

Canadian Flag

the house raises a question and the government, represented by the Prime Minister, and myself speaking for the opposition—

Mr. Grégoire: No, not for us.

Mr. Diefenbaker:—for the official opposition. There is really only one opposition, but I am speaking for the official opposition.

Mr. Grégoire: On a point of order, Mr. Speaker.

Mr. Diefenbaker: If the hon. gentleman would wait—

Mr. Grégoire: On a point of order, I should like to ask the hon. member for Prince Albert (Mr. Diefenbaker) if he considers only himself a member of the official opposition. Are there not others also in the opposition?

Mr. Speaker: Order, please. We are dealing with one point of order, and the Leader of the Opposition was speaking to that point of order.

Mr. Diefenbaker: Mr. Speaker, now that I have the official approval of the Prime Minister that, in his considered opinion, with which I agree, this resolution does not constitute any invasion of the ancient rights and privileges of parliament, or he would never have brought such a motion before the house, may I say this was the agreement that was made between Premier Smallwood and the Prime Minister according to the telegram which was filed. Therefore, I say that you, Mr. Speaker, are placed in the position where, if you were to determine upon and were to direct the breaking up of this resolution and separating the two parts, you would be so doing contrary to the rule that separation is allowed only where there are two distinct propositions. In this case there are not. The words provide, first, for a three maple leaf flag—and there can be no division in that—and also for the royal union flag. If you were to rule that the government have produced a resolution which consists not of one proposition, and a distinct one, but of a conjoined or conjunctive proposition—"and also"—you would, as I see it, be acting contrary to the rules. I cannot thank the Prime Minister too much for having risen and, with that certainty permitted of him by his position, telling the house that he does not intend to separate this resolution. Would he not want to if it did infringe the rights of parliament, because he is here to uphold them?

Under all the circumstances, Mr. Speaker, I ask you not to uphold the suggestion put

forward in the point of order raised by the hon. member for Winnipeg North Centre. To do so would be contrary to the rules and would put you in the position where you would have to interpret what was in the minds of the government. Separation takes place only when there are distinct propositions put forward. In this case the undertaking was—if there are any notes to be handed around I should like to get them myself—to bring before the house a joint resolution. May I point that out once more, because it has happened several times and I do not wish to refer to it again.

Mr. Speaker: May I just clear up one slight misunderstanding at the moment. Surely the Chair has the right to consult with his Clerk.

Mr. Martin (Essex East): Of course.

Mr. Diefenbaker: Mr. Speaker, there was no consultation on Your Honour's part a moment ago. This has happened several times when during the course of argument notes have passed to you. That is not consultation; that is giving advice without consultation.

Mr. Pearson: How disgusting.

Mr. H. A. Olson (Medicine Hat): Mr. Speaker, I want to speak only briefly on the proposition which has been put forward to the house this afternoon by the hon. member for Winnipeg North Centre (Mr. Knowles). In his opening remarks I think he laid the situation fairly clearly before the house when he said that the resolution which is now before parliament is not contrary to the rules, but may contravene some privilege of the house. If you look, Mr. Speaker, at the resolutions which are on the order paper for today, it is possible to find a number of resolutions which do contain more than one proposition notwithstanding that they deal with the same subject. Item No. 44 in my opinion certainly does propose two separate matters to the House of Commons, but surely both deal with the same subject, namely a Canadian flag, or two flags.

I think this resolution is somewhat different from others which are on the order paper today, because I believe there will be no bill following this resolution to which members of the house would be able to move amendments. Nevertheless, notwithstanding what is contained in government order 44, if there are members of the house who feel they are unable to vote either in favour of or against the whole resolution, they have the option open to them to move an amendment