

Emergency Powers Act

were to last only for a year. This is now the second time we have been asked to extend those powers. This is another kind of emergency. We are told now that this is not a war emergency nor yet is it an emergency arising out of or subsequent to a war. This is a third type of emergency. It is the emergency of apprehended war. It is extraordinary, Mr. Chairman, how apprehensive the government can get when they want to find some new excuse for emergency powers. I suggest that the apprehension should be on the part of the Canadian people and that the apprehension should be on the part of the members of parliament on both sides of the house who should, by now, begin to be aroused as to the extent to which this government are taking powers unto themselves and are placing us in a position in which we cannot exercise the responsibility which we were elected to carry out.

What kind of emergency is the emergency of apprehended war? Let the Minister of Justice be a little more specific. The expression "the emergency of apprehended war" is mentioned nine times. War is apprehended nine times in the course of a forty-minute speech. I would point out, Mr. Chairman, that "apprehended" and "war" are the words which are used in the War Measures Act. Let not the Minister of Justice try to distort—as he has tried to do on a number of occasions—what is being said here into a statement that we are saying that they should apply the War Measures Act. We do not. We say exactly the opposite. But what we say is that the very fact that the government does not apply the War Measures Act is an indication that there is in fact no such emergency as justifies the taking of this kind of power. It does not matter what they say, or how apprehensive they may suggest they are, or how much they may apprehend war; if there is not the type of emergency which justifies the invoking of the emergency legislation on the statute books then I submit to you, Mr. Chairman, that they cannot go about inventing new kinds of emergencies and invoking other emergency powers.

There is no such emergency; that is the fact. There is no emergency such as to justify the invoking of the War Measures Act. The minister may apprehend war to his heart's content; but the Secretary of State for External Affairs calls it a police action. But that small inconsistency does not bother the minister.

The fact is that there is no such emergency that would justify the continuation of this act. **It does not matter how many little**

[Mr. Fulton.]

debating points the minister wishes to score—if in fact he is scoring any—it does not matter that a bill was passed in 1951 and that the measure was extended in 1952. The fact is that we are now dealing with 1953; and in 1953 the situation is quite different from what it was in either 1951 or 1952.

The fact is that in 1953 it is perfectly open to the House of Commons to decide that this measure should no longer be extended. Or is the minister going to say that simply because they passed it in 1951 it must be continued indefinitely? Is he going to argue that because it was not turned down in 1951, it is not open to anyone at any time to suggest that it should be discontinued? He shakes his head, of course.

Well, what is he so concerned about, then? Why is he trying to make the point that it was passed in 1951 and renewed in 1952? Why does he now suggest that we are out of court when we suggest it should not continue in 1953? I am glad the minister agrees with me, that he would never make such a suggestion, himself. But why does he suggest it to us now? Why does he say now that we should follow the course which he, himself, has said he would not follow?

Mr. Garson: Does my hon. friend seriously wish an answer to this question?

Mr. Fulton: I am always glad to have the minister's answers.

Mr. Garson: Then I will give an answer: Because the emergency of apprehended war still continues. And in support of that I would refer him to *Hansard* for January 22, 1953, and the words of his esteemed colleague the hon. member for Nanaimo, who said this—

Mr. Green: On a point of order; surely the Minister of Justice, of all ministers in the government, must know that he cannot refer to another debate in the same session. He tried to get away with that the other night, and I submit he is certainly out of order today.

Mr. Garson: Then, Mr. Chairman, I shall not quote it. But I would refer my hon. friend from Kamloops to that statement of the hon. member for Nanaimo. I would suggest that he read it, and learn what a man who is quite well posted upon these subjects thinks as to whether or not there is an emergency.

Mr. Green: Read what the Prime Minister said.

Mr. Fulton: This is all very interesting. The minister raises points and asks that they