

tions of one man, not knowing under what conditions he may have to operate, but I, and those associated with me, have no intention of belonging to their company. This is my first reason for opposing this motion.

The second reason is that this action in invoking the War Measures Act is one which should not have been taken in the absence of consideration and debate by this parliamentary body. I am aware of all the excuses and reasons given for the course taken, but there is no reason under Heaven for bypassing the elected representatives of the people when such sweeping powers are brought in, particularly since we are in session and quite able to deal with emergency legislation. There are procedures by means of which a suitable measure could have been got quickly through the House. In my opinion this is just another example of this tendency to downgrade the authority of parliament. People have remarked that liberty is seldom taken away in one sudden swoop but that it is usually taken away piece by piece. In my opinion, this is one more serious step in the downgrading of the authority of this Parliament, the legislative body, the decision-making body of the people of Canada, that is, if more than lip service is to be paid to the idea of democratic government in this country.

In the third place, I believe we should oppose this motion because no serious reasons have been given for the government's failure to use another method of meeting the situation, such as amending the Criminal Code or the passing of a special statute. I will put forward a further reason for opposing this legislation. We have found in the past in this country and in other countries that once measures of this kind have been put into force they are extremely difficult to remove. My memory goes back to days when I was a very young girl and section 98 was placed on the statute books of this country. It was debated by Parliament. It was before the House for two or three hours and received Royal Assent quickly; it was put through in a panic situation. People at that time—nobody believes it any more—believed firmly that we were in the midst of a red revolution on the banks of the Red River. They panicked, and the government of the day put through section 98 which in its own way provided sweeping powers to deal with what they considered to be a dire emergency.

That section, section 98, was on the statute books of this country for 17 long years. It was used in the depression to very bad effect. During the 'thirties, when he was a member of the opposition, Mr. Lapointe, later minister of justice, tried to get legislation through Parliament to repeal it. He was unsuccessful because once a measure of this kind comes into force it is extremely difficult to get rid of it. Those who cheerfully say "Give the Prime Minister a few weeks and he will be bringing a suitable measure before Parliament to replace this statute" are optimists to a very high degree indeed, in my view. I would not be a bit surprised to see this measure remain in force a lot longer than April 30 next year. I hope that will not be the case, but on the basis of experience these measures are terribly hard to remove.

23226—18½

### *Invoking of War Measures Act*

• (2:30 p.m.)

Another reason that I must oppose this measure is that no one knows where this sort of measure will end. We were led to believe by the Prime Minister—no, the Prime Minister was a little more frank than some of his supporters who have spoken; he indicated that the measure was to be used to deal with the FLQ and perhaps other organizations of an illegal type. Other speakers on the government side were very much more careful to point out that they felt the measure was invoked solely to deal with the FLQ. But who is to say where the measure is going to end? Once you move into the area of calling organizations illegal, heaven alone knows where this will end.

It is very interesting to note that not more than 36 hours after invoking the act the mayor of my own city of Vancouver, a city where no one has yet heard of a state of insurrection existing, showed himself to be very eager to take action under the act. I should say he wanted the authorities to take action since he is unable to wield its powers himself. The mayor desired to have what he regarded as "nuisance organizations" declared illegal. The fact is that he is running for election and badly needs to have demagogic material to assist him to return to office; but his election has nothing to do with the powers that can be exercised under this act. However, I am just citing the fact that throughout British Columbia it is already very well known that this legislation is available to those who are in a position to use it.

It was made abundantly clear to me yesterday in the speech of the Minister of Justice that the authority for declaring what is an illegal organization rests with the attorneys general of the provinces. In my opinion this is a very peculiar way to secure even handed justice in Canada. The act and the orders in council that were passed may be federal in form; but if the attorney general of each province is to be permitted to determine what is an illegal organization in his province, then Canadians do not have uniform justice across the country.

The fears that have been expressed by many in this House that the action taken by the government will not help to solidify Canadian unity but, on the other hand, will divide Canadians becomes all too real. To my mind it is wrong to leave the definition of what is an illegal organization to the whim of the attorney general of a province. In fact, if I were in charge of the government, knowing something of the composition of the present government of British Columbia, I might even be a little alarmed at allowing the attorney general of that province to declare which organizations are legal and which are not. Perhaps there is no immediate danger in this regard, but we must remember that this sort of thing can snowball at an accelerating rate.

These are some of the reasons that I oppose this measure, but there is one over-riding reason, and it is that I believe firmly in democratic government. I believe that although people may not be as informed as we would like—and they cannot be informed so long as we have a situation where even their representatives are not told