

*National Emergency*

parliament, and that, of course, is legislation in a way, but only what I may call secondary legislation.

The bill before us, however, enables the ministry to legislate and enact substantive law, and, generally speaking, that is intolerable in democracy in ordinary times, the more so under our constitution because the government by such legislation not only takes over the function of parliament but interferes seriously with the powers of our provinces with respect to subjects which are specifically assigned to provincial legislatures. If we were living in ordinary times, we would undoubtedly oppose the passing of such a bill most vigorously.

This measure is to be called the National Emergency Powers Act, and the preamble states in part:

... it is necessary for the peace, order and good government of Canada that during the period of transition to normal from the exceptional conditions existing during the war, with the attendant dangers and responsibilities for the nation as a whole, acts and things done and authorized and regulations and orders made under the War Measures Act be continued in force and that the governor in council be authorized to do and authorize during the said period such further acts and things and make such further orders and regulations as he may by reason of the national emergency resulting from the war deem necessary or advisable for the security, defence, peace, order and welfare of Canada.

It is this preamble, in my humble opinion, upon which we have to make up our minds. Is there a national emergency and is it necessary that during the period of transition to normal, with the attendant dangers, the regulations and orders under the War Measures Act be continued in force, and that the government be empowered to make further orders by reason of such national emergency resulting from the war, assuming that such national emergency now exists?

I believe that the important point to consider is this, whether the dangers and the extraordinary circumstances resulting from the war are still with us, and whether we believe this to be a state of fact. If we do, we must endorse the principle of this bill.

I have come to the conclusion that for the security, peace, order and welfare of our nation some of the orders and regulations already passed must be continued and that the government must retain certain powers to make further laws for that purpose.

I have tried to draw a picture in my mind of what might happen if the government to-day proclaimed the war at an end, which would automatically suspend the War Measures Act and repeal the orders and regu-

lations made by virtue of that act. The picture that forms itself in my mind would be one of utter confusion and chaos. We must not forget that it was largely by the powers granted to the government under the War Measures Act that Canada was able to make her notable contribution to total war in the field of war production; and in order to reconvert to a peace-time economy we must retain some of these controls. The government must have some of these powers so that reconversion may be orderly, or at least as orderly as possible. Otherwise, in the mad scramble back to the promised land of free enterprise, a lot of people will be crushed, and I am afraid that it will be largely the little man—the forgotten man—who will suffer the most. Therefore, I shall vote in favour of the second reading of the bill, and endorse its principle.

But we shall reserve our right to introduce amendments when the bill is in committee. For all practical purposes the bill contains the same wide powers contained in the War Measures Act, and we believe that this is unnecessary since the actual shooting is now over. It is true that some of the subject matters enumerated in section 3 of the War Measures Act have been left out of section 3 of this bill, but in any event the enumeration of the subjects in section 3 of this bill is made meaningless by the words contained in the first subsection, "but not so as to restrict the generality of the foregoing terms." That phrase is all right in time of war, but I maintain that it is not necessary in time of peace. I contend, as did the hon. member for Lake Centre, that the government should state the specific powers which it needs to legislate, and should restrict itself to those powers. If we leave in the bill the words which I have just quoted the government would not be restricted to the subject matters specifically enumerated in section 3 but would have the wide powers which it had before. We shall govern ourselves according to the explanation that is given when the bill is in committee, and I trust that the government will see its way clear to accept an amendment which will restrict the powers it seeks to the subjects specifically enumerated in section 3, as such subjects may be amended and finally passed by the committee.

We also take exception to some of the subjects enumerated in section 3 of the bill, or at least we shall have questions to ask as to why the government deems it necessary to have certain of these enumerated exceptional powers. We consider paragraph (g) entirely unnecessary. It is the paragraph referring to entry into Canada and deportation and also the revocation of citizenship. This paragraph