

Human Rights

The Leader of the Opposition also suggested that the bill should include a section on the rights of individuals in the light of the War Measures Act, for everybody will realize that, if there ever is a time where individual rights and the freedoms of citizens are imperilled, it is in periods when the executive power is unlimited.

Third, the Leader of the Opposition suggested a provision limiting the power of the governor in council, even under the War Measures Act.

I do not know whether the Ottawa government will welcome those suggestions; if they are rejected, it would confirm the criticism already made, that the bill is merely declaratory and adds nothing to what we already had.

For my part, I fail to understand why the government should not have tried to obtain the views of the various provinces, first about the desirability of introducing a bill of rights at this time, and then about the various things that they consider as constituting the fundamental rights of Canadian citizens.

I fully agree—

Mr. Graffey: Would the hon. member allow me a question?

Mr. Deschatelets: Would my hon. friend be kind enough to wait until I am finished? I shall then gladly reply to his question.

Mr. Graffey: Certainly.

Mr. Deschatelets: I fully agree with all those who believe that this important piece of legislation would acquire true significance only if it were incorporated in the Canadian constitution.

I believe that instead of introducing this legislation in 1958, only to withdraw it afterwards without giving any valid or acceptable reason, the government should have set up a commission that same year, and have the provinces represented on it. Then, in 1960, we would have been in a position to know whether the unanimity of the provinces is possible on that question. It is not too late to do so even now.

This would mean further delays, but it is the only way to reach the objectives I think we all have in mind in this house, namely the full recognition and protection, over the length and breadth of Canada, of human rights and fundamental freedoms.

That is the view taken by Canadian newspapers generally, and I mean French as well

as English speaking newspapers. In support of my statement, I should like to read into *Hansard* the following editorial from *La Presse* for February 19, 1960:

In the circumstances, it seems that, if Canada is to have a genuinely significant bill of rights affording the citizen real protection against possible abuses on the part of the state, we have to find a formula acceptable both to the provinces and to the federal government. Barring that, all we can hope for is a purely pious declaration that will give the individual a merely illusory protection for his fundamental freedoms.

Mr. Speaker, it does seem that, in the last few days, every dictionary in the parliamentary library has been requisitioned, probably in an attempt to warm up through this bill, the party's falling popularity which is fast dropping towards the freezing point.

Our friends on the government side seem to be trying to outdo one another in a quest for the biggest superlatives.

Even the Prime Minister shows evidence of an overpowering desire to place this bill, at any cost, incomplete as it is, in a niche where it certainly does not belong, and thus regild a rather tarnished and chipped esutcheon.

That is playing politics with a matter that should be above political parties. It is a dangerous method, and one which can be bitterly disappointing in its results, because to anyone who sincerely believes in the rights and liberties of man, this bill will, in practice, prove very ineffective and very disappointing.

Yet how direly Canada needs a bill and charter of human rights that would meet our requirements, and we do not have to realize this.

Everyone remembers how many times in recent years, our rights and freedoms were curtailed and trodden underfoot. Let me refer to only a few instances in the province of Quebec. Other hon. members might probably recall other instances in other provinces.

Who in the province of Quebec, would not recall the Guindon, Picard and Laporte bills? Those bills were passed for definite and partisan ends, and mostly with a retroactive effect.

Who does not remember odious bill 34, perhaps the most antidemocratic provision passed by any provincial legislature, a bill obviously aimed at disfranchising part of the electorate, by depriving the opposition of a right recognized by law and custom, the