

society, will seek some kind of perverted sensationalism or publicity by coming forward. Any experienced lawyer will tell you that when a bizarre crime has occurred, perhaps robbery or murder, and the police are looking for suspects, all too frequently a number of people will come in to confess because they are intrigued with the publicity they will get, never thinking of the consequences that the confession might bring them. This is one of the very real dangers. A number of deluded people, misguided and forsaken, will allow themselves to be abused under this foolish and unnecessary provision of the law. I think more than likely those are the people who are going to be affected. I refer to these ill-advised individuals who, almost because of themselves, will be caught up and convicted under this provision.

The action of the government in bringing forth this legislation, without at least introducing a provision for review, seems to me to be the height of presumption and arrogance. Surely, it must only be because people have not had time to think through the total situation, or because the fear they have shared individually and collectively has been so great, that they have lost the willingness at least to question what the government is requesting.

As I have indicated, the government is asking for a drastic provision outlawing an organization without in any way attempting to define what it is. Secondly, it is going to reverse the standard court procedure which has operated for centuries in relation to the presumption of guilt. It is going to ask as well that there be unlimited powers of search which will apply in every situation. It is asking that property may be seized and held for an indefinite period of time, a subject in respect of which there has not even been too much question here. The government is requesting that there be a period of detention of from three to seven days initially without charge, and following that a period of up to 90 days, a quarter of a year, before a person may be brought to trial. It is asking that evidence of membership or activity in this organization, which may have occurred years prior to this bill becoming law, be accepted as proof under this law.

This is a contravention of the basic workings of our legal structure in this country. Even 20 years ago, we were willing to sign an international declaration of human rights which said, in Article 11, that no government shall pass a law today declaring something which happened before that law was passed to be a crime. I am really wondering what our government is going to do about that. Is it going to indicate to the United Nations that we can no longer concur with that particular article of the International Charter on Human Rights? I will have more to say about that later because I feel that is only one aspect of the very retrograde steps this government is pursuing in this legislation.

The government is also asking for the right to arrest without evidence, but simply on how a certain police officer may feel on a certain day. He might have "reason to suspect" but it is not important whether his reason is good, bad or indifferent; as long as he has reason that is

sufficient. The government is asking as well that this act be extended, if the government so desires, without too much fuss or bother even at that point.

We have here a series of truly amazing requests being made by the government without any substantial indication that there is a real need for them. In the early days when the War Measures Act was invoked and the regulations were passed, there was a certain sense of overwhelming support from this House, and one believes from the country, for what the government was doing. In succeeding days and weeks what has the government done to indicate either that it was right when it acted in the first instance or, even more important, at this point. We can only deal with the present and try to work towards a reasonable future. For what earthly reason does the government at this point, some five weeks after the imposition of the War Measures Act, now ask for the continuation of this legislation until the end of April next year?

• (3:50 p.m.)

That, surely, is the major question which must be asked by members of this House. Why is the government so anxious to have the legislation at this point? What are its reasons for asking for such sweeping, and in many aspects unreasonable, powers to be placed in the hands of those who have not overly proved their competence in the weeks gone by? In what way can the government or the Minister of Justice assure us that the passage of this bill will ensure the freedom of Mr. James Cross? In fact, if I may be frank about it, I have not been overly touched by the concern this government has exhibited in the past few weeks in respect of securing the freedom of Mr. Cross. Certainly, in so far as my question to the Prime Minister today was concerned, there seemed to be no real desire to consider new avenues and new ways in which the release of Mr. Cross could be obtained.

An hon. Member: Suggest a couple.

Mr. MacDonald (Egmont): This would be shocking enough if a citizen of this country were involved, but we are talking about a man from whom this country has a very special responsibility, a representative of another sovereign nation. Yet for some days the government has acted as if this question were simply no longer important. If this is not the case, then I would simply urge the government to give us more evidence of the fact that it is doing everything possible to secure this man's release and to relieve the unbelievable suffering and uncertainty he has been living under these past number of weeks.

The government suggested a review commission is presently operating. It has suggested a group of men is operating on behalf of the provincial government which is quite able to fulfil all the concerns or even the problems which may arise in respect of the administration of these special powers. I think, however, that perhaps the government, the Prime Minister and the Minister of Justice have been less than frank in telling us what real responsibility this commission has or what real stature it has.