

Agricultural Products Act

a national emergency. There are contracts with the United Kingdom for bacon, cheese and eggs. I am sure that every member of this house will support, with a desire to see it carried out, appropriate legislation having to do with those particular contracts, based upon the ordinary constitutional responsibility of this house and parliament.

Once again we have the specious, utterly improper and insincere suggestion that anyone who says that we are avoiding our constitutional responsibilities is seeking to prevent the fulfilment of contracts with the United Kingdom. That is untrue; it has no foundation in fact. Those who seek to avoid their constitutional responsibility by arguments of this kind are themselves seeking effectively to undermine the constitution. This act can have no validity and no authority whatever unless the members of this house are once again prepared to declare that there is a national emergency, relating in this case to food supplies in this country; because any condition that can be put forward as an emergency to justify the adoption of legislation of this kind must be an emergency in regard to food not outside of Canada but within Canada itself. Only an emergency inside Canada can support legislation which declares an emergency under the broad reference to peace, order and good government. You may say that after all it was the impact of war that was the basis of earlier legislation. That is true. The war may have been outside of Canada, but the emergency existed within Canada in relation to that war; and it was there that various measures such as the War Measures Act and others found their legal basis during the war years.

This act of 1947, which the house is now asked to extend, declares that there is actual distress for want of adequate food supplies, relating to Canada itself. We know that that is not so. We know that the real purpose—

Mr. Gardiner: May I ask a question?

Mr. Drew: Yes.

Mr. Gardiner: Is my hon. friend arguing that the emergency in connection with food during the war period was in Canada?

Mr. Drew: Oh, the emergency—no. The emergency was a general emergency which made it possible for the government at that time to deal with anything, without regard to any particular emergency. Under the War Measures Act the government had power to deal with anything that they thought the government could best deal with. And I am sure there was no necessity at that time that there be a specific emergency in regard to any particular subject.

Now, if the minister asserts that in Canada at the present time, there is any emergency in respect of food, then the only emergency he can assert—and this is the weakness of the government's position—is a general emergency such as was placed in the War Measures Act itself. If he is prepared to assert that, and if the government bases its position upon that assertion, then once again parliament is asked to declare that there is a general emergency which overrides every division of authority under our constitution between the dominion and the provincial governments.

There is no use trying to evade the fundamental issue involved in this measure. While the resolution has been before the house for many weeks, as the Minister of Agriculture and everyone else knows, and in general steps taken to control these powers have been under way for some weeks, this is the opportunity for parliament to discuss the fundamental principle involved. It was suggested that this would be an opportunity for members of the house to deal with methods of marketing. But let no member of the house pretend that the measure which the government now seeks to introduce asserts methods of marketing. It does not do that at all. It does the exact opposite. It simply says: We give to the government, by order in council, full power to deal with the food products of this country in any way they see fit, and to sell to any country or any agency of any country under any terms that they believe to be satisfactory. There is no definition of method of any kind.

The act which we are called upon now to renew deals with foodstuffs of any class or kind, except wheat—as the minister intimated this morning. Let us see what powers are conferred by the statute, and let us see what it is we are asked to do in declaring a general emergency.

Section 3 of the original act—and this is the act which we are asked to say it is expedient we should renew—says:

Subject to any regulations that may be made by the governor in council the minister may

(a) sell or export agricultural products to the government of any country or any agency thereof pursuant to any agreement made by the government of Canada with the government of such country or with such agency and for those purposes may purchase agricultural products and make such arrangements for the purchase, sale or export of agricultural products as he considers necessary or desirable;

(b) on behalf of the government of any country or any agency thereof purchase or negotiate contracts for the purchase of agricultural products;

(c) by order require any person to give such information respecting his facilities for the storing