

*Excise Tax Act Amendment*

from that editorial; I shall merely again recommend it to such small "I" liberals as there are across the way.

I wish just briefly to point to something else that happened a few days ago, which indicates the slipshod manner into which this government is getting so far as the constitutional and democratic way of doing things is concerned. On February 26, when the house met, at three o'clock in the afternoon, the Minister of Trade and Commerce (Mr. Howe) tabled a document and said, as reported at page 1627 of *Hansard*:

I should like to table a letter addressed to my colleague, the Minister of Finance (Mr. Abbott), advising him to make effective the provisions of Bill No. 3 as regards tariff items 393, 427e, 434, 434b, 446 and 461.

I heard that statement and I was puzzled, Mr. Chairman, as to how the Minister of Trade and Commerce could ask a fellow minister to bring into effect the provisions of a bill which was not yet law. It is true that we had passed that bill in this house, but it had not been passed by the other place and it has not yet been given royal assent. So my curiosity led me to send to the parliamentary papers office, down below here in room 167, and ask for a copy of the letter which the Minister of Trade and Commerce had tabled. You will note that the minister said he had written to the Minister of Finance advising him to make effective provisions of Bill No. 3. So I expected this letter, when I got it from the parliamentary papers office, to deal with Bill No. 3. But nothing of the kind. It is a letter signed by the Minister of Trade and Commerce addressed to his dear colleague the Minister of Finance, dated February 17, 1948, asking him to bring into effect certain tariff changes under the provisions of section 43(d) of the foreign exchange control regulations.

Mr. ABBOTT: The import restrictions.

Mr. KNOWLES: I know the legal arguments those across the way can make, that they have found it was possible under the foreign exchange control regulations to do things not originally intended. I know it can be said that the Minister of Trade and Commerce may have made a slip when he said what he did in this house at three o'clock on Thursday afternoon, February 26. But there again you have a sample of this slipshod and careless way into which a government gets that has been far too long in power and which thinks that merely because it is Liberal with a big "L", therefore it is also liberal with a small "l". The times are too serious, Mr. Chairman, in this world of ours today, for us to trifle at all

[Mr. Knowles.]

with these time-honoured and time-tested democratic constitutional ways of doing things. In my view we have far too often in this parliament, even when we have done it by unanimous consent, set aside the rules of the house. We get into trouble all the time when we do that. These things have grown up through centuries of British parliamentary practice. They are safeguards that it is not just pedantry for us to try to keep them.

I feel that two things should come out of this experience. First of all, this committee should vote down this resolution and show the minister that he had no right to say that it was assumed that parliament would pass it. In the second place, I call upon the government—and I am glad to note that the Minister of Justice has been following the argument of the hon. member for Kindersley and also following my argument—to give consideration—and I hope they will do so—to presenting to parliament a bill similar to the statute that is in effect in the United Kingdom, making some provision so that when a situation arises such as that which faces the Minister of Finance, there will be authority to deal with it. I grant that the minister has an argument in trying to tell us how serious the situation was. But once you let one expedient lead you to set aside proper parliamentary procedure, there is no telling where we shall get to before the story is all over. Of course, often times we get the opposite answer. When we want a national health program; when we want an over-all social security program; when we want coarse grains to be taken over by the wheat board and so on, we are told that there are certain constitutional rights which pertain to the provinces with which this government must not interfere. When we ask for the continuation of commercial rentals, we get the same answer. I submit that there is too much of this trifling with the constitution, using it as a defence for inaction when the government does not want to act, but throwing it out of the window when there is something it wants to pursue merely for the sake of expediency. I submit that this is just about as serious an issue as has yet faced this parliament.

Mr. MACDONNELL (Muskoka-Ontario): I propose to say little about the constitutional issue. But even a reformed lawyer likes to have a word on constitutional matters. So I propose to say just two or three things about it. In the first place, I feel that I would echo not only the words but the spirit of the hon. member for Vancouver-Burrard, because it seems to me—and it has been supported by the hon. member who just spoke—that this is