

assessor who is a judge of the Federal Court. The assessor cannot in effect exceed the limits which are established by the Minister.

I come back to the fundamental principle. The legislation as it is presently worded would in fact permit much of the same abuses that occurred in the 1940s to Canadians of Japanese origin—

[Translation]

—to occur in 1970 in Quebec.

[English]

I come back to the fundamental point with respect to compensation. In May, 1984, the Prime Minister said: "I feel very strongly that Canadian citizens whose rights were abused and violated and trampled upon should be compensated". We have waited three years. How much longer must we wait before the Prime Minister fulfils the solemn undertaking he made to Canadians in 1984?

Mr. Dan Heap (Spadina): Madam Speaker, I am pleased to have the honour to be able to speak against this emergencies Bill. I believe that if this Bill goes through and becomes law in anything like its present form, Canadians in the future will regret it greatly.

I stand on the side of those who point out that while it is a good thing to repeal the War Measures Act, there are some ways in which this present Bill may even be worse. If there are some ways in which it is better, they are at least closely balanced by ways in which it is worse.

It is true that many people now have very little way of knowing what the War Measures Act was about, except those who were in Quebec at the time of the 1970 crisis or those whose liberties were interfered with in other parts of Canada, on the excuse of the 1970 crisis which was focused on Montreal. Many Canadians at that time were not directly touched by the extraordinary action of the police, and many Canadians now of voting age, of course, do not remember 1970, but it is good to have some recollection of what was done.

● (1640)

I recently had the opportunity to read a study by an academic at the University of York, Mr. Reg Whitaker in the magazine *Labour/le Travail*, a learned journal. His article is "The Official Repression of Communism During World War II". He points out that as the war began, and we were fighting a fascist power, the Canadian Government took the occasion to act more strongly against communists than against fascists in Canada on the pretext, of course, that the Soviet Union and Germany had established a non-aggression pact. That did not explain why it was more harsh against communists than against fascists. There were other reasons behind that. However, even that pretext became rather ridiculous when Germany invaded the Soviet Union and when Britain and the United States found themselves in the position of declaring an alliance with the Soviet Union against Germany, and Canada

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of course followed suit. Yet, throughout the war and for several years after the war, Canada maintained that the Communist Party of Canada was an illegal Party. Britain and the United States did not do that, but Canada decided to be more repressive than either our mentor Britain or our neighbour the United States.

In fact, as Mr. Whitaker points out, "Canada was the only allied nation to maintain a ban on its local Communist Party throughout the course of its wartime alliance with the U.S.S.R." That is the kind of silly position we were put into by the then Liberal Government.

This repression of communism did not stop with communists. It was also directed against unions, and not necessarily against unions which had communist officers or leaders. There was, of course, the attempt to destroy the Canadian Seamen's Union in its infancy, which failed. However, it grew because it had a democratic structure and the support of a great many of the seamen. There were other attempts. For example, Mr. Whitaker records, and it is written elsewhere as well, that:

—Charles Murray, organizer for the Canadian Fishermen and Food Handlers Union of Nova Scotia . . . received a letter from the Nova Scotia Minister of Labour informing him that: "we have stood about all we intend to stand from troublemakers like you—and I am warning you now that we will tolerate it no longer . . . Your conduct will from now on be very carefully watched and examined and if I find that you do not quit this sort of business, then it will certainly be the worse for you".

This is how a Minister of Labour talked to a labour organizer. The article continues:

In fall of 1940, Murray was seized by the RCMP on a Sunday just as he was about to rush his pregnant wife to the hospital. While his wife was left to her devices, Murray was interned for two years.

Mr. Whitaker gives many other examples of how trade unionists were harassed, arrested, charged and sometimes imprisoned or interned, not for any political activity or any anti-war activity but simply for doing what before then and since then has been regarded as the legal work of trade unionists. But it was the War Measures Act to which the Government appealed to do those things.

We certainly need to get rid of the War Measures Act. However, as I have said, this Bill is in some ways worse than the War Measures Act. My reason for saying that is, first, this Bill is much more easily triggered. It has been suggested by the previous Conservative speaker, the Hon. Member for St. Catharines (Mr. Reid), that it is a good thing that it can be used more widely than the War Measures Act. But when one considers the powers given in its wide use, and I will come to that later, it is not at all clear that it is a good thing to use it so widely.

The powers to be given, furthermore, are, in the opinion of many people, including the respected Canadian Civil Liberties Association, dangerously wide. The powers of compensation for error which are a useful and just addition to what the War Measures Act provided or did not provide, do not go far enough to satisfy ordinary Canadian standards of law.