

*Public Order Act, 1970*

**Mr. Matte:** Mr. Speaker, I would like to go back to the wording of the amendment which reads as follows:

—aid in accomplishing the same or substantially the same governmental change within Canada with respect to the province of Quebec or its relationship to Canada—

I have this question which I want to ask the minister: Let us suppose the FLQ or some other similar group advocated the use of force and terrorism as a means of supporting Canadian federalism, an assumption not provided for in the bill before us, what would happen? It could very well happen that a group of terrorists most anxious to reaffirm Canadian federalism could resort to force as a means of consolidating such a system.

**An hon. Member:** To oppose the other one.

**Mr. Matte:** When we discuss the purpose, it becomes obvious that we are off the track. What could the minister answer to that?

**Mr. Turner (Ottawa-Carleton):** This is not provided for but the Criminal Code certainly has provisions with respect to the use of this type of violence.

**Mr. Matte:** Then why should we pass emergency legislation if everything is provided for in the Criminal Code?

[English]

**The Deputy Chairman:** Is the committee ready for the question?

**Some hon. Members:** Question.

Amendment (Mr. Hogarth) agreed to: Yeas, 95; nays, nil.

**The Deputy Chairman:** I declare the amendment carried. Shall clause 3 as amended carry?

**Mr. Knowles (Winnipeg North Centre):** On division. Clause 3 as amended agreed to.

**The Deputy Chairman:** The Chair is wondering whether it should not come back to clause 4 and ask if it is the wish of the committee to put the consequential amendment that was proposed by the hon. member for New Westminster. Does the committee agree that the Chair should put the amendment to clause 4?

**Some hon. Members:** Agreed.

On clause 4—*Offence and Punishment.*

**The Deputy Chairman:** It is moved by the hon. member for New Westminster that clause 4 of Bill C-181 be amended as follows:

by striking out line 39 on page 3 and substituting the following: "Canada with respect to the province of Quebec or its relationship to Canada as that advocated by the unlaw—"

Shall the amendment carry?

**Some hon. Members:** Carried.

Amendment (Mr. Hogarth) agreed to.  
Clause 4 as amended agreed to.  
Clause 1 agreed to.

[Mr. Turner (Ottawa-Carleton).]

**The Deputy Chairman:** Shall the preamble carry?

On the preamble.

[Translation]

**Mr. De Bané:** Mr. Chairman, I would only like to suggest another wording without, however, bringing it in as an amendment. I would propose the following text:

ATTENDU que c'est la conviction indéfectible du Parlement du Canada que les hommes et les institutions demeurent libres seulement si la liberté a comme fondement le respect des valeurs morales et spirituelles et la suprématie du droit;

ET ATTENDU qu'un groupe de personnes ou une association qui s'appelle Front de Libération du Québec menace et compromet l'ordre public au Canada en préconisant de recourir à la force et au crime pour changer de régime politique du Québec et les rapports de cette province avec le reste du Canada, ou pour y contribuer, et qui, de fait, a eu recours aux meurtres, menaces de mort et enlèvements de même qu'à d'autres méthodes comme la contrainte, l'intimidation et la violence;

ET ATTENDU qu'à la suite de l'approbation par la Chambre des communes du Canada des mesures prises par Son Excellence le gouverneur général en conseil, en application de la Loi sur les mesures de guerre, pour mettre fin à la menace d'insurrection dans la province de Québec, étant bien entendu que l'autorité invoquée à cet égard ne devra être maintenue que provisoirement, le Parlement du Canada désire s'assurer que des mesures légales et efficaces soient prises et continuent de l'être contre ceux qui recherchent ainsi la destruction de notre régime démocratique, et convient en outre que toutes les mesures ci-après, jugées nécessaires en raison de l'état d'urgence actuelle, ne soient prises que sous l'autorité et en conformité d'une loi d'exception quant au fond et provisoire quant à son application.

Mr. Chairman, I did not want to suggest this version as an amendment, since after all one must profit from past experience. Also, having received a letter this morning from the chief translator of the legal division, I want to explain why I made certain remarks about the French wording of this bill.

I am very sorry I gave the impression by those remarks that I wanted to question the work or the competence of the legal translators.

I admit that the adamant and contemptuous attitude which my amendments met with made me lose my temper at times, and on some occasions my words went beyond my thoughts. This was an error on my part for which I beg the legal translators to forgive me, for they are often wrongly attacked and even imposed upon by people who are far from having their competence and who know nothing of their profession.

I admit that I have not sufficiently kept in mind, during my speeches, the conditions in which legislation is translated and the reasons why it is not possible, in some cases, to present a French version in which the translation is not felt.

Indeed, the federal legal system is strictly Anglo-Saxon, entirely based on common law, and this empiric and obscure labyrinth is so far from Cartesian thought and French clarity that the French have yet to find a translation for the words "common law".

Therefore, common law and the English legal language have absolutely nothing in common with French law or the French language and when translators are asked—as they are—to have the French version of a text of English