

Defence Production Act

his very clear and able posing of the issue which is before the house.

Mr. Knowles: One hundred and one minutes without telling us where he stood.

Mr. Michener: That seemed to be the issue in the member's mind, the length of time in which the hon. member for Eglinton clearly raised the issue as it is seen by members of this party. The hon. member for Vancouver South (Mr. Philpott), who has just spoken, very cleverly has avoided the issue which has been raised by most of the opposition speakers. He has failed to discuss the powers which are carried forward in this bill, other than to call them tools. That is a very glib and easy way of disposing of the issue. By using a pat phrase, "give the minister the tools" he has, as he thinks, disposed of the issue. But the bill we have before us is Bill No. 256, to amend the Defence Production Act. The bill itself is quite simple in its terms. May I refer to the substance of the bill. One part of it deals with the minister's salary—which is not an issue—and the other part extends the Defence Production Act.

It may be repetitious but it seems to be necessary to repeat that the matter of extension of the Department of Defence Production is not an issue. If that were the entire content of the bill—or that plus the salary—there would be no issue before the house. The issue is not either of those matters. We agree on them. I agree with the argument put forward by the minister that there is a necessity for the Department of Defence Production or some such department. I agree that it must have a lifetime ahead of it and not be subject to termination if it is to be staffed with people of the competence required in such an important undertaking, and that therefore it is not satisfactory from the departmental point of view to be labouring under a deadline. I agree that such a department and its co-operation with industry in this country with a view to remaining on a defence footing is an essential and desirable objective, and it is something upon which I suggest all parties in this house would agree.

As has been clearly stated, the disagreement arises with respect to the powers which the government appears to have considered to be necessary to carry on the Department of Defence Production and for it to do its business. In other words, the issue before the house is the issue of the perpetuation of emergency powers, not only of the minister but of the governor in council, which powers are in fact emergency powers but are not defined as such and are not based on any declaration of emergency, as has been pointed out this morning.

[Mr. Michener.]

We have had in this country 15 years of experience of emergency powers. That is plenty of time in which to form an opinion of the necessity for and the circumstances in which those powers are necessary; how they operate; and what their effect is on the economy, the people of the country, the constitution, business and industry, and private rights and liberties. All of these things have been the subject of observation as the result of the exercise for 15 years—since 1940 or 1939—of emergency powers.

The authority for the exercise of those powers still exists, as has been well pointed out, in the War Measures Act; and those powers can be invoked again, if necessary. They have existed under the War Measures Act, under the emergency powers act, under various acts of parliament such as the ones creating the department of munitions and supply, defence supplies and others which were passed in the circumstances of a conflict which was an all-out contest between the western democratic countries and powers organized on totalitarian lines. I believe that every Canadian agreed with and endorsed the organization of Canada in a centralized or what one might properly call a totalitarian organization which was necessary in the circumstances to combat a similar mobilization of the entire resources of the nations with whom we were fighting. That centralization and concentration of emergency power continued, Mr. Speaker, after the war was over. It has been the subject of strong and, at times, acrimonious debate in this house, as to whether the necessity continues for those powers.

Well might the subject give rise to such debate because the powers which were exercised by the federal authority went far beyond its normal constitutional powers and it looked as though Canada were taking a shape and substance which was by no means normal for a democratic society. In other words, it looked as though it was assuming the permanent character and organization of a wartime economy. It was proper that that trend should be questioned because, as I say, the powers which were exercised by the federal authority went deep into the lives of the Canadian people, and went far beyond any authority which had been exercised by federal power prior to that date.

Examples will readily occur to the mind. The federal government acquired authority over rental which is purely a matter of provincial control. We all remember that the rent control regulations reached into the farthest villages of Canada and dealt with matters which are not the subject of federal legislation in normal times. The same thing