

one might say, undermining the role of law and order in Canada.

Unusual steps have been taken not only by the Government of Canada but by the government of the United States in the last few days to deal with the kind of additional support which the police forces need in order to control acts of terrorism, bombings and that sort of thing. The people of Alberta are aware of this as well, so let there be no misunderstanding about the mood and the general support, as I said, the almost unanimous support, of people in other parts of Canada. They are concerned about this and they want the proper action to be taken. Not only that, but they regard the action which has been taken as being something which is more than a little distasteful to all of us, but necessary.

The other matter I wanted to talk about, and again very briefly, and I say this with a great deal of sincerity, is that there is some misunderstanding about what the War Measures Act is and the legal, consequential actions which must be taken to use the act in an emergency. What worries me is that there seems to be some feeling amongst some members, thankfully only a very few members of the opposition, that the government somehow is not acting on the instructions of Parliament. This is a very serious charge if there were one grain of truth in it, but there is not. I say that because the War Measures Act is in fact an act of this Parliament and the steps the government has taken to deal with this emergency are the exact measures which Parliament knew would have to be taken if a situation arose in Canada where it was necessary to use the War Measures Act.

Mr. Aiken: May I ask a question?

Mr. Olson: I shall be through in a few minutes. I will answer questions then. I say this because the War Measures Act was passed many years ago and it has been amended from time to time. The last time, as far as I can ascertain, was in 1960 when it was amended by the Progressive Conservative government of the day. Section six was repealed and another section was substituted. I have no complaint about that. I think it was a good amendment. The government has followed to the letter the provisions of that amendment. I commend both the people who made that amendment and the actions of the government today in complying with it.

Let us be clear about one thing and that is that the government of the day in 1960 not only amended the War Measures Act, but they must have been aware of all the provisions within that act when they amended it. At that time a special committee reviewed not only the War Measures Act but many other acts in an attempt to make the Bill of Rights consistent with those acts, and to take into account the need for meeting this situation. So, I say this argument that the government is doing something new which was not anticipated by Parliament when they passed and amended the War Measures Act is in my view simply a wrong argument which leaves a dangerously wrong impression with the Canadian public.

The War Measures Act reads, and I shall refer to it very briefly: "The issue of a proclamation by Her Majes-

Invoking of War Measures Act

ty or under the authority of the Governor in Council shall be conclusive evidence that a state of war, invasion or insurrection, real or apprehended, exists." Every government, every Parliament knew that these were the conditions under which the government was charged with the responsibility of bringing in a proclamation and making regulations which would be necessary to give effect to the act.

If in a situation where insurrection is apprehended the government fails to use the tools which Parliament has charged it to use in that connection, the government would have been remiss in its duty and in carrying out its responsibility. But this is not what happened. The government did what Parliament expected it to do in that kind of situation. Surely, if the War Measures Act is not to be used, even in a limited form when there is an apprehended insurrection, what in the name of common sense did Parliament put it on the statute books for and leave it there through all these years?

In this emergency it is incumbent upon all of us to avoid partisanship, to be honest with the people of Canada and not try to tell them that the government did not act in accordance with the statutory provisions of Parliament. As far as an apprehended insurrection is concerned I do not want to repeat the argument which has been advanced, but it goes with the argument I am making now. Surely, if proof of that is not sufficient with the letter and advice from the Prime Minister of Quebec and the Mayor and Executive Council of the City of Montreal, where all these acts are taking place, then what is apprehended insurrection?

• (9:10 p.m.)

May I conclude by saying I believe those who argue that the government have taken an illegal or improper act, that in some way the government have violated the function of Parliament to make statutes, are not fooling the people one bit. In my view, since this measure was and is an act of Parliament and the act anticipated that the government should take certain action if the situation arose, then the government had to take the responsibility to act. Indeed, the government would have been remiss not to do what it did. In the situation we have today, the government has acted in accordance with the declared wishes of Parliament over a number of years.

Mr. Speaker: I believe the hon. member is rising for the purpose of asking a question.

Mr. Aiken: Yes, Mr. Speaker. I should like to ask the minister a question arising out of his statement that some hon. members appear to be questioning the legality of the government's action. The Leader of the Opposition (Mr. Stanfield) made his position very clear at the beginning of the debate; he said he did not question in any way that the government had the legal right to take this action. I have been here for most of the debate, but not all, and I have not heard that suggestion made. I wonder whether the minister could enlighten us as to the sources from which this seems to have come.