

Invoking of War Measures Act

problem for not being bilingual. It was easier for me to grasp what was involved after reading *Hansard* today and listening to the Prime Minister on television last night.

Admittedly, there was a need for surprise; I do not gainsay this.

The fact that the government has refused up until now to take action under the Criminal Code in respect of additional authority for the police force is really beside the point. The government felt there was need for surprise; there was need not to telegraph the punch to those who would be picked up. I agree with this wholeheartedly; I have no hesitation in supporting that contention. The element of surprise has ended and everybody knows that the police forces are on their way and are searching hither and yon.

The effect of the War Measures Act has been felt. Everybody knows it is there and that the police and the army are out to ferret-out everyone they can, and they will make mistakes in doing it. But I think it is unfair to the people of Canada for the government to come here and ask us, on the basis of trust only, to endorse the concept of trampling on human rights and freedoms, to suspend the operation of the Bill of Rights—for how little that means in itself—to invade the privacy of people, to lock people in jail upon suspicion or because of the feeling of an individual police officer or somebody in the army. It is unfair for the government to come to Parliament and ask us to participate in that decision on the basis of trust alone. Members of this House might not hesitate one bit if they knew fully what was involved, but I do not think it can be done on the basis of the Prime Minister asking us to trust him, when he does not show any trust for Parliament.

I think, quite frankly, that Premier Bourassa was pretty incompetent in this field, understandably so because he has been Premier of Quebec for only a short period. I think he was frightened and that he panicked. He was not sure what to do, if anything, to cope with the situation, regardless of the degree of competence of the police forces under the authority of his government. He wrote a letter to the Prime Minister. That letter was tabled. I should like to read one short excerpt from it to show what was asked for by Mr. Bourassa. He did not ask for something which might be considered reasonable, and I am sure that letter was very carefully drafted after consultation with the Prime Minister. It did not come as a bolt out of the blue, as a one-sided piece of correspondence. It is a co-operative, or collaborative letter to put a point across. He asked for authority and power far beyond even that which exists at the moment. Referring to emergency powers, he said:

I request particularly that such powers encompass the authority to apprehend and keep in custody individuals who the Attorney General of Quebec has valid reasons to believe are determined to overthrow the government through violence and illegal means.

This, to me, does not carry with it the right to court procedures, appeals and the other things about which the Minister of Justice (Mr. Turner) talked the other day.

[Mr. Howard (Skeena).]

This gives me more reason to think that Premier Bourassa in a moment of panic and fright wanted thoroughly authoritarian and dictatorial powers to do what he liked, to lodge people in jail and let them rot there whether or not they were guilty of anything. So far, that plea, as I read the regulations, has been resisted. But it does seem—and this part of the message did not get through the other day—that the letter and, I am sure, the other letters which the Prime Minister of Canada received, were written with his knowledge and consent, which gives an entirely different dimension to the situation.

The Prime Minister said in the House yesterday, and repeated in his television broadcast last night, that legislation is to be developed and presented which will be less broad in its scope than that which is authorized under the War Measures Act. To me, this implies that the legislation will be in the area of criminal law; that it will be part of the Criminal Code regardless of the restrictions, unless they are unique ones. But at the moment no indication has been given that the legislation will be any different from simple criminal law, and if that is the case it will leave the liberties of the Canadian people in the hands of the police or the army to be determined.

I, for one, do not want the liberties and the rights of any Canadian to be left in the hands of policemen or army personnel. I say this because the police forces and the army of this nation are not taught to concern themselves with apprehending criminals and others who break the law. They are not concerned with justice or other humanitarian aspects of our society. Frankly, I would prefer to have the War Measures Act than similar authority given under the criminal law to the attorney general of any province or to the police force.

Some hon. Members: Hear, hear!

Mr. Howard (Skeena): I think the cabinet, not this cabinet particularly but any cabinet, any elected body, any government—because we have inculcated within us a concept about democracy and rights: perhaps we do not treat them properly sometimes, but the total concept is there—could be better trusted to show concern about the rights and freedoms of Canadians than any police force in the nation.

One would have to look at the legislation, naturally, to see what it contained, but we have experience of the way in which the Prime Minister thinks and should take that into consideration. I am not talking about the Minister of Justice, because knowing him I am sure he was very reluctant in cabinet the other morning to agree with the war measures provision. The Minister of Justice has a tremendous concern about the humanities, much more concern than the Prime Minister, who is a theoretician, a technician and a mechanic when it comes to dealing with the human rights of people. But generally speaking, with an understanding of the way in which the Prime Minister operates, thinks and treats human beings, even Parliamentary Secretaries, I am, at the moment, not disposed to vote for any specific legislation in this field but, rather, to leave it the way it is.