dewdney pointed out quite well that what are the consequences of any of these Bills having been put off till the fall if indeed the opposition had wanted to spend 20 hours on each one of them.

Matter of fact one of the consequences, Mr. Speaker, would have been that the opposition would have saved the government from breaking promises. Remember the member from Saskatoon Silver Springs saying, sitting from his seat, while the member from Regina Dewdney was on his feet, making remarks that the reason this legislation had to be passed is because the government needs to keep its promises.

Well, Mr. Speaker, two pieces of the six pieces of legislation break commitments of the government. By preventing these pieces of legislation from being passed, we would keep the government to its word. Allowing the government to pass these, as we eventually will have to, Mr. Speaker, allowing the government to pass these pieces of legislation will actually cause them to break commitments.

Of course those two pieces are Bill No. 1, Mr. Speaker, which is contrary to what the Saskatchewan Party held out to the people of Saskatchewan they would do in the way of balanced budgeting. I don't have a problem with Bill No. 1, Mr. Speaker. In large part it just renames Fiscal Stabilization Fund, is a recognition by the government that what they had previously called a smoke and mirrors, you know, a non-existent fund, actually like their party, only really needs a new name to become quite okay.

But it's contrary to what they committed to do. So I mean they don't need to pass that piece of legislation to keep their promises. Just the opposite, Mr. Speaker. When they pass it, it would be a broken commitment — not a major broken commitment, Mr. Speaker. I wouldn't take them too much to task for that, Mr. Speaker. But still, I mean, you can't argue that, well we need to do this to keep our commitments when the exact reverse is true.

The second piece, of course, is the essential services legislation. And, I mean, both the Premier and the Minister of Health were quite clear that there wasn't going to be such legislation when asked directly if there would be.

[19:45]

Well, Mr. Speaker, I don't want to argue against the concept of essential services. We actually haven't seen the legislation that the government means to propose in this respect because they

have amendments, or they say they have amendments. I don't know if the Minister of Labour has actually read the amendments. I don't know if the amendments are actually written or not, but the legislation that the government proposes that we pass isn't the legislation that we've seen.

And in any case the argument that's been made — albeit from a seat and not from a member on his feet — the argument that's been made is that we need to pass this legislation to keep our commitments. In fact as long as the opposition could prevent the government from passing that legislation, require public hearings, require public consultation, we would be preventing the government from breaking a commitment made by both the Premier himself and the Minister of Health.

So, Mr. Speaker, I find myself in a position that I'm quite happy, I suppose, to be in. I mean it's an opportunity to talk about some values that are very important to me but again an opportunity that was never extended to any member of the class of 2003 sitting on the government benches when they were in opposition, Mr. Speaker, because well, Mr. Speaker, the government of which I was a member simply didn't do this, wouldn't have done this. Wouldn't have used its majority to change the rules it had negotiated with the opposition because that government was unable to manage the House.

That government was not as incompetent as this government by a long stretch, Mr. Speaker. And that government was not as arrogant as this government already is, Mr. Speaker. After 16 years, Mr. Speaker, that government was not as arrogant as this government is after 16 weeks.

So I do have the occasion which I want to take, Mr. Speaker, to talk a little bit about, and I think it's important for all members of the House. Clearly it's important now because the government has sort of set the tone.

The StarPhoenix editorial board pointed out that in many ways the government set the tone that people of Saskatchewan might fear to expect, other decisions to be made in the same tone, in the same manner, missing character by the cancellation of Station 20 West.

The government has sort of set the tone for its commitment, if that's the right word, Mr. Speaker. Before, I used the word plan advisedly, and I use the word commitment advisedly — its commitment to democracy by what it's doing here.

And I think it's important, particularly maybe for new members, particularly for new members of the House to think about the role of a legislator. Because not every member on the government side is a member of cabinet, is a member of Executive Council. They are here, as we are here in opposition, as legislators, and they might think carefully about the role that they have and the role this legislature has and about history repeating itself because a majority government is only a majority government because it has the confidence of the House, Mr. Speaker.

And it's my recollection that the reason that Grant Devine paid for public expenses at the end of that government by special warrant is because Grant Devine, Premier Devine, though he had a majority in the House, did not believe he could pass a

budget, Mr. Speaker. He could not, did not have confidence that he had the confidence of the House even though he had been elected with a majority government five years before in 1986.

And members of the government, the private members on the government side, quite happy to accept the Government House Leader's explanation that this is somehow the opposition's fault, after a while that argument might wear a little thin. And they might think about the fact that they are here as legislators and not just as voting machines for a government, Mr. Speaker, which I guess brings me to the first remark of Winston Churchill — maybe the only one that I'll use this evening — but the first remark of Winston Churchill, which, you know, I point out to the member from Saskatoon Northwest, was probably made while he was a Conservative and to the member from Saskatoon Northwest's enjoyment and appreciation. He may have made it while he was a Liberal, but I expect he made this one as he was a Conservative. I'm pretty sure that he did because I think he made it when he was prime minister.

And a young cabinet minister said to Prime Minister Churchill, isn't it a remarkable system that we have? Isn't it a remarkable system that we have that here on one side of the House you have a government and two sword lengths away you have the enemy? And Prime Minister Churchill said, that's not the enemy. And, Mr. Speaker, the government should keep this in mind. He said, that's not the enemy — that's Her Majesty's Loyal Opposition. The enemy, Churchill said, is behind us in the backbenches, Mr. Speaker.

And that's something the government might remember. It's what all government members might remember, is that across the way from them is not the enemy. And I know that's easy to forget. It's been easy to forget over the last few days probably, Mr. Speaker. But it's worth remembering Churchill's words. Across the way from the government benches is not the enemy. It is Her Majesty's Loyal Opposition.

Now I think it's commonly believed, perhaps, popularly believed that, you know, after years, centuries of dictatorship, societies evolve into democracies and that that's a natural order of things, that societies just become more and more democratic. But in fact, Mr. Speaker, that's not the case. Societies become democracies and democracies become dictatorships, Mr. Speaker. And democracies become less democratic, more relevantly perhaps to the discussion this evening, Mr. Speaker.

The people who gave us the word democracy, the ancient Greeks, the Athenians — democracy, rule by the people — weren't always sure that their limited democracy was necessarily the best system. None of their neighbours looked at them and said, oh look at successful Athens; we should adopt democracy. I don't think there are any major philosophical works from the day of early Greek democracy explaining why democracy was such a wonderful thing. Many, many, many people will be familiar with, at least by title, Plato's *Republic*. It's a great philosophical work of the days of Athenian democracy. Plato's *Republic* is a book-long argument against democracy, Mr. Speaker.

So that's what comes down to us from Athens — the word democracy and a major philosophical work of western civilization, an argument against democracy. Plato, who

believed in the philosopher king as opposed to rule of the people by the people, went off and at the invitation of a tyrant of Sicily or Syracuse — I can't remember exactly which — very disappointed I think to find that kings weren't necessarily interested in being guided by philosophy. But I'm not sure that it changed his opinion of democracy. I think maybe he was an anti-democrat to the very end, the very end, Mr. Speaker.

I was interested recently to read about an American senator from West Virginia, a state that I don't believe existed before the civil war, Senator Byrd. And when some of the members opposite were calling across to the member from Regina Dewdney as to the relevance of his remarks to the topic of the motion, to the topic at hand, Mr. Speaker, it reminded me of what I had read about Senator Byrd, who spoke for I think nine days it said, in the American senate. The topic was a line item veto by the president of the United States.

His exposition was on the Roman senate and how the lessons of the fall of the republic addressed the issue of whether this power of the legislature of the American senate should be conceded to the American president. And I thought, well, Mr. Speaker, it would probably be the easiest thing for me this evening to read into the record at least portions of that nine-day speech on the fall of the Roman republic. But I thought the members opposite might think that was cheating, Mr. Speaker, and I won't do that.

But the thesis of Senator Byrd, who is one of these gentlemen — and I think this is relevant to much of the proceedings in this legislature over the last few days and some of the matters of public discussion — is one of these gentlemen whose views, certainly his public views, dramatically changed over his life. As a young man he was an active segregationist and abandoned those views. Whether he sincerely believed that he had been wrong or whether he saw that the times they were a-changing, and modified his outlook or at least his public outlook accordingly, who's to know? Who's to know the inner mind and inner soul of a person? You can only judge them by what they say, Mr. Speaker, and by what they do, and more perhaps by what they do than by what they say.

Anyways, to return to Senator Byrd's thesis about the surrender of power from the legislature to the executive, which the government is asking us to do with this motion. Well not asking us to do, requiring us to do, but at least we're being allowed to speak to is for some small period of time. Senator Byrd's thesis — and I think an unusual one and some day I'll have to read his entire remarks — was that the emperors didn't seize powers from the senate, the senate surrendered power to the emperor.

And again to sort of follow on the theme, Mr. Speaker, people's confidence in democracy is often fragile. And when they see a threat . . . and it doesn't have to be much of a threat. Sometimes I think in a legislature or parliament it can just be the threat of inefficiency, just the idea that, well this would so much quicker if we just didn't have to do this — if we could just write the legislation, put it in place, and not have to deal with this. You know, questions across the way and calls for public discussion and all that, if we could just do all that, life would be so much simpler. And I think that's often the greatest threat to democracy is the appeal of simplicity and security and certainty against the messiness of trying to deal with opposing issues,

particularly minorities.

I mean who do they think they are, Mr. Speaker, and why do they think that they should be heard? They're the minority. If they were important they'd be the majority. If they were persuasive, they'd be the majority. If everybody agreed with them they'd be the majority. Why should we be concerned about them? And I think that it's that tendency to irritation, frustration.

We hear it from some of the government members in this debate and prior to this. I think it's that sort of frustration that can whittle away at democracy and, without people really noticing that, you know, that what we've gained in efficiency and ease as government, we've lost in respect and in the ability, I think the member from Regina Dewdney said, to incorporate a broader, a broader vision. And I will come to, I will come to at some point the appeal for public hearings, Mr. Speaker.

[20:00]

The Deputy Speaker: — Why is the member on his feet?

Mr. Van Mulligen: — Mr. Speaker, with leave to introduce a guest.

The Deputy Speaker: — The member from Regina Douglas has asked leave to introduce guests. Is leave granted?

Some Hon. Members: — Agreed.

INTRODUCTION OF GUESTS

Mr. Van Mulligen: — Mr. Speaker, seated in my gallery are a number of people, but one in particular that has just come in that I wanted to draw to your attention and members of the Assembly. He's a retired public servant for many years with the Provincial Library system, well regarded, developed an excellent reputation for his work. He's now busier than ever as a retired person in our community. I'm very pleased that he could join us tonight, and I wonder if all members would join me in extending a warm welcome to Bob Ivanochko. Thank you, Mr. Speaker.

Hon. Members: — Hear, hear!

The Deputy Speaker: — I recognize the member from Saskatoon Meewasin.

GOVERNMENT MOTIONS

Sitting Times for the Assembly and Standing Committees (continued)

Mr. Quennell: — Thank you very much, Mr. Speaker. And I will return to the point about the call for public hearings.

But I guess the central part of the thesis of this part of my speech is that the easy, easy temptation on the part of a government with a majority — if they're allowed to do it and if they're allowed to do it by all private members in the House, Mr. Speaker; all members of the House should be concerned — that executive power would completely usurp legislative power.

And that, Mr. Speaker, should be a concern. There's certainly many, many reasons, much evidence from history, Mr. Speaker, to have that concern.

And it's a difficult, it's a difficult position to defend, Mr. Speaker, because it's a position that is argued almost exclusively by the minority. It's a position that's argued almost exclusively by the people who find themselves in the minority in the opposition, Mr. Speaker, and they're arguing that they should have greater power, that they should have greater rights, that that's good for democracy. And the majority doesn't want to listen, Mr. Speaker. The majority doesn't want to listen to that, Mr. Speaker.

It's a very difficult position, but it's the duty, it's the duty of an opposition to make this argument, Mr. Speaker. It is the duty of an opposition to make this argument. And if, given the opportunity by a government to make this argument we did not make it, Mr. Speaker, we would be failing this institution. We would be failing democracy, Mr. Speaker.

Now I want to skip ahead, Mr. Speaker, because I appreciate the members are impatient for a movement away from ancient Rome and I only have another two and a half hours, Mr. Speaker, so I can't spend too long in the ancient world.

The second or third, I guess, example in history where we did not become more democratic — we became less democratic — would be the restoration of the monarchy in England. And I do not want to suggest that I have any republican sympathies whatsoever, Mr. Speaker. And later on I might be quoting James Madison. I also do not want that to be read the wrong way. I am truly a member of Her Majesty's Loyal Opposition, and loyal to the Queen as I have sworn to be.

All that said, with the fall of Charles I who believed in absolute monarchy, absolute executive power, very frustrated with the powers that had developed in parliament, declared war more than once on his own parliament and on his own people, Mr. Speaker, with his fall there was obviously something of a democratic flourishing . . . and with the restoration of Charles II — again believed strongly in an absolute monarchy, again a retreat from democracy.

And I've been very interested to read, although I haven't finished, a book called *The Tyrannicide Brief*, Mr. Speaker. And I owe the fact that I have this book both to I think the magical powers of the web and the affection of my family for me, a combination of those two, Mr. Speaker.

I came downstairs one morning to hear, I think, Michael Enright interviewing the author of a book, and he was talking about a man I'd never heard of. I guess I must have realized that such a man would exist, but I had never heard of John Cooke, who was the man who prosecuted Charles I. And I caught that it was about the prosecution of Charles I. I didn't catch the name of the prosecutor. I didn't catch the name of the book. And I didn't catch the name of the author, as I had come too late to the interview, Mr. Speaker. But I talked about this book because of a story that the author told, and my family found me this book, and I received this book for Christmas. And this is the story that I heard on the radio, Mr. Speaker.

Charles I was brought to trial for declaring war on parliament and on his own people, and the puritan lawyers of the day were very reluctant to prosecute the king, and the job fell to the son of a tenant farmer who had gone to Oxford on a scholarship, Mr. Speaker, and had become a lawyer. He became not Attorney General but Solicitor General to the English government. And Mr. Cook read out or was there in court as the prosecutor reading out the indictment against King Charles, who had a cane, Mr. Speaker, and a cane with a silver tip. And he struck the prosecutor with the cane, suggesting somewhat violently that the prosecutor stop.

And the suggestion that the author, an English barrister, Mr. Speaker, the suggestion of the author is that if the prosecutor had stopped in this very unique unheard of proceeding, a public trial . . . There had been secret trials of kings and queens in England, Mr. Speaker. I was there last summer at the Tower of London where Anne Boleyn and many executed monarchs and noble people were buried after secret trials. But this was the first public trial of a head of state in history. And now we've had other trials by heads of state but in a sense this is the precedent for those trials, which are still quite rare, Mr. Speaker.

And it's a precedent for the concept that you can commit crimes against your own people, that a government can be held responsible for crimes against its own people in international law. In any case at this very exceptional trial, the king struck the prosecutor once. The prosecutor did not stop. He struck him again. The prosecutor did not stop. He struck him a third time, and the silver tip of the cane fell off, Mr. Speaker, and rolled onto the floor. And the king, who's not used to picking up after himself, motioned for the prosecutor to pick up the silver tip. Well the prosecutor did not do that. He proceeded with the legal proceedings taking place in the courtroom. And the king leaned over and picked up the silver tip of the cane. And an intake of breath was heard in the court room as all the spectators gasped at the spectacle of a king — the absolute executive power — bowing down to the robot, Mr. Speaker. The king later said that he thought that was a bad omen and, after a trial and a sentencing, was beheaded.

In part I've stopped reading, in part I have stopped . . . I think, Mr. Speaker, you understand the argument I'm making. I stopped reading the book at one point partly because I'm busy and partly because I know what happens next. Charles II returns. John Cook is tortured to death. Oliver Cromwell, fortunately for Oliver Cromwell, was dead. I saw his grave, Mr. Speaker, in England. When you're walking around historic London, historic Canterbury as it was, you have to get used to walking on dead people because there's one wherever you go. But Oliver Cromwell is not there. He was dug up and hanged while dead. And his remains . . . where his remains actually are is unknown and unmarked in history, Mr. Speaker.

So again, case after case after case where democracy does not just expand automatically as a natural thing, Mr. Speaker, where democracy actually falls back into dictatorship, and where executive power always, always resents the inconvenience of the legislature, of the law making and particularly of the minority within legislature, Mr. Speaker.

The next example I think is an American one, Mr. Speaker. I've

been interested to see two episodes of a mini-series about John Adams, Mr. Speaker, who was I think the second president of the United States. Not as well known as George Washington or Thomas Jefferson, his contemporaries, Mr. Speaker, but a very interesting story told from his point of view. And there's a moment in the second episode that gives me pause because we get very worked up in here about the issues in which we deal very heated debate.

And I think it's partly the building, Mr. Speaker. Sometimes we forget that the work we do is important, but maybe we're not as important as we think we are. And in any case, we can get quite self-absorbed and perhaps not as humble and modest as we should be.

And this episode — which, you know, may not have happened exactly the way it's portrayed but could very well have happened — takes place after Thomas Jefferson has been asked to draft a Declaration of Independence and has in fact drafted the first declaration of human rights to a certain extent. And he and John Adams and Benjamin Franklin are meeting, and Benjamin Franklin has a suggestion that sacred be replaced with self-evident, that the truths be self-evident, that it smacks less of the pulpit, Mr. Speaker.

And they decide to take out the condemnation of slavery, slave trade in the document because they want to put off that debate. And that debate gets put off for 90 years, Mr. Speaker, and it's not resolved peacefully as we all know. They want to put off that debate because this is about independence, and this is about unity. And I guess any politician looks at that discussion and appreciates the compromise that's necessary to accomplish things in some cases.

But part way through, after a while they're working on the Declaration of Independence, Mr. Speaker, Benjamin Franklin asks Thomas Jefferson how he invented the swivel chair that he's sitting on. And so here's this group of farmers and country lawyers who are starting a republic, building a country, fighting a war of independence against an empire, and inventing office furniture.

And I guess history demands of us what it does, and we try to meet the challenges that . . . And some of us just aren't made to face the same challenges and the same trials. But I think it does teach a little bit of humility.

But the framers of the American republic weren't too sure about democracy themselves, Mr. Speaker. And I think when I come to some of the things that James Madison had to say about protection of the minority from the majority, which is what this discussion is all about, Mr. Speaker, I think some of his concerns about democracy might come through as well. The founders, or at least some of the founders, of the American republic believe strongly in a republic. They didn't necessarily believe strongly in democracy and didn't see those to be the same things at all, believed them to be alternatives.

Now the last . . . the case of a democracy slipping easily into a dictatorship I'll take from 20th century Europe, Mr. Speaker, and I'll be very brief in this subject.

[20:15]

I think many people assumed — I once did — that democracy in Austria fell when the Nazis invaded, Mr. Speaker. But in fact it fell before that. Austrian independence may have ended for a few years because of that invasion, but the democracy itself did not fall.

Austria had a minority parliament, and when a couple members from the larger party — but still not the government — exited the room, a motion was passed which gave power to the executive and was the end of democracy in Austria.

Now the way I've read the story, a general strike was called, Mr. Speaker, but as often happens in history, little accidents mean so much. The first people to go out were the telegraph operators, and other unions didn't hear about the strike, and the strike failed, Mr. Speaker, and that democracy was lost. It probably wasn't long-lived anyways given the circumstances that were going on in Europe, Mr. Speaker.

But democracy is not, once achieved, necessarily eternal, Mr. Speaker. And there are many, many, many lessons from history, and I've only mentioned a few to show that that is not the case — not only, not only is it very difficult and perhaps arrogant to believe that we can plant the roots and establish fully formed democracies in countries that have not gone through the history that I have briefly canvassed, Mr. Speaker.

Maybe there's an example of that in Japan, but it took some time. I have a teacup at home that has painted on the bottom, "made during the Japanese occupation," and it doesn't have 1945, 1946, 1947, 1948, 1949, or 1950, but has a much later date in the '50s on it. That occupation of Japan continued for some period of time. But after that occupation was ended, Japan joined other industrial democracies as a member of G7 and as an active member of the United Nations and is a democratic country within the world. But that's a rare example. We haven't had an example yet of democracy being imposed from outside although there is now currently some attempts on a country without a broad middle class, Mr. Speaker.

It's not an easily instilled concept. And it's not necessarily there as a birthright that does not require our vigilance and our protection, Mr. Speaker.

And within our democratic institutions, the same is true, Mr. Speaker. It is, I think, tempting for members of the government to reduce the idea of democracy to the one pillar, the one concept, the will of the majority. And here we have a government that has, I think, said what we do is democratic. We received 50 per cent of the vote, maybe a little bit more. We have two-thirds of the seats in the House. We express the will of the majority. That's democracy. And what is the opposition talking about, Mr. Speaker, from the government's point of view, that there is anything undemocratic going on here? And it's just we have the . . . You know the will of the majority is being expressed, both the will of the majority of the people in the last election and the will of the majority of the people in this House. It's as simple as that.

The will of majority is the sole guiding principle of a mob, Mr. Speaker. It is not the sole guiding principle of a democracy. Democracy rests on four principles, Mr. Speaker. It relies on the will of majority. It relies on protection of individual freedoms.

It relies on respect for minorities. And it relies on the rule of law.

And I had many occasions, Mr. Speaker, to speak at briefly — more briefly than this evening — the swearing-in of judges in the province of Saskatchewan. And when I spoke at the swearing-in of Provincial Court judges who are the appointments of the provincial government, Mr. Speaker, I would speak on the subject of the importance of the Provincial Court and that that court, because it is the only court that many people, many victims of crime, many accused of crime, many unrepresented litigants will ever see, Mr. Speaker, is in some ways, in my view, the most important court in the province of Saskatchewan. And Provincial Court judges like to hear that, Mr. Speaker. But I don't say it because they like to hear it; I say it because I believe it's true.

And it really is because of the circumstances of the people who appear before the court — 90 per cent of criminal cases, all small claims — because of the circumstances, people who appear before that court really is, not only the first court but their final court. And therefore whatever the Charter of Rights may say and whatever interpretation may be given to the Charter of Rights or victim protection legislation by higher courts, if Provincial Court doesn't provide those rights and that protection to the people who appear before it, those rights and protections mean very little, Mr. Speaker, very little indeed. So it is a very important court.

But that's not to take away from the importance of the superior courts that are appointed by the federal government. And I had occasion to speak at the appointment of a number of members of the Bar or lower courts being appointed to the Court of Queen's Bench or the Court of Appeal, Mr. Speaker. And when I did that, I set out what I believe an Attorney General should believe and an Attorney General should say and that is that, although unelected, members of the judiciary have a very important role in a democracy because democracy is not all about the will of the majority. Democracy is also about protection of individual freedoms, respect for minorities, and the rule of law.

Now what I believe, I believed it when I was Attorney General, I believe it applies to this Attorney General or current Attorney General. I hope he believes it as well. I believe it still — although it's probably not as important any more for the time being, Mr. Speaker — that we as legislators and as government, as executive government, should not leave to the courts protection of individual freedom, respect for minorities, and the rule of law. We should not for political purposes take action that we actually believe is unconstitutional or unlawful and let the courts sort it out and blame the courts if the decision's unpopular, that we should not always fall to the default position — which this government is in this case, in this motion — default position that the will of a majority and that's the answer. There aren't any other things to balance. There's nothing to be balanced in a strong democracy, but the will of the majority. That's not true.

All four of these pillars are important, Mr. Speaker, and all four of these pillars should be important to all branches of government, Mr. Speaker — not just to the executive, not just to the judiciary, not to the executive, not just to the legislature

but to all branches of government, they should be important.

And the protection of individual freedom, should it be important to this government as well, Mr. Speaker, as important to them as the will of the majority. And I can understand why they care more about the will of the majority, Mr. Speaker. I understand that, Mr. Speaker. But it's their responsibility as members of a government, even the executive branch of government, to be concerned with issues of individual freedom and, in the context of this motion, Mr. Speaker, particularly freedom of speech.

And unfortunately we see a Government House Leader's commitment to the freedom to speak of members of the opposition in this House, Mr. Speaker — people who are not part of the majority. We see his level of commitment in the quote that I've read. Quote, “. . . just start the debate and sit down and let it come to a vote after an hour or 20 minutes or whatever . . .”

Mr. Speaker . . . [inaudible interjection] . . . Yes whatever. Whatever, they call across. Whatever, they call across. The member from Moose Jaw North calls across, whatever, whatever. I assume since 20 minutes is shorter than an hour, a whatever is shorter than 20 minutes, Mr. Speaker.

So if the commitment to the freedom of speech — the ability of members in this legislature to speak and debate on what the government considers to be priority Bills of the House Leader — may be as expansive for the entire opposition, Mr. Speaker, on the part of the Government House Leader to an hour. The commitment of the member from Moose Jaw North who, I think, Mr. Speaker, should be concerned about his rights as a member of this Legislative Assembly but apparently is not, his commitment is something less than 20 minutes for the entire opposition, Mr. Speaker, because his commitment is to, as he calls out, whatever, Mr. Speaker. So that's the commitment from across the way to the pillar of democracy, the pillar of democracy of individual freedom and particularly freedom of speech, which takes me to the respect for minorities, Mr. Speaker.

And the Premier recently delivered a well-written and well-presented speech on the subject of respect for minorities, Mr. Speaker. And he, he . . .

An Hon. Member: — Yes well you should be thanking him for making you look good.

Mr. Quennell: — I would thank the member from Wood River for his comments if I thought they were sincere, Mr. Speaker. I would really be thankful, Mr. Speaker, if I thought, if I thought they were sincere.

But the Premier's remarks about minorities did put me in mind of remarks he had made earlier in the sitting because there's popular minorities, Mr. Speaker, and there's unpopular minorities. And really when we're concerned about democracy and having a true democracy, Mr. Speaker, we have to be concerned about the unpopular minorities, Mr. Speaker. And I think the Premier wanted to more associate himself with the popular minorities — the minorities that the majority is more likely to feel affection towards.

But the comments that came to mind of the Premier's is, when the contentious legislation, either Bill 5 or Bill 6, were introduced into the legislature and leaders of the trade union movement attended in the rotunda, and the Speaker — not the Speaker; I'm sorry, Mr. Speaker — the Premier rose in this House and referred to those leaders of the trade union movement as quote "swearing and sputtering" in the rotunda, Mr. Speaker.

A remarkable statement for a premier, I thought, a remarkable statement to make about any minority, any unpopular group or unpopular with the government. Certainly, Mr. Speaker, I can't think of a premier in recent history that would say such a thing in the legislature about any group that opposed legislation, whether they were swearing or sputtering in the rotunda or not.

And the fact is, Mr. Speaker, the Premier is a fine sputterer. He is an expert sputterer. He is practised at the art of sputtering. We see it often, Mr. Speaker. So coming from the Premier, that remark must have stung because he knows of what he speaks, Mr. Speaker.

I can't imagine that this Premier would say that about any other group of people, any other interest group. I can't. There's not a group, there's not a group that he would say that about, Mr. Speaker, without apologizing. And if he has apologized for the swearing and sputtering remark, then I apologize now. I'm not aware of that apology, but I would withdraw my remarks quite happily, Mr. Speaker . . . [inaudible interjection] . . . He has, but that's the respect for minorities that we see in the recent behaviour of our Premier, Mr. Speaker. If he doesn't agree with you, you're sputtering in the rotunda, Mr. Speaker. And that is the attitude of this government, and that's inappropriate.

I do want to say a few words . . . I mean what I just said now . . .

[20:30]

Mr. Yates: — Mr. Speaker, with leave to introduce guests.

The Deputy Speaker: — The member from Regina Dewdney has asked leave to introduce guests. Is leave granted?

Some Hon. Members: — Agreed.

INTRODUCTION OF GUESTS

Mr. Yates: — Thank you very much, Mr. Speaker. I'd like to introduce to you and to all members of the House through you, Mr. Speaker, a young lady sitting up in the east gallery.

Mr. Speaker, this young lady was so interested in the topic that we have been debating the last couple of days, she came to get some of my materials so she can write in fact a report for school, Mr. Speaker. And that young lady, Mr. Speaker, that young lady is the daughter of a good friend of mine. And I'd like to introduce to the House, Ms. Kristi Chester.

Hon. Members: — Hear, hear!

The Deputy Speaker: — I recognize the member from Saskatoon Meewasin.

GOVERNMENT MOTIONS

Sitting Times for the Assembly and Standing Committees (continued)

Mr. Quennell: — Thank you very much, Mr. Speaker. The issue of respect for minorities is central to the discussion that we're having, Mr. Speaker, because it's a minority within this legislature that is being oppressed by the government.

The rules are being changed unilaterally by the government. They're using the majority to do that, Mr. Speaker. It is directly contradictory to one of the fundamental principles of a democracy — the respect for minorities, Mr. Speaker. It's clearly, clearly the case, Mr. Speaker, and very central to my argument, very central to my thesis.

But I do want to talk just for a moment, Mr. Speaker, about invisible minorities because that's very relevant to some of the discussions that have been going on in the public and to a certain extent within this legislature over the last few days. To be discriminated against as a visible minority of course is wrong, and it's oppressive, and I'm not as eloquent as the Premier was in his prepared statements on this subject, but he spoke very well in that respect.

What I would call invisible minorities suffer from, in some respects, a greater burden. You can't necessarily identify members of the invisible minority, Mr. Speaker. And therefore members of an invisible minority are more likely to pretend that they are members of the majority, Mr. Speaker. And so what members of visible minorities are compelled to do, to band together in self-defence and solidarity, is not so easy for invisible minorities where members of the minority may pretend, perhaps by attacking the minority either in jokes or in other ways, to be part of the majority, Mr. Speaker.

Much more difficult to advance the cause of invisible minorities, whether it's Jews pretending to be Christians during the Inquisition or gay people pretending to be straight in current times. In some ways it's more oppressive not to be a member of a visible minority but to be part of a group that suffers discrimination if discovered and seen, Mr. Speaker. But I do not want to spend a great deal of time on that aspect of respect for minorities because it isn't close to the central matter under discussion.

Which takes me to the rule of law, Mr. Speaker. And as I understand it we have a government that, being faced with proclaimed legislation changing the character of the Gaming Corporation . . . I think it's the Gaming Corporation. Instead of coming into the legislature and repealing that legislation, in cabinet repeals the proclamation as if that's repealing the legislation. That speaks to arrogance, but it also speaks to complete misunderstanding of the rule of law and the role of the legislature, Mr. Speaker.

And of course we've seen their disrespect for independent commissions, particularly the Labour Relations Board. But it sets a tone that I think would make anyone concerned as to the independence of any commission, independent commission in this province, worry about the attitude of this government towards the rule of law.

But the rule of law of which we are directly speaking in this debate . . . if I can call it a debate, Mr. Speaker, if I can call it a debate, a discussion I suppose. The member from Regina Dewdney and I have been the only ones who have spoken since the Government House Leader, and I don't have the sense that I am debating with him.

But the rule of law that we're talking about is the rules of this legislature. I mean the reason that we have laws and the reason why democracy depends upon the rule of law . . . You can have the rule of law without having democracy, but you can't have democracy without having the rule of law. Democracy requires some certainty. It requires some certainty as to what your rights are, what your freedoms are, as limited as they might be under whatever laws you happen live. It requires some certainty as to your redress, as to your measure of equality before the law. It requires some certainty as to how the law is to be changed.

Now how the rules of this legislature changed, while they were negotiated between this party when it was in government and that party when it was in opposition, that party understood the rules, understood the certainty it gave them. Members talked about things that have happened in the past that predate my time in this legislature. These rules were to improve that situation. These rules were in place because members of the opposition, members of the government, recognized that previous circumstances had been unsatisfactory. And how do we prevent that from happening? How do we provide some certainty that that won't happen? How do we come to a mutual understanding of how this legislature will work to the benefit of government, to the benefit of the opposition? And we negotiated these rules, Mr. Speaker. And we exercised as the society that is this Legislative Chamber. As this Legislative Assembly we acted under our own rule of law.

But what's happened to the rule of law in this Assembly, Mr. Speaker? Well it's gone. It's gone. The majority has said oh forget about your freedom to speak and the public's freedom to hear what you have to say about legislation. Forget about those individual freedoms. Forget about our respect for you as a minority and, as I will come to later in my remarks, an essential part of how our represented democracy works.

It doesn't work very well without an opposition, Mr. Speaker. Forget about that — that respect for minority that is essential to how our democracy works — and forget about our rule of law. Forget about our rules, Mr. Speaker, because we are guided by the sole guiding principle of a mob which is the will of the majority, Mr. Speaker.

Now all this is being done, this abandonment of commitment to the freedom of members, this abandonment of respect for a minority within this legislature, and for the legislators on both side of the House, Mr. Speaker, the non-members of the cabinet of the Executive Council, the disrespect for all of us — the member for Wood River and I, really, Mr. Speaker — and disrespect for our rules and the rule of law and how we change our rules.

All of that, Mr. Speaker, is being done why? Why, Mr. Speaker? Because the government has a legislative agenda that they were too lazy and complacent and arrogant to organize — with advice, even with advice, Mr. Speaker — to organize so

that they could have it approved with certainty within the rules. That's why it's happening. That's why it's happening.

It's a matter of saving face. All of this, all these principles of democracy are being tossed aside because the government wants to save face on passing this legislation. Well I don't know if you're saving face, Mr. Speaker. How are they saving face? Sure they pass these pieces of legislation, but to do that they have to change the rules of the legislature. And they have to do it in public. I mean, I know nobody's watching now, Mr. Speaker. I'm not that naive.

But in the larger sense, I mean, this discussion is taking place in public, Mr. Speaker. They have to do that in public. And then the new rules, well I think the press might notice that the hours of the legislature have changed, Mr. Speaker. So I'm not sure how much face they're saving by doing that.

But they put some priority, symbolic priority, I think, primarily, Mr. Speaker, on the six pieces of priority legislation. And as I said before, Mr. Speaker, the member from Saskatoon Silver Springs from his seat said, well we have to pass this legislation because we have to keep our election commitments.

And as I said, Mr. Speaker, two Bills here, Mr. Speaker, are contradictory to the commitments of the governing party. They're things they said they wouldn't do. So if they pass this legislation, it's to do things that they said they wouldn't do. So I guess you keep three or four promises. You break two. I suppose the balance kind of works out for the member from Saskatoon Silver Springs. I guess it kind of works out for the government that you're keeping more commitments than you're actually breaking.

But in a way, Mr. Speaker, if we as an opposition had forced, had forced the government to send off to public hearings Bill 5, it would have had a salutary effect, Mr. Speaker. First of all, it would have put off the day that the Premier and the Minister of Health broke their commitment not to bring in essential services legislation, Mr. Speaker. It would put it off.

It would also allow the public to look at this legislation because the concept of essential services I think is widely liked, Mr. Speaker. It's approved of. It sounds good. I mean, nobody should have their safety put at jeopardy because of a work stoppage. I think it's a very hard concept to argue against, Mr. Speaker. But the public, I think, needs to see how the government is going to do this. Some comments, not left wing commentators, Mr. Speaker, have called this legislation a little ham-handed, a little bit extreme, perhaps more than was necessary for the government to achieve its stated purpose.

I think the opposition would have been assisting the government if we had been allowed to do our job and perhaps, in the case of this legislation — maybe one other piece of legislation, Mr. Speaker — put the government in the position where they had to go to the public or had the opportunity to go to the public, as they did over the winter and did not take but might take over the summer, Mr. Speaker, and talk to the public, Mr. Speaker.

The examples of how that has improved legislation are a number, Mr. Speaker. And I have to say — and with some

humility — that as minister of Justice I brought in amendments to The Consumer Protection Act around a number of matters including, I think of most interest to the public, fitness club membership, Mr. Speaker. That went to public hearings.

I thought as a minister of a government with a ministry, with all these officials — and we had done consultations, Mr. Speaker — I thought, how can this legislation possibly be improved? What is the point of going through this process of having members of a government, members of the opposition who were then members of the Saskatchewan Party, looking at this legislation in detail, hearing from people who could have expressed their views to the government previously? What is the point of doing that?

For the fact is, Mr. Speaker, that the legislation is improved. The legislation is improved for the input of the opposition. The legislation is improved by the input of the public. And the minister doesn't know everything, Mr. Speaker. The minister didn't know everything when I was the minister, and the minister certainly doesn't know everything now that someone else is the minister.

Another example where changes were made to legislation that I thought was required, urgently required — some members of the public certainly did not agree — was The Gunshot and Stab Wounds Mandatory Reporting Act, Mr. Speaker. That legislation was drafted, that was an improvement on the only similar legislation in the country, Ontario legislation, Mr. Speaker. We had the benefit of similar legislation from the United States, from many states and, as I said, had a ministry available to me, a department at the time available to me with officials, with professional draftspeople, people who do nothing but draft legislation. We consulted with health organizations in particular, Mr. Speaker, and we thought the legislation was pretty good, but we took it to public hearings.

[20:45]

The opposition had suggestions. Now we didn't take all of them. The public had suggestions. The public suggestions were for changes that were contradictory because some of the public was on one side of the discussion; some of the public was on the other side of the discussion. But the legislation was improved.

And again, as a minister I had to admit that I didn't know everything, that not all expertise, not all wisdom, not all knowledge falls within executive government, Mr. Speaker, and that is a humility that the members opposite, particularly the members of Executive Council, will need to learn, Mr. Speaker. For their own good, they'll need to learn it. And I think, Mr. Speaker, they're losing the opportunity. They're depriving themselves of the opportunity to learn that.

Another example, and it's not about legislation as such, Mr. Speaker, but I think a case where it wasn't so much that the government of the day learned a lot from public hearings, but the opposition of the day learned a lot from public hearings. And it's an experience that many of the members opposite might want to think about when they want to deny the public the opportunity to scrutinize any of these Bills. And that's the TILMA [Trade, Investment and Labour Mobility Agreement]

discussions and the TILMA hearings, Mr. Speaker.

We will remember . . . You won't remember from being here, Mr. Speaker, but others will remember from being here and others will remember from following the news and people active in political parties would remember in any case, Mr. Speaker, that the now Premier, then leader of the opposition, demanded at any number of question periods that the government sign TILMA today. TILMA could not wait. Why had TILMA not been signed? How could we allow Saskatchewan to fall behind and not join TILMA with BC [British Columbia] and Alberta? How could we do this? Why was it not signed yet?

Well the government didn't reject TILMA, Mr. Speaker. The government held public hearings, Mr. Speaker. And at the beginning of those hearings . . . my daughter went to some of those hearings, Mr. Speaker, and expressed some sympathy for her father that I would have to put myself through the boredom and the lengthy discussion of public hearings. Now of course I wasn't on the committee, so her sympathy was misplaced in this particular case, Mr. Speaker, but she still had sympathy for legislators who had to do that. But that was necessary and important work.

And I think members of the Saskatchewan Party who attended those hearings as committee members or otherwise, first of all began . . . very critical of speakers who spoke against TILMA. But it turned out, Mr. Speaker, that it wasn't just the usual suspects. It wasn't just the trade union movement that opposed TILMA. It turned out . . . And the opposition didn't realize this, Mr. Speaker, that municipalities, credit unions, and many other institutions within our province had concerns about TILMA, did not think that was the way to go, believed in freer interprovincial trade across the nation, but did not see the value and saw some dangers in TILMA.

And a leader of a party who had called stridently on occasions inside this Assembly, inside this Chamber and outside, for immediate signing of TILMA said if I became government I would not sign TILMA that day. And he hasn't, Mr. Speaker.

And what changed our now-Premier's mind, the then leader of the opposition's mind? Public hearings, Mr. Speaker — public hearings changed his mind. What is the concern of the members opposite about public scrutiny of these Bills? What do they think is going to happen in the province of Saskatchewan, where essential services have been provided during work stoppages, where nobody has died as a result of a strike in the summer — I think even in the winter in Saskatchewan — what do they think is going to happen in the province of Saskatchewan? What do they think is going to happen if the essential services Bill had to go to public hearings for the summer because of or not necessarily because of actions taken by the opposition?

And The Trade Union Amendment Act, the government has changed. The philosophy of government has changed. There's going to be changes to this legislation. That surprises no one, Mr. Speaker.

But what is the rush? Member of this government after member of this government, instead of answering the question that is

asked in question period, talks about the successes of the Saskatchewan economy. Saskatchewan is number one in this. Saskatchewan is number one in that. Population growth, GDP [gross domestic product] growth, every kind of investment — number one, number one, number one, number one. And guess what, Mr. Speaker? Not only were all those accomplishments accomplished in 2007 under an NDP [New Democratic Party] government, they were accomplished under the current trade union Act, Mr. Speaker.

So okay. The members opposite believe that we need what they would call a more competitive labour environment, even though all the accomplishments that they tout were accomplished within this labour environment. Surely they see not a great deal of urgency in having this legislation passed this spring as opposed to this fall. I'm not suggesting that necessarily Bill No. 6 would have to go out for public hearings, but what would have been, what would have been the great evil if in fact it had, Mr. Speaker? What would have been the great evil in that? There would have been none. There would have been no evil in any of these Bills not passing.

The reason why, the reason why we have to have this discussion, the reason why we have to have this debate, the reason why the members opposite to sit with pained expressions through my remarks is not entirely clear to me, Mr. Speaker. It's not entirely clear. What was so important about breaking a commitment on essential services? What was so important about breaking their commitments on balanced budget legislation? What's so important about changing the labour environment in Saskatchewan, a labour environment in which the Saskatchewan economy leads the country, Mr. Speaker? What is so important about bringing in the privatization provisions of the essential services Act, Mr. Speaker?

The government has set up its advisory board. The advisory council under the Enterprise Saskatchewan legislation has been set up. It's up. The members of that board were introduced to us. I joined in their introduction in this legislature. I remember that, Mr. Speaker. They're there. They're meeting. They're taking direction from the Premier and the Minister of Enterprise and Innovation and the Minister of Labour. And maybe they're actually listening to somebody else now. I don't know, Mr. Speaker. That's just how they started. But they're up and running.

So the only provisions that are needed . . . the legislation not needed to get that advisory group going, that advisory group is up and running. The only provisions that are in the legislation that I see that a government would need to do something different are in section 23 of that Bill. And section 23 of the Enterprise Saskatchewan Bill is the section that I call privatization by stealth. It's the section that allows the government to transfer Crown property and Crown employees over in Enterprise Saskatchewan.

Now members opposite, well they don't seem to be shouting out that that privatization by stealth is an unfair characterization. They may consider that to be unfair characterization. The acting chief executive officer of Enterprise Saskatchewan, the deputy minister of Enterprise and Innovation, said that the provisions that allow for the transfer of property, Crown property, from the Crown into Enterprise

Saskatchewan and then to be sold, are just there so the agency Enterprise Saskatchewan can get furniture and equipment from the Crowns, I guess in case Staples or Home Depot runs out of the type of equipment that they might need down there at Enterprise Saskatchewan.

That was an interesting remark because at some point in estimates I will ask the minister, or the deputy minister if the deputy minister wants to answer the question, as to why there is a specific provision for the transfer of real property — which is buildings and land, Mr. Speaker, not furniture and equipment — why that provision is in the Bill. If that's all that's intended here is to pick up used office equipment from SGI [Saskatchewan Government Insurance] instead of going down to Staples and buying the desks and chairs, Mr. Speaker, it doesn't seem reasonable to me.

But in any case, I don't think that this government intends to rush its privatization agenda, and I don't think it probably needs those provisions in place, even on its own agenda. Not that this government has shown that it understands its own agenda or the necessities of its own agenda, but I don't think that the government needs those provisions now.

So again it's a matter of pride. It's a matter of saving face — hardly reasons to run roughshod over the rights of the minority, certainly given the consequences and the costs of so doing, Mr. Speaker, and I guess in sort of the tradition of me quoting conservative thinkers and conservative statesmen this evening to attempt to persuade the members of the government that what they are doing is contrary to their own traditions and their own, if I dare say, intellectual heritage.

I have a few words from James Madison in the Federalist Papers when they were constructing the constitution of the United States, Mr. Speaker . . . [inaudible interjection] . . . And the Government House Leader is comparing this discussion to an argument in court. And I can tell you, Mr. Speaker, and the House Leader through you, that this is an entirely a different process, Mr. Speaker. In a civil trial, Mr. Speaker, it's assumed that the advocates come before the court as equals and that the people that they represent come to court as equals before the law. That's clearly not the assumption that the government brings into this House, Mr. Speaker. It's clearly not the assumption that the government brings into this House.

James Madison said — and he was very concerned about popular democracy and very concerned about factions and how that when you lose a powerful executive, Mr. Speaker, you lose cohesion within a society — James Madison said in Federalist Paper No. 10:

When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens [Mr. Speaker].

And that, Mr. Speaker, speaks to the danger of reducing democracy to the will of the majority, Mr. Speaker. And James Madison sets out on that danger, foreseen danger against which he wants to protect the young republic of which he was a member that:

When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens.

And that's what we're seeing today, Mr. Speaker, yesterday and today with this motion. A government that has . . . It's a majority government. It's a popular government, popular in both in the senses. Well maybe not as popular as it was when it was elected, Mr. Speaker, but popular in the sense that it represents the people and popular in the sense that it did well in the last election, Mr. Speaker.

And it has, because it's a majority, felt that it can sacrifice to its passions its symbols in this legislation, in its priority legislation in particular, its interests, the rights of other citizens, and particularly other citizens in the Legislative Assembly.

[21:00]

On the issue of democracy and preference perhaps for maybe less popular democratic system, James Madison said in Federalist Paper No. 10 as well:

. . . a pure democracy . . . can admit no cure for the mischiefs of faction. A common passion or interest will . . . be felt by a majority . . . and there is nothing to check the inducements to sacrifice the weaker party . . . Hence it is that democracies . . . have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths.

And James Madison, Mr. Speaker, was referring at the end to some of the examples from history that I have referred to earlier of democracies that came to an end, Mr. Speaker, because it's not secure that your society will always be a democracy because your society has been a democracy. And the lessons of history were there and the founders of the American republic wish to learn from them.

But I think the words that we must pay attention to, Mr. Speaker, are these: "A common passion or interest will . . . be felt by a majority . . . and there is nothing to check the inducements to sacrifice the weaker party . . ." And that's what we would see in a democracy in a Legislative Assembly without rules, without rules protecting the rights of minority, Mr. Speaker. That's why we have the rules. That's why it's not easy to change the rules, although I think we're learning it's easier than we might like. And the reason for that, and I have referred to it earlier, that if you believe that democracy can be reduced to the will of the majority, as it seems that the members of the government do, that in the words of James Madison: ". . . a common passion or interest will . . . be felt by a majority . . . and there is nothing to check the inducements to sacrifice the weaker party . . ."

Well, Mr. Speaker, in here the weaker party of course is the opposition. And if there's nothing to stop a majority, even if it's just simply acting out of pride, Mr. Speaker, which I think this majority is — you know, a little bit of embarrassment about its laziness and complacency, but a little bit of pride and arrogance as well — well why not sacrifice the interests of the weaker

party? Heaven forbid that the opposition use the rules that those members negotiated when they were in opposition. That seems to be the principle across the way, Mr. Speaker.

In Federalist Paper No. 51, James Madison said this:

But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. The provision for defense must in this, as in all other cases, be made commensurate to the danger of attack. Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.

Mr. Speaker, a dependence on the people — that is, the will of the majority — is no doubt the primary control on the government, the primary control, Mr. Speaker, not the only control, not in a true democracy that respects minorities, expects freedoms, expects the rule of law. ". . . [E]xperience has taught mankind," says James Madison, "the necessity of auxiliary precautions." And those auxiliary precautions are our rights. Those rights, those freedoms, the security of the rule of law I have more to say. I have more to say or more to quote from James Madison from the Federalist Paper No. 51 and to comment on, and I will get to those momentarily, Mr. Speaker.

The Acting Speaker (Mr. McMillan): — Why is the member on his feet?

Mr. Calvert: — Mr. Speaker, with leave to introduce guests in the legislature.

The Acting Speaker (Mr. McMillan): — I recognize the member for . . . Oh is leave given?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. McMillan): — I recognize the member from Saskatoon Riversdale.

INTRODUCTION OF GUESTS

Mr. Calvert: — Thank you very much, Mr. Speaker. It is my pleasure to welcome to the legislature this evening a guest who has recently joined us. He's sitting in the gallery, a long-time friend and someone I worked very closely with for a number of years who, since having had his experience in public life, has gone on to do some business work of his own, and I think in the

future will be doing some public service work.

So I would ask all members who are in the Chamber tonight to give a very warm welcome to Mr. Benn Greer, who has joined us. Welcome.

Hon. Members: — Hear, hear!

The Acting Speaker (Mr. McMillan): — I recognize the member for Saskatoon Meewasin.

GOVERNMENT MOTIONS

Sitting Times for the Assembly and Standing Committees (continued)

Mr. Quennell: — The moment I referred to earlier I think is now. “It is of great importance in a republic . . .” Sorry, for the benefit of Hansard, Mr. Madison, quote:

It is of great importance in a republic not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure.

And of course, again, Mr. Speaker, the rights of the minority in a legislature are the central question of this debate, of this discussion, Mr. Speaker, and how those rights are to be amended and changed and whether those rights should be amended and changed by the action of the majority alone, particularly a majority that . . . well, Mr. Speaker, it had other choices, Mr. Speaker.

As a matter of fact, it was set out on a calendar, a fairly easy planning document as the member has said, exactly how to avoid inflicting the will of the majority to oppress the minority in this legislature. The government in a combination of laziness, complacency, and arrogance chose not to take the steps that would have prevented the necessity in the government’s mind of oppressing the minority in this legislature. It chose not to take those steps, Mr. Speaker.

Those are clear to them, those were obvious to them. Matter of fact, they were as simple as sitting a week earlier, Mr. Speaker, as we know. They chose not to take those steps. They chose instead to use their majority to inflict their will on the minority.

A concern about tyranny of the majority raised by de Tocqueville in *Democracy in America*, it is the central, it’s the central concern of democracy and how to make a democracy work. I think the Government House Leader is thanking me for some enlightenment that I have cast over in his direction, but I can’t tell without ceasing to speak, Mr. Speaker, and I don’t want to do that.

James Madison, again in Federalist Papers No. 51 says this. And both the Minister of Justice and other members of Executive Council may want to listen carefully, or they may not, Mr. Speaker. That’s more likely to be their practice; it’s certainly been the practice than their history. Quote:

Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained, or until liberty be lost in the pursuit. In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign as in a state of nature, where the weaker individual is not secured against the violence of the stronger; and as, in the latter state, even the stronger individuals are prompted, by the uncertainty of their condition, to submit to a government which may protect the weak as well as themselves; so, in the former state, will the more powerful factions or parties be gradually induced, by a like motive, to wish for a government which will protect all parties, the weaker as well as the more powerful.

We see that there is reason why even a majority will want a democracy even though they may not always be a majority. As a matter of fact the reason they may want a democracy is because they will not always be in the majority. The reason why the majority across the way, Mr. Speaker, should have more respect for the opposition and more respect for the rules that they negotiated when they were in opposition is of course majorities are not always majorities.

And I know to the members opposite the next election or the election that they could possibly foresee being defeated in even are both very distant in the future. But, Mr. Speaker, we know that they are there. We know that they are there. And even if that occurrence is after every member of this House is gone . . . and of course that won’t be the case. Mr. Speaker. I’m sure you’ll be here when there’s a change of government or you’re likely to be. But even if that was the case, Mr. Speaker, it’s not what we owe to ourselves as individuals. It’s not what we owe to ourselves, our future selves. It’s what we owe, Mr. Speaker, it’s what we owe to this institution. It’s what we owe to the values that this institution is here to protect and to advance, Mr. Speaker.

That’s why, that’s why every member of this legislature, government and opposition, should be concerned about the rules that protect the opposition and the opposition’s role in this legislature, Mr. Speaker.

Now I know some members have been impatient and perhaps have found difficult understanding the discussion of the principles of democracy using other jurisdictions, other societies, other governments, other democratic systems, Mr. Speaker. So I come to the principles of Canadian parliamentary law, but these are built on the same foundations as the discussions about protection from the tyranny of the majority, James Madison, under token Federalist Papers. These are built on the same history, the same concern about the events of history, that other drafters of constitutions address themselves to.

Principles of Canadian parliamentary law have much in common, much in common with other democratic thought as it has developed over the centuries. The number one principle set out in Beauchesne’s, Mr. Speaker . . . The first part of Beauchesne’s is “Content and Sources of Parliamentary Procedure.” The first part of that part is “Principles of Parliamentary Law” and the first paragraph of that part, Mr.

Speaker . . . So the opening words of the treatise on parliamentary law are these, Mr. Speaker, that I'm going to read. Quote:

The principles of Canadian parliamentary law are: To protect a minority and restrain the improvidence or tyranny of a majority; to secure the transaction of public business in an orderly manner; to enable every Member to express opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time; to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse.

Every now . . . I think it's the member from Moose Jaw North goes, what is he talking about? Well, Mr. Speaker, that is what I'm talking about. That is what I'm talking about, the principles of parliamentary law. They are not unique to Canada, as I think my discussion has shown; we make them up. And they are set out as such: "To protect a minority and restrain the improvidence or tyranny of a majority," to allow "every Member to express opinions," "to give abundant opportunity for the consideration of every measure," Mr. Speaker.

It is these principles set out here that are being violated by the action of the government, that are being challenged by the motion the government made, Mr. Speaker. That's the circumstance, Mr. Speaker. That is the circumstance. That is the result. That is the intent of what the government has done: to impose the tyranny of the majority on this legislature, to impose it on the opposition.

[21:15]

I want to quote a few words from a paper prepared by John Wilson, "In Defence of Parliamentary Opposition." This article was written by John Wilson when he was a professor of the political science department at the University of Waterloo. And I think at the beginning of his paper he sets out well the position and the attitude of the government. Unfortunately, he says this, quote:

Experience has taught me that most people regard parliamentary opposition as an enormous waste of time, a wholly improper use of public money, and something there ought to be less of. The government has a job . . . [they] do, they say. Let it get on with it.

I stop there, Mr. Speaker, because last night the member from Wood River yelled out at the member from Regina Dewdney, we're here to govern. I think he was expressing the attitude of some people who don't believe there should be a parliamentary opposition, who say the government has a job to do. They say, let's get on with it. The member from Wood River said, we're here to govern. And I guess he would think that we're just here to talk, Mr. Speaker, and talking isn't very important and governing is very important.

The member from Wood River actually, I think, is wrong. He wasn't elected to govern. He may have thought he was elected to govern. But you don't really know, even after you've been elected to the majority, to the government side of the House, as a member of the party that has the most seats in the House, and

that the government will have confidence of that majority, Mr. Speaker, you really don't know if you're elected to govern until the Premier puts you in the government.

And in the case of the member from Wood River, he didn't do that, Mr. Speaker. He put his seatmate in the government, but he didn't put the member from Wood River in the government. The member from Wood River in some ways is no more here to govern than I am, Mr. Speaker, as a matter of fact. We're both here as members of the Legislative Assembly, and we both have another purpose to be here. But I guess in my case, an additional purpose over the member from Wood River in that I'm here to provide a part of Her Majesty's Loyal Opposition.

I go on to quote Mr. Wilson further, quote:

For such people, parliamentary opposition is, in a word, a nuisance. But anyone who has the slightest familiarity with the evolution of the British system of government knows that Her Majesty's Loyal Opposition is just as essential to its success as Her Majesty's Government. The connection is obvious. If there is a case for opposition there must also be a case for nuisances and it may therefore be useful to discover more precisely what that case may be.

Mr. Speaker, I don't know if any of the government members have actually called us a nuisance in this debate or discussion, so I won't suggest that they have. Mr. Wilson goes on to say, quote:

Nuisances are people who vigorously and persistently pester and challenge those in authority. They are the people who deliberately try to embarrass the leadership at a trade union or shareholders meeting — or who heckle and who are removed from political meetings — or, perhaps, they are academics who quibble over what are said to be small points. Nuisances are people who get in everybody's way, and they can be found in every walk of life.

The member from Kindersley is being quite helpful. He has agreed that for the benefit of my remarks in this discussion he will hold out that the members of the opposition are a nuisance. Quote:

Some people think being a nuisance is simply freedom of expression gone mad. But it is not just people doing and saying what they like; it's freedom of expression directed at particular individuals. What the nuisance does is challenge the quaint notion — so often held not just by prime ministers and presidents, but also . . . by university professors and teachers of all kinds — the notion that such people have a corner on knowledge, and that simple folk are expected to shut up and listen to them.

Mr. Speaker, well that's the attitude of the government in a nutshell. That's the attitude of the government in respect to whatever the opposition might have to say about the government's legislation, about its legislative agenda. In the words of the House Leader, debate it for an hour, 20 minutes, whatever, and sit down, Mr. Speaker — essentially shut up and listen to the government.

But Mr. Wilson goes on to say:

But when we talk of responsible democratic government, as opposed to dictatorship, we are really talking about a political system where the government is made accountable not just to the people every four or five years, but also to a continuing assembly of individuals elected to represent the people.

In other words, Mr. Speaker, at least in the view of John Wilson, which I share, the last consultation of the Government of Saskatchewan was not held, as they might argue, on November 7, 2007. That consultation has to continue with the public, and that consultation has to continue, according to Mr. Wilson, with representatives of the public who are elected to hold the government accountable, and that, Mr. Speaker, whether the government likes it or not, is Her Majesty's Loyal Opposition.

Mr. Wilson goes on to say, quote:

It is not at all difficult to move from that perception to the idea that opposition is really more important than government — especially in a parliamentary system . . .

Well I doubt if you'll get that recognition from the members opposite, Mr. Speaker. Mr. Wilson goes on to say, quote:

The characteristic political activity of a democratic society is the regular calling to account of its leaders. That is what allows us to claim we are a developed country in political terms.

Well, Mr. Speaker, I share with the members the wish that I was better able to call them into account. But I am what I am, and I am the man that Saskatoon Meewasin sent to represent them and to hold this government to account. And, Mr. Speaker, it is my role to be a nuisance . . . [inaudible interjection] . . . Ah, you see here, Mr. Speaker, the member from Kindersley would suggest that he has listened to me too long, far too long I think he would think. But he seems to have missed the point, Mr. Speaker, he seems to have missed the point entirely. The member from Kindersley, the Minister of Energy and Resources, says that I will have the opportunity to carry out my role in this legislature when I vote. That's part of it, he concedes, that's part of it.

Okay, Mr. Speaker. I have been speaking, I have been speaking about the other part, and I will go on to speak about the other part, and that is to hold the government to account. And in this case, Mr. Speaker, hold it to account for its incompetence, its laziness, complacency, and arrogance, its failure to manage its own legislative agenda, and its response to its failure to manage its own legislative agenda, which is to run roughshod over the opposition and the rules of this House.

Mr. Wilson goes on to say, quote:

The key to understanding why opposition is so important in parliamentary systems lies in the very nature of the Westminster model . . . there very clearly is a written British constitution. It has two sentences: "There shall be a parliament. It can do anything it pleases."

Mr. Speaker, and the Westminster model is the model of cabinet responsibility, collective decision making by a cabinet. And while we're on the subject of incompetence, which is central to this discussion because the incompetence of managing the legislative agenda is partly what brings us here, Mr. Speaker, and partly the response of the government to its errors . . . But while we're on the Westminster models, it's the Westminster model that provides for collective decisions by members of government, by the Executive Council of government, and collective responsibility for those decisions.

Which makes the recent occurrence where a minister of the Crown, who would have you'd think under the Westminster model, Mr. Speaker, brought proposals to Treasury Board, of which she's a member — this is the Minister of Social Services, Mr. Speaker — brought proposals to a Treasury Board, brought proposals to a cabinet, been involved in the discussion of the proposals, not only her proposals but the proposals of all ministers, and then been charged with communicating that policy to the government, communicating that policy to the public.

We had the interesting situation which you would think could not take place under the Westminster model, not a competent example of the Westminster model of government. We had an example where a minister claimed to have read about policies that must have been approved at a table where she sits, that claims that she read about those policies in the newspaper after they had taken effect. I digress slightly, Mr. Speaker, I admit that.

Mr. Wilson goes on to say, "It is this fact — that in theory the government can be removed from office at any time — that is the other side of the coin of parliamentary sovereignty [Mr. Speaker]."

And that of course depends on the confidence of the House, and the confidence of the House as we've seen. Even in the case of majority governments, in the case of the Devine government — the very end of the Devine government — the confidence of the House, even in a majority government, is not necessarily guaranteed to that government, Mr. Speaker, if they lose the confidence of its private members, which this government wishes to take for granted, Mr. Speaker.

Mr. Wilson goes on to say, and I think this is a central thesis, Mr. Speaker, as it is mine. So it's appropriate that I quote him, quote:

. . . we simply must have a vigorous and determined opposition. Its job, almost by definition, will be not merely to watch what the government proposes to do, but to harass the government with all the strength it can muster. Why? Because only by harassment can you keep untrammelled authority respecting its limitations — by constantly forcing it to take a second, or even a third or fourth look at what it is doing. In that process the characteristic component is not simply debate — because governments with majorities do not lose debates — but a capacity to make the government fear for its political life over the longer term.

Well, Mr. Speaker, the role of the opposition is to make

government difficult. I think that's what Mr. Wilson is saying. The role of the opposition is to make the life of government difficult. And the government needs to recognize that. It needs to recognize that, Mr. Speaker.

In another quotation from a conservative thinker — and again only partly for the enjoyment and appreciation of the member from Saskatoon Northwest — partly because or mostly because it's an important point, Edmund Burke said, quote:

He that wrestles with us strengthens our nerves and sharpens our skill. Our antagonist is our helper.

Mr. Speaker, the opposition if it is allowed to do its work makes for better government. If the government would have taken the lesson that the opposition and its own mismanagement of its legislative agenda would have taught it, it would have made this government a better government, Mr. Speaker. Legislation may not have passed this spring; it may have very well have passed this spring, Mr. Speaker. As the member from Regina Dewdney pointed out the government has pushed a panic button.

The government has made assumptions about what was going to happen to its legislation. If its legislation had not passed this spring, what would have been, what would have been the dire consequence? What would have been the evil? Well none — none. There is no concern about any of these pieces. Maybe Bill 1, Mr. Speaker, maybe the provisions of Bill 1. But the provisions of Bill 1 certainly could have passed, Mr. Speaker. The opposition could not have held up all these Bills.

If the government had taken the lesson about the necessity to respect the opposition, to respect the rules and learn from this that the government needs to do a better job of managing its own agenda, the government needs to do a better job of using a majority of two-thirds of this House — if the government had learned that lesson, Mr. Speaker, that would have been to the government's benefit. That would not have been to the opposition's benefit, Mr. Speaker. That would have been to the government's benefit.

But the government decided to learn another lesson. The government decided to learn that if the rules that you negotiated aren't working for you exactly the way you want because, hey, it didn't give you the week off you wanted and it doesn't give you the legislation you wanted, if the rules aren't working exactly the way you want, well you just change them, Mr. Speaker.

[21:30]

Now the member of Kindersley wants to go back, wants to go back to events that took place in the past, which I have no interest in defending, Mr. Speaker. These rules were negotiated by this party now in opposition, that party that was in opposition, Mr. Speaker, were negotiated by these parties because those events were unsatisfactory. They were unsatisfactory to the government of the day. They were unsatisfactory to the government of today, Mr. Speaker, and that's why those rules are changed. That's why those rules were put in place.

And within weeks, within weeks of sitting in this legislature —

what? — four weeks of sitting in this legislature, Mr. Speaker? Five weeks of sitting in this legislature? Within that brief time, Mr. Speaker, this government has already abandoned the rules to which they were so strongly committed to as an opposition.

It didn't take them very long, Mr. Speaker. It didn't take very long. And the justification? Well the things that happened before we had these rules, things that happened to cause us to negotiate these rules.

Well that's a strange justification, Mr. Speaker. We're going to break the rules, the laws that we brought in that were to protect us from the abuses we didn't like. Well that doesn't show a lot of respect for the rules that you brought in to protect yourself from the abuses you didn't like.

And I guess, Mr. Speaker, I guess the only conclusion one can possibly come to, the only conclusion you can possibly come to is that — the only conclusion you can possibly come to, Mr. Speaker — is that the members opposite only liked the protection of these rules, only liked the protection of these rules while they were in opposition, Mr. Speaker. They're five weeks in the government; they don't care about the protection of the opposition any more, Mr. Speaker. A very, very, very cynical position.

I see, I see, Mr. Speaker — I guess I probably shouldn't be able see under the rules of the House — but I see, Mr. Speaker, that my speech has gone quite a bit down in the opinion of the member from Wood River from where it might have been earlier. And I regret that, Mr. Speaker.

I regret that because I've been speaking in large part not to the members of the government alone — attempting to persuade them, the members of government in the sense of members of cabinet, Mr. Speaker, and attempting to persuade them that they are abusing their power — but to private members who I think might be more sympathetic to the argument that not all power in this legislature should rest in Executive Council and that those members be mere voting machines. But I see that the member from Wood River takes a lot of pleasure in being a voting machine, Mr. Speaker, so maybe I shouldn't be so concerned about him.

Mr. Wilson goes on to say, "The role of the opposition has become so central to our way of doing things that we formally recognize it in a number of different ways." And, you know, in any legislature, probably even the Westminster model, which is certainly ours, Mr. Speaker, that is the case — that the opposition is formally represented in a way that of course it isn't in the American legislature, Mr. Speaker, where opposition and government are far more fluid and the separation from executive power is more closely defined. They don't have members of the executive in the American model, in the legislature, answering to the opposition, Mr. Speaker. And I think the members of this government would like it that way, but they can't go that far. They can go as far as they're going, but they can't go that far.

My stepfather, Mr. Speaker, is an American, originally from Wisconsin, and lives with my mother in Florida now. And one day they were here in the legislature and I introduced them. Of course that was before the last election, so I introduced them

from the government side of the House, and I think I took questions that day as minister of Justice. And afterwards, my stepfather was shocked — he was an American in his 80s — he was shocked. He was shocked that members of the legislature, state legislature as he would have seen it, would be able to treat a cabinet minister the way that members of Her Majesty's Loyal Opposition on a daily basis treat members of the government, Mr. Speaker.

That I think, Mr. Speaker, is the glory, the glory of the Westminster model. That is the glory of the British system. And with the greatest respect to our great neighbour to the south and to all the work that James Madison and the other architects of the American Constitution, with the greatest respect to them, I think our system of democracy is the crown. It's the crown of democracies.

And it's still a very limited form of government in the world. Many, many people do not have the benefit of living under the rule of law in societies that respect minorities, that protect personal freedoms, and that are governed with those checks and balances by the rule of the majority. But of the happy people that do, I believe that those of us governed by the Westminster model are indeed the most fortunate, Mr. Speaker, because there isn't a separation. There isn't the separation there is in the American model between executive power and legislative power.

But in our model, there is that daily accountability, when we are sitting in this legislature, of the executive to Her Majesty's Loyal Opposition. That's the glory of our system. That's what we should celebrate. That is not, unfortunately, what a majority of the members of this Legislative Assembly are celebrating now, Mr. Speaker.

Mr. Speaker, they are celebrating, they're revelling in the fact that they are in the majority. That's what they're celebrating, and that's not what they should be celebrating, Mr. Speaker. They should be celebrating the traditions, the rights, the protections of our heritage. Our heritage — this system of government, this system that appreciates, Mr. Speaker, that the opposition and the confrontation between the opposition and the government in the legislature is key to the working of our government and our democracy.

Mr. Wilson goes on to say, that is always — quote:

That is always what those in authority say. "You're holding us up. Let us get on with the job."

Yes, and a member of the government has co-operated quite nicely by echoing what Mr. Wilson says those always in authority say, "You're holding us up. Let us get on with the job."

I'll end the quote there, Mr. Speaker, because isn't that, isn't that the essence, isn't that the essence of what the Government House Leader had to say when he moved the motion? Isn't that the essence of this motion?

Oh well it's not really our fault because we failed to take advice that would allow us to get our work done in the time allowed. We weren't really . . . [inaudible] . . . doing that work. It's

really your fault because, in the words of authority, you're holding us up; let's get on with the job.

In the words of the Government House Leader -- and I should perhaps be careful and make sure that I quote him precisely — it translates from, you're holding us up; get on with the job to, quote, ". . . just start the debate and sit down and let it come to a vote after an hour or 20 minutes or whatever . . ."

Well maybe it's the member from Moose Jaw North says, well that makes sense. Well you know, making the trains run on time, Mr. Speaker, always makes sense. And it's a good thing, Mr. Speaker. But there are other values. There are other interests. And in the end, people are not necessarily benefitted by the simplest, Mr. Speaker. They're not necessarily benefitted by what can be most easily understood by the member from Moose Jaw North, Mr. Speaker.

Now I digress a little because of the interruption, Mr. Speaker, but I will give the full quote.

That is always what those in authority say. "You're holding us up. Let us get on with the job." But it is precisely the opposition's role to stop the government in its tracks, and to delay the passage of government measures just long enough to allow the expression of informed public opinion.

Well, Mr. Speaker, very succinctly puts the argument that the member from Regina Dewdney and I have been trying to make — perhaps not quite as concisely, perhaps not quite as succinctly as that — that it is precisely, it is precisely the opposition's role to not allow the government to rush its legislative agenda through the House. It is precisely the opposition's role to stop the government from doing that. It's precisely the government's role to delay the passage of government measures just long enough to allow the expression of informed public opinion.

And, Mr. Speaker, the expression of informed public opinion is exactly, exactly what this government wants to avoid. It's exactly what this government wants to avoid . . . [inaudible interjection] . . . Mr. Speaker, no, the member is wrong. The member is wrong. The government is not giving the opposition more opportunity to debate the motion. The member has not been paying attention to his own government's motion.

The rules, Mr. Speaker, the rules give the opposition the opportunity to debate each Bill for 20 hours. The rules give that opportunity. What, what, what the measure of the government does, Mr. Speaker, what the measure of the government does is, having realized that they do not have time for measured debate and discussion in the hours when people are awake or that they might have to delay some legislation, Mr. Speaker, delay some legislation to the fall to allow for the full expression of an informed public opinion — having realized that — the government measure is not to give something to the opposition. The House Leader would have the opposition cut its debate time from 20 hours to 20 minutes, Mr. Speaker. That was quite clear. That's the government's approach.

What the government is forced to do, given the opposition's right to debate and discuss this legislation, Mr. Speaker, is to

cram the discussion on this legislation —to cram this discussion on this legislation into the remaining days of this sitting, Mr. Speaker. That's what the government measure is. And a member of the government who doesn't know what the motion says, Mr. Speaker, perhaps should keep his remarks to himself, Mr. Speaker, in my humble opinion.

Mr. Wilson goes on to say, quote:

Constructive obstruction is needed in a parliamentary system, just as it is needed in society as a whole. Those in authority must constantly be forced to face the music.

I will apologize for not being a better musician, Mr. Speaker. I appreciate that there's been a lot of dissonance tonight in my remarks, that they have rambled, Mr. Speaker, that they have digressed on occasion, Mr. Speaker, that they have not been as learned and eloquent as I might have hoped. I will admit all of that, Mr. Speaker. But government has to be formed out of human beings, and the opposition has to be formed from human beings.

And the members of Saskatoon Meewasin had excellent choices, Mr. Speaker. The Saskatchewan Party put forward an excellent candidate who came very close to winning the seat, Mr. Speaker. And the Liberals of course ran the leader in Saskatoon Meewasin, Mr. Speaker. And despite that, despite the quality of the opposition I faced from two political parties in Saskatoon Meewasin, Mr. Speaker, the people of Saskatoon Meewasin in their wisdom — perhaps their poor judgement, Mr. Speaker, but I would never say so — in their wisdom sent me.

So, Mr. Speaker, this government has this opposition, and I'm a member of it. And it is my responsibility — I think Mr. Wilson is correct — it is my responsibility to ensure that this government faces the music. Again I apologize to all members of the House. I wish I was a better musician but I will do the best that I can.

And I will do the best that I can within the rules and what I would ask of the government is that they respect the opposition. What I would ask of the government is that they would respect the rules, Mr. Speaker. How soon they forget, Mr. Speaker. And again the member from Kindersley — I think I've lulled him to sleep now — the member from Kindersley spoke about events that he witnessed when he was here. And I don't wish to question that those took place. And it was those very events, I believe, Mr. Speaker, that caused changes in the rules. Members of this Legislative Assembly did not want to see a repetition of those events.

[21:45]

So there's something you don't like. There's an evil in society. Mr. Speaker, this is fundamental to us as legislators. This is at the very core of what we do. We see an evil in society that we don't want, that our people don't want. We debate and discuss how to address it. The government in all likelihood makes the proposal —there are private members' Bills from this side of the House — the government in all likelihood makes the proposal about how to address it. It's debated in this legislature. We pass a law to address the evil. That's what we do to make

things better. To promote a good or to address an evil that we see in our society, we bring in laws against those.

So this group of people, in the laws that govern it in its rules, saw evils. The member from Kindersley, if he was to rise in this debate, could speak of them first-hand, I think, because he mentions them from his seat. These were unacceptable to my predecessors here, Mr. Speaker. And they worked together, opposition and government. The parties were reversed at the time, but still worked together, the same parties that are here now, Mr. Speaker, playing in different roles. They worked together to develop rules, laws for this Chamber, for this Assembly, to correct those evils which I will not defend, Mr. Speaker, for two reasons.

First of all, I am not familiar enough with the history to do that. And secondly I suspect in some cases I might agree they're indefensible. I certainly am not bound by any caucus solidarity now to defend the actions of a previous caucus, even an NDP caucus, Mr. Speaker. I don't think I am.

But it's a very strange view of the law that we see an evil, we pass a law, and then when the law is inconvenient to us, and particularly when it's inconvenient to the very people that passed it to a legislature, when the law is inconvenient to us we say, well we'll change the law. We'll ignore it because we found that living under it as a government for five weeks is intolerable — five weeks, Mr. Speaker, five weeks. They live under a set of rules for five weeks as a government, and they find them intolerable and they need to be changed.

And what is the defence? It's not the defence of the entire government, I accept that. I have made some sweeping statements and some sweeping generalizations tonight — I am sometimes subject to those, Mr. Speaker — but it is certainly in the defence of the Minister of Energy and Resources. His defence is, well these abuses took place. But those are the abuses that caused the laws to come into existence.

I've never heard . . . The Government House Leader asked if I'd ever won a case as a lawyer, and I have to admit I didn't win as many as I would have liked to have won, but I think most lawyers can say that. But I've never heard a defence to breaking the law that the law was brought in to protect against abuses that I suffered in the past. Surely, surely that's the law that you want to protect. That's the law you want to stand up for — the one that was brought in to end the abuses that you suffered in the past.

What law could you have more commitment to than that, Mr. Speaker? Really to what rules could the members opposite have more commitment to than the rules that they negotiated, brought in to correct the injustices of which the member from Kindersley complains? I guess none, Mr. Speaker. I guess none. And yet they have insufficient commitment to these rules, Mr. Speaker. So I guess my argument ends up in a very disheartening, very disheartening place.

I go on with Mr. Wilson's argument, which is well-made. And again, Mr. Speaker, Mr. Wilson here speaks to an ideal that I will not pretend that I've always been able to live up to over the last four years and that as a group I don't think we've always been able to live up to. But it is the ideal of the British way of

doing things. And Professor Wilson says this, quote, “One of the great accomplishments of the evolution of the British way of doing things is that it has taught us how to disagree without being disagreeable.”

Well, Mr. Speaker, I’m going to have to write these words down someplace where I can see them every day, particularly when I come into the House. And I think I might have them engraved on a card and given to the member from Moose Jaw North who keeps yelling out, what are you talking about? And I think maybe both of us could learn a great deal from trying to address, to the extent that we can, that ideal that Professor Wilson calls an accomplishment, quote, “One of the great accomplishments of the British way of doing things is that it has taught us how to disagree without being disagreeable.”

I wish I could say . . . I wish I could agree with Professor Wilson on that point with the same confidence that I’ve agreed with him on so many of the other points that I have cited from his paper. However it is the ideal, and I do think that it points to, it points to how the system is meant to work and largely works, Mr. Speaker, where the opposition, by playing its role, is as important to the governance of a country as the government is itself. I think there’s many members opposite who a few brief months ago would have had no difficulty with that proposition that have now unfortunately reversed themselves.

Eventually Professor Wilson returns to the subject matter of being a nuisance, Mr. Speaker. And I quote again:

The virtue of being a nuisance lies in something much less dramatic. In our society — in any society — we are surrounded by people who are much more powerful than we are. They are wealthier than us, or stronger, or faster, or smarter, or slicker — or whatever. They all threaten the development of a genuinely egalitarian society by the undue exercise of their powers to gain their own way. And just as there is a built-in mechanism in a parliamentary system to deny government an easy passage — a mechanism which thrives on nuisancehood — so in society at large we have the capacity, if we but learn . . . it, to deny those more powerful than ourselves an easy passage.

By doing this, by being a nuisance who gets in the way of an easy passage; by constantly badgering those in authority; by forcing them to answer for their stewardship — not at every general election, but every day — we will be teaching them that they must accept the necessity of their accountability. We will be showing them, as Eugene Forsey so nicely put it some years ago, that “it is our Parliament, not theirs. They are our servants, not our masters.” What calling could possibly be more virtuous?

Mr. Speaker, that is the role of an opposition. That is the reason why we have rules protecting their role, Mr. Speaker, because the member from Kindersley was wrong. And he admits he was wrong. He’s stopped saying it. He’s stopped saying it. I don’t think he said it this spring. But he’s wrong when he said in December, Mr. Speaker . . . Mr. Speaker, I’ll return to that point. I don’t want to digress but the members opposite are quite fond of calling out to members who have been on their feet for, you know, some small amount of time, Mr. Speaker,

calling out to them about the speed at which they should speak, Mr. Speaker, the speed at which they should speak, the cadence, the volume, Mr. Speaker.

It’s not enough, it’s not enough for some members of the government to want to cut off debate. It’s not enough of members of the government to impose their will on the minority, on the opposition with respect the rules. It’s not enough for the government to oppress the opposition to correct their own incompetence around managing the Legislative Assembly. When we have some limited time to protest, Mr. Speaker, some members of the government are so arrogant that they want to tell us how loudly to speak, how quietly to speak, how quickly to speak, now when to move on to another point, Mr. Speaker.

Well if they could, Mr. Speaker, they could, they would do what the Government House Leader wanted to do, wanted to do. This was a solution, Mr. Speaker. If they could, they would have us just, in the words of the Government House Leader: just start the debate and sit down and let it come to a vote after an hour or 20 minutes or whatever. That’s what they would do if they could do. There’s no limit to what they would do if they could do, Mr. Speaker. The attitude is quite apparent. But again the member from Kindersley has called upon me to digress a little bit and to waiver from my argument.

I’ll return to one last quotation from Professor Wilson’s paper.

. . . an understanding of the principle of the necessity of opposition — which lies at the heart of the successful practice of parliamentary government — shows that in society generally we should encourage every nuisance we can find. Indeed, we should pay homage to them, for theirs is every bit as noble a calling as is Caesar’s.

End quote. I just end quote, Mr. Speaker, because I don’t know if you were necessarily paying close attention to my dissertation on the fall of the Roman republic. So this sort of reminded me of that and if members wanted me to return to that, I think I might have a little bit of time, but unless I hear a call for it, I won’t do it.

I will go on with . . . [inaudible interjection] . . . the member from Moose Jaw North is a bit of a broken record, Mr. Speaker. I note that in the rules on this debate that the speakers in the debate are not allowed to be repetitious in their quotations. Otherwise I think the member would be violating the rules of . . . well he would be violating the rules of the debate if he was on his feet. The member from Moose Jaw North keeps quoting himself. It’s a sort of a receding echo, echo, echo, echo, Doppler effect of, what are you talking about, what are you talking about, what are you talking about? Mr. Speaker, maybe if that’s his contribution to this debate entirely, he should be asking you, Mr. Speaker, what the member is talking about and at least address himself through the Chair, Mr. Speaker.

Anyways I will continue with Professor Wilson. I don’t think the member from Moose Jaw North understands what he’s talking about either, Mr. Speaker. But I don’t think the member from Moose Jaw North cares to understand what he’s talking about either, to be quite honest. I don’t think that the member from Moose Jaw North is that incapable of understanding, Mr.

Speaker, I really don't believe that. I have a much higher opinion of him.

Professor Wilson says, quote:

They are the people in our midst who draw attention to abuses of authority, wherever they occur. They are the little boy who insists that the emperor has no clothes on. They are Socrates, Antigone, Gallileo, Milton, Bonnie Prince Charlie, Thomas Jefferson . . .

I regret, Mr. Speaker, that I didn't get the chance to discuss the thought of Thomas Jefferson, except in passing remarks about the Declaration of Independence. I will carry on with the quote, "William Lyon Mackenzie, John Stuart Mill, John Diefenbaker, Eugene Forsey and so on. It is a long and distinguished tradition." And there are intellectual ancestors to the members opposite listed here, certainly John Diefenbaker, Mr. Speaker.

So, Mr. Speaker, a little bit of a discussion about the role of opposition, a little bit of discussion about protecting the rights of the opposition, a little bit of discussion not just about respect for the opposition, Mr. Speaker. I think Professor Wilson goes further. I think Professor Wilson suggests that the government should treat the opposition with a little bit of honour. I think homage is one of the words that are used in the . . . I don't expect that, Mr. Speaker. I really don't. I don't ask for that. I would settle for respect, Mr. Speaker.

Now one other paper that I do want to address . . . And I know that the member from Moose Jaw North in particular and other members were confused about my discussions about the history of democracy. And I think they must be far more comfortable — the member for Moose Jaw North doesn't actually seem any more comfortable — far more comfortable now that the discussion is entirely about Canadian parliamentary democracy.

But I wish to cite some quotations for the record from a paper called "The Opposition in a Parliamentary System" which I recommend to the members opposite and to all members of the House, prepared by Gerald Schmitz, political and social affairs division, December 1988. And he says . . . Just a news flash from the far front, the far government benches, Mr. Speaker, the member from Moose Jaw North apparently doesn't know what I'm talking about.

[22:00]

Now to return to the paper, and I quote:

Parliament, after all, is fundamentally about debate — "rhetoric" in the classical Greek sense — and the transacting of the people's business in public . . . Genuine political opposition is a necessary attribute of democracy, tolerance, and trust in the ability of citizens to resolve differences by peaceful means. The existence of an opposition, without which politics ceases and administration takes over, is indispensable to the functioning of parliamentary political systems. If these systems are perceived as not working well — as being "seriously overloaded," to quote a distinguished Canadian Opposition Leader, the Hon. Robert Stanfield — it may be the rights of political oppositions which are immediately

and most visibly at stake, but ultimately the threat is to democratic rights and freedoms generally.

Now the paper goes on to say:

The division between government and opposition is as old as political democracy itself. In Aristotle's Athenian polity the essence of self-government was that citizens were, in turn, both the rulers and the ruled. Government could alternate among different groups of citizens, and the minority could seek to persuade a majority of its point of view by peaceful (i.e., political) means. In an age of mass politics, direct citizen democracy has been replaced, with rare exceptions, by representative systems providing for periodic elections. In turn, these electoral contests are usually dominated by a small number of political parties which select their own candidates and leaders. What has not changed, however, in our modern liberal-democratic society is the hallowed principle that government must rest on the consent of the governed — which means, *inter alia*, that the minority accepts the right of the majority to make decisions, provided that there is reciprocal respect for the minority's right to dissent from these decisions and to promote alternative policies.

So when the members opposite say, we have satisfied our role as the losers and minorities in this House to vote, they are mistaken, Mr. Speaker. They are mistaken because the right that we have, the reciprocal right that we have to the majority's right to make decisions is the right to dissent and the right to promote alternative policies, Mr. Speaker.

And the members who suggest that nothing has changed, well actually that the government — I mean this is what one of the members said from across the way — the government has magnanimously in this measure made provision for us to fully debate the government's legislative agenda, well that's not what the government has done, Mr. Speaker. What the government has done is taken its legislative agenda, which should have been discussed last fall when the Bills were introduced. But the Bills were introduced and the government ran away, Mr. Speaker. And there was no discussion over the winter, no consultations.

And then what the government should have done — what they were advised to do actually, Mr. Speaker — what they should have done is had a measured debate which would have begun before the budget speech, had all the second reading speeches in the first week, in the week that never was, Mr. Speaker, the week of March 3. And the public now would be hearing the discussion about these Bills, these government priorities. They would have been discussed. They would have been under discussion, Mr. Speaker.

I don't really want to be interrupted, but I do see a member on his feet.

The Speaker: — Why is the member on his feet?

Mr. Ottenbreit: — Introduction of guests, please, Mr. Speaker.

The Speaker: — Is leave granted?

Some Hon. Members: — Agreed.

The Speaker: — Agreed.

INTRODUCTION OF GUESTS

Mr. Ottenbreit: — In your gallery, Mr. Speaker, we have two very valuable members of our government staff, Ms. Brooklyn Elhard and Mr. Jared Dunitz. I'd ask all members to welcome them to this Assembly.

Hon. Members: — Hear, hear!

The Speaker: — I recognize the member from Saskatoon.

GOVERNMENT MOTIONS

Sitting Times for the Assembly and Standing Committees (continued)

Mr. Quennell: — The Speaker heard my pause in my remarks and just took it as welcome relief, and wasn't too concerned yet as to how long that pause was going to be. But thank you, Mr. Speaker, for again recognizing me.

So, Mr. Speaker, if the government had, well, first of all had some competence in managing its legislative agenda and coupled that with some respect for the right of the minority in this legislature to promote alternative policies and the right of the public to form a fully informed opinion, Mr. Speaker, we would have had, we would have had debate about all of the government legislation, certainly all the party Bills in that week of March 3, the week that never was, Mr. Speaker, we would have had debate then. And no, Mr. Speaker, more than that, we would have had debate on government Bills yesterday, and we would have had debate on government Bills today.

Mr. Speaker, the reason we're not debating government Bills now is not because the opposition doesn't want to work. Well the opposition does want to work, Mr. Speaker; you'll be aware of the amendment. The opposition is willing, if necessary, to sit longer than the government proposes. That's not the problem. The opposition wants to work. It's that the government doesn't want a discussion of its legislative agenda in the public. It wants to crowd it into the shortest period of time and literally, literally, even with the lengthening days, Mr. Speaker, wants to crowd this debate into the dark hours of the night, Mr. Speaker, on every one of its Bills. Literally that's what it wants to do.

So you think you're taking poetic licence with the dark hours of the night, Mr. Speaker, but that's literally what the government's proposal is to do. Either the opposition doesn't exercise its right to debate Bills or you can debate Bills at midnight. Well we're willing to go to 1 a.m. in the morning, Mr. Speaker.

If you're going to, if you're going to hide your legislative agenda to midnight, Mr. Speaker, the opposition has no problem with you hiding it at 1 o'clock in the morning. It hardly makes any difference, Mr. Speaker — so anything to assist the government in recovering from actually its own mistakes. Except what the House Leader proposed, Mr. Speaker, which is to surrender as an opposition; which the government may want to admit its incompetence, admit its lack of loyalty to rules it negotiated within five weeks of sitting in this legislature, Mr.

Speaker. But this opposition is not going to surrender its role as opposition, Mr. Speaker. That is not going to happen.

The paper that I'm citing, Mr. Speaker, goes on to say, quote:

The emergence of a set pattern of government and opposition is of comparatively recent origin. There was a time when the subjects thought fit for parliamentary debate were severely limited, when opposition to the government's handling of affairs of state could be considered to smack of treason, and hence to be dangerous.

At least that's not a word we've heard shouted across yet — treason — Mr. Speaker. Nuisance I guess we've heard shouted across, but maybe perhaps at my invitation, Mr. Speaker, so I can forgive that. The quote goes on to say:

In the 16th and 17th centuries, the Member of Parliament who went beyond presenting private, local and special grievances or bills, to oppose the Crown, or even to debate such national issues as the right of succession, foreign policy and religion, risked imprisonment or worse.

Mr. Speaker, you will recall, and this was the case with the election of the previous Speaker, Myron Kowalski. When the Speaker is elected, you are dragged reluctantly to your chair. And I have to say that Mr. Kowalski seemed more reluctant than the current Speaker, but you know, it's four years. Who can remember? The reason for that, Mr. Speaker, the reason for that is that members of parliament, particularly Speakers who spoke for parliament, were martyrs to free speech. They were martyrs to the right to assembly. They were martyrs to the right to dissent, Mr. Speaker. It was a dangerous job, Mr. Speaker. Executive government produces many things. It doesn't produce martyrs, Mr. Speaker. It doesn't do that.

The people who have died in the defence of our British parliamentary system didn't die defending the power of government, Mr. Speaker. They died because they were defending the rights of the people to be represented and the rights of the people to be represented and to hold their government accountable, not at elections alone but every day that that parliament sits, Mr. Speaker — every day. That is what people died for, to build what I have called the crown of the democratic systems in our world, Mr. Speaker.

The paper goes on to say, "It was not until the 18th century that it came to be constitutionally accepted that an opposition could be "loyal" across the whole spectrum of public policy."

So what we now take for granted but should not take for granted, need to protect, need to protect every day, that is our role as opposition: to protect the rights of the minority in the legislature in which we sit as opposition, Mr. Speaker. But what we do protect now is not that ancient, and, Mr. Speaker, as I have said in my earlier remarks, not necessarily all that secure if we are to be as complacent as the government was complacent about its legislative agenda.

The paper goes on to say, "The actual term "His Majesty's Opposition" was coined during a British debate in 1826 and has been in use ever since." Since 1826. The paper goes on to say,

and I quote again:

A vigorous opposition in Parliament can be the chief bulwark against the temptation to *force majeure* and bureaucratic empire. “The people” speak through the “loyal opposition” as well as the government, through back-benchers as well as Cabinet ministers. There is simply no substitute for the “checks and balances” which are brought into play in the representative and watchdog functions performed by ordinary Members of Parliament.

Well, you know, Mr. Speaker, if the member from Moose Jaw North can't understand that clear — these aren't my words — this clear . . . because if they were my words, Mr. Speaker, maybe they wouldn't be so clear. But if you can't understand this clear pronouncement on how the people speak through a loyal opposition as well as government and that there is no substitute for the checks and balances represented by the rules of this legislature which are brought into play by the representative and watchdog functions performed by ordinary members of parliament, can't understand that, then I'm not sure I can explain to the member from Moose Jaw North what he's talking about, to use his words.

The paper goes on to say, quote:

. . . members of the opposition in the lower house are called upon to act as a brake on government haste, to ensure that all legislation receives the “due process” of parliamentary deliberation, and to see that diverse and opposing points of view have a chance to be aired and defended.

Well there is the clearest statement as to why members of this opposition would want to use the rules, their rights, and their power to do what this government feared, which is to require this government to delay its legislation — which it was not so committed to that it would take the advice of its officials on how to pass it to delay this legislation, some parts of it, maybe one, maybe two of these Bills for discussion — to see that diverse and opposing points of view have a chance to be aired and defended.

Well, Mr. Speaker, diverse and opposing points of view — they will be stated at midnight in this Legislative Assembly. But I don't think the members of the government really believe that that is a fair and just way to see that those diverse and opposing points of view are aired, are aired and defended, Mr. Speaker. Again in the dark hours of the night, Mr. Speaker, dark hours of the night to pass their legislation, and that's the response of the government. That's the response of the government to their own failure to manage their own legislative agenda.

Now, Mr. Speaker, I promised the members opposite, and particularly the member from Saskatoon Northwest, that among the conservative thinkers on which I would primarily rely . . . And I've relied almost entirely on conservative thinkers, Mr. Speaker, in making the argument to the conservatives across the way — small “c” conservatives across the way, Mr. Speaker. I've relied on Burke. I've relied on Madison. I've relied on Churchill, Mr. Speaker, and Stanfield in passing, Mr. Speaker.

And now, Mr. Speaker, in one last attempt to make the member

from Moose Jaw North even understand what the member from Saskatoon Meewasin is talking about, from the Hon. John G. Diefenbaker speaking to the Empire Club of Canada, Toronto, October 27, 1949 . . . and I assume that in fact probably now called the Canada Club. I don't think Mr. Diefenbaker would . . . [inaudible interjection] . . . Oh good, I'm glad to hear that. Mr. Diefenbaker doesn't have to turn over in his grave. A member advises me that it's still called the Empire Club.

[22:15]

Anyways, Mr. Diefenbaker says on the role of the opposition . . . Now I want to wait just a second here. I think if there's not a political principle against disagreeing with John Diefenbaker on the government benches, there might be almost a religious principle against disagreeing with him on the government benches, so I . . . Or, Mr. Speaker, maybe I was going too far. Maybe that smacked a little too much of the pulpit, and I withdraw that actually.

I think there might be a political principle that would make the members opposite wary of disagreeing about Mr. Diefenbaker on, certainly, on the role of opposition, where he probably performed his most productive work. I personally, Mr. Speaker — and I'm of more left persuasion than Mr. Diefenbaker — I personally believe that Mr. Diefenbaker's major if not almost sole contributions to parliamentary democracy and to public life and to public service were made in opposition and not in government. But I know conservatives would disagree.

Now to quote Mr. Diefenbaker and to stop anticipating what he would say, quote:

If Parliament is to be preserved as a living institution His Majesty's Loyal Opposition must fearlessly perform its functions. When it properly discharges them the preservation of our freedom is assured. The reading of history proves that freedom always dies when criticism ends. It upholds and maintains the rights of . . .

The Speaker: — Order. Why is the member on his feet?

Mr. Michelson: — Request leave to introduce a guest, Mr. Speaker.

The Speaker: — Is leave granted?

Some Hon. Members: — Agreed.

The Speaker: — I recognize the member from Moose Jaw North.

INTRODUCTION OF GUESTS

Mr. Michelson: — Mr. Speaker, it gives me privilege to stand here and introduce someone very special in your gallery, Mr. Speaker. My son, Brent, is sitting here waiting for a ride home. So I'd ask everybody to welcome him to the gallery for the next few minutes.

Hon. Members: — Hear, hear!

The Speaker: — I recognize the member from Saskatoon

Meewasin.

GOVERNMENT MOTIONS

Sitting Times for the Assembly and Standing Committees (continued)

Mr. Quennell: — Well, Mr. Speaker, it was family, so you know, even the prime minister, the former Prime Minister Right Hon. John Diefenbaker might have to take second seat.

But I know that the members opposite would not want to have the Diefenbaker quotation broken up, Mr. Speaker, so I'll begin again from the beginning. I wouldn't ordinarily do this, Mr. Speaker. I have been trying not to be repetitious tonight, and I think I've been mostly successful but, quote:

If Parliament is to be preserved as a living institution His Majesty's Loyal Opposition must fearlessly perform its functions. When it properly discharges them the preservation of our freedom is assured. The reading of history proves that freedom always dies when criticism ends. It upholds and maintains the rights of minorities against majorities. It must be vigilant against oppression and unjust invasions by the Cabinet of the rights of the people. It should supervise all expenditures and prevent over expenditure by exposing to the light of public opinion wasteful expenditures or worse. It finds fault; it suggests amendments; it asks questions and elicits information; it arouses, educates and molds public opinion by voice and vote. It must scrutinize every action by the government and in doing so prevents the short-cuts through democratic procedure that governments like to make.

Now, Mr. Speaker, isn't that a rich mine of comment on the role of opposition? What would John Diefenbaker, in the context of these remarks, say about the action of this government, Mr. Speaker? What would he say? What would he say about a government that does not uphold and maintain the rights of minorities against majorities? What would it say? It would say that this opposition must vigorously stand up for its rights, Mr. Speaker. That's what he would say. It must be vigilant against oppression and unjust invasions, by the cabinet, of the rights of the people.

And it falls to this opposition, Mr. Speaker, it falls to this opposition to defend the rights of the private members opposite, the members who are not members of cabinet, who have no voice really, no voice. I mean they have a voice, Mr. Speaker, but we know where their voice comes from, Mr. Speaker. Sometimes we can see the lips move, Mr. Speaker. It's not that subtle, Mr. Speaker. They don't appreciate it now. They don't appreciate it now, but if history does repeat itself, the first time is tragedy and the second time is farce.

When the farce comes around . . . and it's happening much quicker this time, Mr. Speaker. It's happening much quicker. We have noted, we have noted, Mr. Speaker — and I'm not the only one; the member from Regina Dewdney noted the same — that it took four years or more to get a demonstration of over 2,000 people against the Devine government. It took that long. It took that long. And it took this government four months — four months, maybe five if you want to be generous, Mr.

Speaker — to get a demonstration of that size.

So if history repeats itself, Mr. Speaker, and if it repeats itself, first time is tragedy. Second time is farce. It also seems to go a lot quicker the second time, Mr. Speaker. It seems to be going a lot quicker.

So the abandonment, the abandonment of this government by its own private members that took place at the end of nine years of Devine government may take place within four years, three years of this government, Mr. Speaker, because of the rapid pace at which history is repeating itself.

Speaking of time, Mr. Speaker, I've watched the clock. And at moments I know others listening to me have had the same experience that I've had speaking, and that is, it seems that the clock is frozen, Mr. Speaker. Now I know that's not right, but it seems that the clock is frozen to me.

One of my favourite novels, certainly my favourite novel when I was a teenager, Mr. Speaker, was *Catch-22* by Joseph Heller. And in *Catch-22* there's a character named Orr. And Orr has a theory. His theory is that if life seems longer, it is longer, Mr. Speaker. So Orr decides that he's going to do only the most boring things. It's going to seem . . . [inaudible interjection] . . . The member from Kindersley anticipates my point. He will do only the most boring things and his life will seem longer. It will seem longer.

And I'll come back to this point, Mr. Speaker. But it does remind me of what the now Premier said in ads leading up to the election — that he thought that the New Democratic Party would next accuse or assert that if a Sask Party government was elected, that winters would be longer. And of course we never made such an assertion, Mr. Speaker.

I personally may have made the assertion that if a Sask Party government was elected, winters would seem longer, Mr. Speaker, but I never said that they would be longer. And this winter has seemed longer, Mr. Speaker. But perhaps that's coincidence.

In any case, Orr believed that if life seemed longer, it would be longer, Mr. Speaker. And I appreciate that some of the members in the room — members on this side of the House are too kind to admit it, but certainly the members on the other side of the House are not so kind — may be having the same experience that I have, which is that I have seemed to have found the fountain of youth here, Mr. Speaker, because my life seems to have been quite a bit longer since I rose to speak than it might otherwise have been if I had been listening to somebody else speak.

But I just want the members opposite to know that, you know, in the words of President Clinton — maybe not the most conservative person I've quoted this evening — in the words of President Clinton, that I do feel their pain. And I do want to disagree with them without being disagreeable.

Anyways, in the paper in which I was citing, it goes on to say, and I quote:

In particular, when major decisions take place without

passing through parliamentary channels, the opposition is placed at a distinct disadvantage in terms of its ability to scrutinize and influence government actions.

Well the very goal, Mr. Speaker, the very goal of this government and the action it's taken is to avoid going through parliamentary channels . . . [inaudible interjection] . . . Now you know, some members over there say, magnanimously, giving you time, the 20 hours.

Mr. Speaker, we have the 20 hours. We have the 20 hours. That's not what they're doing. They're cramming up, cramming up the debate. Well actually this is their . . . These are their alternatives, Mr. Speaker, really one alternative.

Either you can agree to have this full public discussion of any public hearings whatsoever crammed into a narrow period of time between . . . Well, Mr. Speaker, they obviously didn't want to debate government business now or they wouldn't have brought in this motion. If they wanted to debate government business this week, they wouldn't have brought in this motion. If they wanted to debate government business before this week, they would have started when the officials advised them to start.

They don't want to debate government business till next week. They want to crowd the debate of all their priority Bills between mid-April and mid-May and hold as much of that debate in the dead of night, in the dead of night, Mr. Speaker, as possible. That's what the government wants to do.

Their alternative, their alternative to doing that, Mr. Speaker, their alternative — it's like a government that's giving you a choice of how you're going to be executed, Mr. Speaker — but their alternative, Mr. Speaker, is this. In the words of the Government House Leader, and I admit this might be the third time, but it's on the motion, Mr. Speaker. It's germane. It's on the motion, Mr. Speaker. It's to the motion. It's moving the motion, Mr. Speaker.

The House Leader says, to the opposition . . .

An Hon. Member: — Four minutes.

Mr. Quennell: — Well, Mr. Speaker, you know actually the House Leader gave us more than four minutes. It gave the entire opposition as much as, and I quote, “. . . just start the debate and sit down and let it come to a vote after an hour or 20 minutes or whatever . . .”

An Hon. Member: — Four minutes until 10:30.

Mr. Quennell: — Mr. Speaker, well I think because 20 minutes is less than an hour, whatever is less than 20 minutes. And that's the position that the member from Moose Jaw North supports.

I thank the member from Kindersley for clarifying his remarks about what he meant about the four minutes because otherwise, otherwise I might have been confused. I don't know. There might be some other points I want to make.

On the role of government, the paper that I was quoting, Mr. Speaker, I want to return to that. And the author of that paper,

to whom I previously referred, refers to two authors, Van Loon and Whittington, and I quote their observation:

“In a majority government situation, the basic strengths and weaknesses of the opposition parties in parliament are determined primarily by the procedures of the House of Commons. Since they are never going to be able to outvote the government on any policy proposal, the opposition parties must content themselves with using subtler techniques to attempt to influence policy.”

Well, Mr. Speaker, yes, the end of the quote, that's exactly right, Mr. Speaker. This opposition can never outvote that government. Mr. Speaker, they have it. They have the majority. They have the hammer. They have the power. But they're not satisfied with that, Mr. Speaker. They're not satisfied with that. That's not good enough. They want to do it on their time schedule. They want to work as hard as they want to work. They don't want . . . They want to come back to the legislature when they want to come back to the legislature. They want to cut off a week of legislative debate. They don't want to, they don't want to allow the opposition to use any of its powers, limited power, not to defeat Bills but to delay Bills so they can be discussed by the public. They don't want that.

They don't even want the discussion, to the extent possible, to take place during business hours, Mr. Speaker. They don't want discussion, to the extent that they can, to take place during the supper hour, Mr. Speaker. They want the debate, to the extent that they can, to take place in the dead of night, Mr. Speaker. That's what they want. They're not satisfied with having the tyranny of the majority, Mr. Speaker. They want to, to the extent that they can, Mr. Speaker, deprive the opposition of the subtler techniques that are available to it, Mr. Speaker.

Prime Minister Diefenbaker, leader of the opposition Diefenbaker, to make it more relevant, Mr. Speaker, he would be outraged. He would be outraged by his intellectual descendants sitting over in that government and their lack of respect for the minority within this legislature, within this parliament, Mr. Speaker.

I may have time, Mr. Speaker, to cite another quote from the paper. I will try anyways, Mr. Speaker, quote:

This has directed attention to the factors impinging on the effective operation of “checks and balances” in democratic political systems, and, in turn, to numerous proposals for legislative reform. In parliamentary systems there is a fundamental constitutional principle of responsible government at stake. And in the Canadian case, the tradition of one-party government, combined with the frequent weakness of legislative oppositions, poses added dangers.

Under these circumstances, preserving and enhancing the role of the opposition becomes critical to the democratic legitimacy of the system as a whole.

Mr. Speaker, if the member from Moose Jaw North wants to know what I'm talking about, that is . . .

[22:30]

The Speaker: — Being the time of adjournment, this Assembly will stand adjourned until tomorrow at 1:30 p.m.

Some Hon. Members: — Hear, hear!

[The Assembly adjourned at 22:30.]

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Minister Responsible for the Saskatchewan
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Minister of Education

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Minister Responsible for the Workers'
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Hon. Christine Tell
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Minister Responsible for the Capital City Commission