

"All the more, however, the government insist upon the passing of the law. They prefer a clear decision".

Every sentence in that statement has a familiar ring.

The hon. member continued:

It is because I believe in the democratic way of life which was established by our forefathers that I think it behooves us to protect that way of life by retaining our parliamentary system which has been gained with such great difficulty. I feel sincerely that these things must be protected, not only by means of war or military defence but also by the exercise of unspectacular and tedious methods through the use of free speech and seeing that no undemocratic bits of legislation creep into our code of law.

I say again this has a strange relationship to the topic we are discussing at the present time. I am a Conservative because I believe in the principles of this party. There are six principles, three of which I should like to bring to the attention of the house because I believe they have reference to this debate. The first is, preserving the freedom of the citizen. The second is, promoting the development of Canada; and the third is, upholding the supremacy of parliament. I ask myself whether the motion has anything to do with any of these three principles. The strange wording of the motion is as follows:

That this house does not regard its vote on February 19th in connection with third reading of Bill C-193 which had carried in all previous stages, as a vote of non-confidence in the government.

I am of the opinion that a vote on such a motion would be a violation of the three principles I have enunciated. Certainly the freedom of the individual will be diminished. Nothing is more fundamental than the defeat of a tax bill which would interfere with the development of our country. The 5 per cent surtax that went into effect on January 1, and which is vital to the government's policy, was defeated by a vote of this parliament.

There is no doubt that the supremacy of parliament is at stake. Practically every newspaper editor in the country has voiced this opinion. A vote of confidence should not be allowed. This becomes an issue of the supremacy of parliament, and parliament has already expressed its opinion in this regard. We as Canadians believe that parliament is greater than any government or any party.

In keeping with democratic traditions and principles the Prime Minister is duty bound to have the government resign. In fact he has only one more duty to perform, and that is to consult with the Governor General. That is

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the reason we are here. That is the reason we are giving consideration to the motion that Your Honour allowed to be placed on the order paper.

● (3:20 p.m.)

Much will be said by the constitutional experts on the validity of the motion before us. Many precedents will be presented and debated by the legal experts. The same precedents will be used by both sides in an effort to prove their points. Precedents, like statistics taken from the same source, can be used in an effort to prove both arguments. I intend in a few moments to put some of these precedents on the record. The interpretation of words will no doubt be questioned in the debate by the experts. In fact I have questioned the interpretation of words in our standing orders of the house.

As I said, I am not a legal expert. I asked you, Mr. Speaker, why you allowed this motion to be put on the order paper. Operative words such as those quoted by Dr. Eugene Forsey a few days ago will be questioned. I admit that Dr. Forsey is considered a constitutional authority, and suggest that he should have been asked whether he considers the defeat of Bill C-193 vital to government policy. I am pretty sure his answer would be very interesting.

This is one of the questions the ordinary man on the street, whom I represent, is asking. This is one of the questions that we as backbenchers are asking. Very few of us, as I said before, are legally trained or qualified to enter into a constitutional debate. We, like the ordinary man on the street, look for simple ground rules to follow. An editorial in the *Globe and Mail* of February 22, under the heading "Breaking Rules for Power" has this to say in part:

The ground rules on which a Canadian government stands or falls are so well known that the Canada Year Book for 1967, published under the authority of Trade and Commerce Minister Robert Winters, was able to state without qualification: "When the cabinet (the government) suffers defeat on a government bill or a vote of censure or on a motion of want of confidence in the Commons, the existing government or cabinet must either resign or request a dissolution from the Governor General."

This is taught to all our students right across Canada. This is commonly understood. It is language that the man on the street understands. It is language that I understand.

Mr. Crouse: Everybody but a Liberal.