

legislation are not used by the Government as an excuse to seize the power to rule by regulation.

[*English*]

We always have to be vigilant in this place, in the media and across the country, with whatever emergency legislation the Government has, to be certain that it is not being abused. If there is anything that has been learned in the course of this debate and in the course of the committee hearings, it is that Government, given any power, needs to be watched. While the War Measures Act was a very extreme piece of legislation, that very extreme feature was in a way a safeguard that it would not be used lightly. This legislation can be used lightly, and I think to be certain that it is not used lightly will be the continuing responsibility of vigilant Canadians, of the media and of Members of Parliament in this place.

**Mr. Derek Blackburn (Brant):** Madam Speaker, a couple of things have always troubled me in my parliamentary career with respect to the Liberal Party of Canada. That is its ability to turn no logic into logic and to support the insupportable and make it look as if there were logic in both.

The Hon. Member from whom we have just heard is a former Solicitor General of Canada. He was a member of several Liberal Governments. Between 1971 and 1984, the Liberals had some 12 or 13 years in which to do something about the infamous War Measures Act. They chose to do absolutely nothing. They chose to leave it on the statute books.

This morning, we heard the Liberal spokesperson say that somehow the Opposition bothered them through those years by suspecting all kinds of unquestionable thoughts that might be entering the then Liberal Government's mind with respect to concentration camps and other nefarious business. I find it very, very strange, and from a logical point of view totally unacceptable and insupportable, that the Liberal spokesman would now stand up and somehow switch the blame around by saying that thank heavens today we do not have a suspicious Opposition and therefore this has made it easier for the Government to cope with the infamous War Measures Act. I fail to see any logic in those statements, and I fail to see how an intelligent, responsible Member of Parliament could support that kind of argument.

We all know that previous Liberal Governments had years in which to throw out the War Measures Act and bring in a new Bill, and they consistently refused to do so. That is the sum total of their disastrous record.

I might also add that during the very serious and productive discussions at the committee hearings, we went clause by clause and prior to that listened to representations from a broad spectrum of Canadian organizations and individuals. The Liberals hardly ever showed up at the committee hearings and, moreover, to make it even more disgraceful, they never offered one amendment to the Bill.

At the end, as the Minister said a few moments ago, the Bill was drastically changed as a result of the input from various

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groups of Canadians, from the New Democratic Party, from members of the Minister's own Party who were represented on the committee and from the Minister himself, showing an openness and a willingness on his part to accept reasonable, intelligent amendments. I think we made some history in this Parliament, as it draws to a close, I believe, in that there was input from the Opposition, from the New Democratic Party, that was listened to and accepted by the Government, and we listened to and accepted government changes brought in at committee, but there were no changes from the Liberals. As far as I am concerned, they acted in nothing but a disgraceful manner throughout the entire proceedings of Bill C-77.

Having said that, I want to mention a couple of points in these, our final remarks on this very important piece of legislation. The first has to do with representations made by the Association of Japanese Canadians, but I think it would also apply to representations made by Ukrainians who came before the committee with respect specifically to the concentration camp episode in our history, a very black part of our history indeed.

The Association of Japanese Canadians, in a letter to me, and I believe also to the Minister, asked that the Government submit this Bill to the Supreme Court of Canada for a final and ultimate decision with respect to the override of the Charter of Rights. We were assured by the law officers of the Crown during committee that no Government could override the Charter provisions in this Bill without a separate amendment to the Bill. In other words, it would have to go through the regular parliamentary process even during an emergency. This apparently does not satisfy some of the critics, namely the Japanese Canadians, and I would think possible the Ukrainian group as well, although it did not send any representation to me and I do not think that the group sent one to the Minister.

I would once again ask the Minister, as I have already in a letter, I believe, and also in my third reading debate, to put in motion as quickly as possible that request by the Japanese Canadians. I think it is a reasonable one. It would certainly allay all fears if the Supreme Court of Canada, as I think it will, decides in favour of the legislation, that no Government in the future could override the Charter of Rights in the application of Bill C-77 which is about to become law.

Another point concerns one of the amendments from the Senate which reads:

*Page 32, clause 62: Strike out lines 3 to 7 and substitute the following:*

"(2) The Parliamentary Review Committee shall include at least one member of the House of Commons from each party that has a recognized membership of twelve or more persons in that House—

I am not suggesting that the Government should hold up the passage of the Bill at this point, but I am not certain whether it is wise to put in the figure of 12. I think that should be deleted and I think it should be deleted at an early stage.

As the membership of this House increases, it is only reasonable to assume that that figure of 12 which would designate officially an opposition Party or a Party in the House