

Emergency Powers Act

Motion agreed to, bill read the second time and referred to the standing committee on railways, canals and telegraph lines.

Mr. Speaker: That is all the business under the heading of private and public bills, so the house will resume consideration of the business which was interrupted at five o'clock.

EMERGENCY POWERS ACT

PROVISION FOR CONTINUATION OF ACT FROM
MAY 31, 1953 TO MAY 31, 1954

The house resumed consideration in committee of the following resolution—Mr. St. Laurent—Mr. Beaudoin in the chair:

That it is expedient to introduce a measure to amend the Emergency Powers Act to provide for the continuation of the act for a further period of one year, that is from the thirty-first day of May, 1953, to the thirty-first day of May, 1954.

Mr. Diefenbaker: Mr. Chairman, a few moments ago I was dealing with the rights of an opposition, and my interpretation of the views of the Minister of Justice was challenged by him. Certainly his words were capable of no other meaning than that I ascribed to them, namely that an opposition has no right to analyse legislation and state the dangers of that legislation, because he, as the responsible minister of the crown, viewed that criticism as reckless and would not have such criticism directed against the government at all. That is a dangerous doctrine, but it is quite in keeping—

Mr. Garson: Mr. Chairman, again on a point of privilege. As long as my hon. friend continues to misrepresent what I say, I am going to continue rising to correct him. I agree with my hon. friend that the doctrine which he has just enunciated is a dangerous one. But I say that my words, which on *Hansard* will speak for themselves, never at any time were capable of being so interpreted. If there is any doubt of that let me repeat myself for about the fourth time, that my hon. friend and his colleagues have every right to criticize the government in every way they choose; but they should not, in the discussion of existing laws, misrepresent them to such a great degree that they cannot acquit themselves of the charge of either reckless or deliberate misrepresentation. When the opportunity is presented to me in this debate I shall show that my hon. friend and his colleagues have been misrepresenting the legislation involved here to precisely that extent.

The Chairman: Perhaps I might point out to the minister—

Mr. Diefenbaker: That statement must be withdrawn.

The Chairman: Order. I should like to point out to the minister that he cannot say that a member in this house is deliberately misrepresenting.

Mr. Garson: I agree with that.

Mr. Diefenbaker: Withdraw.

Mr. Garson: If there is any suggestion in my remarks that I was accusing my hon. friend of deliberate misrepresentation, I shall certainly withdraw it. I think when the language is examined you will see it is not open to that interpretation. What I do say is that in due course I shall take part in this debate, and I will show that my hon. friend's interpretation of these relevant laws, and that of his leader and some of his colleagues, have been erroneous from beginning to end, and that his arguments in opposition to the government in this debate are all based on those erroneous misconceptions of the law he has interpreted. This will not be the first time this has happened in this house. My hon. friend will recall that when Newfoundland was seeking admission to confederation my hon. friend and his colleagues got so tangled up in their own misconception of the law that they voted against the provision for the admission of Newfoundland when they said they were in favour of it.

Mr. Diefenbaker: Mr. Chairman, the withdrawal, surrounded with all the embroidery of evasion, is accepted. Having said that I want to read this editorial which aroused the Minister of Justice, so that I may analyse it and ascertain what is wrong with it. The editorial stated:

Justice minister Garson, in the picture to the right, appears to be a thoughtful and troubled man. If he is thinking of the part he played as leading spokesman of the federal government in the debate on the Emergency Powers Act, he has every reason to be troubled. He was trying, however clumsily, to defend a piece of legislation conceived in fear, sustained by men jealous of power, and alien to every concept of responsible government.

Those are very strong words, and I can understand the annoyance of the minister when he read them; but he should not have transferred his annoyance over criticism, however strong, which was at least sustained by events. One does not have to go back too far to recall that this government forgot an order in council that was secret, which swept aside every constitutional right in this country. What we in the opposition are endeavouring to do is to assure that secret orders in council shall not be passed.

During recent years, as the result of a desire on the part of the government to place these orders in council before parliament