

## **Comment on Motions for Previous Question Particularly with the addition of “and all pending or previous questions.”**

Obviously the motion to “call” the question is the same as to move the “previous question.” But less than obviously, Roberts permits the motion for a previous question to include as many previous questions as are before the house up to and including all of them. See following.

The motion to move the previous question on this matter and all pending matters has the effect of shutting off any further consideration of all matters on the floor in the substitute motion (or minority report) process. It did that with devastating effect at the last GA to end debate without any real discussion of the Authoritative Interpretations portion of the motion. See the video at [www.bombadil.posterous.com](http://www.bombadil.posterous.com) Minority Report Process parts 1 & 2. If you need the password, contact [jrtony@pppcc.org](mailto:jrtony@pppcc.org)

So what’s the remedy? Roberts provides one. The way it works is best described on pp 189-193 and the example on 199-201, *Roberts Rules of Order Newly Revised, 10<sup>th</sup> Edition*.

Suppose there is a series of questions stacked up:

Main motion A, Amendment B, Amendment to B-- Motion C, Motion to refer, which is D.

If someone "moves the previous question" they are only moving it on the last one in the stack, D, the motion to refer. Immediately after that motion is made and seconded, but before the vote is taken, a member may obtain recognition and "move the previous question on all pending questions" (which, if approved, would cause immediate votes to be taken on D, then C, then B, then A). Immediately after the motion described above, someone could move the previous question on D and C. Immediately after that, someone could move the previous question on D, C, and B. The point is, the "previous question" always includes the current motion under discussion (in this case D) and can go back as many layers as the mover of the motion wishes to specify. But you can't skip any (i.e. you can't move the previous question on D and B while skipping C—you have to move it on a consecutive series of motions including the motion currently under debate. So if 4 motions are stacked up, there are 4 possible variations of a motion for the "previous question." Obviously if the first motion is to move the previous question and all pending matters, the same additional motions are still in order. See the yellow highlights on p. 2 below.

If the chair receives multiple previous question motions, regardless of the order in which they were made, the chair puts the questions to the house in the order that includes the most items first to the motion that includes the fewest items last (stopping, of course, if one of the motions in the chain passes by a 2/3 vote). See page RRONR 192, which is in "Standard Descriptive Characteristics," item 6, lines 18 to the end of that section (below green highlight):

“ . . . The vote is taken first on the motion that would order the Previous Question on the largest number of motions; if this fails, then on the next smaller number, and so on, until one is adopted (by a two-thirds vote), or until all of the motions for the Previous Question are rejected.”

Actually since this is available in Roberts and since motions for previous questions/parliamentary motions/ yellow or blue paddles are almost always received immediately in the situation of a previous question being moved, it might be best to have this discussion with the Moderator and Clerk prior to the General Assembly so that the Moderator and the Clerk can review Roberts Rules and be prepared. AND in that meeting the request can/should be made to the Moderator to avoid the motion for the previous question and all pending questions in debate on highly controversial matters. The use of Roberts Rules to limit a hasty rush to judgment could convince the body to proceed with care.

## Moving the Previous Question Closing Debate and Moving to a Vote

From Robert's Rules of Order, Newly Revised, 10<sup>th</sup> Edition, 2000, page 189ff.

### §16. PREVIOUS QUESTION

(Immediately to close debate and the making of subsidiary motions except the motion to Lay on the Table)

The Previous Question is the motion used to bring the assembly to an immediate vote on one or more pending questions; its adoption does this with certain exceptions.

Adopting or "ordering" the Previous Question:

- 1) immediately closes debate on, and stops amendment of, the immediately pending question and such other pending questions as the motion may specify (in consecutive series; see Standard Characteristic 2); and prevents the making of any other subsidiary motions except the higher-ranking (5) *Lay on the Table*.\*

The adoption of an order for the Previous Question does not prevent the making of privileged or incidental motions (6) as applicable, and, strictly speaking, it does not prevent a special order set for a particular hour (14, 41) from interrupting the pending business (see also pp. 194-96).

The motion for the Previous Question has nothing to do with the last question previously considered by the assembly and has a long history of gradually changing purpose.

The *Previous Question* is not allowed in committees (50).

### Standard Descriptive Characteristics

The subsidiary motion for the *Previous Question*:

1. Takes precedence over all debatable or amendable motions to which it is applied, and over the subsidiary motion *to Limit or Extend Limits of Debate*; and, if adopted, it supersedes the effect of an unexhausted order limiting or extending debate, with respect to the motions to which it is applied. It yields to the subsidiary motion *to Lay on the Table*, to all privileged motions, and to all applicable incidental motions.
2. Can be applied to any immediately pending debatable or amendable motion; to an entire series of pending debatable or amendable motions; and to any consecutive [page 191] part of such a series, beginning with the immediately pending question. (Under this rule it can be applied to motions that are amendable but not debatable,\* for the purpose of stopping amendment; see tinted p. 45.) It supersedes any earlier order for the closing of debate at a future time and can be applied while such an order is in effect. In practice, this motion usually is made in an unqualified form, such as "I move the previous question," and then it applies only to the immediately pending question. **In its qualified form**, however, it can be applied to include consecutively any series beginning with the immediately pending question. For example, the following motions might be pending: (a) a resolution; (b) an amendment to the resolution; (c) a motion to refer the resolution and its pending amendment to a committee; and (d) an immediately pending motion to postpone all of these questions to a definite time. In this case, an unqualified motion for the *Previous Question* will apply only to (d). **Such a motion can be qualified to apply to (d) and (c); to (d), (c), and (b); or to (d), (c), (b), and (a).** It cannot include only (d) and (b); only (d), (b), and (a); only (d), (c), and (a); or only (d) and (a); and no motion for the Previous Question excluding the immediately pending question (d) can be made until (d) has been voted on. **No subsidiary motion can be applied to the *Previous Question*, except that**

- when it is pending the main question can be laid on the table, carrying to the table also all adhering motions, including the motion for the *Previous Question*.
3. Is out of order when another has the floor.
  4. Must be seconded.
  5. Is not debatable.
  6. Is not amendable. However, it has a special characteristic that permits an effect similar to amendment when the motion is applied while a series of questions is pending. When a motion for the *Previous Question* is immediately pending in such a case, it can be made again with more or fewer pending questions included (subject to the restrictions shown in Standard Characteristic 2, above), before the first motion for the *Previous Question* is voted on. The procedure resembles filling blanks (see pp. 155-60) except that each of the motions must be made by a member who has obtained the floor, and each must be seconded.\* For example, if one member has made this motion in the unqualified form when a series of questions is pending (so that it would apply only to the question immediately pending at that time), another member can move it on part of the series and still another can move it on all pending questions. The vote is taken first on the motion that would order the *Previous Question* on the largest number of motions; if this fails, then on the next smaller number, and so on, until one is adopted (by a two-thirds vote), or until all of the motions for the *Previous Question* are rejected.
  7. Requires a two-thirds vote. (If a motion for the *Previous Question* fails to gain the necessary two-thirds vote, debate continues as if this motion had not been made.) In ordinary bodies, the requirement of a two-thirds vote for ordering the *Previous Question* is important in protecting the democratic process. If this rule were not observed, a temporary majority of only one vote could deny the remaining members all opportunity to discuss any measure that such a majority wished to adopt or kill.\*
  8. Can be reconsidered before any vote has been taken under the order of the *Previous Question*, but (in contrast to the motion to *Limit or Extend Limits of Debate*) it cannot be reconsidered after the order has been partly executed;\*\* see also pages 197-98. A negative vote on the motion for the *Previous Question* can be reconsidered only until such time as it has become essentially a new question—that is, if it is reasonable to assume that debate or action on any of the motions involved may have made more members desire to vote immediately on some or all of the questions still pending. Thereafter, it can be renewed (see p. 329, l. 1-6).

### Further Rules and Explanation

EQUAL APPLICATION OF RULES TO COLLOQUIAL FORMS SUCH AS "CALL FOR THE QUESTION." A motion such as "I call for [or "call"] the question" or "I move we vote now" is simply a motion for the *Previous Question* made in nonstandard form, and it is subject to all of the rules in this section. Care should be taken that failure to understand this fact does not lead to violation of members' rights of debate.

Sometimes the mere making of a motion for the *Previous Question* or "call for the question" may motivate unanimous consent to ending debate. Before or after such a motion has been seconded, the chair may ask if there is any objection to closing debate. If member(s) object or try to get the floor, he should ask if there is a second to the motion or call; or, if it has already been seconded, he must immediately take a vote on whether to order the *Previous Question*. But regardless of the wording of a motion or "call" seeking to close debate, it always requires a second and a two-thirds vote, taken separately from and before the vote(s) on the motion(s) to which it is applied, to shut off debate against the will of even one member who wishes to speak and has not exhausted his right to debate (see pp. 42, 375-77).

EXEMPTION OF UNDEBATED PREAMBLE FROM THE PREVIOUS QUESTION UNLESS SEPARATELY ORDERED. When a resolution having a preamble (one or more explanatory clauses

beginning "Whereas, . . . ") is pending, if the *Previous Question* is ordered on the resolution before consideration of the preamble has been reached (pp. 102ff., 133, 269), the order does not apply to debate and amendment of the preamble, to which the assembly proceeds immediately. After the chair has declared the preamble open to debate and amendment in such a case, the entire resolution can be brought to an immediate vote, if desired, by then ordering the *Previous Question* on the preamble.

**VOTING ON A SERIES OF MOTIONS UNDER THE PREVIOUS QUESTION;  
INTERRUPTION OF EXECUTION.** When the *Previous Question* is ordered on a series of pending motions as explained above under Standard Characteristic 2, they are voted on in order of rank beginning with the immediately pending question—that is, in reverse of the order in which they were made. If the series includes motions to *Postpone Definitely*, to *Commit*, or to *Postpone Indefinitely* and one of these motions is adopted, further voting stops—regardless of how many of the remaining questions were, or were not, included under the order for the *Previous Question*. But if voting is not stopped in such a manner, then, when all of the motions on which the *Previous Question* was ordered have been voted on, consideration of any questions still pending resumes under the regular rules.

If a question or series of questions (including motions on which the *Previous Question* has been ordered) *ceases to be the pending business* before all of the motions affected by the order have been voted on, execution of the order is said to be interrupted. Interruption of the execution of an order for the *Previous Question* may occur as follows:

- If a motion to *Postpone*, to *Commit*, or to *Postpone Indefinitely* on which the *Previous Question* has been ordered is adopted (as in the preceding paragraph) in a case where one or more of the remaining questions *were also included* under the order, execution of the order is thus *interrupted after it has been partly carried out*.
- *Before or after* an order for the *Previous Question* has been *partly carried out*, as already noted, it is also possible for its execution to be interrupted as a result of the question(s)'s being laid on the table, or by the intervention of a special order set for a particular hour (14, 41), a question of privilege (19), a recess (8, 20), or an adjournment (8, 21). (If the hour set for a special order, a recess, or an adjournment has arrived and the *Previous Question* has been ordered on one or more pending motions, however, there usually will be no objection to the chair's putting them all to a vote in succession before he announces the matter that intervenes, unless the votes are to be taken by a method requiring time.)

**EXHAUSTION OF THE PREVIOUS QUESTION.** The *Previous Question* is said to be *exhausted* (in reference to a particular order for it) when all of the motions on which it was ordered have been finally disposed of, or when any motions not yet finally disposed of are no longer affected by the order. The conditions for exhaustion of the *Previous Question* are the same as for an order limiting or extending limits of debate—that is: (1) when all motions on which the *Previous Question* was ordered have been voted on; (2) when those not yet voted on have either been committed or postponed indefinitely; or (3) at the end of the session in which the *Previous Question* was ordered—whichever occurs first. After the *Previous Question* is exhausted, any remaining questions that come up again are open to debate and amendment just as if there had been no order for the *Previous Question*.

If the execution of an order for the *Previous Question* is interrupted and if the motion or motions that were pending come up again later, the rules in the foregoing paragraph apply as follows:

- If the questions were *referred to a committee* and are later reported, the *Previous Question* is exhausted and the motions are open to debate and amendment, even if it is during the same session.
- But if the interruption of execution occurred by any *other means than referral* and the questions come up again during the *same session*, the order *remains in effect*; all motions on which the

*Previous Question* was ordered must be voted on immediately (unless a reconsideration of the order is possible and a motion to reconsider it has been made, or is then made; see below).

- If the questions do not come up again until a *later session*, the *Previous Question* is *always exhausted*, regardless of how the interruption of execution occurred.

RECONSIDERATION OF A VOTE THAT HAS ORDERED THE PREVIOUS QUESTION. As noted in Standard Characteristic 8, a vote that has ordered the *Previous Question* can be reconsidered before, but not after, any of the motions affected by the order have been voted on. Consequently, it will frequently happen that a motion to reconsider an affirmative vote on the *Previous Question* itself can be made only in the brief moment after the vote ordering the *Previous Question* is completed and before the first vote is taken under the order (see also p. 201).

If the execution of an order for the *Previous Question* was interrupted before any vote was taken under the order, and if the questions come up again during the same session, a motion to reconsider the order (if not made earlier) can be made only in the moment after the chair has announced these questions as the pending business and before any of them are voted on. In addition, the regular time limits for making a motion to *Reconsider* apply (see 37).

It should be noted that if a motion or series of motions that is under an order for the *Previous Question* comes up after having been *postponed*, there can never be a reconsideration of the order. The reason is that the motion to *Postpone* can only have been made before the *Previous Question* was ordered, so that the order for the *Previous Question* will always have been partly executed by the vote that caused the postponement.

In practice, if a motion to reconsider an affirmative vote on the *Previous Question* prevails, the subsequent procedure is abbreviated as follows: The vote that adopted the motion to *Reconsider* is also presumed to have carried out the reconsideration and to have reversed the vote that is reconsidered; that is, the *Previous Question* is now presumed to be rejected and is not voted on again, for this reason: In such a case, only members opposed to the *Previous Question* would vote to reconsider it after it had been adopted; consequently, if a majority have voted for reconsideration, it will be impossible to obtain a two-thirds vote in favor of the *Previous Question*.

RECONSIDERATION OF A VOTE TAKEN UNDER THE PREVIOUS QUESTION. If a vote ordered by adopting a motion for the *Previous Question* is reconsidered before the *Previous Question* is exhausted, the motion to *Reconsider* is undebatable and the motion reconsidered cannot be debated or amended. But if the reconsideration occurs after the *Previous Question* is exhausted, the motion to *Reconsider* and the question to be reconsidered are no longer affected by the *Previous Question*.

EFFECT ON APPEALS. An appeal is undebatable if it is made after the *Previous Question* has been moved or ordered and before the order is exhausted.

EFFECT ON SUBSEQUENT MOTIONS GENERALLY. The general rules as to the effect of an unexhausted order for the *Previous Question* on subsequent motions that would normally be debatable or amendable are as follows:

- While one or more motions on which the *Previous Question* has been ordered remain pending, the order also applies to any other motions that may take precedence over these pending questions. (The rules stated in the two preceding paragraphs - for motions to reconsider a [page 199] vote taken under the *Previous Question* and for appeals - are applications of this principle.)
- But if a question of privilege is raised and is admitted for immediate consideration (see 19), or if a special order set for a particular hour intervenes, these questions are independent of an unexhausted order for the *Previous Question* applying to business that they interrupt.

### Form and Example

The forms used in making this motion include: "I move the previous question" (to apply only to the immediately pending question); "I move [or "demand," or "call for"] the previous question on the motion to commit and its amendment"; "I demand the previous question on all pending questions"; and so on. Calls of "Question!" by members from their seats are not motions for the *Previous Question* and are disorderly if another member is speaking or seeking recognition.

In stating the question on this undebatable, nonamendable motion, the chair does not pause or ask, "Are you ready for the question?" but *puts* the question for a rising vote on the motion for the *Previous Question* immediately as shown below. Similarly, in announcing an affirmative result, he at once states the question on the motion that is then immediately pending.

Assume that a series of several debatable and amendable motions is pending.

MEMBER A (obtaining the floor): I move the previous question on [specifying the motions, unless he desires that only the immediately pending question be affected].

(Second.)

CHAIR: The previous question is moved on [naming the motions, unless none was specified]. Those in favor of ordering the previous question on [repeating the motions], rise. . . . Be seated. Those opposed, rise. . . . Be seated. There are two thirds in the affirmative and the previous question is ordered on [naming again the motions to which the order applies]. The question is now on the adoption of the motion to . . . [stating in full the immediately pending question]. Those in favor [and so on, putting to vote in proper sequence all motions on which the *Previous Question* has been ordered].

If there are less than two thirds in the affirmative, the chair announces the result of the vote on the motion for the *Previous Question* as follows:

The following example shows the forms used in handling alternative motions for the *Previous Question* that specify different numbers of pending questions in a series, as described under Standard Characteristic 6.

Assume that a resolution, an amendment to the resolution, and a motion to *Commit* are pending (in which case the motion to *Commit* is the immediately pending question).

MEMBER X (obtaining the floor): I move the previous question. (Second. In this case only the motion to *Commit* is affected.)

CHAIR: The previous question is demanded. Those in favor of ordering . . .

MEMBER Y (quickly rising and interrupting the chair): Mr. President.

CHAIR: For what purpose does the member rise?

MEMBER Y: I move the previous question on all pending questions. (Second.)

CHAIR: The previous question is also moved on all pending questions. The question is now on the demand for the previous question on all pending questions. Those . . .

MEMBER Z (quickly rising): Mr. President.

CHAIR: For what purpose does the member rise?

MEMBER Z: I move the previous question on the motion to commit and on the amendment to the resolution.

(Second.)

CHAIR: The previous question is also demanded on the motion to commit and on the amendment to the resolution. The question is first, however, on the motion to order the previous question on all pending questions. Those in favor of ordering . . . [and so on. Alternative motions for the *Previous Question* are voted on in order beginning with the one that would apply to the largest number of pending questions. Therefore, after admitting Member Y's motion, the chair starts to put the question on it first; but after admitting Member Z's, he returns to taking a vote on Member Y's. If one of these motions for the *Previous Question* is adopted, any remaining ones are ignored.]

If a member wishes to make a higher-ranking motion or to move a reconsideration while a motion for the *Previous Question* is pending or after the *Previous Question* has been ordered, he seeks limited recognition by rising and interrupting the chair just as in the example above.