

Public Order Act, 1970

organized terrorism. Extra powers were needed to deal with this new phenomenon in Canada. The invocation of the War Measures Act and the present bill in more precise form represent the first and second response, by a society determined to protect itself and determined to preserve a climate in which individual liberty can flourish, to this new threat of violence.

I say to Your Honour that those of us in the government did what we had to do with great reluctance. We did what we did because it had to be done. Some of the measures we have had to adopt in the short run and for a short term are philosophically abhorrent to us. We intend as soon as we can to turn once more to the road of law reform and the continuing enhancement and protection of civil liberties. Perhaps this experience will prompt us to accelerate our priorities in social and economic justice, to humanize our institutions and to democratize the process by which our decisions are made. We have become aware of the fragility of a democratic order. The very strengths of democracy are also its weaknesses. The very liberties we strive to enshrine can become, by excess, the licence that can destroy. There is no freedom without order under law, and there can be no order under law without freedom.

• (3:40 p.m.)

The causes of violence run deep. The sources of the alienation that provokes such violence run deeper still. What we did to meet violence in the short run, which we do now with continued determination, must not deter us from what we need to do in the long run; rip out the social and economic abuses that breed the frustration and anger that brings out the worst violent streaks in men and women. Only if we pursue diligently the search for a new social and economic order will we achieve the fundamental purpose of this bill.

Some hon. Members: Hear, hear!

Hon. Robert L. Stanfield (Leader of the Opposition): Mr. Speaker, I listened with great interest to the Minister of Justice (Mr. Turner). In his opening remarks he stated he hoped that all members who participate in the discussion of this bill will keep their minds focused on the bill and not spend too much time on the events of the past. He then launched into an inflammatory attack on some members of the House, not members of my party, who disagreed with the position he took.

This bill will replace the reliance the government has placed upon the War Measures Act. It is undoubtedly a vast improvement. From the beginning we demanded temporary legislation to provide the necessary powers to fight terrorism, but limited to that purpose. To say the least, the government was very reluctant to commit itself to such legislation. With all due respect to the Minister of Justice, I tried to get such an assurance from the Prime Minister (Mr. Trudeau).

An hon. Member: That was the first day.

[Mr. Turner (Ottawa-Carleton).]

Mr. Stanfield: The Prime Minister made a very general statement that meant very little and which did not commit the government to anything. The second day, when I asked the Prime Minister whether he would make a firm commitment, he refused to do so.

Some hon. Members: Hear, hear!

Mr. Stanfield: It was not until over the weekend that the government House Leader gave assurance that such a bill would be introduced within a month. The government has now in effect accepted our leadership in this matter.

Some hon. Members: Hear, hear!

Mr. Stanfield: This party will support the bill on second reading although we will be introducing amendments to improve it. I remind the government that this does not absolve it from its responsibility to take the people of Canada into its confidence, and that government by rumour must stop. I accept the need for special measures of a temporary nature, as long as there are proper safeguards, to fight terroristic revolutionaries in Quebec. However, I wish to emphasize one point the minister dealt with but in my view did not bring into close focus, and that is that this bill will not stamp out threats of future terrorism. I believe the great majority of the people of Quebec realize this only too well. It is only through long-range attacks upon fundamental problems, including those of law and order, that we can hope to do this.

I believe that during the last two or three weeks we have seen Parliament react in an appropriate manner in showing its wares in a time of crisis. We believe there has been a demonstration of responsible opposition in attacking this crisis.

Some hon. Members: Hear, hear!

Mr. Stanfield: As a consequence of opposition insistence we have now before us a bill, although admittedly imperfect, which has unusual powers. However, they are certainly very restricted compared to the vast powers which the government had when it invoked the War Measures Act. These new powers will be much more limited than the excessive powers given to the authorities under the regulations of the War Measures Act, where there was no provision for an effective review of the exercise of the very extensive powers given under those regulations.

The minister again raised the question of the provinces exercising responsibility. I do not want to go over that ground again, but I do want to say that a federal government which creates exemptions from the traditional procedures of the criminal law must surely accept some responsibility in connection with the exercise of those exempted powers.

There were some faults in the initial regulations adopted by the government. First, they were in force through-