

absolute power corrupts absolutely. Although I may again be unkind, I say, on the basis of observation in this House for 2½ years, that the Prime Minister and members of his cabinet have given ample evidence that power has in fact corrupted their sensitivity about the rights and welfare of the Canadian people. I am not prepared to give them even more power than they now have. Personalities do not really matter; we are concerned with a basic principle of deep and overriding importance.

I say to the ministers present, including the Minister of Justice, that the proclamation is based upon a law which says that the mere proclamation itself is evidence that a state of apprehended insurrection in fact exists. That is so; the law is so. The Minister of Justice did not have to belabour the point that what the government has done falls within the law. The law has been used only twice before, both times in the case of a world war. It was never used before World War I or between the two world wars. This is the first time it has been used since World War II.

I make this point as strongly as I can. The Prime Minister and the Minister of Justice came to Parliament for approval of their proclamation and Order in Council. I say to them that we need evidence of the necessity for such a drastic and undemocratic measure. It is not enough to say, "We have a letter from Mr. Bourassa, a letter from Mr. Drapeau and from Mr. Saulnier. That is all we can give you. On the basis of those letters you ought to say we have done the right thing."

I not only listened to the letters being read, but I read them. Mr. Bourassa did not ask for the War Measures Act to be invoked; neither did Mr. Saulnier nor Mr. Drapeau. They asked for assistance to enable them to deal with the critical situation in Quebec and the fear of insurrection which they now have in their minds. This is not sufficient evidence upon which this House should be asked to approve the action of the government in suspending all the rights and freedoms of the Canadian people. I am not committing myself ahead of time, but I am half convinced that it was necessary at this time to extend the law to give the police powers of search without a warrant, much wider powers than they now have.

I suggest to the Minister of Justice and his officials that they ought to have looked at new section 98E of the Criminal Code which deals with offensive weapons. It gives the Governor in Council authority to declare anything an offensive weapon. It gives a very wide right of search without a warrant, with the exception of private homes. For this particular purpose, in Montreal it might have been necessary to amend that section with relation to searching for dynamite. The government could have removed the exception regarding private homes and given the right to search, without warrant, private homes as well as other premises. That might have been necessary.

It is conceivable that it might have been necessary for this House to consider the possible detention of people arrested on reasonable grounds for believing they were guilty of a crime, and extending the right to detain beyond 24 hours without bringing the person before a magistrate. This period could have been extended to two,

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three or four days. These are the measures which I read into the letters which the government received. Of course, there may have been telephone calls and other conversations that I do not know about. There probably were. I cannot speak of those things. A measure extending the right to search and the right to detain for two or three days before bringing a person before a magistrate might be necessary in the present situation in Montreal.

● (3:50 p.m.)

I cannot see any way in which this wholesale elimination of the rights and freedoms of Canadians could be efficacious in the work which is now necessary in Montreal and the province of Quebec generally. I suggest to you, Mr. Speaker, that the proclamation of the order in council which is before us merely proves that the Department of Justice, that the Department of the Solicitor General of Canada, that the Department of the Attorney General of Quebec, that the Quebec provincial police and the Montreal police have all failed in their duty to deal with the situation which existed in Quebec for at least seven years since 1963. It proves that the FLQ has been allowed to continue its work without any of our police forces, federal, provincial or municipal, being able to carry out the kind of security job, the kind of infiltration of the organization which would have enabled those law enforcement agencies to prevent the possibility of the FLQ threatening the fabric of life in Quebec, as it now does.

It appears that the government, for some reason which I cannot understand, stood by and hoped that the FLQ would go away, instead of having the courage to persuade the Attorney General of Quebec and the police agencies concerned that they ought to deal with the situation in an efficacious manner. I am reminded that the other day, when the Prime Minister was asked whether or not he would bring—

**Mr. Deputy Speaker:** Order. I know the President of the Privy Council (Mr. MacEachen) is leaving now, but I had some difficulty in communicating with the speaker and I hope that in future care will be taken not to stand in the line of sight between an hon. member who is speaking and the Speaker in the chair.

**Mr. Lewis:** Mr. Speaker, you flatter me by being so anxious to see me through the President of the Privy Council (Mr. MacEachen). I was reminded, when the Prime Minister and the Minister of Justice were speaking, of an exchange which took place between the Leader of the Opposition (Mr. Stanfield) and the Prime Minister last Wednesday, October 14. The Leader of the Opposition asked the Prime Minister whether he would assure the House that no action would be taken without approval being sought from the House of Commons. The Prime Minister said, "Whether it would be immediately before or immediately after would depend, of course" and there were some comments at that time and the Prime Minister said:

I am sorry to observe the lightness with which the opposition treats this question. It is obvious that if urgent action is needed at some time in the middle of the night we cannot ask Parliament to approve it first.