

Emergency Powers Act

or two other amendments were made to the legislation with respect to the laying of regulations, when made, before the house, and with respect to a certain provision with reference to possible annulment. Those were not in this measure when it was introduced. Those were not in the mind or the intent of the government. Those were wrung out of the government by the demands of the official opposition, and the fight we put up against the extravagant measure which the government introduced at that time.

I trust we have the record straight now. We have corrected many of the things the Minister of Justice said this afternoon which so badly needed correction. I trust the minister will not be heard to assert again that there is any difference in substance between this bill and the War Measures Act, because there is no difference of any significance whatever between these measures.

Mr. Fournier (Hull): Why oppose this bill if they are the same? You are in favour of the War Measures Act.

Mr. Fleming: I am not in favour of the invocation of the War Measures Act under present circumstances; not at all. There is no occasion for it. There is no occasion to invoke the War Measures Act today. Conditions do not exist at all—

An hon. Member: Do you remember what the Leader of the Opposition said a week ago?

Mr. Fleming:—which would call for invoking the War Measures Act. The very erroneous argument was put forward by the Minister of Justice that the government would, if that argument were valid, have the right today to invoke the War Measures Act; but we do not admit the premises put forward by the minister. We say categorically that such circumstances as would justify the government in invoking the War Measures Act do not exist in Canada today. That is the difference, and it is a difference between the government and the opposition as great as the difference between day and night. They have this power complex, Mr. Chairman. It is one of the inevitable results of their clinging to power for so long. They have come to feel they must have all this power. What does it matter about parliament? After all, have they not told us that if they want to get away with anything nobody here is going to stop them?

That has been their attitude all the way through. After all, what is parliament? To the government we are a subordinate body. The body that is to have and retain all power is of course the cabinet. So runs their thinking. We can only hope that the

opportunity of dismissing that kind of thinking from this parliament is going to be given to the people of Canada before the snow flies. The Prime Minister used that expression on emerging from the Liberal caucus last Wednesday, so the record goes, to certain newspapermen who asked when the election was going to be held. His answer was "Before the snow flies". It is to be observed, Mr. Chairman, that there were snowflurries in Ottawa the next day. I suppose it is not the first time the government has been hopelessly wrong.

An hon. Member: Don't worry about it.

Mr. Fleming: The Minister of Justice has sought to create the purely fictitious point, with nothing whatever to justify it, that there is some essential difference between these two measures. There is not. Then there is the matter of the secret order in council. What a lather the Minister of Justice worked himself into over that subject this afternoon, the secret order in council. Those of us who sat in the house in 1946 will not have forgotten that the present Prime Minister, then minister of justice, had occasion to rise in the house and tell us that when he had assured the house the previous year that there were no secret orders in council remaining that had not been disclosed to the house he had forgotten one, one that turned out to be of very great importance.

Before the Minister of Justice works himself into a lather again on the subject, I suggest that he comb the records of the privy council very carefully. Perhaps he might put the clerk of the privy council to work combing those records to see if there are any more secret orders in council lying around. I suggest to him also that he do not endeavour to create the impression that these orders have been disclosed to the Leader of the Opposition or other persons in the house. I do not say that he tried to create that impression this afternoon, but he did try to convince the house that no such thing as a secret order in council is possible under the legislation that exists today. The fact of the matter is that we have been told now that there is a secret order in council.

Mr. Garson: Record of which has been established by another order in council under the Regulations Act, duly tabled in parliament.

Mr. Fleming: The contents of that order remain secret. The minister nods his head. It is still a secret order in council. Here in a parliament composed of the assembled representatives of the people we are left completely in the dark as to the contents of