

*Emergency Powers Act*

order which is a part of what we are doing, in company with our associates, for the common defence of ourselves and of them. Without it, it would leave a gap in the concerted arrangements for their security as well as for ours. If any one, or all three, of the leaders of those parties would like to see the order, confidentially, I have no objection. As a matter of fact I would feel happier if they had seen it. But I did not think it was proper to put that burden upon them unless they suggested that they should share the responsibility which was ours.

That order has been in existence since July of 1951. It is enabling us to do what all the other governments and associates in this North Atlantic treaty alliance are doing. We have been doing it to our satisfaction and to their satisfaction. May I not ask if any hon. member in this house has had any indication from any source whatever that as a consequence of that order there has been any disturbance to the freedom or the conduct of our Canadian citizens? It is an order that was passed under the Emergency Powers Act. Because it was passed under the Emergency Powers Act it cannot have to do with censorship, it cannot have to do with the taking of property, and it cannot have to do with the detention of individuals.

The Leader of the Opposition (Mr. Drew) says that the word "arrest" is qualified by the words "except as part of proceedings under section 3". When the act was introduced we did not think that the word "arrest" was required because arrest is nothing but detention that commences simultaneously with the arrest. However, that view was not accepted by some hon. members in the house who are most competent lawyers and who felt that the word "detention" was not enough to exclude arbitrary arrest. There was a provision worked out to exclude arbitrary arrest. The only arrest that can be made is as a part of court proceedings.

That being the situation I can only repeat to the Leader of the Opposition that I would be only too glad to show him this order, confidentially, because if it were not a secret and confidential order it would not be effective, it would not serve the purpose for which it was passed. I would be glad to show it to the hon. member for Rosetown-Biggar (Mr. Coldwell) if he felt that he wished to see it. Personally if I were not a member of the government I would prefer not to see it. All those who have anything to do with it would prefer that there be no occasion for having orders of that kind, but we do have to assume our responsibility.

[Mr. St. Laurent.]

The hon. gentleman referred to the events of 1946. I had something to do with the events of 1946, and I think I have as much concern about my own freedom, my own civil liberties and the civil liberties of my fellow citizens as the average citizen. I have never felt that any apology was required for the proceedings that were taken to break up the spy ring that was discovered at that time. Views may differ upon that. It may seem to some that the absolute inviolability of the rights of the individual should be preferred to the security and safety of the state, but I cannot agree. There do come times when it is necessary to do things that you regret to have to do but that seem to be required for the safety of the state.

Fortunately when I joined the government it was no longer necessary to order any further internments. I know that a very substantial portion of the burden that my predecessor as Minister of Justice carried from the outbreak of the war until his premature death arose out of the responsibility he had to take to apply the defence of Canada regulations and order the detention of persons upon suspicion.

That is something we are not brought up to do. That is something we shudder at having to consider. Nevertheless there was not much sabotage accompanying the outbreak of the war, and I think our security officials and the R.C.M.P. are doing a very effective job to suppress or prevent disastrous sabotage in the event of the outbreak of another war. All those who are parties to the North Atlantic alliance share with each other top secret information because of our confidence that there are measures being taken for the proper protection against or the anticipation of sabotage and espionage.

It is unfortunate to have to live in a world where that has to be done. It is unfortunate that we cannot feel that everybody in the world is going to behave in a manner befitting a Christian gentleman. But that is not the world we are living in. There are certain things that we are reluctantly forced to do if we attempt to discharge the responsibilities that happen to be ours.

Some have said to me, "Why do you not say that if the existence of this secret order is objected to we will repeal it?" As long as I have any responsibility as a member of a government I will not take that position. Whatever may be the criticism we have to bear, if what is required seems to be required to discharge an appropriate responsibility, I believe we should discharge it.

I remember that when the question of prescription arose, for several months I had to bear the onus of having done something that