

provincial government and the city of Montreal to exercise our duty in a federal state, to ensure that the necessary co-operation in a federal-provincial aspect was maintained between the government of the province of Quebec and the government of Canada. The attorney general of the province of Quebec and the premier of the province of Quebec advised us that the law as presently constituted and directed in a free society was not equipped at the moment to meet the serious situation they were facing, and that they needed additional powers of arrest, of search and of detention.

Mr. Baldwin: Why did you not come here and ask for it?

Mr. Turner (Ottawa-Carleton): I will deal with that point in a minute. So this measure is brought before the country and the House. As the Prime Minister (Mr. Trudeau) said, it is an interim measure; it is an emergency measure. I listened very carefully to the speech of the Leader of the Opposition (Mr. Stanfield) this morning. The suggestion in respect of a special statute is not necessarily excluded so far as we are concerned. This is a debate; we want to listen to what the opposition has to say and how they judge the situation in the country.

Mr. Forrestall: Is somebody working on such legislation now?

Mr. Turner (Ottawa-Carleton): If the hon. gentleman will listen to me, he will learn soon enough. The attorney general of the province of Quebec called in troops under the National Defence Act by a letter to my colleague the Minister of National Defence (Mr. Macdonald). The provincial attorney general said that he needed extra powers, extraordinary powers, to deal with the matter. I believe we had a duty as well to allow the provincial attorney general to fulfil his responsibilities in respect of the enforcement of the law in the province.

It is all very well for the right hon. gentleman to recite some facts from the past. He knows that the enforcement of the Criminal Code, including the section relating to sedition, at the present time rests with the provincial attorneys general. It may be in times gone by that if Mr. Saulnier thought he had sufficient evidence, he had control of his own police force under the law as it existed then and could have prosecuted. He chose not to do so. The responsibility for the administration of justice as presently defined in the Criminal Code of Canada lies with the provincial attorneys general.

If organized crime should become more prevalent—I hope this never happens, but it may in a violent society where crime is mobile and where through the communications media information can be transmitted much more quickly—it may be that we should consider in this House an amendment to the Criminal Code to broaden the powers of the federal attorney general in dealing with some of these matters like sedition or treason which now come under provincial jurisdiction.

Mr. Asselin: Why not now?

Invoking of War Measures Act

Mr. Turner (Ottawa-Carleton): The hon. member is responding with some favour to the suggestion I make. But this situation does not exist now. I want to deal with the extent of the power given the government and the province of Quebec under the proclamation and regulations. Although the provisions of the War Measures Act and of the Public Order Regulations, 1970, made pursuant to that proclamation—copies of which have been received by hon. members—are in force throughout Canada, the regulations are directed primarily, and in practical terms exclusively, to the situation that prevails in the province of Quebec. Indeed, the Front de Libération du Québec is mentioned expressly in section 3 of the regulations and that organization, or any successor group or organization to it, is declared to be an unlawful association.

The right hon. gentleman asked: Why drive them underground? They are already underground. One might ask: Why make them unlawful? I suppose in strict terms they are already unlawful. Now we have a declaratory provision that makes it quite clear to prosecuting attorneys that being a member of this organization, or promoting or advocating its intent, is now a crime.

Some hon. Members: Hear, hear!

Mr. Turner (Ottawa-Carleton): The ends and aims of those persons who comprise that group or association are well-known; they are in fact notorious. They will stop at nothing to subvert democratic government in this country. While their prime target today may be the government of Quebec, there is every reason to assume—indeed, I think there are many clear indications—that other governments and indeed the central government of this country fall within the purview of their endeavours.

In recent days these persons have demonstrated an arrogance, disrespect for law and order and a degree of inhumanity that our ordinary democratic processes cannot continue to tolerate. Intimidation of the government and of the public by means of kidnapping and murder have become their *modus operandi*. It is in this much to be regretted climate that the government of Canada felt constrained to move in this admittedly unusual manner.

It must be underlined, however, that these regulations apply only to those who have demonstrated inclinations of a seditious or treasonable nature. The Criminal Code includes in its definition of treason a person who uses force or violence for the purpose of overthrowing the government of Canada or a province. The Criminal Code defines sedition as the advocacy of the use of force without the authority of law as a means of accomplishing a governmental change within Canada. I think the House should be aware that these regulations are directed only at the overt manifestation of treason and sedition. This is the thrust of the offences set forth in section 4 of the regulations. Sections 5 and 6 of the regulations are directed at those who would aid and abet or assist in the commission of seditious or treasonable offences.