

Flags of Canada

That, in the opinion of this house, the government should consider the advisability of introducing a measure to provide for a referendum concerning the adoption of a Canadian flag.

That the questions submitted in said referendum be as follows:—Are you in favour of a flag consisting of (a) a green maple leaf on a red and white field, or (b) the red ensign?

Mr. Speaker: Before placing the motion of the hon. member for St. Boniface before the house may I note a technical difficulty which results from the fact that there are two public bills standing on the order paper both dealing with the question of a distinctive national flag, which is also the subject matter of this motion.

The problem of conflict between two items on the order paper dealing with the same matter has arisen before in the house. Hon. members will recall that there were two bills dealing with the printing of negotiable securities in French, and that debate on one of them was refused pending the disposition of the other on the grounds that the house will not enter into a discussion of identical subjects under two categories.

As this motion is now, I take it, about to be offered to the house, there is before us not quite the same problem of the same subject matter in two bills on the order paper, but rather the same or a similar subject matter in a motion and in two bills. That raises the question of whether discussion of this motion now would not be in anticipation of the order for resumption of the debate on the motion for second reading of Bill No. C-8, an act to authorize a Canadian flag, which was moved by the hon. member for Lincoln and discussed some days ago, as well as in anticipation of second reading of Bill No. C-17, an act respecting flags of Canada, which stands in the name of the hon. member for Drummond-Arthabaska. The relevant citation from Beauchesne is citation 131, in his fourth edition, which reads as follows:

The anticipation rule, which forbids discussion of a matter standing on the paper being forestalled, is dependent on the same principle as that which forbids the same question being twice raised in the same session. In applying the anticipation rule, preference is given to the discussions which lead to the most effective result, and this has established a descending scale of values for discussions—bills, motions, amendments, etc. Thus a bill must not be anticipated by discussion of a motion, amendment, or subject raised on another motion.

Then citation 148, section 1, is to similar effect.

It is a wholesome restraint upon members that they cannot revive a debate already concluded; and it would be little use in preventing the same question from being offered twice in the same session if, without being offered, its merits might be discussed again and again.

[Mr. Speaker.]

Citation 200, section 3, reads:

A motion dealing with the same subject matter as a bill standing on the order paper for second reading cannot be considered.

I think that sufficiently indicates the principle involved. A question remains whether the subject matter of this motion is the same as that of the two bills, or either of them, and I should be glad to hear the hon. member on that point. In discussing this, I think it is relevant to consider whether, if this motion proceeds, the debate can be restricted in any way to distinguish it from the debate on the other bills, both of which are for a method of selecting a flag.

Mr. Laurier Regnier (St. Boniface): The resolution relating to the flag is No. 2 on the order paper as the result of a draw made prior to the opening of the session. The bill presented by the hon. member for Lincoln (Mr. Smith) was No. 8 on the list. This is the first point I want to make. If this line of reasoning were followed there would be danger that a resolution might be defeated, although it had priority on the order paper, by the placing of a number of bills on the order paper.

My second point, Mr. Speaker, is that the principle of this motion is not the same as the principle of the bill. My motion requests a referendum to choose a flag. Not only is this resolution in a place of priority on the order paper, but I believe this is the first time this subject has been introduced in the house for discussion. I do not believe the subject of a referendum to choose a flag has been debated before. I would say there is as much difference between the resolution and the bill introduced by the hon. member for Lincoln as between night and day.

Hon. Lionel Chevrier (Laurier): I have listened to the citations which you have just given to the house, Mr. Speaker, and it would seem to me that the point made by the hon. member for St. Boniface is one which should commend itself to Your Honour.

The reason for that is that it seems to me that the principle involved in the motion now before the house is entirely different from the principle contained in the bills. Bill No. C-7, respecting flags of Canada, which was submitted to the house by the hon. member for Drummond-Arthabaska has not been brought to our attention thus far. As the hon. member has said the other bill, No. C-8, moved by the hon. member for Lincoln, is one that deals with one matter; but this motion deals with a referendum and the principle, on the face of it, strikes me as one which is entirely different. We have from time to time in the house matters that are