

Invoking of War Measures Act

by the hon. member for Yukon showed how difficult, how serious and how dangerous is the problem. It showed what could happen. It is like getting into quicksand—every step taken could plunge the country and the people further into the bog. Mr. Speaker, when the right hon. Prime Minister (Mr. Trudeau) came here today, he did not even know how many people had been picked up for questioning. There was a blank in the text of his speech at that point, and he had to ask. This is the danger we face.

I have no hesitation in acknowledging that judging from my limited appreciation of the situation, something had to be done. But the questions we must ask ourselves are these: Was what was done the only thing that could have been done? Were there alternative steps which could have been taken, without taking the drastic and exceedingly dangerous step which the government has now undertaken and asks us to approve?

I agree with the hon. member for York South (Mr. Lewis), and I say this quite seriously, that when the Prime Minister and the Minister of Justice again read the speeches which they made today—I have not had time to assess the full import of the speech made by the Minister of Regional Economic Expansion (Mr. Marchand)—they will see a remarkable similarity between the views and the principles they expressed and those expressed by other people throughout the history of the world who deemed it necessary to assume great, authoritarian powers.

There is no question at all, sir, that the rationalization and the justification which have been urged upon us in the speeches we have heard from the government side come dangerously close to the same, almost perverted logic which at times we have heard from those who, against the wishes of the people they have ruled, assumed dictatorial and unnecessary powers. Mr. Speaker, in that regard there has been a suggestion concerning the letter received from the province of Quebec. I listened very carefully to that letter being read. I may have missed part of it, but it did seem to me that the question about apprehended insurrection was thrown in as an afterthought.

The requests which were contained in that letter from the province of Quebec to the government of Canada included one for certain alterations in our criminal law, for certain departures from the practices which have prevailed in the past and for certain extensions of government and police rights so far as the curtailment of certain civil liberties are concerned. But the question of apprehended insurrection was thrown in as an afterthought. I raise that matter for the reason that it has been suggested that time was of the essence and that nothing else could be done. I have grave doubts about that and I shall make this clear later.

This situation reminds me of cases that I used to handle as a young lawyer representing certain municipalities during the depression instituted by the Liberal party back in the 1930s. I was often asked for an opinion as to whether a person was an indigent and entitled to assistance from a municipality. The test in such a case was

[Mr. Baldwin.]

sudden and urgent necessity. I am reminded of a woman who came to me—she was 8½ months pregnant—and claimed that it was a matter of urgency and she went to hospital within the next week.

In the eloquent speech read by the Prime Minister this morning, this passage appears at page 3:

Yet in recent years we have been forced to acknowledge the existence within Canada of a new and terrifying type of person—one who in earlier times would have been described as an anarchist, but who is now known as a violent revolutionary. These persons allege that they are seeking social change through novel means. In fact they are seeking the destruction of the social order through clandestine and violent means.

I do not necessarily quarrel with that statement, but there is a clear admission, augmented by the evidence read into the record by the right hon. member for Prince Albert (Mr. Diefenbaker), by the hon. member for Nanaimo-Cowichan-The Islands (Mr. Douglas), by the Leader of the Opposition (Mr. Stanfield), by the hon. member for York South, and admitted by hon. members opposite who have participated in this debate, of knowledge that a situation exists and has existed for some time under which the apprehensions now felt by the government should have been known and should have been considered months ago. It is not often that a member of this House has an opportunity to quote what he said the preceding day, and I will not attempt to do it and create a precedent.

Some hon. Members: Oh, oh!

Mr. Baldwin: I am not going to quote myself; I am going to paraphrase what I said. I always hope that if hon. members opposite listen to reason often enough, some day they may practise reason. So far they have not shown much indication that they know how to do that. Yesterday I said I was quite willing to accept the fact that the government must take some measures. I referred to the fact that in the United States of America the Congress of that country had just passed, and the President signed last night, a quite severe law and order measure. I referred to the War Measures Act, but I made it implicitly clear that in my view there was an onus on the government to refer to this House, for decision by it, measures of a legislative kind and that this was the way to act. I do not think the government has discharged the onus which it must accept, of indicating and proving beyond any reasonable doubt that the steps it took last night were reasonable and were the only alternative.

During the course of this grievous problem we on this side of the House have shown restraint and understanding. We have shown a willingness to co-operate within the proper definition of the discharge of our responsibilities. I am completely convinced that if yesterday, or the day before, the government had come to the leaders of the opposition parties and said to them, "Here, generally, is the information which we have. In our opinion there is a need to extend the right of the police and of the civil authorities for certain specific reasons and in certain specific ways," and if an outline of the legislation had been indicated, there would have been a willingness, certainly on the part of this party and I would like to