

*National Emergency*

But under certain conditions it is inevitable that that be done, and it was done each year during the period of active hostilities and it is being done again at this session of parliament. When war breaks out, the War Measures Act, which was passed in 1914 and which is now chapter 206 of the revised statutes of 1927, contains a delegation of legislative powers to be exercised by the governor in council as circumstances may require. The statute provides that the issue of a proclamation declaring that a state of war exists is conclusive and that state of war is deemed to exist until another proclamation declares that it has come to an end, and technically that might be sufficient to enable the governor in council to carry on for a protracted period. But it was the intention of that War Measures Act, I submit, to delegate these extraordinary powers to the governor in council for the purpose of making such orders and regulations as he may by reason of the existence of real or apprehended war, invasion, or insurrection deem necessary or advisable for the security, peace, order and welfare of Canada.

I believe it was intended to delegate these powers for the purpose of enabling the governor in council to take such expeditious measures as might be required to secure the safety of the state against the immediate dangers resulting from a state of war; and though it might be technically correct, it would not be within the general intent of that statute that the governor in council exercise under that statute extraordinary powers to protect the safety of the state against dangers arising out of the economic disturbance consequent upon war.

On the former occasion that aspect was gone into and it was stated by many hon. members that such was their view. Resolutions or recommendations or reports submitted to the Canadian Bar association were invoked to show that that had been the view of a committee of the Canadian Bar association, and there were specifically cited portions of that report which I venture to read again, because the argument I wish to submit is strengthened by the language used there, to which I could find none preferable. I quote from page 690 of *Hansard*:

1. Continuation of controls after the war. There appear to be many who believe that some measure of control, specially in relation to ceiling prices, should be had and continued for some time after the war as a transit and adjustment period policy. Otherwise prices might jump suddenly to extreme limits, and bring a chaotic situation.

2. Should the necessary controls be continued under the War Measures Act?

[Mr. St. Laurent.]

It is expected by some, feared by others, that the federal government, for such controls as may appear necessary to maintain, will continue to rely on the authority of the War Measures Act.

And the view was expressed that that should not be done.

Your committee recommend that the proclamation declaring that the war no longer exists be issued as soon as the war with the enemy is really at an end according to the established principles of international law.

Let us make the distinction here between the war emergency itself, which is the fact of a state of war, an an economic emergency, which, though a consequence following the war, is not the war emergency. It may be an economic emergency. The calamity against which we have to protect the nation is not the war itself, or a consequential defeat of our arms, or the invasion by the enemy, but is an economic state of affairs that may be most serious, and that may, or may not be adequately coped with by the provinces. If the federal administration feel that, after the war, and in relation to such economic conditions of the country, a state of emergency exists, of a most serious character, and national in scope, let them face the issue directly and submit to parliament a new law affirming the existence or the apprehension and determining the exact nature of the new emergency.

That is what had been decided even before this report was made. At the time I exhibited to the members of the house this bill which I had received from the printers on August 28 last designed for the purpose of submitting to the house the belief of the government that a state of national emergency existed, and asking the house to pass upon that question and declare whether or not it shared the view that there still existed a national emergency which gives to some of the matters that normally fall within the provisions of section 92 of the British North America Act aspects which are not proprietary and civil rights in their normal acceptance but which are something more vital to the safety and well being of the state as a whole.

Hon. members will recall that at that time I quoted a sentence or two from a speech which had been delivered by the leader of the opposition in April of this year and which I placed on *Hansard* at page 690. I will not read it again to the house but will simply paraphrase it. The statement was that it would be dangerous to cut off all at once the controls that were found to be necessary during the war period; that they constituted something which would have to be unwound carefully and according to careful planning.

Once again I deplore that this has to be so; but if it is so, neither the government nor parliament would be discharging its responsibility to the Canadian nation if it did not adopt appropriate measures to cope with the situation. And it is not only in this country that such a situation has arisen. Hon. mem-