who happened to own premises or a hall and rented them could be charged. It is conceivable that university authorities could be charged because a meeting took place in a classroom where a group of young people were discussing the whole gamut of how to bring about social change. This may seem far-fetched, but sometimes things get out of hand. I am sure that if the minister considers the matter carefully he will realize that without this phrase the clause is broad enough to cover the circumstances he wants to deal with through the bill.

**Mr. De Bané:** Mr. Chairman, I do not agree with the hon. member's amendment. The first part of clause 6 prohibits meetings of the FLQ, and the second part prohibits meetings of people guilty of the offence described in clause 4(d). The first part of clause 6 refers in fact to clause 4(a), and the second part to clause 4(d). Therefore, the rationale of the amendment is not good. No illegal association has ever published a restricted list of its illegal acts. Clause 2(d) defines "unlawful association" as an association declared by the act to be unlawful, and clause 4(d) refers to "unlawful acts".

**Mr. Broadbent:** If I may reply to the last speaker first, I point out that clause 4(d) talks about the person who commits the act. It reads:

> A person who advocates or promotes the unlawful acts of, or the use of the unlawful means...is guilty of an indictable offence—

If you look at clause 6, what we have in it, as I tried to suggest in the first part of my argument, is the very real possibility of charging a man who knowingly not only leases premises to an organization that he is aware is illegal—I am in agreement with that—but who also knowingly leases his premises to an assemblage of people who, in turn, in the course of their meeting may do something that contravenes the law. The man has no control over that. A comparison with clause 4(d) breaks down on that ground. The Minister of Justice referred to the first part of the clause which reads:

> —who knowingly permits therein any meeting of the unlawful association or of any branch, committee or members thereof—

That same "knowingly" carries down to the part of the clause that I want to exclude so that he would only be punished if he knew the assemblage was going to advocate criminal activity. At present the clause does not say that. The unamended clause might be used for harassment of people who may be discussing ideas, whether of the FLQ or some other separatist variety. With the portion deleted which is mentioned in the amendment, the police could still deal very effectively with known branches of the FLQ. We should avoid anything in the law that might lead to harassment of free discussion. If the clause is not amended, that is exactly what we will be doing—providing potential for harassment of free discussion.

**Mr. Lewis:** Mr. Chairman, it seems to me that the Minister of Justice is not likely to accept any changes in the bill except those that he himself may propose. However, we intend to try to persuade him and the committee to make the changes we think are important. The hon. member for Oshawa-Whitby and the hon. member for Comox-Alberni said many things that I would have said, so I will not repeat them. I can probably agree with the minister, also being a lawyer of some sort, that the word "knowingly"—

**Mr. Knowles (Winnipeg North Centre):** Which one is the "lawyer of some sort"?

**Mr. Lewis:** The present speaker. I agree with the minister that "knowingly" may be interpreted to apply to an assemblage of persons having certain characteristics, but that is not the whole point. I understood there were three major objectives that the government wanted in legislation in order to fight the FLQ. My colleagues and I have expressed a regretful willingness, I assure you just as regretful as the minister's, to accept those three objectives in the circumstances of the case. The first is the declaring of the FLQ and analogous organizations as unlawful. One doubts the value of declaring organizations unlawful and knows the danger in that. As I have said on two or three occasions, what is there now is an unlawful conspiracy, a group of men who plan kidnappings and are involved together in kidnappings, in murders, in bombings, in robberies and in theft. In short, they are criminal conspirators.

The second thing I understood the government to need for a limited period was the unlimited right to search without warrant in order to be able to apprehend the people concerned and to find weapons, ammunition, dynamite, etc. The third was the right to apprehend people without warrant and to detain them for a limited number of days. I am very glad that the bill reduces the number of days. As I understand it, those are the crucial powers that ever since October 16 the police have required to do the job. In addition, this bill contains many other powers that in our submission go beyond the purpose of the bill.

• (3:10 p.m.)

Clause 6 as a whole is the equivalent of the padlock law introduced by Duplessis in the province of Quebec and against which the right hon. Prime Minister and other members of the Liberal party fought valiantly. But all that could be done under the padlock law was to lock up a house. There was no fine or imprisonment involved, just the authority to lock up a house where a meeting of a communist group advocating force and violence took place.

Under clause 6 of this bill the owner, lessee, agent or superintendent of the building is liable to a fine of $5,000 or imprisonment for a term not exceeding five years, or both. We are ready to go along with the minister as far as he means letting the place knowingly to an unlawful association, but the vague language used in the clause is bound of interfere with legitimate activities.

I am sure the minister is aware that many cases dealt with by the Supreme Court of the United States involving issues of civil liberties, free speech and amendments