

Navigable Waters Protection Act

goodness that question has been taken care of; we do not need to worry about that". Surely the Canadian people expect us to take these other precautions; and we take them, may I say, Mr. Speaker, without an unwarranted interference with civil liberties.

My friend the Leader of the Opposition (Mr. Drew) said that he was not inconsistent because he had always advocated that in the Criminal Code we should prohibit communism. He also said he thought a definition of communism could be devised under which it would be possible to prohibit it. But if we attempted to prohibit communism we should be making it a crime for a man to hold and to preach certain political doctrines. In this way, it seems to me, we would be clearly interfering with his freedom of thought and of speech. But even those who believe in freedom of thought and of speech will nevertheless condemn overt acts of disloyalty to their country. Here we are not attempting to condemn these overt acts but rather we are trying to prevent them. In reply to what the Leader of the Opposition said this morning I would say that it would be quite wrong for us to put any provision in the Criminal Code which would make it a crime for a man to entertain or to attempt to inculcate ideas, but when he passes from ideas to disloyal overt acts then the most free country in the world is entitled to take steps for its protection against his disloyalty. The only question that arises then is as to whether such steps are reasonable.

I think my hon. friends will have quite a hard time convincing the majority of the Canadian people that steps that are taken which deny access for less than 24 seamen out of 30,000 odd to positions in which they might commit sabotage are unreasonable. I do not think my hon. friend will ever be able to convince the Canadian people that that is the case.

Mr. J. M. Macdonnell (Greenwood): Mr. Speaker, the Minister of Justice (Mr. Garson) has spent several minutes in vehemently knocking down a straw man of his own creation. The Leader of the Opposition (Mr. Drew) said this morning quite frankly that he realized there had to be regulations. Indeed, he broadened out the problem and mentioned in particular the danger of sabotage in hydroelectric installations. His suggestion to the Minister of Labour (Mr. Gregg) was that the situation should not be left in this wide-open uncontrolled manner but that there should be some measure of spelling out in the statute. The Leader of the Opposition was very practical about it. As I say, he

did not believe at all in the position suggested by the Minister of Justice. Of course he would be in favour of prevention, as the Minister of Justice said. Of course he did not argue that we should wait until the trouble was over and then seek to punish somebody when the damage was done. The hon. member for Kamloops (Mr. Fulton) also suggested something along the same lines.

I think we hoped that there might be a reply from the Minister of Labour. Meanwhile it is not surprising that we see our old friend back again. When we see the emergency powers bill, which we thought we had buried on the 31st of May, alive and kicking again on the 9th of June, it almost reminds one of the old saying, the king is dead, long live the king. I understand there is a French proverb, *plus ça change, plus c'est la même chose*. Here it is back again. It is not surprising that we are a little troubled. We were told last night that any special powers were justified on the ground of flexibility. That is a blessed word. I have looked it up and I understand that it means you can be pushed around easily, that you are very malleable. Perhaps we in the opposition have got to that stage.

I do not wish to take up time, but let me say again that the Minister of Justice has been knocking down a straw man. He has entirely misrepresented what the Leader of the Opposition said. What the Leader of the Opposition said, and I think I may say the hon. member for Vancouver-Kingsway (Mr. MacInnis) agreed, is that the way the section reads now the governor in council may prescribe penalties to be imposed on summary conviction for violation of any regulation made under this section. That does not sound as if it were restricted to the rather limited application outlined by the Minister of Justice, that all that is going to be done is to prevent some evil-disposed person from sailing on the ships, with which we will all agree.

As the hon. member for Vancouver-Kingsway said, the way this now reads it does not sound like the rule of law but like the rule of the cabinet. That was what the Leader of the Opposition was objecting to. Again, at the risk of repetition, let me say that he pointed out most clearly that he realized there should be regulations and it was a question of how they were to be proposed and to what extent they could be spelled out so that parliament could have a hand in the matter, instead of its being behind closed doors and in some mysterious fashion that nobody knows about.