

ITEM 22 | SUSPENSION OF THE RULES¹

The motion to suspend the rules may be made at any time when no question is pending; or while a question is pending, provided it is for a purpose connected with that question. It yields to all the privileged motions (except a call for the orders of the day), to the motion to lay on the table, and to incidental motions arising out of itself. It is undebatable and cannot be amended or have any other subsidiary motion applied to it, nor can a vote on it be reconsidered, nor can a motion to suspend the rules for the same purpose be renewed at the same meeting except by unanimous consent, though it may be renewed after an adjournment, even if the next meeting is held the same day.

When the assembly wishes to do something that cannot be done without violating its own rules, and yet it is not in conflict with its constitution, or by-laws, or with the fundamental principles of parliamentary law, it "suspends the rules that interfere with" the proposed action. The object of the suspension must be specified, and nothing else can be done under the suspension. The rules that can be suspended are those relating to priority of business, or to business procedure, or to admission to the meetings, etc., and would usually be comprised under the heads of rules of order. Sometimes societies include in their by-laws some rules relating to the transaction of business without any intention, evidently, of giving these rules any greater stability than is possessed by other rules of their class, and they may be suspended the same as if they were called rules of order. A standing rule as defined in 67 may be suspended by a majority vote. But sometimes the term "standing rules" is applied to what are strictly rules of order, and then, like rules of order, they require a two-thirds vote for their suspension. Nothing that requires previous notice and a two-thirds vote for its amendment can be suspended by less than a two-thirds vote.

No rule can be suspended when the negative vote is as large as the minority protected by that rule; nor can a rule protecting absentees be suspended even by general consent or a unanimous vote. For instance, a rule requiring notice of a motion to be given at a previous meeting cannot be suspended by a unanimous vote, as it protects absentees who do not give their consent. A rule requiring officers to be elected by ballot cannot be suspended by a unanimous vote, because the rule protects a minority of one from exposing his vote, and this he must do if he votes openly in the negative, or objects to giving general consent. Nor can this result be

accomplished by voting that the ballot of the assembly be cast by the secretary or any one else, as this does away with the essential principle of the ballot, namely, secrecy, and is a suspension of the by-law. and practically allows a viva voce vote. If it is desired to allow the suspension of a by-law that cannot be suspended under these rules, then it is necessary to provide in the by-laws for its suspension.

The Form of this motion is, "to suspend the rules that interfere with," etc., stating the object of the suspension, as, "the consideration of a resolution on,," which resolution is immediately offered after the rules are suspended, the chair recognizing for that purpose the member that moved to suspend the rules. or, if it is desired to consider a question which has been laid on the table, and cannot be taken up at that time because that class of business is not then in order, or to consider a question that has been postponed to another time, or that is in the order of business for another time, then the motion may be made thus, "I move to suspend the rules and take up [or consider] the resolution" When the object is not to take up a question for discussion but to adopt it without debate, the motion is made thus: "I move to suspend the rules and adopt [or agree to] the following resolution," which is then read: or, "I move to suspend the rules, and adopt [or agree to] the resolution on ..." The same form may be used in a case like this: "I move to suspend the rules, and admit to the privileges of the floor members of sister societies," which merely admits them to the hall.

Instead of a formal motion to suspend the rules, it is more usual to ask for general consent to do the particular business that is out of order. As soon as the request is made the chair inquires if there is any objection, and if no one objects, he directs the member to proceed just as if the rules had been suspended by a formal vote. [See General Consent 48.]

Footnotes

¹ In Congress the former practice was to suspend the rule as to the order of business in order to consider a particular bill but now it is customary "to suspend the rule and pass" the resolution or bill. H.R. Rule 27 contains the following:

"1. No rule shall be suspended except by a vote of two-thirds of the members voting, a quorum being present; nor shall the Speaker entertain a motion to suspend the rules except on the first and third Mondays of each month, preference being given on the first Monday to Individuals and on the third Monday to committees, and during the last six days of a session.



"2. All motions to suspend the rules shall, before being submitted to the House, be seconded by a majority by tellers, if demanded.

"3. When a motion to suspend the rules has been seconded, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for forty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition -- and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate."

