

*Defence Production Act*

Minister he should be the custodian of the rights of parliament. Yet the bill is introduced in his name.

Unfortunately he was not present when the hon. member for Hastings-Frontenac (Mr. White) spoke. I jotted down something he said about one of the sections in this act. It was on section 29, subsection 3. It is something I consider to be most dangerous. I read only the first part of it, "may allow counsel". I agree with the argument he has made when we reach a state in this country where counsel is not permitted. Even on a preliminary investigation, and a preliminary investigation of this type does seem in the nature of an examination for discovery—I think that is the legal term—they should have the benefit of counsel. Later, when the case goes to court, there is some reference to their being allowed counsel.

I congratulate the hon. member for Hastings-Frontenac on bringing before the house the fact that such a thing is in the act. I did not know it was there until he brought out in his speech that counsel may be allowed. We did not like the act, and after having heard what was said by the hon. member I like the act less than ever before. But my point is that if you prate about trusting parliament, why not trust parliament with a time limit? This is the same parliament and always will be the parliament of Canada.

**Mr. Howe (Port Arthur):** I hope not.

**Mr. Blair:** Somebody said last night that this was a suspension of the constitution. I have come to believe it is. The minister mentioned guided missiles and supersonic planes. I could not believe he was trying to frighten us. In reading about advances in science we have become accustomed in some degree to discussions about these things; nevertheless we should be prepared for an emergency. I wonder why the government has not taken action. I would not be concerned about the amount of money voted to the Minister of National Health and Welfare (Mr. Martin) for his civil defence program, or money spent to help the municipalities carry out such a program.

I maintain that if we are facing an emergency the real emergency lies in the terms of the act. This is an act that is entirely foreign to our way of thinking. May I say to those on the other side that this is not Liberalism. This is not the policy of freedom as I have always understood it. Neither is it democracy. Again I wonder why the Prime Minister has not spoken in this debate and given us the real reason why he supports legislation of this type. As far as the act is concerned parliament, if I may say so, is

threatened by a large majority; and if the opposition should give in on this measure parliament will thereby be weakened. I am concerned about the position of parliament.

As far as members on the other side of the house are concerned, I would diagnose their position in this way. They have placed their trust in the minister, but the minister will not always be in office. It is all right for the rooting section to say, "Good old C. D.; he will never get us into any trouble." What I am concerned about is that the minister should agree to recognize the supremacy of parliament and come back and consult parliament about the legislation. Then everything would be well.

That brings up the question why this measure is being brought forward now. The act does not expire for another year, and if necessary it can be renewed by succeeding parliaments. Certainly you can trust parliament to renew the legislation whenever it is necessary. But what I fear is that the government is trying to pass the bill without a time limit so it will be the law in perpetuity. I was not at all impressed by the offer made by the Prime Minister when he stated that any private member could bring in a bill the discussion of which would be facilitated by the government. He said he would see that a private bill having to do with this matter would get a real chance for discussion.

This matter must be settled now. The supremacy of parliament and the right of parliament to deal with this question must be established. We have heard quotations from Shakespeare and quotations from history all proving our point. I am not going to give any quotations of that type, but I do ask hon. members to recall a poem we all studied in high school. It is by Alfred, Lord Tennyson, entitled, "You ask me Why", the title being the first line of the poem. He is setting forth why he lives in England, his native land, and in giving reasons why he loves his native land and approves of the government of that country he says:

A land of settled government,  
A land of just and old renown,  
Where Freedom slowly broadens down  
From precedent to precedent.

I am concerned about the question of precedents, because a precedent is one of the most dangerous things that can be enacted by any parliament. Those learned in the legal profession know that a precedent set forth in a judgment becomes law. If you attend sessions of the supreme court you will notice that a lawyer will sometimes refer to the case of so and so. The learned judge will ask for the reference and will look up the precedent. It is a dangerous precedent