

*Invoking of War Measures Act*

that this government has the responsibility for the preservation and safety of diplomats from other countries.

**Some hon. Members:** Hear, hear.

**Mr. Diefenbaker:** All over the world, Canada has a black eye. And now what is the government doing? It has recognized Communist China. Well, I can just imagine the deluge of communist spies who will come in here attached to the Chinese embassy, when it opens. They will all masquerade as diplomatic representatives. With the United States alongside us, we have not yet seen anything of what will happen when this group comes to Canada and begins its active responsibility which is to destroy Canada from within and, as well, undermine the United States.

**Some hon. Members:** Oh, oh.

**Mr. Diefenbaker:** The minister said yesterday that what Canada has done will have great influence in the United Nations. Well, and I think this expression is to be ascribed to Mao, for anyone to suggest that communism and the western world can coexist side by side is as ridiculous as endeavouring to fry an iceberg. And that is the situation. They are coming, and what we have seen happening up to now will be as nothing.

Furthermore, what has been done concerning the degree to which these criminals in Canada have been operating after graduating abroad? Indeed, a number of FLQ terrorists graduated from the El Fatah school in Jordan. I am now referring to an article in *The Canadian Jewish News* which reads:

● (2:20 p.m.)

The "students" at that school, speaking to a Canadian reporter, admitted that they had even prepared "the names of the prospective victims", who will be their first targets when they return home.

That is, return from the El Fatah Palestinian terrorists. It goes on to say what is being done to investigate these graduates from Algeria and the Middle East who have been active in the extremist, terrorist independence movement of Quebec.

**Mr. Speaker:** I have to interrupt the right hon. member to bring to his attention and the attention of the House that the time allocated to him under the rules has expired, unless he has the agreement of the House to pursue his remarks.

**Some hon. Members:** Agreed.

**Mr. Diefenbaker:** As always, I deeply appreciate that courtesy because when I speak I never wield a feather duster. That is why I have deep affection for this institution. It does not take members very long to find out if another member is sincere. If so, he can speak his mind. This is the only place in our country today, under these new regulations, where there will be freedom of speech.

**Some hon. Members:** Oh, oh!

**Some hon. Members:** Hear, hear!

[Mr. Diefenbaker.]

**Mr. Diefenbaker:** I now want to make reference to these regulations. Over the years I have heard various Liberal speakers say that section 98 was the most terrible section in the Criminal Code. I am informed on good authority that even the Solicitor General spoke in strong condemnation of section 98. In 1936, when the Right Hon. Mackenzie King came into office, section 98 was repealed.

There have been some members today who wondered how it was that in a matter of hours those responsible for drafting these regulations were able to produce them. I had never known anything to equal the celerity with which this was done. I will read only portions of section 98 of the Criminal Code, unless some member wants it all read:

Any association, organization, society or corporation, whose professed purpose or one of whose purposes is to bring about any governmental, industrial or economic change within Canada by use of force, violence or physical injury to person or property, or by threats of such injury, or which teaches, advocates, advises or defends the use of force, violence, terrorism, or physical injury to person or property, or threats of such injury, in order to accomplish such change, or for any other purpose, or which shall by any means prosecute or pursue such purpose or professed purpose, or shall so teach, advocate, advise or defend, shall be an unlawful association.

The draftsmen copied the words. It saves a lot of time. Section 98 was repealed in 1936, right after the election of that year. I continue to quote:

In any prosecution under this section, if it be proved that the person charged has

- (a) attended meetings of an unlawful association; or
  - (b) spoken publicly in advocacy of an unlawful association; or
  - (c) distributed literature of an unlawful association by circulation through the Post Office mails of Canada, or otherwise;
- it shall be presumed in the absence of proof to the contrary, that he is a member of such unlawful association.

The new regulations are identical except that it was decided to add a few more things. If the Prime Minister had brought in a statute, I would have done everything possible to help bring about changes in the Criminal Code to meet the changed conditions resulting from the type of illegal activities that are perpetrated against the state. If we had an opportunity to deal with this, every member of this House would do his part. It would not take very long to get it through. But no, they decided to impose an Order in Council that simply abolishes freedom in every part of this country for a period of months, if not longer.

I wish to read some of the sections. I ask hon. gentlemen opposite who are devoted libertarians whether they agree with this? I quote:

The group of persons or association known as Le Front de Libération du Québec and any successor group or successor association of the said Le Front de Libération du Québec or any group of persons or association that advocates the use of force or the commission of crime as a means of or as an aid in accomplishing governmental change within Canada is declared to be an unlawful association.

Over the years I have been a strong opponent of legislation that provides for the outlawing of any organization. I want to "inlaw" organizations and to have changes made in the Criminal Code that will cover the modern