

The War Measures Act: Three Questions

**Claude Ryan,
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Yesterday morning, pulling from the archives a document that had been buried in dust for twenty years, the Canadian government decided to deliver a big blow against the Quebec terrorists by invoking the extraordinary powers that the War Measures Act confers. [...]

As will be seen on page seven, this law grants to the federal government such extensive powers that it has never been used, in living memory, in peacetime. It is the first time in the history of Confederation that a government dares to invoke such an extreme law for purposes of internal peace. The gravity of this act calls on us to raise some fundamental questions.

The first question is self-evident: was the decision of the government rigorously justified for the time being?

Yesterday, to justify his decision, Mr. Trudeau quoted the letters from MM. Bourassa, Drapeau and Saulnier, all affirming that the danger of an insurrection having emerged in Montreal and in Quebec, extraordinary means were necessary to grapple with it.

It is possible that the Montreal and Quebec authorities have had at their disposal, to assess the situation, facts that are unknown to the press. However, nothing in the sequence of events of the past week, seemed to lead in the direction it took.

Last Sunday, in his speech, Robert Bourassa seemed to have chosen the negotiated solution to resolve the Cross-Laporte drama. In the three days that followed his declaration, he did nothing that would lead us to believe that he had changed his mind. Last Thursday afternoon, he called in the army but, there again it was pointed out that this recourse was limited and circumscribed: one was led to believe that there was no question of going further.

What happened in the course of Thursday so that Bourassa and his colleagues were reduced to opt for the hard line? From the outside, and what is known publicly, the only new elements involved were the meetings held by student and teachers of the universities and colleges and the call for walkouts made by Vallières, Gagnon, Chartrand and Lemieux. If these meetings had had a spectacular success, one would understand that the authorities would become preoccupied. Any spread of the cause of the FLQ to the people could in the short term bring a dangerous displacement of the frontiers of legitimacy and would have generated, in itself, an imminent risk of civil war. However, in fact, it is the contrary that seemed to be happening. These artists of fraudulent democracy did everything to make us believe that they had the people with them. Evidently, their hold on the people was visibly not strong. One can bet that this "popular" movement would have ended up, once again, as a small clique.

Everything suggested, as one examines the situation prevailing last Thursday, that the Bourassa government would solve the Cross-Laporte drama by means of negotiation.. Everything led to believe that it could keep control of the situation with even limited help from the army. What precise reasons led Mr. Bourassa to suddenly opt for rigidity? What motives drove him into the arms of Mr. Trudeau when he could probably hold his own? These questions are pre-eminent in the mind of many people. Mr. Bourassa must answer these questions that much more that he has perhaps deliberately mislead the population into believing, for one week, that he favoured a flexible course of action.

In moments of crisis, no virtue is more important to a government than openness [transparence]. This is what establishes between the government and the citizens these indispensable links of communion

without which there cannot be any democratic solution. The least that can be said is that the Bourassa government has seriously shaken, in the last few days, the confidence that one can have placed in it.

There was far more, in the Cross-Laporte drama, for Bourassa and his government than the necessity to derail by all means the peril of insurrection. There was also, and especially so, a unique occasion to affirm at the highest level the responsibility of the state of Quebec.

Facing an unheard of situation that no other government of the Atlantic world has had to face, the Bourassa government had to show that it has nothing but the highest respect for life. It also had to find a formula to begin reintegrating into the democratic process elements that had temporarily strayed away from it by their means of action but which otherwise expressed political and social convictions close to those of thousands of their fellow citizens.

This double challenge was very demanding. It required that the government resist pressures demanding an even greater show of force. It demanded that consideration of pride and power be set aside. It demanded to begin recognising a movement whose objectives cannot be contested, although its methods are rejected, and whose presence cannot be denied. This path was difficult, laborious and thankless. Nevertheless, it was the most generous path, and in the long run, the most realistic one as well.

Abandoning the vague desire that he had manifested in this direction, in the end, Mr. Bourassa preferred to call on the powers of Ottawa. In requesting, by its own initiative, the invocation of the War Measures Act, the Prime Minister of Quebec accepted in principle to subordinate his government to that of Mr. Trudeau.. In the eyes of the rest of the country, he sanctioned the long held view that Ottawa is the seat of the real national government and that Quebec is only, after all, a slightly more troublesome province than the others.

This rapid change is in contradiction to the evolution of the past ten years. It might also foretell what might happen in other sectors. In the midst of a crisis, Mr. Bourassa has now given once to fear. He will find it difficult to cast away this image in the eyes of his federal colleagues as well in those of his own citizens.

As for Mr. Trudeau, he may very well succeed, for the time being, in crushing the FLQ. However, he will not succeed in preventing certain ideas from existing and perhaps, with Ottawa's help, from spreading. In the present drama, we must not forget that the "final question" has only temporarily been set aside and that ultimately it will only be solved in Quebec, without outside interference. The man who used to preach mistrust toward established authority has now become a protector of the military. One would search in vain, among the edicts that bear his signature, traces of these virtues of rationality, free will, restraint and respect based on rationality that he once identified with federalism. Mr. Trudeau claims that he was driven to this choice: many will reply that he deserved it.

Those who committed repugnant acts on October 5 and 10, and their allies, are for the time being mainly responsible for the losses of liberty suffered by Quebec. The aggressive and open disdain that they expressed against laws made for all citizens, and many of which were enacted in the respect of basic human rights, and not by a superstructure of domination, justifies the legal banishment that has been pronounced against the FLQ.

We deplore that recourse to do so was made to the War Measures Act; in its possible applications, it far exceeds the scope of the problem that the authorities faced. Further, we deplore that the War Measures Act has already started to be applied in such a spirit, and with such methods, that makes us fear that worse is to come. However, we can only reaffirm the right of a democracy to defend itself and the obligation that it has to judge severely and to put down those that unjustly threaten the freedom and the life of their fellow citizens.