

inequalities in our society from which political fanatics and anarchists draw nourishment for their existence.

However, that there are gaps in the criminal laws of this country that should be filled to facilitate effective law enforcement in times of serious crisis there can be no doubt. But, in eliminating those gaps, we must do everything that can be done to strike the proper balance between those sometimes conflicting and competing social goals of an orderly society on the one hand and of individual liberty on the other.

I wish to emphasize that while the government is of the view that additional legislation is desirable, a final decision has not been taken as to the nature and kind of legislation. The government agrees with those who are of the opinion that every reasonable opportunity should be afforded to those interested persons who may wish to make representations to this Parliament before definitive decisions are taken on the question. We believe the committee will recognize that its examination into these important matters should be thorough, but should proceed with as much dispatch as circumstances permit.

In conclusion, I wish to emphasize that it should be kept in mind, as the Prime Minister has said, that if the government is again confronted with an abnormal and serious crisis that cannot be dealt with within the framework of the existing laws, the fact that the subject matter of permanent legislation is pending before a Parliamentary committee will not prevent the government from immediately introducing additional legislation, if Parliament is sitting, or from summoning Parliament for that purpose if Parliament is adjourned. And finally of course, if circumstances should warrant it, recourse could again be made, as a last resort, to the War Measures Act.

I know that I speak for all members of this House in expressing the hope that none of these steps will be found to be necessary.

Mr. MacDonald (Egmont): Mr. Speaker, would the minister permit a question?

Mr. Speaker: Order, please. I believe the hon. member for Egmont would like to have the floor for the purpose of asking a question of the minister.

Mr. MacDonald (Egmont): Mr. Speaker, in concluding his remarks the minister talked about an abnormal situation. I think, as a lawyer, the minister would agree that it is very difficult to construct any law without knowing the nature of the problem for which one is trying to construct a law. Since the government is looking for some legal recommendations, would the minister indicate what the abnormal situation is about which he is speaking?

Mr. Turner (Ottawa-Carleton): Mr. Speaker, I think it will be up to the committee to examine the threats and the responses which may be necessary to meet those threats. That is the purpose of setting up this committee.

Mr. Eldon M. Woolliams (Calgary North): Well, Mr. Speaker, I am always happy to see my good friend the Minister of Justice (Mr. Turner) pilot through this House a motion, resolution or legislation. I notice the Minister of

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Justice was unusually short today. I hope that does not mean he wants to keep the matter which we are about to discuss covered up because I believe it is one of the most challenging things which has been before the House for some time.

In his opening remarks I was happy to hear the minister say that the committee, if it is set up, will wish to come to grips with the crisis—of course I we call it the alleged crisis—that took place last fall, and the unfortunate events which surrounded it. I mention that because yesterday I had hoped to be able to cut down my remarks considerably when I asked the President of the Privy Council (Mr. MacEachen), because the motion is in his name, what was meant by the terms and conditions in this resolution. If we look at it very carefully, we will see that there could be some great argument—I say this with the greatest respect—if the committee is set up, and if this matter goes to the committee, concerning just what the terms of reference mean.

I wish to bring these words to Your Honour's attention:

That a Special Joint Committee of the Senate and House of Commons be appointed—

By this House.

—to examine, inquire into and report upon the nature and kind of legislation required to deal with emergencies that may arise from time to time in the future—

I am glad the minister said this committee is to be set up because of what happened during the events of last fall. I believe, to start with, we might ask these questions: Was the War Measures Act necessary? Was there an apprehended insurrection? What was the effect of the implementation so far as the question of civil rights of the individual are concerned? How effective was it? What were the abuses and do we need any legislation beyond what is encompassed in the Criminal Code? Having said that, may I say that any committee looking into this matter must therefore have before it those witnesses who have, or allegedly have, the knowledge, such as the Prime Minister (Mr. Trudeau), the Minister of Justice (Mr. Turner), the Minister of Regional Economic Expansion (Mr. Marchand), the Secretary of State (Mr. Pelletier) and indeed the Prime Minister of Quebec.

An hon. Member: And Mr. Saulnier, too.

Mr. Woolliams: Yes, and Mr. Saulnier. If these people appear as witnesses, then we should be able to answer these questions. Having set the tone for my remarks, may I say that we have been asked to consider today the setting up of a joint committee composed of members of the Senate and House of Commons for the purpose, as the Minister of Justice has just said, of inquiring into and reporting upon the nature and kind of legislation required to deal with a crisis similar to that which is alleged by the Prime Minister and his government to have existed on October 16 in the province of Quebec.

• (3:50 p.m.)

The terms of reference, I say at the outset, of this committee which is to be established would seem to be