

The Explanation given by John Turner, Minister of Justice, for Invoking the War Measures Act, House of Commons, October 16, 1970

The government of Canada has to take the final responsibility, but when the Government of the Province of Quebec and the mayor of the largest city in this country, on the information available to them and the information available to us through our own law enforcement agencies, are of the opinion that the state has been reached where we ought to, as sound and commonsense human beings, anticipate a danger to our society in the form of insurrection and are willing to use that type of vocabulary to the Prime Minister of Canada, then that is material which we cannot ignore.

I want to recite a list of events that have contributed to the rapid acceleration of this dangerous situation in Quebec. They are the kidnappings, which in themselves if they were isolated would be a purely criminal affair but, within the context of a wider conspiracy and being used for ransom against a legitimately constituted government, are something else. We have the continuous threats to life and property in the communications of the FLQ of a seditious, violent and inflammatory nature. They have been issued and members are aware of them.

We have also a series of bombings and violence, a rising increase in thefts of dynamite now available in some hidden caches in the province of Quebec.. More disturbing, we have a type of erosion of the public will in the feeling among some sincere people that an exchange of prisoners for the victims of the kidnappings would somehow ease the situation.

... I might say, too, that the recent call for a public manifestation by men like Gagnon, Vallières and Chartrand established and escalated the whole coming together of an infiltration of FLQ doctrine in certain areas of society in Quebec - in the unions, among universities and in the media - and the growing feeling among the people of Quebec, particularly the citizens of Montreal, that they are living under a reign of terror. You do not have to ask me; ask any member from Montreal and the people they represent just what they have been undergoing last week in the city of Montreal.

Some hon. Members: Hear, hear!

Mr. Turner (Ottawa-Carleton): I believe we had to respond today in an urgent fashion to the call of the provincial government and the city of Montreal to exercise our duty in a federal state, to ensure that the necessary co-operation in a federal-provincial aspect was maintained between the government of the province of Quebec and the government of Canada. The attorney general of the province of Quebec and the premier of the province of Quebec advised us that the law as presently constituted and directed in a free society was not equipped at the moment to meet the serious situation they were facing, and that they needed additional powers of arrest, of search and of detention.

... This left only two possible courses of action. The government could have sought special legislation of the type embodied in the regulations which have been brought into force under the War Measures or, alternatively, the War Measures Act could have been resorted to.

I suggest to the House that if a special piece of legislation had been resorted to, the provisions might well have been similar to the provisions now found in the regulations. But this government was assured by the government of Quebec, and by senior persons directly involved with attempting to cope with the terrorists, that a search and arrest operation of considerable magnitude directed at the FLQ was necessary and that time was of the essence.

Our initial reaction was the reaction of several members of the House, to seek the authority of Parliament first. But faced with the seriousness of the situation and with the necessity of not broadcasting what the government of Quebec and the government of Canada intended to do, faced with the urgency of anticipating any further escalation in the situation in Montreal, the government of Canada resorted to the War Measures Act. It is my hope that some day the full details of the intelligence upon which the

government acted can be made public, because until that day comes the people of Canada will not be able fully to appraise the course of action which has been taken by the government.

The element of surprise was essential, and members of the House will have to rely upon the judgment of the government ...

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