

Mr. GARLAND (Bow River): I am referring to the advice extended to His Excellency and not to His Excellency himself.

Now, Mr. Speaker, yesterday evening at the close of the constitutional debate of which this is the corollary—or perhaps we will say the second chapter, as suggested by somebody near me—the leader of the government quoted a very impressive passage from a speech made by Mr. Asquith and he appealed to hon. gentlemen sitting opposite to him, "Listen to what the English Liberal party says about this sort of thing. Listen to the position taken by Mr. Asquith, a position bolstered up subsequently by other Liberals in England." And the passage that he quoted was—I am not quoting from Hansard, Mr. Speaker, but from the report of the speech itself—the following:

The dissolution of parliament (said Mr. Asquith), is in this country one of the prerogatives of the crown. It is not a mere feudal survival, but it is a part, and I think a useful part, of our constitutional system. It does not mean that the crown should act voluntarily and without the advice of responsible ministers, but it does mean that the crown is not bound to take the advice of a particular minister to put its subjects to the tumult and turmoil of a series of general elections so long as it can find other ministers who are prepared to give it a trial.

Just imagine any responsible minister like Mr. Asquith making a statement of that character, that the only thing required was that some other group should be willing to give it a trial; no other qualification needed. As a matter of fact the hon. gentleman was quoting from a newspaper report of a speech made in Brighton, in 1922. However, that speech was contradicted immediately in the Times, not only by very many eminent constitutionalists but amongst others by Professor MacNeill. On the 29th day of the fifth month of 1924, Mr. MacNeill wrote to the Times and his comment upon the statement quoted last night by my hon. friend is as follows:

That doctrine—

The doctrine of the prerogative of the crown.

—for whose maintenance Mr. Asquith, with the approval of Sir John Simon and Mr. Lloyd George, had made the Liberal party responsible in his speech of December 18, of which he states on May 23 "he has not a word to retract or qualify," is contrary to the fundamental principles of constitutional morality, is absolutely unsupported by usage, and has never been reduced to practice since the era of parliamentary government. When Mr. Asquith, as spokesman of the Liberal party, propounded the doctrine I took occasion in the columns of the press, without fear of contradiction, and in most express terms, to deny (as I will do again), its existence, and to state there was no precedent and nothing that could be tortured into

a precedent in support of a position calculated to lower the dignity of the crown by the participation in party politics of its wearer who is the outward and visible representative not only of the majesty of the state of Great Britain, but of the community of nations forming the British Commonwealth of Nations.

My contention for which I cited precedents, has never been impugned. Mr. Asquith seems by his recent speech to repeat and emphasize an ill-founded exposition of the practice of the constitution which, in the words of Mr. Macdonald a day or two after Mr. Asquith's pronouncement, "found scant support in the best informed quarters, and was meant more for the ears of the King" than the ears of his subjects.

Could there be a more definite and complete refutation of the utterances of Mr. Asquith as pronounced by the acting leader of the acting government at the moment? If there is I am at an utter loss to find it. But, Mr. Speaker, we do not have to go to cases of that kind.

Now the hon. member for Fort William, for whom I have the deepest admiration and respect—I love his genial manner, the torrential nature of his utterances; they are a pleasure to me and I delight in hearing them—throws out almost without consideration at times the most extraordinary collection of figures, and at other times citations that are purely irrelevant and have absolutely no purposeful application at all to the debate concerned. For example the hon. gentleman, for whom I have a sincere affection, this afternoon quoted case after case which is utterly and completely obsolete. I admit the existence of every precedent my hon. friend quoted; certainly everyone must; but conditions change. We have passed on miles beyond that milestone in our political evolution. Would he have us go back to the aborigine days in Australia? At that time they had a tribal king who walloped everybody. The hon. gentleman smiles. He is laughing at himself.

Mr. MANION: The hon. member made a mistake. I am laughing at my hon. friend.

Mr. GARLAND (Bow River): The hon. member also mentioned Arthur Berriedale Keith. He quoted citations which would appear to offset quotations of hon. members on the other side, and he rebuked the ex-prime minister for having left off at a certain point in the quotation and not read a portion which he should properly have read, and which would not have been so satisfactory had he quoted it. But the hon. gentleman himself was no more fair, if there was unfairness, than the right hon. ex-prime minister, because I have in my hand the very latest works of Mr. Berriedale Keith published in 1921.