

Motion Respecting House Vote

Mr. Woolliams: Surely the Prime Minister does not take that position. I repeat the words quoted by the Prime Minister as authority:

What the government will treat as a matter of sufficient importance to demand resignation or dissolution is, primarily, a question for the government.

I say that where it is a matter of vital and major importance, surely it is not open to the government to use that kind of discretion which amounts to an illegality. I quote an example in this respect. If a person obtained title to an article as the result of fraud, and that fraud was known by the person from whom he got the article, surely he could never transfer that title to anyone and make it a good title. That is what this government have tried to do. They were defeated on a matter of major and vital importance and now they say "It is up to us. It is within our parliamentary discretion and our legal discretion to interpret this as a matter in respect of which we do not have to dissolve parliament and go to the Governor General". If that is their position, then our parliamentary system has been changed to a republican system of government in Canada without the Canadian constitution having been amended, and that is the position in which the government finds itself this afternoon.

● (2:40 p.m.)

I wish to answer effectively another quotation put forward by the Prime Minister, which reads:

It rests, therefore, with the government to decide what issues it shall treat as vital, and as demanding that it must resign or dissolve if it is denied support thereon.

Here I shall use the same argument I used with regard to the first quotation from Jennings. Surely if this government take such a position then they have changed our parliamentary system to the republican system or, still worse, the Prime Minister has taken upon himself the divine right of ruling as the king of Canada, and I have already referred to him as King Pearson I of Canada. That is the final conclusion one must reach in refuting the Prime Minister's argument when he quotes from the authorities to which he referred.

It has been said in the house, by the Liberal members and by the press that there are no authorities to prove the contrary. I say the authorities are certainly very clear. Let me quote from page 237 of Dawson's book "The Government of Canada". We have already heard the wishy-washy quotations from that

[Mr. Woolliams.]

book according to which the government can interpret the rules the way it likes and use its own discretion to perpetuate its right to govern Canada. Let us see what Dawson says. The quotation reads as follows:

The cabinet must therefore introduce and sponsor all measures to spend or to raise money; and as any proposed amendment which would endeavour to diminish a tax or an expenditure contrary to the cabinet's wishes would now be treated as a vote of lack of confidence...

In other words Dawson says, just as did the leader of our party, that when it is a matter of vital and major importance, and still more so when it is a matter pertaining to the economic and financial program of the Liberal party, the vote becomes a matter of confidence in the government. If we accept the position taken by Dawson we must come to the conclusion that the government is now operating illegally in this parliament, and that it has ceased to be the legal government of Canada.

I realize it is a weakness to quote from the authorities, but the same weakness was shown by the Prime Minister when he implied in the house and across the country that his government has jurisdiction to decide on constitutional matters. He has set himself up as the supreme court of Canada by interpreting the law in favour of the government, in a way which would give them the right to govern this country forever.

I should now like to quote the following statement from page 228 of Dawson's "The Government of Canada":

Hence the great corollary of cabinet government: That the defeat of a government measure will normally bring about the defeat of the government itself.

The author goes on to give one exception, then he continues:

If the house should decide to reject a government bill or to amend it in a way unacceptable to the cabinet then Her Majesty's government will consider that it is relieved of the duty of carrying on any longer the government.

This government has been relieved of its duty; it has been fired. As I said, and I wish to repeat it, according to the principle quoted by the Prime Minister and contrary to what MacGregor Dawson says that the functioning of the government should be based on its constitutional right to govern, a government could perpetuate its right to govern indefinitely, and that is what this government has done. They have established a republican system of government in this country.