

*Motion Respecting House Vote*

present time. You ordered that this motion come before the house for consideration. At the present time I am considering this motion. You are the only symbol of parliamentary authority left in this country at the present time. I realize that you know the rules better than I do, yet you did not protest or even mention rule 35 when this motion was placed on the order paper; in fact you ordered it be considered.

I am not only casting a reflection on the vote but am wondering, in view of standing order 35, why the Prime Minister was allowed to reflect on the vote of Monday night on a number of occasions during the debate. Even in his opening remarks the Prime Minister reflected on the vote. This was contrary to standing order 35. If the purpose of the motion is not to rescind the vote that was taken in the house on February 19, is there some other rule or procedure which automatically allows the government to rescind the vote which was taken on Bill No. C-193 regardless of how the decision is made on this motion? As reported at page 6923 of *Hansard* for February 23 the Prime Minister said this:

So far as third reading is concerned they are more emphatic. Erskine May, whom we hear quoted a great deal in the house, has this to say in his seventeenth edition at page 571:

"If the question 'that the bill be now read a third time'—"

This was the question dealt with last Monday night.

"—is negated, such a vote is not only not necessarily a matter of confidence but is not even necessarily fatal to the further progress of the bill."

We have made it quite clear we are not going to ask for further progress on that bill—

I find the last four lines of that quotation very strange. I shall repeat them:

"—but is not even necessarily fatal to the further progress of the bill".

We have made it quite clear we are not going to ask for further progress on that bill—

Does the fact that we have debated the motion and are willing to take a vote on it now mean that the vote on Bill No. C-193 is automatically rescinded? Much has been said about the strange wording of the motion itself. I ask whether there is any relationship between the unusual wording of this motion and the remarks of the Prime Minister which I have quoted and which I shall repeat:

"—but is not even necessarily fatal to the further progress of the bill".

We have made it quite clear we are not going to ask for further progress on that bill—

[Mr. McIntosh.]

It is because of this doubt that I cannot vote either for or against the motion, if you as Speaker of the Canadian parliament insist or rule that the motion be put. I also believe that the procedure and the conduct on the part of the government which has been allowed in this house since Monday night are a threat to the supremacy of parliament; because if we proceed with this motion to its conclusion never again will any negative vote against this government or any Canadian government have any meaning. The issue in question could always be forced on parliament for reconsideration after a 48 hour interval. This is the second reason that I cannot vote either for or against the motion which is before the house.

As recorded at page 6921 of *Hansard* you ordered, Mr. Speaker, that this motion be considered. I think this is a trap that will destroy parliament. I wish to draw your attention to a speech by the hon. member for Queens (Mr. MacLean). This speech was made some years ago and will be found at page 4557 of *Hansard* for June 8, 1955. To me it has a strange relationship to our present debate. With your permission I shall read part of it:

Hitler gained his first important position of power by the passage of a bill in the German parliament. It was a simple bill, and it was said that its provisions would not need to be used and it would do no harm. Just as we have been told now, it was said that the rights of parliament, would not be disturbed or lessened. When I listened to the explanations given by several members of the government—I say this in all sincerity—they unwittingly and by absolute chance reminded me of Hitler's statement in the German parliament when he introduced the enabling bill of which I am speaking. I took the trouble to look up his speech, and these were Hitler's words on that occasion:

"The government will only make use of these powers in so far as they are essential for carrying out vitally necessary measures. Neither the existence of the Reichstag nor that of the Reichsrat is menaced".

It would not interfere with either houses of parliament.

"The position and rights of the president remain unaffected. It will always be the foremost task of the government to act in harmony with his aims. The separate existence of the federal states will not be done away with".

In other words it would not interfere with the rights of the provinces.

"The rights of the churches will not be diminished, and their relationship to the state will not be modified. The number of cases in which an internal necessity exists for having recourse to such a law is in itself a limited one".

The law is justified because the occasions on which you could possibly use it are few and far between.