

ally been exercised by governments here. No effort of imagination is required to demonstrate what has been done under the War Measures Act by governments of this country which, incidentally, were of the same political stripe as the present government.

**Mr. Douglas (Nanaimo-Cowichan-The Islands):** Hear, hear!

**Mr. Brewin:** The third result of the proclamation of the War Measures Act is this: the Bill of Rights has been torn up. We do not have an effective Bill of Rights at present, by reason of this proclamation. Some think that the government's regulation is reasonably restrained. I do not think it is very restrained. For the time being, at any rate, the Bill of Rights is torn up by this proclamation of the act. Also, Mr. Speaker, the proclamation of the act jeopardizes freedom of speech and freedom of assembly for all Canadians from one end of Canada to the other. The effect of the proclamation of the War Measures Act is this: it authorizes internment and imprisonment without trial; it enables the wholesale confiscation of property; it even authorizes the deportation or exile of Canadian citizens.

It is claimed by some that this may be an exaggerated account of what can be done under the War Measures Act or what is enabled to be done by its proclamation. My answer is that it is precisely those powers which have been exercised in the past under the War Measures Act. Some hon. members of the House may be too young to know the facts personally, or they may not have read about them. I had the experience of representing the Japanese Canadian community at the end of the last war. By Order in Council passed under the War Measures Act, Canadian citizens of the Japanese race were ejected from their homes, deprived of their property, herded into relocation or internment camps and, finally, subjected to exile or deportation from the country. All this was done by Order in Council under the War Measures Act, without there being any suggestion that these people had been guilty of any act of sabotage or disloyalty.

**Mr. Turner (Ottawa-Carleton):** But the Order in Council had to be passed to bring that regulation into force.

**Mr. Brewin:** Indeed, it was passed. If I may make a personal comment here, I think that is one of the most shameful episodes in Canadian history. It was passed by the government. Finally, the government rescinded its own order when public opinion caught up with the iniquity of that legislation.

**Mr. Woolliams:** A Liberal government did that.

**Mr. Brewin:** That is right. This brings me to the crucial point of my remarks. The powers of the government, once the proclamation has been carried into force, are so sweeping and so liable to abuse that they should only be called into play if necessary. I understood the Prime Minister (Mr. Trudeau) to recognize this in what he said.

In expressing his own anxiety about the matter, I think the Minister of Justice spoke about the distasteful step

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which had been taken. The Prime Minister recognized that such sweeping power should be invoked only in cases of clear necessity. As I recall it, the Prime Minister in his speech said that circumstances dictated the use of the War Measures Act. He said there was no alternative. Mr. Speaker, I challenge that assertion.

There would have been no difficulty in meeting the challenge of the FLQ and meeting the request of the government of Quebec and the city of Montreal by strengthening the existing law by act of Parliament. That could have been done. That was a clear alternative and was infinitely preferable to what the government has seen fit to do. The members of this party and the official opposition have made it abundantly clear that they would have facilitated amendments to the Criminal Code to authorize more widespread and effective means of search in this emergency than the present law allows. We have approved the government's unwillingness to meet the outrageous demands of the kidnappers.

I now want to say a word about the regulations which have been passed. The regulations have been passed with speed. I suggest they are overzealous and ineffective. One of the main provisions in the regulations is the banning of organizations declared to be illegal. I suggest that is a futile gesture. We have had experience of doing just that under the War Measures Act. During the last war the communist party was declared illegal. What was the result? That drove them underground. It made them seem the champions of oppressed groups and enabled them to emerge after the war stronger than they had ever been in the history of Canada. I think you have to trust people a little. We in this party are in favour of banning lawless acts, but we are not in favour of banning dangerous thought. Suppressing thought and freedom of expression and association has never been effective. The only effective way to deal with grievances is to remove their causes.

I have spoken, Mr. Speaker, of the effect of this measure on the fundamental rights and liberties of all Canadians and the extent to which they are endangered by the government's action. What worries me as much, or even more, is the direction the legislative blunderbuss that is being used in this case is pointing. It is directed at one province. I fear the result of this. It will bring about the further alienation of people of good will in that particular province.

I have always believed that one of the first duties of the members of this House is the fostering of the unity of Canada and the fostering of good will and understanding between the peoples of all Canada. I fear, Mr. Speaker, that this legislative intervention will in the long run have a counterproductive effect. I know that the government claims it is responding to the request of the government of Quebec and the city of Montreal. But did those authorities really ask for the suspension of the constitution? Did they ask for the legislative blunderbuss that is being presented to us? Did they actually mention the War Measures Act? In the long run, will the people in that province welcome this particular type of intervention? I venture to suggest that they will not.