

*Excise Tax Act Amendment*

we took from Great Britain, laid down that the army was the army of parliament and not the army of the crown. By its legislation the government would have breached that principle, but we called the attention of the house to that breach and the government back-tracked.

Here we have a breach of the Bill of Rights of the reign of William and Mary. The hon. member for Kindersley and the hon. member for Lake Centre have given the member who questioned me chapter and verse of this breach of the constitution. I hope this short explanation will satisfy the hon. member that there have already been, on the part of this government, three breaches of the constitution. With respect to this most serious breach the hon. member who questioned me and who sits in the back row on the government side, and all other members of this house, have a duty to perform which is paramount to any duty they owe to their party. It is a duty to the constitution of Canada, a duty which every member of the house must carry out. If the government do not justify themselves or find a way in which they may excuse their conduct I call upon the hon. member who questioned me to remain in the house tonight and listen to this discussion, so that he may make up his mind that his duty is to see that our constitution is not set aside.

I want the Minister of Finance to pay serious attention to this problem because no member on this side of the house likes making the suggestion that I have made to him. I make it only because I think this house has one duty that transcends all others, and that is to see that our democratic constitution, our system of representative and responsible government, is maintained, particularly in these very trying times. We see country after country falling behind the "iron curtain" and their constitutions going down with them. This is a time in the history of the world when no government can afford to play fast and loose with the constitution, even on such ground as the minister has advanced, such as the peculiar circumstances and the exigencies of an emergency. I say that what the minister has done is much more serious than just collecting for the government a bit of money which he ought to pay back. What the minister has done is this. He has undertaken to use a means of raising money which our constitution does not permit. I want to point out to the minister and the government that the only difference between a democratic constitution and totalitarian rule is in the way you do the thing. A capital levy of 100 per cent passed through parliament would be perfectly constitutional.

[Mr. Merritt.]

Our constitution is flexible enough to allow such a levy to be made within the four corners of the constitution. But a tax of one cent levied in the way in which the minister has levied this tax is entirely unconstitutional.

Mr. ABBOTT: It is not levied.

Mr. MERRITT: I suggest to the minister that he do not say that any more, for his position before the house tonight is too serious for that easy out.

The open announcement of a tax before an assembled parliament is an act of a responsible minister under a democratic constitution, but a decree hurled at people from a sound-proof radio studio is mere tyranny.

I call to witness an interesting press clipping which I cut out of the *New York Times* of March 1. The date line is Prague, February 29, and the article is headed "Czechs to impose totalitarian rule by edicts on radio—action committees, directed by broadcasts, will guide all activities in country".

Mr. ABBOTT: The next time I may do it by press release.

Mr. MERRITT: Yes, but I suggest to the minister that if he does not make a better explanation quickly and the members of this house sitting behind him do their duty, there will not be a next time for him. I want to read the first paragraph of this clipping, dated Prague, February 29:

The reorganization of Czechoslovakia into a totalitarian-type state and society will be carried out by radio instructions, it was learned today. The action committees will receive their instructions by radio beginning tomorrow.

I suppose that the action committees in our case would be the officers to whom the hon. member for Lake Centre referred. It goes on:

These committees are being built up into a tight hierarchy of intimate control covering every imaginable activity, from major ministries and enterprises down to the "table tennis association."

I suggest to the committee that the minister will be quite unable, except in the extent of the edicts, to differentiate between the method used by the Red premier in Czechoslovakia and the method used by the Canadian Minister of Finance in imposing these taxes. He can say that he has no action committees; he can say that he is not going to extend his decrees any wider, or something like that, but in the method used there is no difference at all. This is something which this committee must face up to and deal with before we are through.

When I make these comparisons between what is done in totalitarian states and what