

Emergencies Act

important question of a member of the Conservative Party, the Hon. Member for Portneuf (Mr. Ferland). He asked whether in fact in 1970 the Government of Canada did the right thing, or whether the Government of Canada at that time should have refused the request made by the Attorney General of a province and a mayor of the largest city in the land. Of course, he did not get an answer to that question. The only answer, albeit inadequate, was that perhaps there was a need for a few more policemen or something like that and that the measures used were far too great—

• (1250)

Mr. Della Noce: Excessive.

Mr. Boudria: Excessive is the word. I thank the Member opposite. The Member has reminded me for a very good reason. He wants to let Canadians believe that the measures were excessive to the requests made. Let me remind you, Madam Speaker, of the request made at that time. I read from the letter:

Under the circumstances, on behalf of the Government of Quebec, I request that emergency powers be provided as soon as possible so that more effective steps may be taken. I request particularly that such powers encompass the authority to apprehend and keep in custody individuals who, the Attorney General of Quebec has valid reasons to believe, are determined to overthrow the Government through violence and illegal means. According to the information we have and which is available to you, we are facing a concerted effort to intimidate and overthrow the Government and the democratic institutions of this province through planned and systematic illegal action, including insurrection. It is obvious that those participating in this concerted effort completely reject the principle of freedom under the rule of law.

That is the truth, and that was the request made by the Government of Quebec at that time. The request was not to send in six more policemen to patrol some place. Far from it. You have listened very attentively, Madam Speaker, to the statement I have just read from the Attorney General of the Province of Quebec at that time. For Members to stand in this House, either the Conservative Member who has just spoken—incidentally his Party supported the imposition of the War Measures Act at that time—or New Democratic Party Members, pretending that nothing happened, saying that someone in this House in 1970 cooked up this whole thing is just a little less than total honesty.

I read further from a letter sent by the Mayor of Montreal at the time. He said:

The chief of the Montreal Police has informed us that the means available to him are proving inadequate and that the assistance of higher levels of Government has become essential for the protection of society against the seditious plot and the apprehended insurrection in which the recent kidnappings were the first step.

It is obvious the request made at that time was, indeed, very serious. I am not saying that the War Measures Act was not a blunt instrument. I will agree that it is too blunt an instrument, but you have to remember what was asked for was asked for by a duly elected Government of a province in this country and the mayor of the largest city in Canada. Given those two facts, and given the instrument available at the time, it is a little less

than honest for some people to claim, in hindsight, some 16 or 17 years later that the wrong thing was done.

Members of Parliament at the time stated, and have stated since, that we needed a new Bill because the War Measures Act was too blunt an instrument. I want to congratulate my colleagues in the Liberal Party for their foresight and objectivity in the way they have dealt with this topic.

When the Liberal Government in the past attempted to reform this law, the only thing we heard was partisan rhetoric from the Conservative Party, which Party refused to let this kind of legislation proceed, claiming that it was a diabolical plot on the part of the evil people in Government who wanted a new War Measures Act so they could use it again at every whim, or some nonsense like that. The present Party in Official Opposition is far more reasonable. We understand there is a need to modify the law. I think Members of this House on the opposition benches should be credited for that. It is my duty to bring it to your attention, Madam Speaker, as I know you would want me to do.

The Bill Before us is a very serious piece of legislation. It should not be taken lightly by the Government or any Member of this House. The Bill with which we are dealing can have, could have and would have an impact on the fundamental freedoms of the citizens of Canada if and when it was used, and hopefully it never will be. Notwithstanding, one needs to be prepared and one needs to have legislation to ensure that our country can be protected while at the same time adhering to a delicate balance so that the rights of Canadians are not trampled upon unnecessarily.

In 1970, like most Members of this House, I was not a parliamentarian. A few Members here have had the honour and privilege of serving here for a number of years, but most of us were doing other things. I was on staff in Parliament here travelling around the corridors of this building seeing people in military gear, battle dress as a matter of fact, carrying guns. Those were indeed very sad things to see. Hopefully we will never again see a day in Canada that would necessitate any kind of similar action.

No one wants this new Bill to be used. It is like buying life insurance. One does not buy life insurance with the intention of reaping the benefits, because obviously that does not happen. The present War Measures Act is a piece of legislation that has been in existence for a long time and is in serious need of amendment. We know, for instance, it was initiated by the then Conservative Prime Minister, Sir Robert Borden. It was passed through Parliament in very little time because our country was at war, or just on the brink of War World War I. Since then the legislation has been used only twice. The second time was during the Second World War and finally during the October crisis of 1970.

[Translation]

Madam Speaker, we in the Liberal Party have no intention of drawing out the debate in this House as a matter of course.