

It must be further pointed out that any planning related to civilian internment camps is based on the assumption that the need would only arise in time of war, and that particular need has never been seriously questioned, even by the McDonald Commission, Mr. Speaker, which indicated, and I quote:

—in any emergency of the kind contemplated by the War Measures Act some potentially dangerous persons will have to be put under restraint.

That is from the McDonald Commission, Mr. Speaker.

The Hon. Member will also realize that safeguards against the abuse of emergency powers, exercised even in war time, will be covered by the Charter of Rights and Freedoms, which did not exist, I might add, Mr. Speaker, at the time of the Quebec crisis. This provides for injunctive or compensatory relief in respect of limitations to human rights which the courts decide have been unreasonable or not demonstrably justifiable in a free and democratic society.

Finally, if the Hon. Member has to query the advisability of releasing convicted persons to accommodate detainees, he must be fully aware that no internment camps exist now, nor are any being established, otherwise the measures he questions would not be necessary. He really should make up his mind. Does he want us to build internment camps now so as to have them ready if and when required? Does he want us to plan to use the prisons as provided in the Planning Order? Or does he want us to allow potential enemies of the state to roam at will among us during times of war or armed conflict?

I add again, Mr. Speaker, that at the time of the FLQ crisis in 1970, the Charter of Rights and Freedoms did not exist. It was this Government which pushed for and brought forward those important changes to our constitutional law. This Government certainly is not, in light of that, a government which would set up secret internment camps to intern Canadians in any but the most extreme conditions of war, and I believe the Hon. Member clearly knows that by now.

● (1810)

IMMIGRATION—HEAD TAX IMPOSED ON CHINESE IMMIGRANTS.
(B) REQUEST THAT GOVERNMENT PAY COMPENSATION

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, on Chinese New Year I presented the case of two elderly constituents of mine who had paid a head tax to come to Canada. I asked the Canadian Government, as a symbolic gesture, to undo past wrongs and compensate Chinese immigrants who were forced to pay a head tax because they were Chinese. We cannot change past laws but we can recognize unjust discrimination and apologize as a nation.

On February 24, I asked the Acting Prime Minister and the Minister of Justice (Mr. MacGuigan) to consider an official Government apology to Chinese immigrants who were forced to pay the discriminatory head tax between 1885 and 1923. I also asked if the Government would compensate the survivors of those who paid the head tax. The Minister of Justice acknowledged that we cannot change history but he would look into this matter. I presented this request as a moral, not a legal case.

Adjournment Debate

The Chinese Immigration Act was racist because it discriminated against people of Chinese origin. It applied to no other immigrants and was followed up in 1923 by the Chinese Exclusion Act which effectively stopped all Chinese immigration until 1947. That was contrary to the spirit of our new Charter of Rights.

Canada's immigration policy was only one of the injustices that these early pioneers suffered. They were exploited, poorly paid and restricted in where they could live and work. They lived very lonely lives, separated from their families. It was not until 1947 that they were given the right to vote. The CCF, later the NDP, was the only Party to protest these injustices over the years and to insist that Asian immigrants must have full voting rights. The Liberal Party in B.C. took the opposite position.

Since I spoke in the House there has been a great swell of interest in this issue across Canada. I have received copies of over 600 head tax receipts and heard case histories which must be recorded in the Canadian Archives. Chinese organizations have joined in the request for an official apology and some form of recognition, whether symbolic or financial.

I want to read into the record an excerpt from a letter from the president of the Chinese Canadian National Council to the Minister of Justice. He said:

We are writing to express our joy at the announcement you made in the House of Commons on February 23, 1984 that the Government will consider apologizing to Chinese Canadians and compensating those who were forced to pay a head tax between 1885 and 1923 to immigrate to Canada.

This is a dark page in Canadian history the injustice and horror of which still live vividly among many Chinese Canadians, especially the older generation who personally experienced the harsh measures.

As such, your announcement in the House the other day must be welcomed and congratulated. It is our opinion that the courageous and insightful step as suggested by the honourable member from Vancouver East, that which you are contemplating, not only puts a dark page in our nation's history in the proper perspective, it also reflects genuinely the spirit of equality before the law as stipulated in the Charter of Rights and Freedoms.

The proposed compensation and apology, besides other viable and reasonable measures, will remove once and for all the stigma attributed to Chinese Canadians due to the harsh measures in the past. It will bring new pride to—and is the best assurance for—Chinese Canadians that they are full and equal members in this great nation of ours.

I again ask for a positive response from the Government, Mr. Speaker, to present an apology with some form of compensation and recognition. We must be very sure that this kind of discrimination never again happens in Canada.

Mr. Al MacBain (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, the Hon. Member has raised the matter of the head tax to which Chinese immigrants were subjected under federal legislation between the years 1885 and 1923. Even a cursory reading of Canadian legal history reveals the discrimination practised against Chinese immigrants and Chinese Canadians.

● (1815)

Chinese people, like so many others who arrived at that time, began immigrating to British Columbia about 1858 in search of gold. It was only some 20 years or so later that much