

**SECRET**

FILE NO. D-1-7(h)

1970 (November - December)

**PRIVY COUNCIL OFFICE  
CANADA  
SUBJECT**

DEFENCE

Emergency Planning

War Measures Act

**Treated for Mould 2012**  
**Traités pour la Moisissure**







**Page 132**  
**is not relevant**  
**est non pertinente**



c.c. Mr. Crowe  
Mr. Lalonde  
Mr. Wall  
Mr. Pitfield  
Mr. Gallant  
Miss Macdonald

B-1-7(12)  
X 5-1-28

O T T A W A,  
December 24, 1970.

My dear Colleague,

I am enclosing a copy of the revised letter to Mr. Stanfield with the change in the final paragraph that you suggested yesterday.

I have also made a few changes in the final paragraph on page 2 to avoid any misunderstanding about the constitutional jurisdiction of a provincial government as distinct from the responsibility that it has in practice exercised with regard to criminal justice.

Yours sincerely,

ORIGINAL SIGNED  
BY  
R. G. ROBERTSON

The Honourable John N. Turner, M.P.  
Minister of Justice and  
Attorney General of Canada,  
O t t a w a.

RGR/jrm





CONFIDENTIAL

PRIME MINISTER · PREMIER MINISTRE

O t t a w a,  
December 23rd, 1970.

Dear Mr. Stanfield:

I have now had an opportunity to consider with care your letter of December 4th in which you propose the establishment of a Commission of Inquiry to go into "the general background of the terrorism and the events leading to the War Measures Act as well as the administration of the Act". While I understand the reasons that lead you to think that there would be advantage in having an investigation of this kind so that, as you say, Canada "should be fully informed", I have come to the conclusion that it would not be in the public interest to set up such a Commission at this time. I have discussed the matter with my Colleagues in the Cabinet and they share this view.

The fundamental consideration which I think must govern is that there is no reason to think that we have come to the end of the efforts of the FLQ and other organizations of a similar kind to promote terrorism in Canada and particularly to promote it with the objective of bringing about a destruction of our federation. I think the recent policies and measures that

The Honourable Robert L. Stanfield,  
Leader of the Opposition,  
House of Commons,  
O t t a w a.



PRIVY COUNCIL OFFICE  
BUREAU DU CONSEIL PRIVÉ

MEMORANDUM

(A)

That  
~~the~~ arrangement ~~is~~ clearly  
accorded best with the responsibility  
the provinces have for administration of  
the criminal law and the fact  
that <sup>it is</sup> ~~they are~~, therefore, best  
<sup>equipped</sup>  
to deal with matters relating  
to violence, terrorism and  
<sup>deviated</sup>  
actions, against the public order.



2.

were adopted have helped greatly in bringing these activities under control but it would be unduly optimistic to think that we can regard the matter as entirely a thing of the past. In these circumstances, it would not be possible to disclose everything that is known or suspected, or which may still be discovered, concerning activities of individuals, organization of terrorist cells and other things of that kind without seriously compromising the effectiveness of action that will still have to be taken to combat them. In my judgment and that of my Colleagues, the effectiveness of measures for the national security should not be compromised or limited in this way. To have a Commission of Inquiry without a full disclosure of facts and details would be to defeat the objectives that you have in mind.

A further consideration of importance is that many trials are still pending in Quebec. An inquiry now would be highly prejudicial to the ordinary processes of the administration of justice. For both these reasons, my Colleagues and I have come to the conclusion I have indicated.

(A) In addition to the background and development of terrorism, you suggest that the proposed commission should inquire into the administration of the regulations under the War Measures Act and of the legislation that replaced them. As you know, that administration was and is by the Government of Quebec, ~~as a part of its general responsibility for the administration of justice.~~ The province some time ago took action to have independent persons look into the protection of individual rights. There is also a provincial Ombudsman, and there has been involvement by the Civil Liberties Union. It is clear that the province is fully aware of its responsibilities. In all the circumstances, I think it would be both unjustified and in contravention of the *general* status ~~a provincial government has in relation to matters under its jurisdiction.~~ for the federal government to propose a Commission of Inquiry - whether federal or joint - into Quebec's administration of this matter.

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I recognize, of course, that a part of any inquiry would relate to the wisdom of actions taken. This, it seems to me, is a matter that has already been considered by Parliament and I would doubt if the judgment of two or three commissioners, however eminent, should be substituted for it.

*Parliamentary*  
The government is, of course, very much of the view that there should be full and careful consideration of what you describe as "the development of democratic defenses against persons who are willing to use undemocratic weapons in support of an ideology". In a sense, the unfinished part of our legislative action is the consideration of measures that can constitute better defenses in emergency situations than the invocation of the War Measures Act. Apart from this, we have broader and more continuing problems relating to the preservation of order in our democratic society in the new conditions of today. I think these are matters that should receive the attention of Parliament during the current session and the government hopes to be in a position to make recommendations toward this end early in the new year.

Yours sincerely,



**Pages 138 to / à 139**  
**are not relevant**  
**sont non pertinentes**

D-1-700

December 24, 1970.

MEMORANDUM FOR THE PRIME MINISTER

Letter to Mr. Stanfield

24.12.70

Attached is the letter to Mr. Stanfield with revisions as discussed this morning on pages 2 and 3.

I have also changed the final sentence in the last paragraph on page 2. As originally drafted, the sentence had reference to "jurisdiction" of a provincial government and this could contribute to the misunderstanding you want to avoid. I think it reads alright with the deletion I have made. I am attaching the original version with the changes marked in ink for easier reference if you wish.

I have also deleted the "Confidential" marking. It should not be so marked. Mr. Stanfield's letter was not as this exchange will almost certainly become public at some time.

Also attached is a short letter to Mr. Turner with a copy of the revised letter.

attachs.

MEK

c.c.: Mr. Lalonde  
Mr. Roméo LeBlanc  
Mr. Jim Davey  
Miss Macdonald  
Mr. Wall  
RGR/LL

CONFIDENTIAL

O t t a w a,  
December 18th, 1970.

Dear Mr. Stanfield:

I have now had an opportunity to consider with care your letter of December 4th in which you propose the establishment of a Commission of Inquiry to go into "the general background of the terrorism and the events leading to the War Measures Act as well as the administration of the Act". While I understand the reasons that lead you to think that there would be advantage in having an investigation of this kind so that, as you say, Canada "should be fully informed", I have come to the conclusion that it would not be in the public interest to set up such a Commission at this time. I have discussed the matter with my Colleagues in the Cabinet and they share this view.

The fundamental consideration which I think must govern is that there is no reason to think that we have come to the end of the efforts of the FLQ and other organizations of a similar kind to promote terrorism in Canada and particularly to promote it with the objective of bringing about a destruction of our federation. I think the recent policies and measures that

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I recognize, of course, that a part of any inquiry would relate to the wisdom of actions taken. This, it seems to me, is a matter that has already been considered by Parliament and I would doubt if the judgment of two or three commissioners, however eminent, should be substituted for it.

The government is, of course, very much of the view that there should be full and careful consideration of what you describe as "the development of democratic defenses against persons who are willing to use undemocratic weapons in support of an ideology". In a sense, the unfinished part of our legislative action is the consideration of measures that can constitute better defenses in emergency situations than the invocation of the War Measures Act. Apart from this, we have broader and more continuing problems relating to the preservation of order in our democratic society

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in the new conditions of today. I think these are matters that should receive the attention of Parliament during the current session and the government hopes to be in a position to make recommendations toward this end early in the new year.

Yours sincerely,

PRIVY COUNCIL OFFICE



BUREAU DU CONSEIL PRIVÉ

CANADA

CONFIDENTIAL

RECORD OF CABINET DECISION

Meeting of December 23rd, 1970  
(Cab. Doc. 1480/70, Dec. 22)

Request For A Commission Of Inquiry In Relation  
To Terrorism In Quebec And Administration  
Under The War Measures Act

The Cabinet agreed with the proposed reply by the Prime Minister to Mr. Stanfield's letter requesting a Commission of Inquiry in Relation to Terrorism in Quebec and Administration under the War Measures Act (Cab. Doc. 1480-70), with the words "legislative action" in the last paragraph changed to "Parliamentary action".

A handwritten signature in cursive script, appearing to read "D.J. Leach".

D.J. Leach,  
Supervisor of Cabinet Documents.

January 5th, 1971.

PRIVY COUNCIL OFFICE  
BUREAU DU CONSEIL PRIVÉ /

MEMORANDUM

MR. ROBERTSON:

Mr. Davey had two points re the attached letter - otherwise he thought it was fine.

1. He wondered "whether we might think about the possibility of briefing Mr. Stanfield from time to time on security matters." He did not know whether this needed to go into the letter.

2. He wondered whether we were in fact ready to move ahead as set out in the last sentence of the letter.

a.w.



Copy on 5-1-28

B-1-7(2)

c;c.: Mr. Crowe  
Mr. Lalonde  
Mr. Wall  
Mr. Pit;field  
Mr. Gallant  
Miss Macdonald

O t t a w a,  
December 23rd, 1970.

Dear Mr. Stanfield:

*all to  
interim  
reply Dec 4/70*

I have now had an opportunity to  
-consider with care your letter of December 4th  
in which you propose the establishment of a  
Commission of Inquiry to go into "the general  
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A further consideration of importance is that many trials are still pending in Quebec. An inquiry now would be highly prejudicial to the ordinary processes of the administration of justice. For both these reasons, my Colleagues and I have come to the conclusion I have indicated.

In addition to the background and development of terrorism, you suggest that the proposed commission should inquire into the administration of the regulations under the War Measures Act and of the legislation that replaced them. As you know, that administration was and is by the Government of Quebec. That arrangement clearly accorded best with the responsibility the province has for administration of the criminal law and the fact that it is, therefore, best equipped to deal in Quebec with matters relating to violence, terrorism and actions directed against the public order. The province some time ago took action to have independent persons look into the protection of individual rights. There is also a provincial Ombudsman, and there has been involvement by the Civil Liberties Union. It is clear that the province is fully aware of its responsibilities. In all the circumstances, I think it would be both unjustified and in contravention of the general status of a provincial government for the federal government to propose a Commission of Inquiry - whether federal or joint - into Quebec's administration of this matter.

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I recognize, of course, that a part of any inquiry would relate to the wisdom of actions taken. This, it seems to me, is a matter that has already been considered by Parliament and I would doubt if the judgment of two or three commissioners, however eminent, should be substituted for it.

The government is, of course, very much of the view that there should be full and careful consideration of what you describe as "the development of democratic defenses against persons who are willing to use undemocratic weapons in support of an ideology". In a sense, the unfinished part of our parliamentary action is the consideration of measures that can constitute better defenses in emergency situations than the invocation of the War Measures Act. Apart from this, we have broader and more continuing problems relating to the preservation of order in our democratic society in the new conditions of today. I think these are matters that should receive the attention of Parliament during the current session and the government hopes to be in a position to make recommendations toward this end early in the new year.

Yours sincerely,

Original signed by

Original signé par

P.E. TRUDEAU

DEC 29 1970

*Sent by hand - dec. 29 / 70*  
*L.*





~~CONFIDENTIAL~~

PRIME MINISTER · PREMIER MINISTRE

O t t a w a,  
December 23rd, 1970.

Dear Mr. Stanfield:

I have now had an opportunity to consider with care your letter of December 4th in which you propose the establishment of a Commission of Inquiry to go into "the general background of the terrorism and the events leading to the War Measures Act as well as the administration of the Act". While I understand the reasons that lead you to think that there would be advantage in having an investigation of this kind so that, as you say, Canada "should be fully informed", I have come to the conclusion that it would not be in the public interest to set up such a Commission at this time. I have discussed the matter with my Colleagues in the Cabinet and they share this view.

The fundamental consideration which I think must govern is that there is no reason to think that we have come to the end of the efforts of the FLQ and other organizations of a similar kind to promote terrorism in Canada and particularly to promote it with the objective of bringing about a destruction of our federation. I think the recent policies and measures that

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## PRIVY COUNCIL OFFICE

## BUREAU DU CONSEIL PRIVÉ

MEMORANDUM

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CONFIDENTIAL

PRIME MINISTER · PREMIER MINISTRE

O t t a w a,  
December ~~18th~~, 1970.  
23<sup>rd</sup>

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Yours sincerely,

CONFIDENTIAL

December 22nd, 1970.

MEMORANDUM FOR THE PRIME MINISTER

Mr. Stanfield's proposal for  
a Commission of Inquiry

Attached is a revised letter to Mr. Stanfield in reply to his letter of December 4th suggesting a Commission of Inquiry on the War Measures Act, etc. The revision incorporates your suggestion about a re-statement of the federal government's position on the administration of the Act. It also takes into account suggestions made in Mr. Turner's letter to you of December 21st, particularly concerning possible conflict with the administration of justice.

As directed, an item concerning this is being put on the Agenda for tomorrow's Cabinet. As it may help consideration of the matter, I will do a short memorandum which will be circulated to Ministers covering a copy of Mr. Stanfield's letter to you. I will say in the memorandum that you have consulted the Minister of Justice in connection with the reply that should be made and that you will want to discuss it at the meeting. I will not attach the proposed reply since there may be changes that you would wish to make in it. I assume that you will either read it or outline it at the meeting tomorrow.

Also attached herewith is a letter to Mr. Turner. I assume it would be desirable for him to have a chance to see the proposed reply before tomorrow's meeting since he is so intimately involved with this whole matter — *and since he ought to consider possible Parliamentary action.*

*W.H.R.*

P.S. Since dictating the above, the attached letter has come from Mr. McIlraith to Mr. Wall. I think there is no need for you to read it: Mr. McIlraith is in complete agreement with the rejection of Mr. Stanfield's proposal. I do not think that anything in the letter affects the terms of the reply as it now stands.

*W.H.R.*

*M. Robertson*  
CONFIDENTIAL

c.c.: Mr. Crowe  
Mr. Lalonde  
Mr. Wall  
Mr. Pitfield  
Mr. Callant  
Miss Macdonald

December 22nd, 1970.

MEMORANDUM FOR THE PRIME MINISTER

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Original signed by  
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R.G. ROBERTSON

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OFFICE OF THE PRIME MINISTER • CABINET DU PREMIER MINISTRE



# MEMORANDUM

MR. GORDON ROBERTSON

CLASSIFICATION  
CONFIDENTIAL

TO  
A

YOUR FILE NO.  
Votre dossier

OUR FILE No.  
Notre dossier

MARY E. MACDONALD

FROM  
De

DATE 21/12/70

PROPOSAL BY MR. STANFIELD FOR A COMMISSION OF INQUIRY  
ON TERRORISM, THE WAR MEASURES ACT ACTION, ETC

FOLD

SUBJECT  
Sujet

Your Memo to the Prime Minister of December 18th, 1970

The Prime Minister has commented as follows:

Page 1, pa. 1 Re: Cabinet Consultation

✓ "Please put on agenda"

Page 2, pa. 2 Agreement with contents of reply to Mr. Stanfield

✓ "I very much agree also. The only point we do not cover is the second term of reference in Stanfield's letter. I wonder if it might be useful to restate our position, that administration of Act and regulations were left to Quebec and we see no need to inquire into its actions in view of Ombudsman and Civil Liberties Union Action!"

CC: Mr. Lalonde  
Mr. Wall

Mary E. Macdonald

**Pages 160 to / à 161**  
**are not relevant**  
**sont non pertinentes**



Copy on S-1-28

D-1-7 (A)

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

CONFIDENTIAL

Cab.Doc. 1480-70

December 22nd, 1970.

MEMORANDUM TO THE CABINET:

Request for a Commission of Inquiry in relation  
to terrorism in Quebec and administration under  
the War Measures Act

Attached is a copy of a letter dated December 4th that the Prime Minister has received from the Leader of the Opposition proposing that a Commission of Inquiry be established to "inquire into the general background of the terrorism and the events leading to the War Measures Act as well as the administration of the Act".

The Prime Minister wishes to reply to Mr. Stanfield's proposal before the Christmas recess and wishes to discuss the nature of the position to be taken and the lines of reply in the Cabinet. He has discussed the matter with the Minister of Justice and will have a draft reply for consideration.

The Prime Minister will also wish to raise in connection with this matter the nature of action that the government might propose to Parliament in the current session. One possibility would be the introduction of legislation to make provision of a continuing kind for special emergencies for which there is at present no instrument other than the War Measures Act. Another possibility would be to have a Committee of Parliament consider and report on the problem of preserving order and protecting society in the new conditions of today.

R.G. Robertson,  
Secretary to the Cabinet.

0338 038



LEADER OF THE OPPOSITION - CHEF DE L'OPPOSITION

December 4, 1970.

Rt. Hon. Pierre E. Trudeau, P.C., Q.C., M.P.,  
Prime Minister of Canada,  
House of Commons,  
Ottawa.

Dear Mr. Prime Minister,

This letter is further to your suggestion of Wednesday, November 25, 1970, that I write to you outlining my proposal to have a Commission of Inquiry established to inquire into the general background of the terrorism and the events leading to the War Measures Act as well as the administration of the Act.

The Commission would, of course, be better constituted if it were to involve the Province of Quebec and the recommendations below assume their co-operation in such an inquiry. Should the Quebec government not wish to actively take part, the Inquiry could still proceed with only minor changes in the basic guidelines.

The Commission should be constituted under the federal Inquiries Act and have three members. One would be appointed by the federal government, another by the federal government on the recommendation of the Quebec government, and the third by the federal government on the recommendation of the other two members. Preferably, one should be seconded from the Supreme Court of Canada, one from the Quebec Superior Court, and the third be a recognized civil rights authority. All members should be bilingual. Further, the federal government should invite the International Commission of Jurists to send an observer who would be attached to the Commission. The International Commission of Jurists is a non-governmental organization operating under the aegis of the United Nations whose purpose is to foster respect for the Rule of Law.

.. 2

2.

Rt. Hon. Pierre E. Trudeau, P.C., Q.C., M.P.

The terms of reference of the Commission would be threefold.

The Commission should inquire into the general background and development of terrorism in Quebec, the adequacy of the political and police measures taken to deal with it prior to the proclamation of the War Measures Act and regulations, and the situation which existed immediately preceding the proclamation of the Act.

The Commission should inquire into the administration of the War Measures Act and regulations and of any successor federal act and regulations with special reference to the enforcement of the criminal procedures imposed under them in the area of human rights and fundamental freedoms guaranteed by the Canadian Bill of Rights and the Universal Declaration of Human Rights to which Canada is a signatory.

In addition to its investigative role, the Commission should have authority to make recommendations arising out of its inquiries: (a) as to the origins and containment of terrorism; (b) the special training necessary for military and police forces to enable them better to prevent and combat acts of terrorism; and (c) for the development of democratic defenses against persons who are willing to use undemocratic weapons in support of an ideology.

The Commission should have all powers necessary to carry out its terms of reference, including the power to summon witnesses, to examine witnesses under oath, to cite for contempt of its orders, and to hold all hearings in public except when the national security requires in camera sittings. The Commission should be empowered to report simultaneously from time to time to the government of Canada and the government of the Province of Quebec and to the Parliament of Canada and the National Assembly of Quebec.

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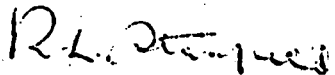
Rt. Hon. Pierre E. Trudeau, P.C., Q.C., M.P.

Surely the difficult events of the month of October clearly constitute a major challenge to democracy in Canada. As you have pointed out, we have been faced by a conflict between our usual freedoms as Canadians and the need for stronger police measures to combat terrorism.

The greatest danger in our society lies in the misunderstanding and confusion which grows out of such a situation. It is important that Canadians understand the extent of the terrorism and the effectiveness of the measures that have been taken against it.

Canada is a strong society and should be fully informed as it is vital for us to understand the pattern so that we may adequately judge the future balance between social order and traditional liberty.

Yours sincerely,



Robert L. Stanfield

PRIVY COUNCIL OFFICE  
BUREAU DU CONSEIL PRIVÉ

## MEMORANDUM

MARY:

Mr. Robertson brought back with him following the meeting last night the letter to Mr. Turner + dated December 22nd enclosing the draft reply to Mr. Stanfield re his proposed commission of inquiry re FLQ and all that. I sent it off this morning at 8.45 so Mr. Turner would have it before Cabinet. (The yellow and blue file copies were not returned)

+signed by the Prime Minister.

Dec. 22

**Page 167**  
**is not relevant**  
**est non pertinente**

Copy on 5-1-28

D-1-7(h)

c.c.: Mr. Crowe  
Mr. Lalonde  
Mr. Wall  
Mr. Pitfield  
Mr. Gallant  
Miss Macdonald

URGENT AND  
CONFIDENTIAL

O t t a w a,  
December 22nd, 1970.

My dear Colleague:

Thank you for your letter of December 21st with a number of very helpful comments concerning the proposal by the Leader of the Opposition for a Commission of Inquiry into terrorism in Quebec, the administration of the regulations under the War Measures Act and related matters. I am enclosing herewith a draft reply that I think it might be appropriate for me to send and which reflects, I think, the argument and points made in your letter.

You will note that I have indicated in the final paragraph that the government will be indicating "early in the new year" how it thinks that Parliament can best give consideration at this session to the problem of preservation of order under conditions of today and matters of that kind. I have cast the paragraph in a way that would leave it open for us to decide either to bring in legislation, and have Parliamentary consideration in relation to that, or to have a committee of Parliament look at the question of "Law and Order". One way or another, I think it

The Honourable John N. Turner, M.P.,  
Minister of Justice and  
Attorney General of Canada,  
O t t a w a.

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is imperative that the government take an initiative for Parliamentary action and I believe we should consider tomorrow what the nature of this initiative should be.

Thank you very much for your helpful comments and suggestions.

Yours sincerely,

Original signed by  
Original signé par  
P.E. TRUDEAU

DEC 23 1970



MINISTER OF JUSTICE AND  
ATTORNEY GENERAL OF CANADA



MINISTRE DE LA JUSTICE ET  
PROCUREUR GÉNÉRAL DU CANADA

BY HAND

Ottawa 4, December 21, 1970.

The Right Honourable P.E. Trudeau, P.C., Q.C., M.P.,  
Prime Minister of Canada,  
Ottawa, Ontario.

My dear Prime Minister:

Mr. Wall has sent me under cover of his letter dated December 15 a copy of the letter you received from the Leader of the Opposition dated December 4 in which he elaborated on his proposal that a Commission of Inquiry be established under the Inquiries Act to inquire into the general background of terrorism in Quebec, the events leading up to the recent proclamation issued under the War Measures Act and the administration carried out under the Regulations made pursuant to the War Measures Act and under the successor federal Act. Mr. Wall indicated to me that you wished to have my comments on Mr. Stanfield's letter to assist you in formulating a reply.

It is my view that an inquiry conducted by the judiciary under the Inquiries Act as proposed by Mr. Stanfield would produce no useful findings or conclusions for a number of very good reasons.

In the first place, the subject-matter into which the inquiry would be made involves primarily the political and executive decisions of a Provincial Government. Apart entirely from the propriety of such an inquiry, there might be some reason to doubt that such would be a matter "connected with the good government of Canada or the conduct of any part of the public business thereof" within the meaning of the Inquiries Act. Also, there can be serious doubt about the propriety of using the judiciary to evaluate decisions of this kind.

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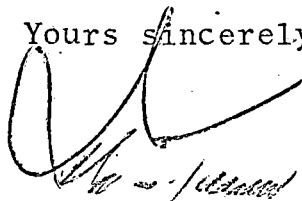
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In the second place, I think it can be said that many of the relevant facts either have already come to light or that they will be made known as a result of the normal operations of democratic Government as and when they can be ascertained. It must, I think, be obvious that no effective inquiry can be conducted before the identity of the principal actors has been determined or where the circumstances are such that they are not available to give evidence on oath. Both of these difficulties would be encountered.

In the third place, an inquiry along the lines proposed could be regarded as highly prejudicial to the ordinary processes of the administration of justice bearing in mind that a substantial number of trials are presently pending in the Province of Quebec and this situation will likely continue for some time.

Finally, in view of the posture adopted by both the Prime Minister of Quebec and by the Attorney General of the Province, I think it must be assumed that the Province would not only not co-operate in such an inquiry but would object strenuously to it. Indeed, an inquiry along the lines proposed by Mr. Stanfield would be viewed by all Provincial Governments as an objectionable and unhappy precedent within the overall framework of the administration of justice and this would in turn work a substantial disservice to the cause of co-operation that must continue to exist in this area among the duly elected Governments of this country.

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'John N. Turner', written over a horizontal line.

John N. Turner.

DEC 22 1970

D-1-70(2)

C.C.: Mr. Crowe  
Mr. Lalonde  
Mr. Wall  
Mr. Pitfield  
→ ~~Mr. Callant~~  
Miss Macdonald

*Mr. Robertson*  
CONFIDENTIAL

December 22nd, 1970.

MEMORANDUM FOR THE PRIME MINISTER

Mr. Stanfield's proposal for  
a Commission of Inquiry

Attached is a revised letter to Mr. Stanfield in reply to his letter of December 4th suggesting a Commission of Inquiry on the War Measures Act, etc. The revision incorporates your suggestion about a re-statement of the federal government's position on the administration of the Act. It also takes into account suggestions made in Mr. Turner's letter to you of December 21st, particularly concerning possible conflict with the administration of justice.

As directed, an item concerning this is being put on the Agenda for tomorrow's Cabinet. As it may help consideration of the matter, I will do a short memorandum which will be circulated to Ministers covering a copy of Mr. Stanfield's letter to you. I will say in the memorandum that you have consulted the Minister of Justice in connection with the reply that should be made and that you will want to discuss it at the meeting. I will not attach the proposed reply since there may be changes that you would wish to make in it. I assume that you will either read it or outline it at the meeting tomorrow.

Also attached herewith is a letter to Mr. Turner. I assume it would be desirable for him to have a chance to see the proposed reply before tomorrow's meeting since he is so intimately involved with this whole matter.

Original signed by  
Original signé par  
R.G. ROBERTSON

R.G.R.

P.S. Since dictating the above, the attached letter has come from Mr. McIlraith to Mr. Wall. I think there is no need for you to read it: Mr. McIlraith is in complete agreement with the rejection of Mr. Stanfield's proposal. I do not think that anything in the letter affects the terms of the reply as it now stands.

000172

c.c.: Mr. Crowe  
Mr. Lalonde  
Mr. Wall  
Mr. Pitfield  
Mr. Gallant  
Miss Macdonald

CONFIDENTIAL

O t t a w a,  
December 23rd, 1970.

Dear Mr. Stanfield:

I have now had an opportunity to consider with care your letter of December 4th in which you propose the establishment of a Commission of Inquiry to go into "the general background of the terrorism and the events leading to the War Measures Act as well as the administration of the Act". While I understand the reasons that lead you to think that there would be advantage in having an investigation of this kind so that, as you say, Canada "should be fully informed", I have come to the conclusion that it would not be in the public interest to set up such a Commission at this time. I have discussed the matter with my Colleagues in the Cabinet and they share this view.

The fundamental consideration which I think must govern is that there is no reason to think that we have come to the end of the efforts of the FLQ and other organizations of a similar kind to promote terrorism in Canada and particularly to promote it with the objective of bringing about a destruction of our federation. I think the recent policies and measures that

The Honourable Robert L. Stanfield,  
Leader of the Opposition,  
House of Commons,  
O t t a w a.

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were adopted have helped greatly in bringing these activities under control but it would be unduly optimistic to think that we can regard the matter as entirely a thing of the past. In these circumstances, it would not be possible to disclose everything that is known or suspected, or which may still be discovered, concerning activities of individuals, organization of terrorist cells and other things of that kind without seriously compromising the effectiveness of action that will still have to be taken to combat them. In my judgment and that of my Colleagues, the effectiveness of measures for the national security should not be compromised or limited in this way. To have a Commission of Inquiry without a full disclosure of facts and details would be to defeat the objectives that you have in mind.

A further consideration of importance is that many trials are still pending in Quebec. An inquiry now would be highly prejudicial to the ordinary processes of the administration of justice. For both these reasons, my Colleagues and I have come to the conclusion I have indicated.

In addition to the background and development of terrorism, you suggest that the proposed commission should inquire into the administration of the regulations under the War Measures Act and of the legislation that replaced them. As you know, that administration was and is by the Government of Quebec as a part of its general responsibility for the administration of justice. The province some time ago took action to have independent persons look into the protection of individual rights. There is also a provincial Ombudsman, and there has been involvement by the Civil Liberties Union. It is clear that the province is fully aware of its responsibilities. In all the circumstances, I think it would be both unjustified and in contravention of the status a provincial government has in relation to matters under its jurisdiction for the federal government to propose a Commission of Inquiry - whether federal or joint - into Quebec's administration of this matter.

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I recognize, of course, that a part of any inquiry would relate to the wisdom of actions taken. This, it seems to me, is a matter that has already been considered by Parliament and I would doubt if the judgment of two or three commissioners, however eminent, should be substituted for it.

The government is, of course, very much of the view that there should be full and careful consideration of what you describe as "the development of democratic defenses against persons who are willing to use undemocratic weapons in support of an ideology". In a sense, the unfinished part of our legislative action is the consideration of measures that can constitute better defenses in emergency situations than the invocation of the War Measures Act. Apart from this, we have broader and more continuing problems relating to the preservation of order in our democratic society in the new conditions of today. I think these are matters that should receive the attention of Parliament during the current session and the government hopes to be in a position to make recommendations toward this end early in the new year.

Yours sincerely,

3338 038



LEADER OF THE OPPOSITION - CHEF DE L'OPPOSITION

December 4, 1970.

Rt. Hon. Pierre E. Trudeau, P.C., Q.C., M.P.,  
Prime Minister of Canada,  
House of Commons,  
Ottawa.

Dear Mr. Prime Minister,

This letter is further to your suggestion of Wednesday, November 25, 1970, that I write to you outlining my proposal to have a Commission of Inquiry established to inquire into the general background of the terrorism and the events leading to the War Measures Act as well as the administration of the Act.

The Commission would, of course, be better constituted if it were to involve the Province of Quebec and the recommendations below assume their co-operation in such an inquiry. Should the Quebec government not wish to actively take part, the Inquiry could still proceed with only minor changes in the basic guidelines.

The Commission should be constituted under the federal Inquiries Act and have three members. One would be appointed by the federal government, another by the federal government on the recommendation of the Quebec government, and the third by the federal government on the recommendation of the other two members. Preferably, one should be seconded from the Supreme Court of Canada, one from the Quebec Superior Court, and the third be a recognized civil rights authority. All members should be bilingual. Further, the federal government should invite the International Commission of Jurists to send an observer who would be attached to the Commission. The International Commission of Jurists is a non-governmental organization operating under the aegis of the United Nations whose purpose is to foster respect for the Rule of Law.

Rt. Hon. Pierre E. Trudeau, P.C., Q.C., M.P.

The terms of reference of the Commission would be threefold.

The Commission should inquire into the general background and development of terrorism in Quebec, the adequacy of the political and police measures taken to deal with it prior to the proclamation of the War Measures Act and regulations, and the situation which existed immediately preceding the proclamation of the Act.

The Commission should inquire into the administration of the War Measures Act and regulations and of any successor federal act and regulations with special reference to the enforcement of the criminal procedures imposed under them in the area of human rights and fundamental freedoms guaranteed by the Canadian Bill of Rights and the Universal Declaration of Human Rights to which Canada is a signatory.

In addition to its investigative role, the Commission should have authority to make recommendations arising out of its inquiries: (a) as to the origins and containment of terrorism; (b) the special training necessary for military and police forces to enable them better to prevent and combat acts of terrorism; and (c) for the development of democratic defenses against persons who are willing to use undemocratic weapons in support of an ideology.

The Commission should have all powers necessary to carry out its terms of reference, including the power to summon witnesses, to examine witnesses under oath, to cite for contempt of its orders, and to hold all hearings in public except when the national security requires in camera sittings. The Commission should be empowered to report simultaneously from time to time to the government of Canada and the government of the Province of Quebec and to the Parliament of Canada and the National Assembly of Quebec.



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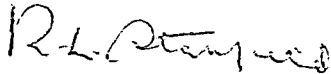
Rt. Hon. Pierre E. Trudeau, P.C., Q.C., M.P.

Surely the difficult events of the month of October clearly constitute a major challenge to democracy in Canada. As you have pointed out, we have been faced by a conflict between our usual freedoms as Canadians and the need for stronger police measures to combat terrorism.

The greatest danger in our society lies in the misunderstanding and confusion which grows out of such a situation. It is important that Canadians understand the extent of the terrorism and the effectiveness of the measures that have been taken against it.

Canada is a strong society and should be fully informed as it is vital for us to understand the pattern so that we may adequately judge the future balance between social order and traditional liberty.

Yours sincerely,



Robert L. Stanfield

c.c.: Mr. Crowe  
Mr. Lalonde  
Mr. Wall  
Mr. Pitfield  
→ Mr. Gallant  
Miss Macdonald

URGENT AND  
CONFIDENTIAL

O t t a w a,  
December 22nd, 1970.

My dear Colleague:

Thank you for your letter of December 21st with a number of very helpful comments concerning the proposal by the Leader of the Opposition for a Commission of Inquiry into terrorism in Quebec, the administration of the regulations under the War Measures Act and related matters. I am enclosing herewith a draft reply that I think it might be appropriate for me to send and which reflects, I think, the argument and points made in your letter.

You will note that I have indicated in the final paragraph that the government will be indicating "early in the new year" how it thinks that Parliament can best give consideration at this session to the problem of preservation of order under conditions of today and matters of that kind. I have cast the paragraph in a way that would leave it open for us to decide either to bring in legislation, and have Parliamentary consideration in relation to that, or to have a committee of Parliament look at the question of "Law and Order". One way or another, I think it

The Honourable John M. Turner, M.P.,  
Minister of Justice and  
Attorney General of Canada,  
O t t a w a.

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is imperative that the government take an initiative for Parliamentary action and I believe we should consider tomorrow what the nature of this initiative should be.

Thank you very much for your helpful comments and suggestions.

Yours sincerely,

MINISTER OF JUSTICE AND  
ATTORNEY GENERAL OF CANADA



MINISTRE DE LA JUSTICE ET  
PROCUREUR GÉNÉRAL DU CANADA

BY HAND

Ottawa 4, December 21, 1970.

The Right Honourable P.E. Trudeau, P.C., Q.C., M.P.,  
Prime Minister of Canada,  
Ottawa, Ontario.

My dear Prime Minister:

Mr. Wall has sent me under cover of his letter dated December 15 a copy of the letter you received from the Leader of the Opposition dated December 4 in which he elaborated on his proposal that a Commission of Inquiry be established under the Inquiries Act to inquire into the general background of terrorism in Quebec, the events leading up to the recent proclamation issued under the War Measures Act and the administration carried out under the Regulations made pursuant to the War Measures Act and under the successor federal Act. Mr. Wall indicated to me that you wished to have my comments on Mr. Stanfield's letter to assist you in formulating a reply.

It is my view that an inquiry conducted by the judiciary under the Inquiries Act as proposed by Mr. Stanfield would produce no useful findings or conclusions for a number of very good reasons.

In the first place, the subject-matter into which the inquiry would be made involves primarily the political and executive decisions of a Provincial Government. Apart entirely from the propriety of such an inquiry, there might be some reason to doubt that such would be a matter "connected with the good government of Canada or the conduct of any part of the public business thereof" within the meaning of the Inquiries Act. Also, there can be serious doubt about the propriety of using the judiciary to evaluate decisions of this kind.

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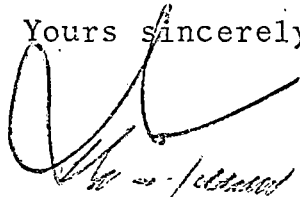
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In the second place, I think it can be said that many of the relevant facts either have already come to light or that they will be made known as a result of the normal operations of democratic Government as and when they can be ascertained. It must, I think, be obvious that no effective inquiry can be conducted before the identity of the principal actors has been determined or where the circumstances are such that they are not available to give evidence on oath. Both of these difficulties would be encountered.

In the third place, an inquiry along the lines proposed could be regarded as highly prejudicial to the ordinary processes of the administration of justice bearing in mind that a substantial number of trials are presently pending in the Province of Quebec and this situation will likely continue for some time.

Finally, in view of the posture adopted by both the Prime Minister of Quebec and by the Attorney General of the Province, I think it must be assumed that the Province would not only not co-operate in such an inquiry but would object strenuously to it. Indeed, an inquiry along the lines proposed by Mr. Stanfield would be viewed by all Provincial Governments as an objectionable and unhappy precedent within the overall framework of the administration of justice and this would in turn work a substantial disservice to the cause of co-operation that must continue to exist in this area among the duly elected Governments of this country.

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'John N. Turner', written over a horizontal line.

John N. Turner.

SOLICITOR GENERAL



SOLICITEUR GÉNÉRAL

OTTAWA, December 18, 1970.

CONFIDENTIAL

Dear Mr. Wall:

I have your letter of December 15th, enclosing a copy of a letter from the Leader of the Opposition to the Prime Minister, outlining the proposal to have a Commission of Inquiry established to inquire into the general background and the events leading up to the action taken under the War Measures Act, as well as the administration of proceedings taken under that Act.

I cannot agree with Mr. Stanfield's letter, and particularly the second paragraph of it. If the Quebec Government does not wish to actively take part, any such Commission of Inquiry, in my view, becomes impossible because in effect the Federal authority would be seeking to have a Royal Commission examine into matters of administration which not only were in fact carried out by the Province but which in law are the constitutional responsibility of the Provinces. As far as I am concerned, such a position vis-a-vis a Province acting within its own area of constitutional jurisdiction is offensive. While the language by way of reply to Mr. Stanfield would want to be carefully worked out, and perhaps not as harshly expressed as this, I would hope that the point would be very firmly made. To do otherwise would mean that the Federal authority is willing to embark on a constitutional course of action that is not only legally wrong but most offensive. I am sure both Federal and Provincial Legislative bodies would so consider it.

To take the action suggested by Mr. Stanfield would serve the purpose of the F.L.Q. in two ways. Firstly, it would be obvious and easily presented evidence that the Federal authority in fact is running the Provincial affairs, that the Provinces have no say of their own and are in fact merely the puppets of Ottawa. I can think of no action at the moment that would be more helpful to the F.L.Q. than providing such clear evidence of the charges they are making. Secondly, the inquiry would be required to be

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conducted either in camera or in public. The part of it conducted in camera would be severely criticized by the F.L.Q. as being undemocratic, etc., etc. The part of the inquiry hearings that are public would provide a perfect stage and background for added publicity for the F.L.Q. to propagate their doctrine.

The holding of such an inquiry at this time might, in my view, severely inhibit or paralyze the government's ability to move forward quickly with its legislation on policy on (a) immigration, (b) certain possible Criminal Code amendments, (c) the Official Secrets Act amendments, (d) legislation dealing with the use of electronic devices (wire-tapping, etc.), (e) possibly even legislation setting up a Security Review Board.

To accede to Mr. Stanfield's request and hold an inquiry in the vague, general terms proposed by him would, in my view, indicate to the public that the government has doubt in its own mind as to whether or not there were sufficient grounds for resorting to the implementation of certain powers under the War Measures Act. I, for one, admit no such doubt and the matter is not open for discussion or any action by the government to indicate doubt on the point. If any other persons have views that there was no such need, the onus is on them to provide the evidence and to prove it.

Any such inquiry would, in my view, be used as a disunifying action at this time and could develop into a wedge in Federal-Provincial relations. The action taken on F.L.Q. matters has in fact been accepted as action of a nature that tended to unite this country, but to now admit doubt and provide a forum for the handful of persons who are seeking Canadian disunity would be dangerous and wrong.

It seems to me also that tying up the personnel in the R.C.M.P. security service on a Royal Commission at this time would mean that they have to forego their regular duties in the Directorate when they should be pressing it forward more than ever. I presume the same point could be made as to the government activities in the security field generally, but I have contented myself here with merely making reference to the difficulties as I see them in the area of responsibility coming under the Director General of Security and Intelligence (RCMP).

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- 3 -

I trust these random notes may be of some help  
in providing points for consideration in drafting your reply  
for the Prime Minister.

Yours sincerely,

  
George J. McIlraith.

Mr. D.F. Wall,  
Assistant Secretary to the Cabinet,  
Privy Council Office,  
East Block,  
OTTAWA, Ontario.



0349 216

*M. Paré  
et d'...*

O t t a w a,  
le 21 décembre 1970.

Je ne vous surprendrai pas en vous disant le plaisir que m'apporte votre lettre du 10 décembre... Non pas que les circonstances dont vous m'entretenez soient, hélas! de nature à nous inciter la moindre joie, mais il ne fait aucun doute que votre lettre témoigne d'une sympathie amicale entre les deux chefs de gouvernement d'une part, et entre nos deux gouvernements d'autre part, qui ne peut être que pour le plus grand bien de ceux pour lesquels nous oeuvrons dans nos juridictions respectives.

J'attache à cette coopération une importance qu'il m'apparaît que vous partagez. Des différends, il y en a, oui, et il y en aura toujours. Mais ils ne m'inquiètent pas car c'est, j'en suis convaincu, l'esprit dans lequel nous cherchons et chercherons à les régler qui importe; or, cet esprit est sain, clair et dénué d'ambiguïté.

L'honorable Robert Bourassa,  
Premier ministre du Québec,  
Hôtel du Gouvernement,  
Québec, (Québec).

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DEC 23 1970



- 2 -

Ma présence parmi vous lors des cérémonies d'enterrement de votre collègue Pierre Laporte était le fruit de cette collaboration que nous voulons tous deux. Je reçois donc vos remerciements avec la même chaleur que celle dans laquelle vous les avez exprimés.

Je vous prie d'agréer, monsieur le Premier ministre, l'assurance de mes sentiments très cordiaux.

Original signed by

Original signé par

P.E. TRUDEAU

DEC 21 1970

c.c. A titre de renseignement  
L'honorable Jean Marchand  
L'honorable Gérard Pelletier  
M. R.G. Robertson  
M. Marc Lalonde  
M. J.-P. Mongeau  
M. E. Gallant  
M. J. Davey

0349 216

O t t a w a,  
le 17 décembre 1970.

Monsieur Guy Langlois, chef de cabinet  
de l'honorable Robert Bourassa,  
Cabinet du Premier ministre,  
Hôtel du Gouvernement,  
Québec, (Québec).

Monsieur,

Au nom du Premier ministre, je  
vous accuse réception de la lettre de l'honorable Robert Bourassa en date du 10 décembre.

Puis-je vous demander d'informer  
votre Premier ministre que sa lettre sera  
portée à l'attention personnelle de monsieur  
Trudeau.

Veuillez agréer, monsieur, l'expression de mes meilleurs sentiments.

Le secrétaire,

HAL/my

Henri Alain Lawless.

0349 216

GOUVERNEMENT DU QUÉBEC  
LE PREMIER MINISTRE



Québec, le 10 décembre 1970

Monsieur le Premier Ministre,

Au nom de la famille Laporte si durement éprouvée, au nom de mon Gouvernement, en celui du peuple québécois et en mon nom personnel, je tiens à vous exprimer mes remerciements les plus chaleureux pour votre émouvante marque de sympathie, à l'occasion de l'assassinat de mon collègue et ami, Pierre Laporte.

Votre présence parmi nous dans ces moments tragiques et votre appui soutenu nous ont été d'un précieux réconfort.

Veuillez agréer, Monsieur le Premier Ministre, l'assurance de ma haute considération.

Robert Bourassa

Le Très Honorable Pierre Elliott Trudeau  
Premier Ministre du Canada  
Hôtel du Gouvernement  
Ottawa, Ontario

GOUVERNEMENT DU QUÉBEC

**Pages 191 to / à 192**  
**are not relevant**  
**sont non pertinentes**



SECRETARIAT  
TO THE  
EXECUTIVE  
COUNCIL

Box 2000 Charlottetown  
• Prince Edward Island

November 23, 1970

NOV 23 1970

D-1-7(A)

G35  
M. Donohue

Mr. Ed Gallant  
Deputy Secretary to the Cabinet  
Privy Council Office  
Ottawa, Canada

Dear Ed:

This will acknowledge receipt of your letter of November 5th and the enclosed copy of the letter of the Director of the Montreal Police Force to the Prime Minister dated October 15th.

We appreciate your furnishing us with the complete set of documents concerning the Proclamation made under the War Measures Act.

Yours very truly,

Andrew Wells  
Secretary to the Cabinet



DMB/mst1

D-1-7(2)

635

Ottawa, le 19 novembre 1970.

Me Antonio Dubé,  
Sous-ministre de la Justice,  
Hôtel du Gouvernement,  
Québec, Qué.

Monsieur le sous-ministre,

Vous trouverez ci-joint un exemplaire du compte rendu officiel des Débats de la Chambre des Communes pour le 26 et 27 octobre 1970.

J'attire votre attention sur la question posée le 26 octobre à la page 553 par monsieur Broadbent et la réponse du ministre de la Justice ainsi que la question posée le 27 octobre à la page 599 par monsieur Broadbent et la réponse du Premier Ministre.

Je vous serais très obligé de bien vouloir porter ceci à l'attention du Procureur général du Québec.

Veuillez agréer, monsieur le sous-ministre, l'expression de mes sentiments les meilleurs.

  
Sous-ministre.

pièces jointes.

c.c. Monsieur Pierre Pronovost,  
Pièce 105,  
48, rue Sparks,  
Ottawa 4, Ontario.

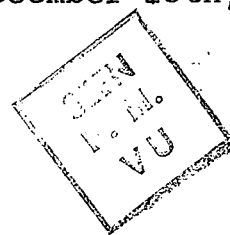


D-1-7(7)  
x S-1-28

CONFIDENTIAL

December 18th, 1970.

MEMORANDUM FOR THE PRIME MINISTER



Proposal by Mr. Stanfield for a  
Commission of Inquiry on Terrorism,  
the War Measures Act action, etc.

Attached is the original of a letter of December 4th from Mr. Stanfield to you recommending the establishment of a Commission of Inquiry on "the general background of the terrorism and the events leading to the War Measures Act as well as the administration of the Act". Copies of the letter were sent to Messrs. Turner and McIlraith for comments but none have yet been received. I think, however, that it is important that you should, if possible, reply to Mr. Stanfield before you leave for the Christmas recess. It seems to me also that this is sufficiently important a matter that you might want to consult your Colleagues in the Cabinet on the reply - presumably on Wednesday next.

*Please put on agenda*



It seems to me that there is no question but that the answer should be in the negative. It would be quite impossible to go into all the circumstances that were relevant in relation to the events of the last two months - in some cases because it would involve making public information that can be important to the police in dealing with the underlying condition of terrorism that still exists; in other cases because the implications for individuals in both public and private life would be too damaging or serious; and, in general, because such an inquiry could not do other than reopen for contention a whole host of arguments that would be damaging both in Quebec and in the country generally. The clearest and most positive reason is that the terrorism is not finished and we cannot act as if it is. The attached letter for your consideration is based essentially on this thesis.

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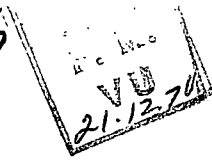
I had not realized until this morning that Mr. Lalonde was not in town today. He has not, therefore, seen the letter. It has been reviewed by Mr. Davey and Mr. Wall who agree with it.

The final paragraph assumes that something is going to be done during this session of Parliament with regard to either "Law and Order" in a Parliamentary committee or to emergency legislation of a continuing character. The paragraph does not commit the government in either direction but it does commit it to do something. I would think that this is inevitable and highly desirable.

*I very much agree also. The only point we don't cover is the*

*in Mr. Sturges' reference  
might be useful to see what our  
position, that admission of such regulations was left to  
Anker & we all need to inquire into its actions.  
of Ambassador & Avril Libération Union action.*

*W. G. B.*



Copy on S-1-28

CONFIDENTIAL

December 18th, 1970.

*M. D. Dwyer*

MEMORANDUM FOR MR. LALONDE

Proposal by Mr. Stanfield for a  
Commission of Inquiry on terrorism, etc.

You received a copy, I believe, of Mr. Stanfield's letter of December 4th to the Prime Minister proposing a Commission of Inquiry. It seems to me that it would be highly desirable for the Prime Minister to reply to the letter before he leaves for the Christmas recess and this should mean, I think, discussion in the Cabinet on Wednesday next.

It seems perfectly clear to me that the proposal should not be accepted. The question is how best to turn it down. Attached herewith is a draft letter that might perhaps be considered. Since you and I will be in Montreal on Monday, it would be helpful if you had time if you could give me your comments today in order that I could do a revised draft that the Prime Minister could think about on the weekend.

R.G.R.

c.c.: Mr. Wall

CONFIDENTIAL

December 18th, 1970.

MEMORANDUM FOR MR. LALONDE

Proposal by Mr. Stanfield for a  
Commission of Inquiry on terrorism, etc.

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R.G.R.

c.c.: Mr. Wall

Mr. Robertson

I see the value of temporizing - "at this time" - but I wonder if it doesn't imply that there might be such an inquiry in future. I also wonder whether it might be useful to refer to the corrosive effect which such an inquiry would probably have on national unity.

I have suggested a couple of minor changes in wording. Otherwise I think this is fine.

*HR*

CONFIDENTIAL

December 18th, 1970.

DRAFT LETTER FROM THE PRIME MINISTER TO MR. STANFIELD

Dear Mr. Stanfield:

I have now had an opportunity to consider with care your letter of December 4th in which you propose the establishment of a Commission of Inquiry to go into "the general background of the terrorism and the events leading to the War Measures Act as well as the administration of the Act". While I ~~fully~~ understand the reasons that lead you to think that there would be advantage in having an investigation of this kind so that, as you say, Canada "should be fully informed", I have come to the conclusion that it would not be in the public interest to set up such a Commission at this time. I have discussed the matter with my Colleagues in the Cabinet and they share this view.

The fundamental consideration which I think must govern is that there is no reason to think that we have come to the end of the efforts of the FLQ and other organizations of a similar kind to promote terrorism in Canada and particularly to promote it with the objective of bringing about a destruction of ~~our~~ <sup>our</sup> Confederation. I think the recent policies and measures that were adopted have helped greatly in bringing these activities under control but it would be unduly optimistic to think that we can regard the matter as entirely a thing of the past. In these circumstances, it would not be possible to disclose everything that is known concerning activities of individuals, organization of terrorist cells and other things of that kind without seriously compromising the effectiveness of action that will still have to

2.

be taken to combat them. In my judgment and that of my Colleagues, the effectiveness of measures for the national security should not be compromised or limited in this way. To have a Commission of Inquiry without a full disclosure of facts and details would be to defeat the objectives that you have in mind. *My colleagues and I have,* therefore, come to the conclusion as I have indicated, ~~that it would not be wise at this time.~~

I recognize, of course, that a part of any inquiry would relate to the wisdom of actions taken. This, it seems to me, is a matter that has already been considered by Parliament and I would doubt if the judgment of two or three commissioners, however eminent, should be substituted for it.

The government is, of course, very much of the view that there should be full and careful consideration of what you describe as "the development of democratic defenses against persons who are willing to use undemocratic weapons in support of an ideology". In a sense, the unfinished part of our legislative action is the ~~provision~~ <sup>constitution</sup> of measures that can constitute better defenses in emergency situations than the ~~invocation~~ <sup>of the</sup> War Measures Act, ~~is able to provide.~~ Apart from this, we have broader and more continuing problems relating to the preservation of order in our democratic society. <sup>in the new conditions of a day</sup> I think these are matters that should receive the attention of Parliament during the current session and the government hopes to be in a position to ~~propose action~~ <sup>make recommendations</sup> toward this end early in the new year.

Yours sincerely,

CONFIDENTIAL

December 18th, 1970.

DRAFT LETTER FROM THE PRIME MINISTER TO MR. STANFIELD

Dear Mr. Stanfield:

I have now had an opportunity to consider with care your letter of December 4th in which you propose the establishment of a Commission of Inquiry to go into "the general background of the terrorism and the events leading to the War Measures Act as well as the administration of the Act". While I fully understand the reasons that lead you to think that there would be advantage in having an investigation of this kind so that, as you say, Canada "should be fully informed", I have come to the conclusion that it would not be in the public interest to set up such a Commission at this time. I have discussed the matter with my Colleagues in the Cabinet and they share this view.

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Yours sincerely,



Copy on S-1-28

D-1-7(h)

SOLICITOR GENERAL



SOLICITEUR GÉNÉRAL

OTTAWA, December 18, 1970.

CONFIDENTIAL.

Dear Mr. Wall:

I have your letter of December 15th, enclosing a copy of a letter from the Leader of the Opposition to the Prime Minister, outlining the proposal to have a Commission of Inquiry established to inquire into the general background and the events leading up to the action taken under the War Measures Act, as well as the administration of proceedings taken under that Act.

I cannot agree with Mr. Stanfield's letter, and particularly the second paragraph of it. If the Quebec Government does not wish to actively take part, any such Commission of Inquiry, in my view, becomes impossible because in effect the Federal authority would be seeking to have a Royal Commission examine into matters of administration which not only were in fact carried out by the Province but which in law are the constitutional responsibility of the Provinces. As far as I am concerned, such a position vis-a-vis a Province acting within its own area of constitutional jurisdiction is offensive. While the language by way of reply to Mr. Stanfield would want to be carefully worked out, and perhaps not as harshly expressed as this, I would hope that the point would be very firmly made. To do otherwise would mean that the Federal authority is willing to embark on a constitutional course of action that is not only legally wrong but most offensive. I am sure both Federal and Provincial Legislative bodies would so consider it.

To take the action suggested by Mr. Stanfield would serve the purpose of the F.L.Q. in two ways. Firstly, it would be obvious and easily presented evidence that the Federal authority in fact is running the Provincial affairs, that the Provinces have no say of their own and are in fact merely the puppets of Ottawa. I can think of no action at the moment that would be more helpful to the F.L.Q. than providing such clear evidence of the charges they are making. Secondly, the inquiry would be required to be

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conducted either in camera or in public. The part of it conducted in camera would be severely criticized by the F.L.Q. as being undemocratic, etc., etc. The part of the inquiry hearings that are public would provide a perfect stage and background for added publicity for the F.L.Q. to propagate their doctrine.

The holding of such an inquiry at this time might, in my view, severely inhibit or paralyze the government's ability to move forward quickly with its legislation on policy on (a) immigration, (b) certain possible Criminal Code amendments, (c) the Official Secrets Act amendments, (d) legislation dealing with the use of electronic devices (wire-tapping, etc.), (e) possibly even legislation setting up a Security Review Board.

To accede to Mr. Stanfield's request and hold an inquiry in the vague, general terms proposed by him would, in my view, indicate to the public that the government has doubt in its own mind as to whether or not there were sufficient grounds for resorting to the implementation of certain powers under the War Measures Act. I, for one, admit no such doubt and the matter is not open for discussion or any action by the government to indicate doubt on the point. If any other persons have views that there was no such need, the onus is on them to provide the evidence and to prove it.

Any such inquiry would, in my view, be used as a disunifying action at this time and could develop into a wedge in Federal-Provincial relations. The action taken on F.L.Q. matters has in fact been accepted as action of a nature that tended to unite this country, but to now admit doubt and provide a forum for the handful of persons who are seeking Canadian disunity would be dangerous and wrong.

It seems to me also that tying up the personnel in the R.C.M.P. security service on a Royal Commission at this time would mean that they have to forego their regular duties in the Directorate when they should be pressing it forward more than ever. I presume the same point could be made as to the government activities in the security field generally, but I have contented myself here with merely making reference to the difficulties as I see them in the area of responsibility coming under the Director General of Security and Intelligence (RCMP).

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I trust these random notes may be of some help in providing points for consideration in drafting your reply for the Prime Minister.

Yours sincerely,

  
George J. McIlraith.

Mr. D.F. Wall,  
Assistant Secretary to the Cabinet,  
Privy Council Office,  
East Block,  
OTTAWA, Ontario.

**Pages 206 to / à 219**  
**are not relevant**  
**sont non pertinentes**

Document disclosed under the Access to Information Act  
Document divulgué en vertu de la Loi sur l'accès à l'information  
**PRIVY COUNCIL OFFICE**  
**BUREAU DU CONSEIL PRIVÉ**

MEMORANDUM

December 15, 1970

Mr. Pitfield

Please see R.G.R.'s notes  
hereunder.

*Pls. ask Mr. Wall if best by Mr. Fox's dispatches events*  
D.F.W.

*P.M.P.*  
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411

CONFIDENTIAL

December 9, 1970.

*M. Watt*MEMORANDUM FOR MR. ROBERTSON:Stanfield Proposal for Royal Commission

I attach the original of Mr. Stanfield's letter to the Prime Minister proposing a Commission of Inquiry into the general background of terrorism and the proclamation of the War Measures Act. This resulted from a suggestion made by Mr. Stanfield in the House on November 25, and I attach a photocopy of the relevant portion of Hansard.

*I agree.*

My initial reaction to Stanfield's proposal is that the establishment of such a Commission would seriously hamper continuing police work on the terrorist problem in Quebec, and could very easily be corrosive if not destructive of national unity. I also think that most of the useful purposes of such a Commission would be better achieved through debate in the House or in a Committee of the House of any longer term legislation which the government introduced to provide authority for emergency action to control lawlessness or violence threatening the peace or the public order.

*I agree.**Pls. do this*

Before any reply is made to Mr. Stanfield, I would suggest that copies of his letter be sent to the Minister of Justice and the Solicitor General for their comments.

*at once as I think we must get a position decided on & a draft reply prepared before the P.M. leaves on Dec 23.*

*D.F.W.*

*Pls. send a copy back to me as I would like to think about this.*

Privy Council Office, it is a tricky matter to handle.  
O t t a w a.

*Pls. also send a copy to Mr. Pettiford for his views as to the best line of reply.*

*15/12/70*

November 25, 1970

COMMONS DEBATES

1457

Mr. Howard (Skeena): Mr. Speaker, I rise on a point of order similar to others I have raised in preceding sessions. On the order paper now there are 35 or 40 Notices of Motions for the Production of Papers, nearly all of which have been transferred for debate at the request of the government. If this course of action is continued we will be in the same position we were at the end of the last session. The government is using this procedure under the rules to sweep these motions under the rug and deny any opportunity for debate on many of the items transferred. I submit that this is an abuse of the rules and an attempt by the government to escape its responsibilities.

Mr. Speaker: Order. It is not for the Chair to determine whether there is an abuse of the rules. The hon. member has pointed to a difficulty which was brought to the attention of the House before.

It was my understanding that the rules committee was to take a look at the application of this rule. The committee should be sitting very soon, and it is my hope, along with all hon. members, that this matter will be looked into by that committee.

### ORAL QUESTION PERIOD

#### NATIONAL SECURITY

##### WAR MEASURES ACT—ARRESTS RELEASES CONTINUING DETENTIONS—CLEARING OF NAMES OF THOSE RELEASED

Hon. Robert L. Stanfield (Leader of the Opposition): Mr. Speaker, I should like to ask the Minister of Justice whether he can give us up to date figures concerning the number of arrests and releases under the War Measures Act regulations and also whether he can tell the House if any discussions have been held with the Quebec authorities with regard to clearing the names of those who have been released in so far as the implications of any such arrests are concerned?

Hon. John N. Turner (Minister of Justice): Mr. Speaker, the latest figures as of ten o'clock this morning are the same as yesterday. The number arrested is 453, the number rearrested is one, the number released is 402, the number of those detained is 51 and of those, two have already been sentenced.

I have had conversations with the Attorney General of Quebec on matters involving protection not only for those who are currently detained but for those who have been released, and I expect that in due course the Attorney General of Quebec will be making an announcement.

##### WAR MEASURES ACT—ALLEGATION OF BRUTALITY—INDEPENDENT INQUIRY

Hon. Robert L. Stanfield (Leader of the Opposition): Mr. Speaker, it has been indicated by the Prime Minister of Quebec that no independent review board is to be established there because he would regard that as con-

stituting an insult to the police. But the police in the province of Quebec have now been charged in court with brutality in one instance at least. I should like to ask the Minister of Justice whether, in fairness to the police and to the country, some method will be established to conduct an impartial, independent inquiry into a charge such as this or whether it will be left in the air and in doubt to cast a shadow on the police and indeed upon the administration of justice in the whole country?

Hon. John N. Turner (Minister of Justice): That question is framed in such a way I cannot deal with it definitively here, but I think that any announcement will be forthcoming either from the Premier or from the Attorney General of Quebec.

##### WAR MEASURES ACT—NUMBER DETAINED BUT NOT CHARGED

Mr. David Lewis (York South): Mr. Speaker, may I ask the Minister of Justice whether any of the 51 or 49—I am not sure of the number, but since two have already been sentenced the number now is probably 49—who are still in jail have not yet been charged.

Hon. John N. Turner (Minister of Justice): I cannot be categorical about that. It may be.

##### WAR MEASURES ACT—SUGGESTED VISIT BY HOUSE COMMITTEE TO JAILS WHERE PERSONS DETAINED

Mr. Eldon M. Woolliams (Calgary North): Mr. Speaker, I should like to ask the Minister of Justice whether he would be prepared to agree to contact, if necessary, the Minister of Justice of Quebec or the Prime Minister of Quebec with the idea of permitting the Standing Committee on Justice and Legal Affairs to visit the jails where men and women are detained under the War Measures Act, with or without charges, and report to the House?

Hon. John N. Turner (Minister of Justice): If that sort of exercise were undertaken, it might properly be done by a committee of the National Assembly of Quebec.

Mr. Woolliams: In view of the fact that the Minister of Justice has some responsibility, would he make the suggestion that he has made in the House to the Minister of Justice or the Prime Minister of Quebec and ask that a committee be set up made up of members of the National Assembly if he is not prepared to do anything so far as this Parliament is concerned?

Mr. Turner (Ottawa-Carleton): I will transmit the representation of the hon. member to the Attorney General of Quebec.

##### SUGGESTED JOINT COMMISSION TO EXAMINE EVENTS LEADING TO INVOCATION OF WAR MEASURES ACT AND ADMINISTRATION THEREOF

Hon. Robert L. Stanfield (Leader of the Opposition): I would like to ask the Prime Minister whether he would consider consulting with the province of Quebec with a

view to establishing a commission to inquire into the general background of the terrorism and the events leading up to the invocation of the War Measures Act as well as the administration of the Act. I ask this particularly in view of the rather extraordinary statement attributed to the Minister of Justice suggesting that the Minister of Regional Economic Expansion has been guilty of exaggeration and that there have been too many conflicting comments and opinions coming out of Ottawa during the crisis. Could we have such a joint inquiry with a view to deepening our understanding of the development of terrorism in the province of Quebec?

Mr. Turner (Ottawa-Carleton): On a point of order—

Mr. Stanfield: I beg your pardon. I did not refer to our fair-haired Minister of Justice but the Minister of Justice of the province of Quebec.

[Translation]

Mr. Speaker: Is the Minister of Justice rising on a point of order?

[English]

Is the Minister of Justice rising on a point of order?

Mr. Turner (Ottawa-Carleton): It has been clarified, thank you, Mr. Speaker.

Mr. Stanfield: I think the Prime Minister would like to respond to my question.

Right Hon. P. E. Trudeau (Prime Minister): It is a rather intricate question and I must say an intriguing suggestion. If the Leader of the Opposition would either make a clear proposal or perhaps write to me in that respect and indicate—

Mr. Bell: And do away with the question period?

Mr. Trudeau: —what kind of joint commission he would like to see set up between the Quebec government and the federal government, I will certainly consider it. But I would appreciate a clearer explanation of the proposal. I must say it does not strike me as a very practical one or one that is customary.

Mr. Stanfield: I would really prefer the Prime Minister to set up such a commission himself but I thought he might be happier in consulting the province of Quebec about it.

[Translation]

Hon. Mariel Asselin (Charlevoix): Mr. Speaker, my question is supplementary to the question put by the Leader of the Opposition to the Minister of Justice.

The Minister of Justice knows that his counterpart in Quebec will announce today a formula for compensating the people who were arrested unjustly under the War Measures Act. I should like to know if the federal government will contribute to that compensation fund. If so, to what extent?

[Mr. Stanfield.]

Hon. John N. Turner (Minister of Justice): Mr. Speaker, last July, the whole matter of compensating victims of crime was discussed in a general way. But no firm agreement was reached in this regard in Halifax, last July; except that all the provinces agreed that an effort should be made to achieve uniformity in that kind of legislation. To date, there has been no agreement between the province of Quebec and the federal government with regard to compensation in the present situation.

Mr. André Fortin (Lotbinière): Mr. Speaker,—

Mr. Speaker: Does the hon. member for Lotbinière have a supplementary question?

Mr. Fortin: No, Mr. Speaker.

[English]

WAR MEASURES ACT—JOBS LOST BY PEOPLE DETAINED AND RELEASED WITHOUT CHARGE

Mr. R. Gordon L. Fairweather (Fundy-Royal): Perhaps this would be a good point at which to ask about those who have been arrested, detained and released without charge. I asked this question the other day. How many of them have lost their jobs as a result of their incarceration? Perhaps the Solicitor General could answer this question.

Hon. G. J. McIlraith (Solicitor General): No, Mr. Speaker, I am not able to answer it.

Mr. Fairweather: Perhaps he would find out the answer.

\* \* \*

## ENERGY

DISCUSSION OF CONTINENTAL POLICY AT CANADA-UNITED STATES MINISTERIAL MEETING—REQUEST FOR POLICY STATEMENT

Mr. T. C. Douglas (Nanaimo-Cowichan-The Islands): May I direct a question to the Secretary of State for External Affairs arising out of the meetings held in the last two days between representatives of the Canadian and United States governments. Were there any discussions on a continental energy policy and has the Canadian government made any commitment with respect to the sale of Canadian gas or other energy resources in return for a promise of free access for Canadian oil to the U.S. market?

Hon. Mitchell Sharp (Secretary of State for External Affairs): The answer to both questions is no.

Mr. Douglas (Nanaimo-Cowichan-The Islands): May I ask the minister a question arising out of the statement by Mr. Walter Hickel, United States Secretary of the Interior, who said to the press and also on television last night: "We are still trying to work out how we can have a continental energy policy". Assuming that the Secretary of State for External Affairs and Mr. Hickel were at the same meeting, may I ask the Secretary of State for



S E C R E T

December 9, 1970.

MEMORANDUM TO MR. MITCHELL

Briefing for the Prime Minister  
for Cabinet, December 10, 1970  
"Law and Order"

Mr. Turner may have views about how the legislation to replace the emergency measures Act should be dealt with. You will remember that he was very concerned about early Cabinet Committee consideration of his draft legislation, fearing that there would be great pressure to bring the legislation into the House before the mood of the House was appropriate.

2. During the Priorities and Planning discussion Mr. Turner expressed concern again about the title "Law and Order", although he had proposed the title initially. During the meeting both you and Mr. Turner used the title "Freedom under the Law", which could sound a bit theatrical. Possibly you and Mr. Turner could agree on a title such as "Order and Justice" or vice versa.

M.E. Butler

*P. G. G.*  
SECRET

*D-1-7(10)*  
*X S-1-28*

December 4th, 1970.

MEMORANDUM FOR FILE:

Some events relating to the handling of  
the FLQ crisis, October-November, 1970

James Cross, the senior British Trade Commissioner in Montreal, was kidnapped on the morning of Monday, October 5th. The first communique by his abductors was released on October 5th.

On the morning of October 6th, the Prime Minister summoned a meeting of the Ministers most immediately concerned with the situation and other senior officials. The Ministers present in addition to the Prime Minister included Messrs. Sharp, Turner, McIlraith, Drury and Marchand. The officials included A.E. Ritchie, Under-Secretary of State for External Affairs, Commissioner Higgitt of the R.C.M.P., Don Wall of the Privy Council Office and a number of others. The immediate question for consideration was what the policy and position of the government should be in relation to the demands made by the FLQ.

The views expressed by Ministers differed considerably. Some were of the opinion that Canada had obligations with regard to the lives and safety of diplomats which imposed a prime need to condition policy on the saving of the life of Mr. Cross. Others were of the view that prisoners could not be released as demanded by the FLQ without leading to serious consequences for government and public order.

In the course of the meeting, I sent the Prime Minister a hand-written note in which I suggested that the policy of the government should be based on a primary and a secondary premise:

(a) The primary premise was that the first responsibility of the government was to maintain the fabric of public order and safety, particularly because the situation in Quebec



- 2 -

was so precarious that this could readily be destroyed. I said that, in the light of this premise, the government's position should be that none of the FLQ demands would or could be met. Public order would be undermined if blackmail was shown to be profitable. Therefore there could be no concession to blackmail that would constitute a gain to those involved in the abduction.

(b) The secondary premise was that the government had a responsibility toward Mr. Cross to the degree that it could be discharged without imperilling the primary premise. This meant that anything should be done that would reduce the danger to Mr. Cross' life short of providing a profit to blackmail. What could be done here was to provide safe conduct to the kidnappers but not to any of the prisoners whose release they were demanding.

This was the first proposal that safe conduct be made available to the kidnappers themselves.

After about an hour's discussion, the Prime Minister asked all officials but me to withdraw and there was then discussion for a further hour or so. The Prime Minister asked me to set forth my proposals as to the basis of government policy. These were discussed at some length and on the whole accepted. It was then agreed that there should be a meeting of the Cabinet in the afternoon, at which more precise formulation of the government's position would be considered.

At the luncheon interval, Mr. Sharp and the senior officers of External Affairs prepared a statement (Alternative A attached). At the same time I prepared a statement (Alternative B attached).

In the meeting of the Cabinet at 3.00 in the afternoon, Mr. Sharp read his statement and, at the request of the Prime Minister, I sat at the table and read mine. The main difference was that my

- 3 -

statement was a good deal more categorical in setting forth the position of the government in making no concessions to the FLQ.

After a good deal of discussion, the Cabinet decided that it would be better to have the greater flexibility that Mr. Sharp's version provided, particularly since it might gain some time and enable the police to get some track of the kidnappers.

During the rest of the week there were several communiques by the FLQ and statements by the federal and provincial governments - in each case after a good deal of consultation between the two governments.

The next major event was the abduction of Mr. Pierre Laporte on the afternoon of Saturday, October 10th.

I had a great many telephone conversations with Mr. Chouinard, the Secretary of the Quebec Cabinet, the Prime Minister and Marc Lalonde in the course of Sunday, October 11th. On Thanksgiving date, October 12th, there was a special meeting of the Cabinet Committee on Security and Intelligence without the Prime Minister present. In the course of that meeting, the following assumptions were agreed on for guidance of government action:

- + (a) Laporte and Cross still alive
- (b) FLQ do not want to kill them
- (c) Police will eventually uncover
- (d) FLQ is not now centrally controlled
- (e) Provincial police not infiltrated
- (f) Quebec government is badly divided and will continue so
- (g) Danger FLQ will try to get additional hostages for pressure

(+ - from Mr. Robertson's  
handwritten notes)



- 4 -

(h) FLQ will not come to any arrangement without release of prisoners

The assumption with regard to the desire of the FLQ to avoid killing their prisoners turned out to be incorrect in the case of Mr. Laporte but correct in the case of Mr. Cross.

In the end, the offer of safe conduct for the kidnappers was undoubtedly the prime factor in saving Mr. Cross' life.

R.G.R.



CANADA

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D-1-7 (h)

OFFICE OF THE PRIME MINISTER • CABINET DU PREMIER MINISTRE

*Copy on S-1-28*

O t t a w a (4),  
December 4, 1970.

Honourable Robert L. Stanfield,  
Leader of the Opposition,  
House of Commons,  
O t t a w a.

Dear Mr. Stanfield:

On behalf of the Prime Minister, I  
acknowledge receipt of your letter dated  
December 4, in which you outline a proposal to  
have a Commission of Inquiry established to  
inquire into the general background of the  
terrorism and the events leading to the War  
Measures Act as well as the administration of  
the Act.

Kindly be advised that your communication  
will be brought to Mr. Trudeau's personal attention.

Yours sincerely,

ORIGINAL SIGNED BY  
ORIGINAL SIGNÉ PAR  
HENRY ALAIN LAWLESS

Henry Alan Lawless,  
Correspondence Secretary.

→ cc: Mr. R.G. Robertson, (PCO), (with original)  
Mr. Marc Lalonde, (PMO), \*  
Mr. Roméo LeBlanc, (PMO), \*  
Mr. Jim Davey, (PMO), \*  
Mrs. Olga Maxwell, (PMO), \*  
Miss Mary Macdonald, (PMO), \*  
\*For information.

0338 038



LEADER OF THE OPPOSITION - CHEF DE L'OPPOSITION



December 4, 1970.

Rt. Hon. Pierre E. Trudeau, P.C., Q.C., M.P.,  
Prime Minister of Canada,  
House of Commons,  
Ottawa.

Dear Mr. Prime Minister,

This letter is further to your suggestion of Wednesday, November 25, 1970, that I write to you outlining my proposal to have a Commission of Inquiry established to inquire into the general background of the terrorism and the events leading to the War Measures Act as well as the administration of the Act.

The Commission would, of course, be better constituted if it were to involve the Province of Quebec and the recommendations below assume their co-operation in such an inquiry. Should the Quebec government not wish to actively take part, the Inquiry could still proceed with only minor changes in the basic guidelines.

The Commission should be constituted under the federal Inquiries Act and have three members. One would be appointed by the federal government, another by the federal government on the recommendation of the Quebec government, and the third by the federal government on the recommendation of the other two members. Preferably, one should be seconded from the Supreme Court of Canada, one from the Quebec Superior Court, and the third be a recognized civil rights authority. All members should be bilingual. Further, the federal government should invite the International Commission of Jurists to send an observer who would be attached to the Commission. The International Commission of Jurists is a non-governmental organization operating under the aegis of the United Nations whose purpose is to foster respect for the Rule of Law.

2.

Rt. Hon. Pierre E. Trudeau, P.C., Q.C., M.P.

The terms of reference of the Commission would be threefold.

The Commission should inquire into the general background and development of terrorism in Quebec, the adequacy of the political and police measures taken to deal with it prior to the proclamation of the War Measures Act and regulations, and the situation which existed immediately preceding the proclamation of the Act.

The Commission should inquire into the administration of the War Measures Act and regulations and of any successor federal act and regulations with special reference to the enforcement of the criminal procedures imposed under them in the area of human rights and fundamental freedoms guaranteed by the Canadian Bill of Rights and the Universal Declaration of Human Rights to which Canada is a signatory.

In addition to its investigative role, the Commission should have authority to make recommendations arising out of its inquiries: (a) as to the origins and containment of terrorism; (b) the special training necessary for military and police forces to enable them better to prevent and combat acts of terrorism; and (c) for the development of democratic defenses against persons who are willing to use undemocratic weapons in support of an ideology.

The Commission should have all powers necessary to carry out its terms of reference, including the power to summon witnesses, to examine witnesses under oath, to cite for contempt of its orders, and to hold all hearings in public except when the national security requires in camera sittings. The Commission should be empowered to report simultaneously from time to time to the government of Canada and the government of the Province of Quebec and to the Parliament of Canada and the National Assembly of Quebec.

.. 3



3.

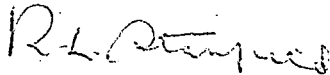
Rt. Hon. Pierre E. Trudeau, P.C., Q.C., M.P.

Surely the difficult events of the month of October clearly constitute a major challenge to democracy in Canada. As you have pointed out, we have been faced by a conflict between our usual freedoms as Canadians and the need for stronger police measures to combat terrorism.

The greatest danger in our society lies in the misunderstanding and confusion which grows out of such a situation. It is important that Canadians understand the extent of the terrorism and the effectiveness of the measures that have been taken against it.

Canada is a strong society and should be fully informed as it is vital for us to understand the pattern so that we may adequately judge the future balance between social order and traditional liberty.

Yours sincerely,



Robert L. Stanfield

**Pages 233 to / à 235**  
**are not relevant**  
**sont non pertinentes**

D-1-7(h)

MEMORANDUM TO THE PRIME MINISTER

Analysis of the Correspondence  
Received by the Prime Minister  
Concerning the War Measures Act

Origin

The purpose of this analysis is to present the reactions of the public to the government's decision to invoke the War Measures Act as discerned through the correspondence received in the Prime Minister's Office. A total of 11,455 letters were considered; 7,620 English, 3,835 French. Of these, 2.1% were critical, while 97.9% supported the government's decisive action.

The largest volume of correspondence read originated from the province of Quebec. Ontario ranked second followed by British Columbia, Alberta, Saskatchewan and Manitoba. The smallest volume was received from the Maritime Provinces. Correspondence came from many foreign countries; from Canadians in residence, and from citizens of these nations (see appendix).

The correspondents do not readily reveal their political affiliations. Many admitted not having voted for the Liberal Party in the last election, but did not then divulge their political affinity. Of those who could be identified, 32 said they had voted for the Liberal Party, 84 for the Progressive Conservative Party, and 59 claimed allegiance to "another political party". The general feeling is that it is a time to rise above party politics and unite in supporting the government's action. In fact, 144 correspondents expressed disappointment in the opposition leaders for not rallying behind the Prime Minister at this crucial period.

The largest percentage of correspondence (55.4%) comes from middle class citizens identifying themselves as part of "the silent majority". They are "writing to the Prime Minister for the first time". Many comment that they have been stirred to action by the Prime Minister's television speech of October 16th. The appearance of the Prime Minister and his forceful words evoked an emotional reaction

... 2

which stirred a dormant "national pride". The speech was acclaimed in 641 letters some of which pronounced it "historical", "magnificent", "memorable". The Prime Minister's leadership qualities were praised and comparisons were made to "Kennedy, Laurier and Churchill in their finest hours". The next largest volume comes from women (32.4%). Correspondence from the business community makes up 8.7% of the volume while correspondence from professionals accounts for 3.4%.

#### Favorable Correspondence

As indicated earlier, 97.9% of the correspondence overwhelmingly supports the governments decisive action in implementing the War Measures Act to preserve law and order in view of the crisis confronting the nation. A sense of security and reassurance is conveyed by the Prime Minister's action.

The problem is perceived as stemming from social conditions i.e. unemployment and regional disparity. The writing public also views permissiveness as a major reason for the situation in Quebec and for the social unrest fermenting across the nation as a whole. This permissiveness is due to a lack of respect for traditional values such as law, order and authority. A citizen from British Columbia comments "I am tired of a permissive society, pandering to those who would destroy what our forefathers have built up for future generations. We need discipline, law with teeth and order, also more respect for authority, particularly our law enforcement officers". The governments (federal, provincial, municipal) are believed responsible for these conditions because law enforcement is too lenient.

Correspondence, especially from the West, expresses the opinion that immigration laws should be tightened to prevent undesirables (draft-dodgers), revolutionaries (Daniel-Cohn Bendit) and subversive groups (Black Panthers) from entering the country to address student audiences. There is a strong feeling, notably from Quebec and British Columbia, that young people in schools and universities are being moulded by teachers and professors who espouse Maoist or Marxist philosophies and advocate violence and subversion. Foreign professors (American, Algerian, European) should be screened more closely before being admitted to Canadian classrooms.

... 3

### Suggestions

Correspondents offer several remedies they feel are needed to cure the ills of the nation. Social legislation reducing unemployment and economic disparity is the first step to reducing tension.

A most frequent (see appendix) suggestion is the re-instituting of capital punishment. The media are rebuked for their biased reporting of news events and constant presentation of programs depicting violence and revolution. Radio-Canada is the medium that comes under fire most frequently for its presentation of biased newscasts and interviews with subversive elements. Time allotted to separatist groups and opposition parties is felt to be disproportionate to the minimal time given to explanation of government policies and programs. Correspondence suggests that the media be taken to task for not delivering objective presentations to the public.

As indicated earlier correspondence favours a tightening of immigration laws to bar Maoists and Marxists from spreading dissent in the country. A frequent suggestion is that labour representatives concern themselves more with labor problems and less with expressing political views that are not representative of their membership. It is interesting to note that several letters are written by individual members or union locals critical of the positions taken by their executives (e.g. locals 505, 526, 558 of the United Electrical Workers sent messages to the Prime Minister dissociating themselves from the position taken by their president C.S. Jackson; local 661 du Syndicat Canadien de la Fonction Publique Radio-Canada (Québec) se dissocie du syndicat S.C.F.P. ainsi que du C.S.N.-F.T.Q.-C.E.Q. pour approuver les mesures prises par le gouvernement).

Compulsory military service is offered as another suggestion to combat unemployment and permissiveness among the young people. Correspondents believe this might instill some measure of discipline and respect for authority.

### Critical Correspondence

The total percentage of critical correspondence is 2.1%. The largest volume of criticism comes from Quebec, followed by British Columbia (see appendix). The authors of these letters represent various social classes: students, professors, women, labour groups, two business men, one professional, political and civil liberties groups (e.g. Edmonton Young Socialists, Communist Party of Canada, N.D.P. of British Columbia, the Canadian Civil Liberties

- 4 -

Association (Ontario).

The main reason given for disapproval of the War Measures Act is that it is an anti-democratic action, an abrogation of civil liberties. Fear that its powers will be abused by certain law officers and politicians (e.g. Mayor Tom Campbell) to arrest individuals or groups considered undesirable by them is another reason for criticism. Several correspondents are critical because, they say, evidence is insufficient to prove that a state of apprehended insurrection existed. The criminal code is believed by them to be adequate to deal with the situation. Other reasons given are that the Act is being used to undermine F.R.A.P. and to manipulate the Montreal Civic elections. Five correspondents disapprove of the government's action for a humanitarian reason: "the lives of Messieurs Laporte and Cross should have priority".

#### Summation

The correspondence does not question the nature or extent of the crisis. It gives its support in toto to the Prime Minister and his Cabinet for their decisive action to preserve and strengthen Canadian unity.

The problem is seen as resulting from social conditions not indigenous to Quebec, but which exist in other parts of the country as well. As such, the same situation could arise in other parts of Canada. Correspondence from outside Quebec does not acknowledge Quebec nationalism as an issue in the current crisis which might have activated the situation. Quebec correspondence does admit the necessity of eliminating unfavorable social conditions which act as a catalyst in igniting the fires of extremism.

Marie-Hélène Fox

# APPENDIX

## By Language:

English ..... 7,620  
French ..... 3,835

## By Impression:

Favourable ..... 11,210  
Critical ..... 245

## By Suggestions: See Text

Capital Punishment ..... 442  
Radio-Canada ..... 237  
Unions ..... 170  
University Professors ..... 135  
Media ..... 110  
Immigration ..... 68

## Critical by Province:

Quebec ..... 90  
British Columbia ..... 59  
Ontario ..... 46  
Alberta ..... 10  
Saskatchewan ..... 9  
Manitoba ..... 7  
Nova Scotia ..... 5  
U.S.A. .... 15  
  
245

## By Foreign Country:

U.S.A. .... 319  
United Kingdom ..... 43  
Europe ..... 14  
Africa ..... 6  
Japan ..... 4  
South America ..... 3  
West Indies ..... 3  
New Zealand ..... 2  
Australia ..... 2  
Mexico ..... 1  
Pakistan ..... 1

## By Known Political Affinity:

Liberal ..... 32  
Conservative ..... 84  
Others ..... 59

## By Classification:

Citizens ..... 6,354  
Women ..... 3,714  
Business Men ..... 997  
Professionals ..... 390



MEMORANDUM

CLASSIFICATION

TO  
A

PMO Senior Staff  
Messrs. Robertson, Crowe,  
Pitfield, Butler  
Mr. Wylie  
Mr. Danson, M.P.

YOUR FILE NO.  
Votre dossier

OUR FILE NO.  
Notre dossier

FROM  
De

DATE Nov. 23, 197

Ann Jamieson

FOLD

SUBJECT  
Sujet

This week's editorials

It was a lean week for comment, with most papers  
concentrating on local rather than national issues.  
However, a few topics emerged, and are worthy of short  
review. Attached for your information.

:aj

Encl:

47.5



## IDENTITY CARDS

Going back to November 11th, we find the same objections, in the main, as were evident last week; namely, fears of a police-state control, risks that cards would be forged by the underworld in any case, and the difficulties of telling "locals" from "foreigners". Such views are to be found in: CALGARY HERALD, (November 11); LONDON FREE PRESS, (November 12); WINDSOR STAR, (November 14); REGINA LEADER-POST, (November 17); and VICTORIA DAILY TIMES, (November 14). This last editorial is in sharp contrast to that of the VICTORIA DAILY COLONIST of three days later, which said:

"In some quarters there seems to be a sense of outrage over the indication that the province of Quebec may compel its citizens to carry identity cards. This, it is said, further endangers individual rights. Another hard-won freedom will be imperilled.

Perhaps our imagination is weak. But the worst peril we can see in mandatory identification on request by the authorities is that once in a while a person going innocently about his business but coming under suspicion of some sort would be stopped and checked and perhaps would feel some embarrassment."

This paper remains, with Dennis Braithwaite, (TORONTO TELEGRAM) the only English-language press not to oppose the suggestion outright. Maurice Western (WINNIPEG FREE PRESS, November 13), proposes a system of voluntary ID cards, stating that many people now carry identity cards of various kinds, but does not explore the administrative process that would be required to "enforce" a "voluntary" system.

By way of explaining why the proposal met with less criticism in French-language press, Gerald Waring, (VANCOUVER SUN, November 18), points to the authoritarian tradition in Quebec:

"But as analysts of our society point out, French Canada was separated from its mother country while the autocratic Bourbons ruled in Paris. Thus Quebec missed the conversion to democracy that followed the French Revolution. The rigid social order of the Sun King persisted in New France long after it disappeared in France."

IDENTITY CARDS

2.

The matter will probably receive little attention until such time as Jérôme Choquette brings down his White Paper.

## POLICE ACTIVITIES

A discussion of the use of Identity Cards in Quebec, leads the VANCOUVER SUN, (November 18) to the conclusion that the first anti-crime measures in Quebec ought to be a control of the police force itself:

"...and its indoctrination with the latest methods of combating all sorts of crimes, including terroristic ones....Better this than curtailment of the freedom of the average citizen whom a police force is hired to protect..."

This represents the mildest comment on the police forces, for the current week. Referring to the "aventure rocambolesque" in allowing Paul Rose to escape from the Queen Mary Road apartment, LE DROIT, (le 19 novembre) suggests:

"A des crimes nouveaux faut-il opposer une police nouvelle, mieux préparée psychologiquement, mieux renseignée, ou encore des corps policiers moins jaloux l'un de l'autre, et mieux intégrés dans un centre d'information commun?"

The term "Keystone Kops" finds expressing both in the FREDERICTON DAILY GLEANER, (November 17), and the TORONTO STAR of the same date, which suggests that

"the reason terrorism has flourished may not be that our criminal laws are inadequate, but that they are inadequately enforced."

and the WINDSOR STAR, (November 17), commented:

"If only we had Gilbert and Sullivan....Only those celebrated satirists could deal adequately with the performance of the police investigating the FLQ in Quebec. And even Gilbert and Sullivan would probably be too sad to be satirical."

It just wasn't their week.

W5's SURVEY OF CANADIAN ATTITUDES

Leaving reviews of the program (which were on the whole, laudatory) to one side, we find a few papers dealing with the material of the survey per se. Most register shock at the views reported from the poll. Said the HAMILTON SPECTATOR, (November 17),

"Even those who strongly supported Mr. Trudeau's move at the height of the FLQ terror - as this newspaper did - must get a cold chill from the results of this survey....What here is shouted is the newest underlining of the appalling lessons learned in the last 40 years. People will accept anything in the end but disorder, and by people we mean people in the mass. They will concede vastly greater powers for the police, for search, apprehension and detention. They will even, a lot of them, go along with censorship of what they read and hear. Which is what the so-called revolutionaries are aiming for."

The WINDSOR STAR, the following day, when discussing the "frightening conclusion" from the poll, says:

"For those people who feared that the use of the War Measures Act was not justified by the circumstances in Quebec, this latest revelation is no victory. The fears that the WMA would create a backlash in this country...were well-founded.... It is typical of reactionary sentiment that the law is seen as a toll for revenge, rather than for dispensing of justice to preserve public order while at the same time protecting the rights of the individual."

and the KITCHENER-WATERLOO RECORD, (November 18), speaks of

"...other aspects of the national reaction which show too many Canadians failing to understand anything of the real essence of the crisis and adopting extremely dangerous attitudes....It is not perhaps that Canadians are natural authoritarians, so much as we are one of the more politically inexperienced peoples in the world....Surprisingly

...surprisingly \

few ordinary Canadians understand the dangers inherent in this kind of over-reaction."

It all fits into place, however, when one turns to Lubor Zink, (TORONTO TELEGRAM, November 18), who explains:

"The latest public opinion survey which indicates that 8 out of 10 adult Canadians support the emergency measures the Government invoked to deal with political terrorism in Quebec also shows a majority 53 per cent nation-wide and 66 per cent in Quebec in favor of treating the Communists the same way as the now outlawed FLQ.... This is an interesting finding. It signifies that despite years of daily exposure to all kinds of pro-Communist propaganda, the majority of Canadians know the real enemy.... Apparently, though given virtually no information on the FLQ's Marxist-Maoist essence by the authorities and the bulk of the mass media, more than half of the Canadians are not fooled by this smokescreen."

MONTREAL MATIN, (Paul Gros d'Aillon, le 17 novembre) choses to examine only the part of the survey relevant to outlawing the Parti Québécois; and the rights of a province to separate, and finds it encouraging that most people voted against both proposals. They remark:

"Les citoyens sont donc plus modérés que les politiciens.... Les événements ont semblé sensibiliser les Canadiens aux problèmes québécois.... En résumé, le peuple approuve l'attitude des gouvernements, mais conserve une bonnd dose de tolérance et de compréhension. Sans savoir ce que vaut scientifiquement ce sondage, voilà tout de même une indication."

## PRESS-CLIPPINGS

## COUPURES DE JOURNAUX

Name of Publication.....*Hamilton Spectator*.....Nom de la publication  
Date.....*NOV 17 1978*.....Date

## They asked for it

THERE IS NOT much point in quibbling about a recent CTV network poll of 1,650 Canadians, on the controversial War Measures Act. The results were made known Sunday night, and they are at once significant and frightening.

The network poll found powerful public support right across the land for repressive measures against Communists, hippies, student militants and the press. It indicated that a massive 80 per cent still approve the War Measures Act imposed by Prime Minister Trudeau's Government — and this a month after it was done. Only 10 per cent felt it had jeopardized their personal civil liberties. More than half of them wanted the reimposition of the death penalty, favored the prevention or suppression of Communist demonstrations, with the figure, in this case, soaring to 66 per cent in Quebec. They favored similar suppression against student militants. Nearly half favored censorship, with 68 per cent convinced the news media overstress the activities of social malcontents.

Even those who strongly supported Mr. Trudeau's move at the height of the FLQ terror — as this newspaper did — must get a cold chill from the results of this survey. Of course it could be said it was obviously the way Canadians felt, and in a sense it was.

What here is shouted is the newest underlining of the appalling lessons learned in the last 40 years. People will accept anything in the end but disorder, and by people we mean people in the mass. They

will concede vastly greater powers for the police, for search, apprehension and detention. They will even, a lot of them, go along with censorship of what they read and hear. Which is what the so-called revolutionaries are aiming for.

The nihilists are not untrained in Canada. Their foreign schools and techniques are known. They have done a good job. What they want is unsettlement and chaos. Then people will demand the strongman and a strong arm. The nihilists want to be that dictatorship.

In our country it is hardly credible that the brutal methods of totalitarian oppression would be accepted. Certainly not for long. Only it is pretty hard to impose partial suppression.

The warning is there and it is a grim one. When freely elected members of their Government can be brutally murdered; when bombs are planted and aimed at any man, woman and child in a community; when their homes and streets are threatened and their whole living arrangements are darkened by fear — then they order a stop, and they don't care much about how it is done.

Ottawa has been slow in learning that protection of an individual's life and his living, and everything that speaks in the name of freedom, is far more urgent than nursing and protecting those who try to destroy the country's sense of order and protection. If they don't know that by now, they know pitifully less than the disrupters. In a way they have asked for the reaction.

WEEKLY REPORT ON ROUTINE FRENCH MAIL  
RECEIVED BY THE PRIME MINISTER  
FROM THE PROVINCE OF QUEBEC  
("ON OCTOBER CRISIS")

DATE: Week of November 16 Through 20, 1970.

FAVOURABLE: 116  
CRITICAL: 4  
TOTAL: 120

RECURRING CRITICISM:

- |                   |   |
|-------------------|---|
| 1. Radio - Canada | 4 |
| 2. Labour Unions  | 4 |
| 3. Educators      | 3 |
| 4. Media          | 2 |

OTHER TOPICS IN THE  
FRENCH CORRESPONDENCE  
DURING THE WEEK

1. Unemployment
2. Comments on the Prime Minister's absence at De Gaulle's Funeral.
3. Abortion.
4. Legalization of Drugs.
5. Requests for information on Pensions.
6. 42 Telegrams approving "Le projet Carrière pour l'établissement de OACI" à Montréal - Est.

OFFICE OF THE PRIME MINISTER  
CABINET DU PREMIER MINISTRE

MEMORANDUM

Mrs Maxwell,

As my contract expires

today and I shall no longer be with the P.M.O. Monday, I am sending you a report of the correspondence received by noon Friday.

Sincerely,  
Maurice H. H. Fay

November 26, 1970

D-1-7 (th)

EXCERPTS FROM HANSARD

Mr. Stanfield:

November 4, 1970, p.887

I believe the powers in the initial regulations were excessive, but I say there is sufficient insecurity in Quebec today to justify something along the lines of what is proposed in this bill moved for second reading by the Minister of Justice. However I will repeat again that the bill will not, and cannot, be expected to root out further terrorism in that province. Something like the present bill is necessary because the situation was allowed to get out of hand, but certainly something more is required for a solution in the longer term - perhaps better detection, perhaps better police work, perhaps a redefinition of crimes such as sedition.

Certainly, measures are necessary which are designed to remove serious social conditions and serious causes of dissatisfaction. One way in which the government could show the good faith the Minister of Justice was talking about earlier is by trying to do something real about the unemployment anticipated in Quebec this year, which may run as high as 15 per cent. This is the way the government can show it means some of the thoughts it has been expressing through the mouth of the Minister of Justice.

The point to emphasize today is that we cannot expect measures like those in this bill to be anything more than a temporary measure to deal with terrorism, the threat of which is very likely to continue. When we deal with and consider this bill we cannot feel for a moment that we are solving the problem of terrorism in Quebec. We must consider what is necessary to ensure a reasonable degree of law and order in the province of Quebec in the future. Anything the government has done under the War Measures Act, or anything that may be done under this bill when it is enacted into law, will not guarantee that there will be no threat of terrorism in the future. If we are not careful, indeed we may increase that threat.

Mr. Douglas:

November 4, 1970, p.892

I agree with the Prime Minister's decision that the proposal of permanent legislation ought to be left until the excitement has abated so that such legislation may go to the Justice and Legal Affairs Committee. At that stage, all kinds of organizations should have an opportunity to present their views. When that legislation is put on the statute books of Canada it will be permanent legislation which can be invoked at any time, so it ought to be carefully considered.

Mr. Caouette:

November 26, 1970, p.1518

Parliament must be careful when passing a legislation, even if it will only be in force until the end of April next. Then, the government should introduce legislation of a permanent character which would respect individual liberties while protecting Canadian society as a whole, without favouring any special group.



**Pages 250 to / à 265**  
**are not relevant**  
**sont non pertinentes**

SECRET

D-1-7(h)

November 17, 1970.

MEMORANDUM TO SOC MEMBERS:

ANALYSIS OF PM CORRESPONDENCE

Attached:

- 1) Memo to PM from the Correspondence Secretary  
"War Measures Act Mail - Contradictions".
- 2) Interim report on total PM Correspondence re  
War Measures Act.
- 3) Summary of routine PM correspondence for week  
ending 13 November.

O. M.

MEMORANDUM TO THE PRIME MINISTER

War Measures Act Mail:  
Contradictions

The professed solidarity of quite a few groups  
- groups that make a habit of saying their so-  
lidarity is impregnable - is crumbling. Witness:

- Student Unions: a few of these indicated opposition to the WMA almost immediately, by telegram; you have since received many letters from students, individually and collectively, assuring you of their support.
- Labour Unions: you know of the CSN-FTQ-CEQ opposition, and the United Electrical and Radio Workers' Union (UER) acted similarly; since then, individual locals of the latter and many groups within the former have both denounced their union chiefs and advised you of their support.
- Civil Liberties Associations: in Vancouver and Toronto, they have held themselves out to be the conscience of the State... but a few Association members have written to indicate they felt they had to break with their Association over this issue;
- Voice of Women: naturally, it opposed the WMA; but the Calgary VOW bolted from the ranks.

Beyond these, the legal, teaching (faculty members) and journalistic professions are in a state of disarray.

This issue has made it possible to distinguish those who have a backbone and those who don't. You were right from the start: this was an issue on which one either stood up to be counted or dropped out of sight.

- 2 -

But the most interesting part about the exercise is that the dividing lines cannot be drawn parallel to those which the organized interest groups in society have been drawing. Il y a des forts et des agonisants dans les camps de plusieurs corps intermédiaires. Therefore, either some regrouping is going to have to take place, or else the professed solidarity of some interest groups - as protested by their spokesmen - will be questionable to say the least.

  
H.A.L.

O t t a w a,  
November 16, 1970.

OFFICE OF THE PRIME MINISTER • CABINET DU PREMIER MINISTRE



MEMORANDUM

CLASSIFICATION

TO  
A

Mr. Marc Lalonde

YOUR FILE NO.  
Votre dossier

OUR FILE NO.  
Notre dossier

FROM  
De

Marie-Hélène Fox

DATE 16.11.70

SUBJECT  
Sujet

Interim Report on the Correspondence  
Received by the Prime Minister's Office  
re: War Measures Act

I Origin

This *interim* report represents a lecture of the complete French correspondence (3,831 letters) and more than half of the English correspondence (6,945 letters) received by November 3, 1970. The largest volume comes from middle class citizens many of whom identify themselves as "*the silent majority*", a third of whom are women. All classes of society, however, are represented in this correspondence received from the ten Canadian provinces and many foreign countries. Detailed statistics will be attached to the final report.

II Themes

The correspondence overwhelmingly supports the government's decision to implement the War Measures Act which was considered necessary to preserve peace, order and Canadian unity in view of the crisis affronting the country. The nature and extent of the crisis is not questioned by the correspondents. The fast and decisive action taken by the Prime Minister (and explained to the citizens in the October 16th speech) was favourably received and hailed as a sign of strong leadership.

The recurring themes were the following:

1. The public expresses its support and sympathy for the difficult decision the Prime Minister made.
2. The problem stems from social injustices (unemployment, regional disparity) and other conditions (permissiveness). Correspondence outside Quebec (mainly B.C.) expresses the view that similar conditions could lead to the same situation in other parts of Canada (mainly B.C.). Correspondence perceives the problem as a Canadian one and not a situation indigenous to Quebec.
3. Where there is mention of loss of civil liberties, the correspondents place faith in the judgment of the Prime Minister and his Cabinet.
4. The correspondents feel that a sense of Canadian unity and purpose will emerge stronger as a result of this situation.
5. There is strong criticism of the opposition parties for not rising above partisan politics and supporting the government's decision at a crucial time.

### III Suggestions

A significant proportion of correspondents made suggestions along the following lines:

1. reinstating capital punishment;
2. censorship of the press, radio and television (from Quebec a plea for "un nettoyage à Radio-Canada");
3. tightening immigration laws to prevent revolutionaries and subversive elements from entering the country at will;

4. screening university professors who encourage dissent and revolutionary activities;
5. preventing union leaders from expressing political views that are not representative of their membership.

Confidence is expressed that the government will repeal the War Measures Act as soon as possible and less drastic legislation will be passed to deal with future crisis.

#### IV Critical Letters

To date, 1.2% of the correspondence has been critical of the War Measures Act. The criticism comes from a cross section of society: professionals, business men, students, women, workers and civil liberties groups. The main reasons for disapproval are as follows:

1. the War Measures Act is anti-democratic, an abrogation of civil liberties;
2. insufficient evidence has been produced that a state of "*apprehended insurrection*" existed;
3. the criminal code was sufficient to deal with the situation in Quebec.

M.-H. F.

SECRET

November 17, 1970

WEEKLY REPORT ON ROUTINE MAIL RECEIVED  
BY THE PRIME MINISTRE RE "OCTOBER CRISIS"

(for week ending 13 November)

Routine French Mail from Quebec

Favourable	230
Critical	-
Total	230

Receiving Themes (criticisms)

1. Radio Canada
2. News media in general
3. Immigration laws
4. Attitude of educators
5. Labour union representatives

"Non-"Crisis" topics in remainder of correspondence from Quebec (note: two-thirds of the total French mail from Quebec was on the "crisis").

- unemployment
- social assistance
- sale of water to U.S.
- pollution
- recognition of China
- requests for copies of PM's 16 Oct. speech

Routine English Mail (all Canada)

Total volume returning to normal; other topics besides "crisis" rising to prominence:

- continental energy policy
- pensions
- Canadian presence and General de Gaulle's funeral (small number; split 50-50).

Very few letters (10-15) received on Bill C-181.  
Main criticism - the retroactivity clause.



NOV 18 1970

D-1-7(h)

GOUVERNEMENT DU QUÉBEC

CABINET DU PREMIER MINISTRE

Le 13 novembre 1970

Monsieur Edgar Gallant  
Sous-Secrétaire du Cabinet  
(Relations fédérales-provinciales)  
Bureau du Conseil privé  
Edifice du Parlement  
Ottawa, Ontario.

Cher monsieur Gallant,

J'ai pris connaissance de votre  
lettre du 5 novembre ainsi que du document qui l'accom-  
pagnait.

J'ai immédiatement ajouté ce  
document à notre dossier.

Je vous remercie et vous prie  
d'agréer, cher monsieur Gallant, l'expression de mes  
sentiments les meilleurs.

Le Chef de Cabinet,

*Guy Langlois*

(Guy Langlois)

NOV 16 1970

D-1-7(h)



MANITOBA

OFFICE OF THE PREMIER

WINNIPEG 1

November 13th, 1970

*C 35*  
*Ed*  
Mr. E. Gallant,  
Deputy Secretary to the Cabinet,  
(Federal-Provincial Relations),  
Privy Council Office,  
Ottawa, Ontario.

Dear Mr. Gallant:

This will acknowledge your letter of the 5th of November with which you enclosed a letter written by the Director of the City of Montreal Police Force to the Mayor of the City of Montreal.

I have informed Premier Schreyer of this letter and would like to thank you for letting us have it. I would make the personal comment that the terms in which it is written are very general.

Yours sincerely,

Francis K. Eady,  
Associate Secretary of Cabinet.

**Pages 275 to / à 289**  
**are not relevant**  
**sont non pertinentes**



0313 092

NOV 12 1970

C O P Y  
C O P I E

D-1-7(-h)

OFFICE OF THE PRIME MINISTER • CABINET DU PREMIER MINISTRE

O t t a w a (4),  
Le 9 novembre 1970.

Monsieur Guy Langlois, Chef de cabinet de  
l'honorable Robert Bourassa,  
Premier ministre de la province de Québec,  
Hôtel du Gouvernement,  
Québec, Qué.

Monsieur,

Au nom du Premier ministre, je vous accuse  
réception de la lettre de l'honorable Robert Bourassa,  
en date du 4 novembre, au sujet des documents relatifs  
à la proclamation de la Loi sur les mesures de guerre.

Puis-je vous demander d'informer votre  
Premier ministre que sa lettre sera portée à l'attention  
personnelle de monsieur Trudeau.

Veuillez agréer, monsieur, l'expression de  
mes sentiments les meilleurs.

Le Secrétaire,

ORIGINAL SIGNED BY  
ORIGINAL SIGNÉ PAR  
**HENRY ALAIN LAWLESS**

Henri Alain Lawless.

Orig: Mr. G. Robertson (PCO)

Miss Mary Macdonald (PMO)\*

\* à titre d'information

0313 092

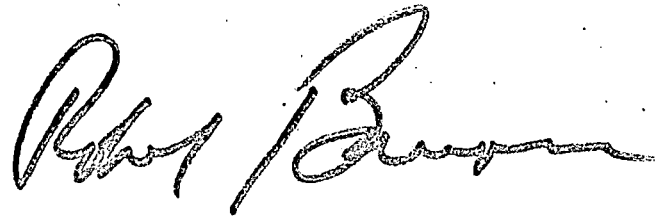
GOUVERNEMENT DU QUÉBEC  
LE PREMIER MINISTRE

Le 4 novembre 1970

Mon cher Premier ministre,

Je tiens à vous remercier sincèrement de votre lettre du 16 octobre dernier et des documents relatifs à la proclamation de la Loi sur les mesures de guerre que vous avez bien voulu me faire parvenir.

Veuillez agréer, mon cher Premier ministre, l'expression de mes meilleurs sentiments.



Le très honorable Pierre Elliott Trudeau  
Premier ministre du Canada  
Hôtel du Gouvernement  
Ottawa, Ontario

GOUVERNEMENT DU QUÉBEC

cc: M. Gordon Robertson, CP,

PCO  
SOC  
GEU  
FCO

CONFIDENTIEL

le 9 novembre 1970.

MEMOIRE A M. LALONDE

Enlèvements - Intervention  
du Délégué Général du Québec  
à Europe No. 1.

Comme vous le savez, notre Ambassadeur à Paris nous a signalé le 4 novembre (son télégramme 3402, dont copie est jointe) une intervention plutôt étonnante de M. Chapdelaine au sujet des enlèvements, à l'importante station de radio périphérique Europe No. 1. M. Cadieux suggérait que l'intervention soit écoutée au niveau ministériel. Dans son télégramme 3441 du 6 novembre (copie jointe), il recommandait à nouveau que l'interview, que nous avons reçue de Paris sur bande sonore, soit écoutée par M. Sharp et si possible par le Premier Ministre.

2. Comme le programme de radio était long (1/2 heure), nous avons pensé qu'il serait utile d'en établir un texte écrit. Nous en joignons une copie pour transmission possible au Premier Ministre. Si celui-ci s'intéressait à entendre la bande sonore (où la performance hésitante de M. Chapdelaine est peut-être encore plus évidente que dans le texte écrit), nous pourrions facilement faire les arrangements requis à l'endroit et au temps que vous désigneriez. Il en va de même pour tout autre ministre ou personne que vous jugeriez bon d'intéresser à cette question. Un texte de l'interview a aussi été transmis à M. Sharp.

3. Vous noterez que notre Ambassadeur s'étonne, dans son dernier télégramme, des instructions qu'on lui transmettait par notre télégramme GEU-1451 du 5 novembre (copie jointe). Le fait est que ce télégramme ne visait pas à répondre aux problèmes soulevés par l'interview de M. Chapdelaine, bien qu'il y faisait allusion. Nous n'avions pas à ce moment encore reçu la bande sonore de l'interview. Notre télégramme d'instructions visait à fournir à l'Ambassadeur des thèmes d'intervention auprès des médias par notre ambassade. Il lui suggérait d'utiliser ses propres visites de courtoisie auprès des ministres français pour rectifier les idées qu'ils auraient pu se former sur la base des reportages de la presse française et autorisait M. Cadieux à prendre lui-même l'initiative

.../2



- 2 -

CONFIDENTIEL

de se produire auprès des média français, ce qui aurait incidemment l'effet de redresser les perspectives qu'aurait pu fausser M. Chapdelaine. Enfin, notre message donnait carte blanche à M. Cadieux pour se concerter avec M. Chapdelaine au sujet des activités d'information future, dans l'espoir d'influencer les déclarations futures du Délégué Général.

4. Il semble que notre télégramme ait été mal compris par l'Ambassadeur. Nous n'avions nullement envisagé, comme il pourrait le croire, que l'Ambassadeur fasse une réfutation directe et publique des propos de M. Chapdelaine. En fait, les activités que projette l'Ambassadeur (paragraphe 4 de son télégramme 3441) sont exactement le genre d'initiatives que nous avions à l'esprit pour corriger dignement et indirectement les fausses impressions créées par M. Chapdelaine. Nous répondons à M. Cadieux pour dissiper ce malentendu.

5. Comme M. Chapdelaine doit s'adresser à l'Association de la presse diplomatique à Paris le 12 novembre, il y aurait peut-être lieu de téléphoner à M. Chouinard à ce sujet, afin que le Délégué Général ne répète pas le même genre de performance et s'en tienne aux politiques agréées entre les deux gouvernements. Nous signalerions ensuite à M. Cadieux le résultat de votre appel à M. Chouinard.

P.T.

*Paul Tremblay*

Transcription de l'émission radiophonique d'Europe No 1 du 3 novembre 1970  
"Le Public téléphone" avec la participation du Délégué général du Gouvernement  
du Québec, M. Jean Chapdelaine.

Animateur: M. Leroy

Journaliste invité: Christian Detnoue, correspondant de l'Aurore.

M. Leroy: Ce soir nous allons parler du Québec. C'est un problème qui est brutalement en pleine actualité il y a un peu plus d'un mois maintenant. Et pourtant, rappelez-vous, on en avait déjà parlé il y a trois ans lors du fameux "Vive le Québec libre" lancé par le Général de Gaulle en juillet 1967, c'était à Montréal. Et on aurait pu, on aurait dû, comme vous voulez, en parler bien plus fréquemment. Car, ce problème du Québec est un exemple de tous ceux qui peuvent être posés éventuellement par des minorités existant au sein d'une nation constituée. Je ne voudrais pas remonter jusqu'en 1763, mais c'est tout de même cette année-là, lorsque Louis XV a signé le Traité de Paris cédant la Nouvelle-France aux Anglais, que - disons - le problème a commencé à mûrir. Aujourd'hui, il a atteint il y a quelque temps un niveau de violence extrême. Je vais vous remettre en mémoire très rapidement quelques faits, quatre faits par exemple. Le 5 octobre, il y aura un mois demain, un diplomate britannique, M. James Richard Cross, est enlevé par le Front de Libération du Québec, le FLQ. Le 10 octobre, c'est M. Pierre Laporte, Ministre de la Main-d'Oeuvre et de l'Immigration du Québec, qui est à son tour enlevé par la même organisation, le FLQ. Et le 16 octobre, devant l'échec des négociations engagées entre le gouvernement du Québec et le FLQ, l'état d'urgence est proclamé au Canada et le Front de Libération du Québec est mis hors la loi. Quand je vous parle d'état d'urgence, en fait je cherchais une formule française qui corresponde à peu près à la législation canadienne mais, pour être précis, ce n'était pas l'état d'urgence qui avait été décrété mais la loi des mesures de guerre. Le 18 octobre enfin, la police retrouve le corps de M. Laporte; le Ministre du Québec a été assassiné. Les mesures de police sont encore renforcées au Québec. Depuis, quinze jours se sont écoulés, on n'a pas la moindre nouvelle, on n'a pas retrouvé la moindre trace de M. Cross et on n'a pas retrouvé encore les responsables de l'assassinat de M. Laporte. Voilà pour les faits. Mais ce soir, ce ne sont pas seulement ces faits dramatiques dont nous allons parler, mais un peu de tout ce qu'il y a autour, des circonstances, qu'elles soient éventuellement politiques, sociales, linguistiques ou économiques, qui ont amené une telle situation. Et pour en parler avec nous, nous avons d'abord invité M. Jean Chapdelaine qui est le délégué général du gouvernement du Québec à Paris. Il a bien voulu venir à notre micro ce soir. M. Chapdelaine, je vous remercie d'être là et d'être venu et ensuite, tout à l'heure, de répondre aux questions de nos auditeurs qui vont appeler comme tous les soirs. Et puis, j'ai demandé également à Christian Detnoue d'être là puisque, vous qui suivez nos émissions d'information, vous savez que Christian Detnoue a été notre envoyé spécial et celui de l'Aurore au Québec pendant toute cette quinzaine dramatique. Donc il a vu de près un certain nombre de choses et nous confronterons un peu les opinions de M. Chapdelaine et celles de notre envoyé spécial et tous les deux s'efforceront donc de répondre à vos questions. M. Chapdelaine, on va commencer par vous. On a beaucoup parlé du FLQ, le Front de Libération du Québec. Cette



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organisation a revendiqué les deux enlèvements, celui de M. James Cross et celui de M. Pierre Laporte. Vous qui êtes Canadien-français, qui occupez un poste de responsabilité, comment vous définissez le FLQ, comment le considérez-vous, est-ce que c'est uniquement un mouvement politique? Est-ce que c'est un groupement terroriste? Est-ce que vous estimez aussi qu'il a une assise populaire au Québec ou est-ce que ce n'est pas plus qu'un groupuscule plus ou moins gauchiste?

M. Chapdelaine: La première chose, c'est qu'étant donné ce qu'il est, nous le connaissons très peu. Que voulez-vous, c'est un mouvement souterrain, donc qui n'a pas pignon sur rue. Nous n'en savons pas grand'chose. Il y a en fait des réalisations, si on peut les appeler telles. Il a des enlèvements, deux enlèvements en une semaine, à son crédit. Il a un assassinat, de M. Laporte, à son crédit, aussi. Il a, depuis quelques six ou huit ans, quand même accompli certaines réalisations, dans son esprit. Il a planté des bombes dans des boîtes aux lettres. Il a, en autant que l'on soit certain qu'il en soit ainsi, il a fait des vols à main armée aux fins d'alimenter la caisse du groupe ou des groupes. Parce que si ce sont des petites cellules qui ne sont pas encore reliées....

M. Leroy: Selon vous, elles ne sont pas reliées?

M. Chapdelaine: Bien, la question se pose. Mais s'il y avait une organisation qui ait un fil conducteur, peut-être le fil conducteur aurait été découvert à date. Jusqu'à maintenant, il semblerait que ce sont des petites cellules et que ce ne soit pas, si vous voulez, la cellule marxiste dans l'esprit marxiste où il y a, quand même, il y en a toujours un qui est lié avec les autres. Mais c'est peut-être la cellule, appelez ça anarchiste, ou simplement terroriste. Non, c'est bien malheureux que, à votre première question, je ne puisse pas répondre grand'chose....

M. Leroy: Mais j'aimerais que vous puissiez....

M. Chapdelaine: Vous avez ensuite quand même une certaine tolérance, puisque ces ambitions ou ces revendications recoupent des ambitions et des revendications qui sont fortement étendues dans la population. Il a une certaine tolérance de son public. La question qui a pu se poser depuis les événements brutaux de la dernière..., du dernier mois, c'est jusqu'à quel point ça créera une intoxication ou une crainte plus grande, jusqu'à quel point ça créera une révolulsion. Là....

M. Leroy: Avant d'aller aussi loin, M. Chapdelaine, je voudrais savoir, d'après vous ou d'après les estimations du gouvernement responsable de la province de Québec, quelle est l'importance numérique que vous attachez à ces cellules même non reliées entre elles?

M. Chapdelaine: Vous savez, les chiffres qu'on a entendus, vous les connaissez comme moi, vont de 30 à 300 ou même à 2.000. J'ai entendu même le chiffre de 3.000. Que voulez-vous que je vous en dise. Je doute que notre police en sache tellement plus que ces évaluations. C'est encore assez élastique, n'est-ce pas?

.../3

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M. Leroy: Vous me permettez que je vous interrompe pour demander à Christian Detnoue son propre témoignage, puisqu'il revient du Québec où pendant cette quinzaine assez tragique, il a enquêté pour nous et pour notre confrère l'Aurore. Je voudrais demander à Christian Detnoue sa propre définition du FLQ et, dans la mesure où il a rencontré peut-être, un certain nombre de ses adhérents, de pouvoir nous fixer un peu d'une façon non-officielle (puisque vous, vous nous avez dit ce que vous pouviez nous dire et ce que vous savez) ce qu'un observateur neutre qui arrive sur place peut voir et la façon dont il peut se rendre compte des choses.

Christian Detnoue: Bien, le FLQ a été estimé par la police à vingt cellules représentant environ 150 commandos opérationnels (plus exactement, je m'explique, 150 individus faisant partie de commandos opérationnels) entourés d'un noyau de 3.000 sympathisants environ. Ce sont les chiffres qui ont été communiqués par la police au lendemain de la loi sur les mesures de guerre. Les FLQ, ils sont très difficiles à définir. On peut cependant rappeler brièvement leur histoire. Il faut dire que le premier attentat attribué au FLQ a eu lieu en mars 1963, soit dit en passant et ouvrons une parenthèse importante, bien avant le "Vive le Québec libre" poussé le 24 juillet 1967 par le Général de Gaulle sur la place de Montréal, de l'Hôtel de Ville. Donc, premier attentat en mars 1963. C'était plutôt un pétard qu'une bombe. Nous étions à ce moment-là en pleine révolution tranquille de, du Ministre Jean Lesage. Et puis, ensuite, il y a eu quand même, dans cette année 1963, un certain nombre d'attentats contre ce que l'on pourrait appeler les symboles de l'"establishment" britannique. En effet, casernes, organes officiels, etc. Mais malheureusement, il y a un premier mort, c'est en avril 63: un commando attaque une armurerie et le garde de cette armurerie est tué. On commence vraiment à parler du FLQ sur le plan international.

M. Leroy: Donc vous estimez l'un et l'autre, là vous vous rejoindrez donc assez facilement, que ce mouvement a tout de suite pris une voie terroriste pour parvenir à ses fins politiques.

M. Chapdelaine: Oui.

M. Leroy: C'est votre sentiment?

M. Chapdelaine: Oui, tout à fait. Et ceci quand même est entièrement séparé du mouvement indépendantiste qui lui, se déclare et, je crois, est sincèrement dans la ligne démocratique, quitte à ce qu'un jour peut-être, complètement désespérés, beaucoup de ses sympathisants versent de l'autre bord.

M. Leroy: Vous voulez faire la différence entre, disons, des réformistes tranquilles et des révolutionnaires agissants.

M. Chapdelaine: M. Lévesque, pour ne pas le nommer, n'est pas un réformiste tranquille. En fait, il faisait partie de l'équipe des réformistes tranquilles mais ce n'est pas à moi de le définir. Il en faisait partie, il s'en est quand même dissocié. Il a quitté pour militer plus fortement vers, non pas le réformisme tranquille, mais vers l'indépendance.

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M. Leroy: Je voudrais avoir l'avis de Christian Detnoue sur cette façon de répartir un peu les gens politiquement, maintenant, après les avoir qualifiés de terroristes par la force des choses, compte tenu des actions dont ils ont pris la responsabilité.

Christian Detnoue: Je reviens très brièvement sur le FLQ, non pas pour dire son histoire, mais en fait il a été complètement démantelé par la police à partir de 1963-64. On a arrêté tous les chefs, dont Charles Gagnon et Pierre Vallières. Et le FLQ, nouvelle manière peut-on dire, ne réapparaît qu'en 1970. Car, on peut considérer qu'en 1969, et vous vous souvenez de l'actualité, on ne parlait plus du FLQ. Il n'y avait plus d'attentats à son actif. Et il s'est mis à ce moment-là à s'organiser d'une façon totalement souterraine, surprenant la police elle-même et les pouvoirs publics: étant donné qu'actuellement, nous l'avons vu à la lumière de ces événements, il a été impossible d'arrêter Paul Rose ou Carbonneau par exemple, et d'avoir au fond le moindre renseignement sur le FLQ. Il serait donc structuré d'une façon totalement souterraine. Et ça, c'est extrêmement nouveau et ça peut représenter, en effet, un danger par rapport au FLQ première manière.

M. Leroy: Je voudrais avant que nous allions plus loin, vous faire préciser, l'un et l'autre, un autre point de l'actualité parce que, vu de loin, avec le grossissement de l'événement, on a eu l'impression qu'après les mesures, les décisions prises en vertu de la loi sur les mesures de guerre, le Canada, et le Canada français en particulier, était sous la coupe réglée de l'armée et de la police et que c'était un véritable état de siège. M. Chapdelaine, vous n'étiez peut-être pas au Canada à ce moment-là....

M. Chapdelaine: Je n'y étais pas.

M. Leroy: Vous étiez en poste à Paris, mais ce n'est pas votre impression.. Je demanderais à Christian Detnoue qui, lui, a vu....

M. Chapdelaine: Je n'y étais pas. J'aimerais beaucoup entendre Christian Detnoue là-dessus. J'ai lu tout ce que j'ai pu lire sur la question. J'ai entendu tout ce que vous en avez dit, les gens de la presse parlée. Des contacts que j'ai eus avec des gens qui en reviennent et ils me disent qu'il y a une crainte. Les gens par exemple ne sortent peut-être pas aussi nombreux tard le soir. Mais on a arrêté toute sorte de manifestation, manifestation sociale; mais quand même on ne sent pas peser le plomb de la troupe sur les épaules de quiconque. Là-dessus j'en différerais ("Vous pouvez") bien rapidement M. Detnoue.

Christian Detnoue: Eh bien, il faut d'abord établir des relations, comment dire, de relativité précisément. En France, il est évident que ce genre de mesures n'auraient surpris personne. Il ne faut pas oublier cependant qu'on a une longue tradition malheureusement de troubles et de révolutions dans des années encore récentes et en France on est encore habitué couramment à voir des CRS pour un oui ou pour un non, pour des manifestations contre le Vietnam, encercler totalement des quartiers; tout ça est du domaine public. (Il est évident....parce que à chaque fois on a des protestations....) En fait, si vous voulez, Paris change de visage en quelques heures, comme vous le savez, comme tout journaliste le sait, et en quelques heures, on peut voir énormément de forces prendre position dans les quartiers disons stratégiques.

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Eh bien, au Canada, cela n'existe pas et M. Chapdelaine ne me démentira pas. Il y a eu je crois un précédent. C'était au moment de la grève de la police au printemps dernier ou l'année dernière. On a vu quelques militaires assurer l'ordre à la place de la police mais jamais, au grand jamais, cette affaire n'avait pris une telle ampleur. Or, évidemment, pour des Français qui vont rue Ste-Catherine, qui sont si vous voulez, selon la formule consacrée, les Champs-Élysées du Canada, faire des achats, il est évident que les magasins restent ouverts, que personne n'avait l'impression de vivre à l'ombre des tanks ou des mitraillettes (ça il faut bien le préciser) mais que, par rapport au Canada, cet état de mesures de guerre et les mesures que la loi a entraînées sont absolument exceptionnelles.

M. Leroy: Alors, toutes proportions gardées, M. Chapdelaine, est-ce qu'il y a moins ou plus d'agents ou de force de sécurité ou de force de l'ordre au Canada devant les bâtiments officiels que devant votre propre ambassade et de votre propre délégation générale à Paris? Est-ce qu'on prend plus de mesures ici qu'à Montréal? Parce que, quand on passe devant l'Ambassade du Canada à 50 mètres d'ici, nous avons en permanence un ou deux gardes gendarmes par exemple ou deux gardes républicains; je n'ai pas repéré de très près l'uniforme. Quand on passe devant la délégation du Centre culturel, nous avons également un certain nombre de forces de l'ordre qui sont prêtes à éviter qu'il y ait des désordres devant votre maison. Alors, est-ce qu'il y en a plus ici ou plus chez-vous?

M. Chapdelaine: Je pense qu'il y en a probablement autant ici devant l'Ambassade et le Centre culturel qu'il y en a chez-nous, peut-être un peu plus même. Je suis gardé, peut-être, mais plus discrètement.

Christian Detnoue: Il faut quand même préciser qu'il y avait de 2000 à 3000 soldats dans Montréal depuis le 16 octobre, c'est-à-dire depuis l'application de la loi sur les mesures de guerre, que ces soldats sont relativement visibles en ce sens que Montréal a véritablement changé de décor à vue et qu'à la place des policiers débonnaires, on a vu des gens en tenue de combat treillis, casques camouflés et doigt sur la mitraillette, n'est-ce pas. Il ne faut quand même pas exagérer.

M. Leroy: Je ne pense pas d'ailleurs parce que, même si c'est tout à côté de l'Aurore, je dois le dire, qu'il y ait 3000 policiers mobilisés pour défendre les canadiens à Paris contre d'éventuels attentats de la part du FLQ ou d'autres organisations extrémistes. Mais c'était simplement pour essayer de situer un peu l'importance des forces de police mises pour protéger les biens et les personnes, que ce soit à Montréal ou les biens canadiens en France. Je voudrais quand même revenir sur un autre point parce qu'on en a beaucoup parlé après coup lorsque ces mesures ont été prises, ces mesures en vertu des lois sur la guerre, l'état de guerre. On a beaucoup dit que ces mesures avaient été prises très rapidement peut-être à la demande, très certainement à la demande du gouvernement du Québec, mais avec l'appui donc du gouvernement fédéral de M. Trudeau, avaient été prises très rapidement finalement pour démanteler, pour briser, pour écarteler toute cette opposition canadienne, canadienne-française qui se prononçait en faveur de l'indépendance et que ça avait été un coup politique joué très rapidement dans ce sens. Est-ce que c'est votre sentiment de canadien-français, M. Chapdelaine?

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M. Chapdelaine: Je verrais la chose assez différemment. Il y avait quand même depuis une semaine, en fait depuis dix jours, deux enlèvements. Il y avait les menaces qui avaient été proférées. Il y avait, paraît-il, un plan dont le quatrième volet devait être des assassinats. Bien, à ce moment-là, il y avait deux choses à faire. Ou bien on se disait: ça ira, et puis on prenait ses chances qu'il y en ait un autre. Un gouvernement qui aurait pris ces chances et qui en aurait vu se passer un autre, imaginez quelle aurait été l'opinion qu'aurait eue le public de lui. Il n'y en a pas eu; ce qui ne prouve pas que c'est parce qu'il en aurait eu s'il n'y avait pas eu les mesures de guerre. Là on ne peut savoir. Mais je crois qu'il était de sagesse gouvernementale de prendre des moyens qui permettraient d'arrêter, en autant que possible, en fait faire de son mieux de la part du gouvernement pour empêcher que l'intoxication ne continue et ne s'aggrave.

Christian Detnoue: Je ne conteste pas du tout, et je ne suis pas là pour ça, le bien fondé de la décision canadienne, les décisions du gouvernement de M. Bourassa aidé par M. Trudeau. Mais il est quand même remarquable qu'à chaque fois qu'un gouvernement, et quel qu'il soit, au Canada ou ailleurs a des difficultés avec un groupe révolutionnaire, après avoir pris des mesures pour combattre ce groupe révolutionnaire, il sort de ses cartons le plan d'assassinats et de complots. C'est automatique, il n'y a pas une histoire de ce genre qui ne se termine par la révélation du complot immédiat qui allait sortir, qui allait éclater et qui allait permettre l'assassinat en fait favoriser l'assassinat de tant de personnes, la prise du pouvoir, etc... C'est classique et là, le scénario était complet. Il y a eu les décisions prises en vertu des mesures de guerre selon la loi canadienne. ~~Il y eut les décisions prises en vertu des mesures de guerre selon la loi canadienne.~~ Il y eut donc en même temps ces mesures prises après, d'ailleurs il faut bien le reconnaître, l'assassinat de M. Laporte et la disparition de M. Cross. Mais ce n'est qu'après tout cela qu'on a dit: mais attendez, on l'a fait, ce n'est pas tout, il y en aura d'autres et si on n'avait pas mis le holà, ça aurait continué. Mais c'est un petit peu, comment dirais-je, ça vient toujours un peu après coup, et ça n'est donc pas toujours très convaincant.

M. Chapdelaine: Il y avait quand même eu deux, ("c'est ce que je viens de dire") deux kidnapping, deux enlèvements. Deux enlèvements qui n'étaient pas encore terminés, dont aucun n'était terminé tragiquement. Ce n'est que deux jours après que M. Laporte... ("les mesures de guerre sont du vendredi matin, 16 octobre, et l'assassinat de M. Laporte a été découvert le samedi soir, 17 octobre"). Mais là, c'est une question de jugement politique de la part d'un gouvernement de faire tout ce qu'il pouvait pour empêcher le pire. Nous avons, et ce n'est pas un soir de discussions constitutionnelles, nous avons un Etat fédéral chez-nous. C'est assez difficile pour vous Français de concevoir un Etat à paliers, mais ici, c'est le même gouvernement qui non seulement fait la loi ou la fait voter au parlement et qui la met à exécution. Nous avons chez-nous un gouvernement provincial qui est responsable de l'ordre dans tout; la seule police qu'il y ait dans une province, dans une partie du Canada, c'est la police locale. La police provinciale, la sûreté provinciale comme elle s'appelle chez-nous. La sûreté avait la responsabilité de voir à l'ordre, elle était débordée, elle était sur les dents depuis dix jours. Il lui fallait du renfort. A ce

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moment-là, il n'y avait qu'un seul renfort qui pouvait venir, c'était de demander à l'Etat fédéral qui est responsable de l'armée de lui accorder son aide. Ça s'est fait pour d'autres cas, ça n'est pas la première fois d'ailleurs. Il y a deux stages. Il y a le stage de l'appel à l'armée qui a eu lieu dans la soirée du jeudi et qui a été accordé dans la soirée du jeudi. Il y avait eu un cas il y a quelques années d'une grève très menaçante dans la province de Terre-Neuve où l'armée justement avait été appelée pour maintenir l'ordre.

M. Detnoue: Disons que c'est moins spectaculaire ...

M. Leroy: Non, ce que je voulais simplement dire ...

M. Chapdelaine: Mais dans la nuit, nous avons eu, là, la proclamation en vertu de la loi des mesures de guerre.

M. Leroy: Ce que je voulais simplement remarquer en vous posant cette question, c'est que les décisions sur les mesures de l'état de guerre on été maintenues et comme par hasard, peut-être pour les justifier à postériori, on a parlé après coup et non pas immédiatement de complot en disant: il y en aura d'autres. Mais je pense que nous allons poursuivre cette conversation dans un instant en vous laissant répondre alors aux questions et C. Detnoue également aux questions de ceux qui appellent et qui souhaitent vous interroger directement, nous allons le faire dans un instant.

Nous poursuivrons donc notre conversation avec M. Chapdelaine, délégué général du gouvernement du Québec, et Christian Detnoue qui était notre envoyé spécial. Nous avons un premier auditeur ou auditrice qui souhaite vous interroger.

Auditeur: Ma question est la suivante: Je voudrais savoir si ce conflit qui est entré dans un contexte que vous avez évoqué au cours de cette émission, il ne faut pas le rechercher plus exactement dans la différence de pensée qui existe dans les civilisations anglo-saxonnes et néo-latines?

M. Leroy: C'est à M. Chapdelaine que vous posez votre question d'abord.

Auditeur: Bien entendu.

M. Leroy: Ce serait donc des différences culturelles en somme?

Auditeur: Exactement.

M. Chapdelaine: Ceci nous engagerait dans une longue discussion philosophique. Il y a un fait; chez-nous, il y a deux groupes nationaux. D'ailleurs on parle de bi-culturalisme, de bilinguisme, de "bi" tout ce que vous voulez. Il y a quand même un peuple qui a survécu, qui s'épanouit. Mais il y a aussi la force, la force non pas, je ne parle pas des militaires; maintenant nous avons de beaucoup dépassé ça. Il y a la force financière, la force industrielle qui est ailleurs, qui n'est pas entièrement dans le "bi" que nous avons. Il n'y a pas/longtemps qu'il s'y exerce, et pendant longtemps nous avons vécu de doute qu'il y a beaucoup plus de richesses du côté anglo-saxon, ça fait

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derrière notre mur de Chine, vie agricole.

Auditeur: Oui, bien sûr, je comprends très bien, mais si on compare les Etats-Unis, qui est une fusion en réalité de toutes ces cultures, les biens se sont partagés au gré des possibilités de chacun. Or, il semblerait qu'au Canada ceci ne se réalise pas.

M. Chapdelaine: Ils ont un creuset où tout le monde est entré et s'est fondu, avec quelques petits bouts culturels sur les bords. Il y a chez-nous quand même deux groupes qui sont restés l'un, francophone (avec hélas quelques petits changements, mais c'est dans le détail) et l'autre qui est anglophone.

Auditeur: Vous voulez dire qu'il n'y a pas eu comme aux Etats-Unis le renouvellement permanent des groupes et il n'y a pas eu ... qui ont créé une certaine fusion; les gens sont embriqués les uns dans les autres pour créer vraiment...

Mr. Chapdelaine: Il n'y a pas ce qui s'appelle, le "melting pot" américain, chez-nous. Nous nous en sommes fortement défendus. Nous avons reculé. Après tout, ce sont des français du Canada qui, on peut employer l'expression, ce sont des canadiens-français qui ont découvert les Rocheuses, qui sont descendus jusqu'au bout du Mississipi. D'abord, il y a une ambition, une ambition que l'on peut croire magnifique du gouvernement canadien d'aujourd'hui de replacer le canadien-français jusqu'au Yukon, ou aux Territoires du Nord-Ouest, de lui donner place partout où il voudra dans un pays où il pourrait se faire entendre. J'ai mes doutes en tout cas que ça puisse réussir, mais c'est une ambition louable. De toute façon, je crains que le canadien-français établi, principalement mais la grande majorité d'entre eux, établi dans son Québec, se trouve chez-lui là et n'a pas d'intérêt particulier d'aller conquérir de nouvelles montagnes rocheuses.

Auditeur: (En somme, le canadien-français n'a pas souhaité le mélange. Il a souhaité au contraire la défense de sa propre personnalité, quitte à en souffrir et à en supporter les inconvénients.)

J. Chapdelaine: Tout à fait, et depuis longtemps. Maintenant, il se retrouve dans un nouveau contexte. Il se retrouve dans un contexte industriel, urbain, et là vous avez le drame. Quand il était sur sa terre bien tranquille, le problème ne se posait pas. C'était une économie de subsistance, mais aujourd'hui, il veut pénétrer dans le monde d'aujourd'hui.

M. Leroy: C'est la constatation que l'on fait, Christian Detnoue, quand on arrive au Canada?

M. Detnoue: Oui, on pourrait répondre aussi que jusqu'au milieu du XVIIIe siècle, la majorité de la colonisation était d'origine française et que la communauté française était en majorité écrasante par rapport aux anglais, ce qui fait qu'il n'y a pas eu ce melting pot dont parlait M. Chapdelaine et qui a fait le cas des Etats-Unis.

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M. Leroy: Nous allons passer ~~M. Detnoue~~ à une autre question.

Auditeur: Ne pensez-vous pas que ces attentats pourraient être le fait d'éléments les plus dynamiques de groupes fort importants, groupes qui seraient néanmoins des minorités simplement fatiguées, comme c'est le cas de pas mal de minorités sud-américaines, et qui ont agi de la même façon. Je veux parler de cet ambassadeur d'Allemagne qui a été kidnappé d'abord, et qu'on a retrouvé exécuté ensuite. Je pense que ces minorités pourraient fort bien être assez lasses, disons fatiguées, d'être possédées par les autres, si l'on peut s'exprimer ainsi, jusqu'au trognon.

M. Chapdelaine: Je ne crois pas qu'il y ait de comparaison particulièrement sérieuse entre les problèmes de l'Amérique Latine ou les problèmes du Moyen-Orient et les nôtres. Chez-nous, c'est une question de degré. Enfin, le canadien français, d'après le rapport de la commission sur le bilinguisme et le biculturalisme, a beaucoup moins en moyenne que son voisin anglophone, mais il a quand même un standard moyen de quelque \$3,800. par an; ceci est d'un ordre, financièrement de 15,000 francs par année.

M. Leroy: Et l'anglophone?

M. Chapdelaine: Un millier de dollars de plus; 5,000 francs de plus. Comme moyenne, c'est /\*parce qu'il y en a qui gagnent moins) à 20,000 francs par an, parce qu'il y en a qui gagnent infiniment plus. Mais ces contextes-là ne permettent pas... Je pense que M. Berque, par exemple, très distingué sociologue français, a fait des comparaisons entre le Canada français et l'Algérie: le problème est d'une autre ordre, je crois. /\* de l'ordre de 15,000 francs par an (moyenne,

M. Leroy: C'est l'avis de Christian Detnoue également?

M. Detnoue: Oui, on ne peut pas comparer le Canada et l'Algérie, effectivement. On peut quand même rappeler certaines conclusions de cette fameuse enquête appelée B.B., biculturalisme et bilinguisme, et on peut constater un certain nombre de faits sans entrer dans le détail. On peut dire que cette enquête a été faite très sérieusement et honnêtement. Elle a donné lieu d'ailleurs à beaucoup de réformes, notamment sur les langues principales, réformes faites par M. Trudeau. On peut rappeler quand même que sur sept organismes fédéraux, pris au hasard, l'anglais est utilisé dans une proportion écrasante, que les québécois sont plus souvent bilingues que les anglais, ce qui montre quand même, contrairement à certaines critiques, que le québécois n'est pas un simple particulariste, mais qu'il essaie de toutes ses forces de participer à l'"establishment" et de se hisser dans le niveau social. On peut dire aussi que les hauts salaires sont une exclusivité pratiquement britannique, puisque, sans vous rappeler tous les chiffres, au-dessus de \$15,000., on retrouve 15% de francophones et 85% d'anglophones: c'est un rapport officiel; et que le revenu moyen comme nous rappelions tout à l'heure, le revenu moyen des anglophones est de \$4,852. et celui des francophones dans tout le Canada est \$1,000. de moins, soit \$3,872.

M. Leroy: Voilà une réponse complète, monsieur, je pense que nous allons pouvoir passer...

M. Chapdelaine: Et c'est pourquib je crois, le gouvernement présent du Québec



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qui a été élu au mois d'avril, a mis l'accent et a souligné dès le début que son programme était d'augmenter l'emploi et de trouver des débouchés à cette nouvelle vague de gens qui sortent des universités, qui sortent des écoles techniques, ce qui, jusqu'à il y a dix ans, n'existait que comme infime minorité. Mais la réforme de l'éducation dans les dix dernières années a fait que nous avons maintenant des gens compétents et nombreux qui sortent des universités et à qui il faudra trouver un avenir.

M. Detnoue: Le projet de M. Bourassa était de cent milles emplois, je crois.

M. Chapdelaine: Oui.

M. Leroy: Monsieur, vous voulez ajouter quelque chose? Vous n'étiez peut-être pas tout à fait convaincu par les explications que l'on vient de vous donner.

Auditeur: Oui, justement; d'après la remarque que ce monsieur a faite en ce qui concerne les postes les mieux rétribués, je regrette qu'il n'ait pas spécifié si c'était dans la fonction publique ou dans le secteur privé, mais en tout cas ceci m'incite à croire qu'il y a une ségrégation systématique en ce qui concerne leur répartition, parce qu'elle est, je crois, très inégale, en tous les cas, c'est une injustice criante.

M. Detnoue: C'est ce que nous avons voulu dire sans faire de distinction entre le secteur privé et public, c'est une moyenne.

M. Leroy: Parce qu'on retrouve la discrimination et dans le secteur privé et dans le secteur public.

M. Chapdelaine: Sauf justement au gouvernement du Québec.

Auditeur: Le FLQ, lui, est minoritaire et difficile à dénombrer, mais le PQ qui est formé de l'ancien RIN et du parti Souveraineté-Association de M. Levesque, lui est très représentatif d'une certaine part des canadiens-français et l'opinion, si vous voulez, à l'Assemblée Nationale. Je voudrais savoir dans quelle mesure M. Chapdelaine pense que ce PQ qui croit encore aux voies de l'électoratisme pourra solutionner le problème du canadien-français.

M. Leroy: Madame, vous permettez que je vous pose une question supplémentaire - êtes-vous canadienne?

Auditeur: Non, mais j'y ai vécu sept ans et je suis rentrée en France il y a vingt mois.

M. Leroy: Voici donc une précision intéressante parce que vous connaissez tous les sigles des organisations politiques canadiennes et c'était très intéressant donc de le préciser tout de suite. M. Chapdelaine va essayer de vous répondre.

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M. Chapdelaine: Je pense que M. Detnoue aura quelque chose à dire là-dessus, mais il y a quand même des faits: aux dernières élections provinciales, aux élections pour élire un gouvernement du Québec, il y a eu 23% du vote qui est allé au groupe dirigé par M. Lévesque, au Parti Québécois.

Auditeur: Et quelle signification donnez-vous à ce vote?

Le quart du vote;

M. Chapdelaine: Bien, il y a là quand même quelque chose de très important, c'est le quart du vote, on a dit, et je crois non sans quelque raison que ce quart du vote était entièrement de langue française; que le cinquième de la population du Québec qui est de langue anglaise n'avait pas voté pour le PQ, qu'il avait voté pour l'Union Nationale, pour peut-être le Crédit Social, et principalement pour le gouvernement libéral.

M. Leroy: Vous êtes satisfaite de la réponse de M. Chapdelaine, Madame?

Auditeur: Oui, mais j'aurais quelque chose à ajouter. C'est que, voyez-vous, pour travailler au Québec, il est essentiel de parler anglais. Et je pense qu'une langue qui n'a pas son utilité dans la vie pratique quotidienne, est destinée à tomber en désuétude. Et c'est là le problème dramatique du Québec. Si l'on n'oblige pas les gouvernements ne prennent pas les mesures nécessaires pour que les Français puissent travailler dans leur langue, eh bien, je crois qu'il faut abandonner, quoi, carrément.

M. Leroy: Vous pensez que les québécois doivent abandonner le français?

Auditeur: Ecoutez, il y a deux possibilités. Ou le Québec devient français et chacun des citoyens à part entière peut parfaitement travailler dans sa langue, ce qui est parfaitement essentiel et vital. Ou bien, moi, je suis pour le rattachement aux Etats-Unis qui est beaucoup plus logique d'ailleurs parce que le niveau de vie américain est supérieur à celui du Canada.

M. Leroy: Bon, nous allons laisser M. Chapdelaine vous répondre sur ce point.

M. Chapdelaine: Je dirais que, premièrement, il y a un progrès très important depuis quelques années. C'est un problème qui a préoccupé le gouvernement du Québec, qui a préoccupé le gouvernement précédent et qui préoccupe le gouvernement présent et la chose est en voie de progrès, en tout cas, sinon de règlement. Il n'empêche pas, <sup>ou</sup> inévitablement, il y aura dans cette mer, dans cet océan anglophone qui est l'Amérique du Nord, où il y a deux cents millions de gens qui parlent anglais et les cinq millions de francophones, au Québec principalement et <sup>dans</sup> les régions périphériques, il y aura inévitablement que ces gens ont à se servir de l'anglais. De la même façon que si...; je crois on pourrait prendre le cas Luxembourg. Au Luxembourg, on parle français mais on doit aussi pouvoir parler au voisin de l'Est qui est l'Allemagne aussi bien qu'au voisin de l'Ouest qui est la France.

Auditeur: Oui, mais je citerai l'injustice suivante, c'est que les anglophones qui sont nés parlant anglais, eux n'ont aucun effort à faire pour travailler puisque c'est leur langue maternelle. Et on demande à n'importe quel canadien-français de posséder parfaitement la langue anglaise, et moi je prétends qu'il faut être particulièrement doué pour apprendre une langue étrangère, et que ce n'est pas n'importe qui qui peut être bilingue.

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M. Leroy: C'est un débat qui pourrait durer longtemps. De toute façon, nous n'avons pas là les spécialistes pour trancher; mais en tout cas, vous avez bien fait d'exprimer votre point de vue, Madame.

M. Chapdelaine: Heureusement, ça peut-être hélas, l'anglais est facile.

M. Leroy: Je voulais seulement demander à M. Detnoue, éventuellement, s'il peut ajouter un élément de réponse aux propos que vous avez tenus.

M. Detnoue: Oui, je pense que, de toute façon, cette seule idée, présenter le rattachement aux Etats-Unis - provoquerait une véritable révolution, et cette fois-ci une vraie, au Québec. Parce qu'il y a des gens déterminés parmi les cinq millions et demi, parmi les presque six millions de francophones qui sont absolument, et ils viennent de le montrer malgré tout, même si ça n'est pas à travers le FLQ qui est en effet un extrémisme, mais qui représente quand même un certain malaise, qui est l'excroissance d'un certain malaise. Ensuite en ce qui concerne la langue française, eh bien, il faut ajouter que les québécois font beaucoup plus d'efforts que les anglophones pour parler précisément l'anglais et que c'est en effet le seul moyen. Il faut ajouter encore une chose, c'est que les 25% qui composent actuellement l'autre communauté, c'est-à-dire tous les immigrants, qui acquièrent peu à peu la citoyenneté canadienne, ont évidemment tendance à apprendre l'anglais parce qu'ils savent que, pour s'élever dans l'échelle sociale, c'est en effet le seul moyen. Mais vous ne ferez jamais renoncer aux Français du Québec, et aux Français du Canada, à parler leur langue maternelle.

M. Chapdelaine: Il ne sont pas, ils ne sont pas...Mais ces gens ne sont pas québécois. Ils sont venus en Amérique du Nord. Ils veulent aussi bien transiger entre Montréal où ils sont principalement et Toronto ou Vancouver, ou New York ou Los Angeles.

Auditeur: J'aimerais demander si on a connaissance au Canada d'un sondage ou quelque chose comme ça, qui permettrait de savoir quelle est la proportion des Canadiens-Français qui seraient partisans de l'indépendance du Québec.

M. Chapdelaine: Il y a eu le sondage, si vous voulez, de l'élection d'avril dernier, ou 23% des citoyens résidents au Québec ont voté pour un parti qui prône cette indépendance. Je n'en connais pas d'autre.

M. Detnoue: "Non, c'est le seul sondage".

Cela dit,

M. Leroy: / les autres formations politiques si elles ne préconisent pas l'indépendance, préconisent quand même une sorte de plus large autonomie par rapport au pouvoir fédéral, Non c'est un degré différent. Il faut indiquer à nos auditeurs une réponse complète.

M. Chapdelaine: Je vous en remercie. Un gouvernement du Québec veut être soi, c'est-à-dire, qu'il veut avoir ses coudées franches, s'occuper de ses affaires. C'était un des slogans de la révolution tranquille et ça reste le slogan des partis, quels qu'ils soient, qui ont présenté des candidats à l'élection du mois dernier. La question est quelle est la meilleure forme pour arriver à s'occuper soi-même de ses affaires. D'ailleurs, dans les événements récents, c'est quand même le gouvernement du Québec qui a, à un moment ou à un autre, proposé des mesures, a demandé que certaines

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choses soient faites, quand elles n'étaient pas de son ordre de gouvernement de les faire soi-même.

M. Leroy: Vous êtes satisfaits de cette réponse, messieurs, nous pouvons passer à une autre question.

Auditeur: Est-ce que vous n'êtes pas gêné par le fait que les troupes fédérales chargées de maintenir l'ordre au Québec actuellement soient des canadiens-anglais?

M. Chapdelaine: Elles ne le sont pas, je suppose, entièrement. Il y a des régiments dans l'armée canadienne qui sont principalement de langue française. Mais il y a le fait que puisque nous vivons dans ce Canada qui est, pour l'instant en tout cas le Canada de tous, c'est le gouvernement du Québec qui a demandé la présence de troupes. On a trouvé les troupes qu'on avait.

M. Leroy: Je voudrais demander le témoignage de Christian Detnoue sur cette présence militaire à Montréal. Sont-ce uniquement des soldats anglophones ou est-ce que tous les régiments sont anglophones ou est-ce qu'il y a un certain mélange, un certain amalgame dans la constitution des unités?

M. Detnoue: Non, il ne s'agit pas d'anglophones en exclusivité. J'ai pu moi-même en faire l'expérience en interviewant des soldats qui étaient de garde auprès des bâtiments publics. Il y a des francophones. Mais évidemment la machine fédérale a fonctionné, il semble que, il est même certain que la majorité des régiments soient d'origine anglophone. Cela dit, je voudrais ajouter une anecdote qui a justement créé un certain malaise parmi les autorités. Il y a un ministre de la Justice provinciale du Québec qui s'est plaint précisément qu'on lui avait affecté comme gardes du corps deux soldats avec lesquels il ne pouvait pas s'exprimer en français parce qu'ils étaient uniquement anglophones.

M. Leroy: Voilà, monsieur, une réponse, je pense, assez complète à la question que vous posiez.

Auditeur: Je voudrais demander à M. Chapdelaine ce qu'il entend exactement par "révolution tranquille", le terme de "tranquille".

M. Leroy: Ça paraît effectivement un peu contradictoire mais ça mérite effectivement une explication.

M. Chapdelaine: Ceci, madame, fait partie d'une histoire, qui n'était pas arrivée jusqu'aux auditeurs d'Europe No 1 puisqu'elle se faisait justement tranquillement cette révolution depuis 1960. Mais il y avait à faire quelque chose qui n'avait pas été fait jusqu'alors. Il y avait eu, je l'ai dit à l'instant, tout à l'heure, une sorte de retranchement derrière un mur de "Chine", de la population du Québec. En 1960, un nouveau gouvernement, et d'ailleurs ça se profilait quelque peu auparavant, a décidé de faire des réformes importantes, radicales, de changer, de renouveler tous les systèmes éducationnels de prendre en main diverses affaires qui étaient à soi, de nationaliser l'électricité

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par exemple, qui lui a mis une masse de manoeuvre et un instrument très important en main, de créer une caisse de dépôts et consignations, genre de celle que vous avez ici; masse de manoeuvre financière qui lui permettait d'agir sur certains secteurs de l'économie; tout ça, c'est, si vous voulez, la "révolution tranquille".

Auditeur: D'après ce que je vois qui arrive au Québec actuellement, j'ai un peu l'impression que cette révolution tranquille est en fait un peu endormie, parce que l'action qu'il y a actuellement du FLQ traduit une certaine exaspération du milieu canadien-français. Faut dire que c'est une minorité, ça ne veut pas dire tous, on désapprouve les moyens; mais quand même c'est un thermomètre d'une société qui en a vraiment assez.

M. Chapdelaine: En fait, je crois que le drame est toujours que les réformes ne sont jamais aussi précipitées que ne le requerraient les conditions.

M. Leroy: Elles viennent trop tard.

M. Chapdelaine: Elles viennent toujours/<sup>un peu</sup> en retard, hélas, et c'est pour ça qu'il y a et qu'il devrait y avoir un sentiment d'urgence. Et il existe avec un nouveau gouvernement. Les gouvernements ont une courbe qui ressemble un peu à une dune. Il y a eu un mouvement ascendant avec chacun des gouvernements et il y a eu un mouvement descendant. Le gouvernement présent est nouveau et il est lancé; on espère et on peut croire qu'il réussira.

M. Leroy: Une ou deux dernières questions pour terminer notre conversation, M. Chapdelaine, et également avec Christian Detnoue. Vous êtes le délégué général du gouvernement du Québec à Paris. Je voudrais vous demander sans nous faire part de vos opinions personnelles politiques qui ne regardent que vous, et ça vous mettrait dans l'embarras sur cette antenne, si vous estimez cependant, et si les études ont été faites qui permettent de montrer que le Québec indépendant pourrait se suffire à lui-même, socialement, économiquement, financièrement (politiquement, je pense qu'il en fait éventuellement la preuve au sein de son autonomie), mais sur le plan notamment social, économique et financier?

M. Chapdelaine: Là, nous avons si vous voulez des éléments de comparaison. Il y avait "x" membres des Nations-Unies il y a 20 ans, il y en a le double aujourd'hui.

M. Leroy: Il y en avait 50 en 1947-48 et 127 depuis trois, quatre jours.

M. Chapdelaine: Je crois que le Québec pourrait se situer dans ce monde-là à un niveau très honorable. De là à ce que les Québécois qui vivent en ce moment au niveau de 15,000 francs de moyenne par an seraient prêts aux sacrifices immédiats pour acquérir, assumer leur indépendance, ça, c'est une question politique et c'est aux électeurs, j'espère que ça restera aux électeurs de la décider.

M. Leroy: M. Detnoue, vous avez enquêté sur place au Québec, vous avez également le sentiment que ce serait viable, le Québec indépendant?

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M. Detnoue: Ecoutez, il y a deux écoles. Il y a celle qui est préconisée actuellement par M. Bourassa et par M. Trudeau, qui est l'école d'un particularisme et non pas d'un séparatisme. M. Bourassa, je crois que M. Chapdelaine ne me démentira pas, j'ai vu M. Bourassa; il m'a réprécisé ses options en ce qui concerne le Québec. Il s'agit de défendre un particularisme culturel qui est un fait évident, face, si vous voulez, à un certain envahissement colonialiste. Ce n'est... M. Bourassa n'emploie pas ces termes, c'est moi qui les emploie. ("Vous traduisez") Je traduis. Anglophone ...

M. Chapdelaine: Il faut traduire le canadien-français.

M. Detnoue: C'est ça - Mais à partir de cela, il y a évidemment l'école de M. Lévesque, qui est l'école intermédiaire, qui est, si vous voulez, un séparatisme affirmé mais par des moyens modérés et sans violence, et puis il y a celle du FLQ. Eh bien...

M. Chapdelaine: Aux fins de ré-association.

M. Detnoue: Aux fins de ré-association, M. Chapdelaine disait tout à l'heure que c'est aux électeurs de trancher. On le verra, je crois qu'il s'agira actuellement de rapports de force et surtout de rapports d'égalité.

M. Leroy+: En tout cas, messieurs, je vous remercie des explications que vous avez bien voulu nous donner ce soir en répondant aux questions de nos auditeurs. Je rappelle qu'étaient venus ce soir M. Chapdelaine, Délégué général du Gouvernement du Québec à Paris, et notre confrère Christian Detnoue que vous avez entendu il y a quelque temps puisque il était l'envoyé spécial d'Europe no 1 et de l'Aurore au Québec pendant ces événements.

Messieurs, je vous remercie.

**Pages 309 to / à 316**  
**are not relevant**  
**sont non pertinentes**

D-1-77(A) Nov. 5/70

~~Mr. Carter~~  
Mr. Hays  
~~Mr. Wood~~  
~~Mr. Kyle~~

File G 35

This arrived in an envelope from the PMO today with no explanatory note of any kind as to its purpose, when or where it would be used, etc.

(P<sup>S</sup>)

A  
M O M E N T  
O F  
D E C I S I O N

October 1970



Page 1: Introduction  
Page 2: FLQ: A History of Terror  
Page 5: The October Crisis  
Page 7: The Time of Decision  
Page 9: Facts about the War Measures Act and Regulations  
Page 10: Civil Liberties  
Page 12: A Message to the Nation

On October 16th, 1970, the Government of Canada proclaimed the War Measures Act and brought into effect public order regulations designed to combat the terrorist Front de Libération du Québec. This action followed:

- . A formal notification from Quebec and Montreal authorities that they apprehended an insurrection, and requesting assistance.
- . The kidnapping of a British diplomat and a Quebec cabinet minister, coupled with threats to murder them if blackmail terms were not met.
- . The theft over a period of months of large quantities of dynamite and a sizeable number of small arms, and the existence of a state of confusion and threats of violence in the province of Quebec.

In an address to the nation that same day, Prime Minister Trudeau stated, "... I can assure you that the Government is most reluctant to seek such powers... These are strong powers and I find them as distasteful as I am sure you do. They are necessary, however, to permit the police to deal with persons who advocate the violent overthrow of our democratic system."

The government's action was clearly and specifically directed against the FLQ.

FLQ

A HISTORY OF TERROR

FLQ violence began as early as 1963. On April 20th of that year their first bombing victim was an innocent 65 year old Montreal watchman.

A month later the FLQ placed dynamite in 15 mail boxes. Five exploded, one of them in the hands of an explosive expert, disabling him for life.

1964 witnessed a series of holdups and thefts. The thefts were concentrated on military establishments resulting in the disappearance of large quantities of equipment, weapons and munitions.

On the 29th of August, 1964, during an unsuccessful attempt to hold up the International Fire Arms Store in Montreal, 2 people were killed.

In 1965, FLQ terrorism included the derailment of two trains, endangering the lives of hundreds of citizens.

On May 5, 1966, a 65 year old office employee was killed by an FLQ bomb.

In 1968, 300 sticks of dynamite were stolen from a Chomedey quarry and that year there were 21 bombings or attempted bombings, including Montreal City Hall.

The FLQ bombed the Montreal Stock Exchange on February 13, 1969, injuring 27 innocent people.

On September 28, 1969, Montreal Mayor Jean Drapeau's house was bombed.

In 1970, June 24, an FLQ explosive killed a 50 year old Ottawa civil servant.

In all, since their beginning FLQ terrorists have been responsible for two train derailments, over 100 bombings or attempted bombings, a continual series of thefts and holdups, the deaths of 6 citizens.

## THE OCTOBER CRISIS

On October 5th, 1970, the FLQ escalated their tactics of terror. They kidnapped British diplomat James Cross in his home.

Immediately, the federal and Quebec governments established close contact to facilitate consultation and joint action, which has continued throughout the crisis.

For the release of Mr. Cross, the FLQ offered a list of demands including:

- . The release from prison of 17 criminals, and the dropping of charges against 6 others.
- . Safe conduct out of the country for the 23 prisoners.
- . A ransom of \$500,000 in gold.
- . A halt to police investigation.
- . Wide press and TV publicity to an FLQ manifesto.
- . Rehiring of the Lapalme postal drivers.
- . Disclosure of an alleged informer in the FLQ.

Both governments announced that the FLQ demands would not be met, but requested that the abductors "establish communications" to discuss the basis of his release. A series of deadlines set by the kidnappers came and passed.

Then, on October 10th, 1970, the FLQ abducted the Honourable Pierre Laporte, Quebec Minister of Labour and Manpower and Minister of Immigration, from in front of his home.

Negotiations continued. In the House of Commons, Mr. Trudeau said his government agreed completely with the position taken by Premier Bourassa "when he made it quite clear that the only thing that had to be done now was to ensure through negotiation that there be a mechanism established for the release of Mr. Cross and Mr. Laporte."

Both governments appealed to the FLQ to release Mr. Cross and Mr. Laporte, and in exchange offered the kidnappers safe conduct out of the country, thus removing any possible motivation for murdering the kidnapped men who could otherwise identify their abductors.

As events progressed, Montreal police resources become strained beyond their capacity to cope with the situation. At the request of Quebec Justice Minister Choquette, made under Part II of the National Defence Act, armed forces were provided for aid of the civil power, to assist police in the protection of persons and property. The tasks undertaken were in accordance with the requirements of provincial authorities.

#### THE TIME OF DECISION

At 3 a.m. Friday, October 16th, 1970, a letter from Premier Bourassa was received by Prime Minister Trudeau. In it, Mr. Bourassa wrote:

"... I request that emergency powers be provided as soon as possible so that more effective steps may be taken ... we are facing a concerted effort to intimidate and overthrow the government and the democratic institutions... through a planned and systematic illegal action, including insurrection."

Mr. Trudeau has also received a letter from the Montreal city authorities, Mayor Jean Drapeau and Chairman of the Executive Committee, Lucien Saulnier, requesting urgent aid.

"... the assistance of higher levels of government has become essential for the protection of society against the seditious plot and the apprehended insurrection in which the recent kidnappings were the first step."



Immediately, two Orders in Council were passed at 4 a.m., proclaiming the War Measures Act and establishing Public Order regulations considered necessary to deal with the situation.

As soon as the House of Commons met later that morning, the proclamation and regulations were tabled, along with the letters from Premier Bourassa and the Montreal authorities, and Mr. Trudeau submitted a resolution requesting the support of the House of Commons for the government's action.

After two days of debate, the resolution was approved by a vote of 190 to 16. All of the Members from Quebec constituencies supported the resolution.

Facts about the War Measures Act and Regulations

The government has recognized that the War Measures Act is an unsatisfactory legislative authority to meet the situation. However, no other adequate law was immediately available. Because of this, in drafting the Public Order regulations, the government permitted the exercise of only a limited number of the very broad powers available under the Act.

For that same reason, immediate measures were undertaken to prepare legislation of a more restricted and specific nature to deal with this kind of civil insurrection.

The present regulations are specifically directed at the destruction of the FLQ. On October 26th, Justice Minister John Turner said in the Commons that he had told the Attorneys-General of the provinces that,

" . . . the purpose and intent, as I interpret the resolution of the House, is that the emergency to which the War Measures Act and its proclamation related had to do with the FLQ in Quebec and that any use of this proclamation or the regulations beyond that purpose might well be harmful."

The Attorney-General of Quebec is charged with administering the emergency regulations in that province just as, under the Constitution, he is responsible for administering the normal criminal law.

A CONCERN

Prime Minister Trudeau has recognized the concern of many people that the invocation of the War Measures Act restricts civil liberties. On October 16th, speaking in the House, he said he sympathizes with their attitude.

" ... I hasten to suggest, however, that the legislative record of this Parliament, in the field of individual liberties contributes unequivocally to its credibility and good faith."

In the same speech he said:

" ... It is a matter of deep regret and grave concern to me, as I am sure it is to all hon. members, that the condition of our country makes necessary this proclamation. We, in this House, have all felt very strongly, I know, that democracy was nowhere in a healthier state than in Canada; that nowhere was there less need for frustrated men to turn to violence to attain their political ends.

"I still believe firmly that this is so. Yet in recent years we have been forced to acknowledge the existence within Canada of a new and terrifying type of person - one who in earlier times would have been described as an anarchist, but who is now known as a violent revolutionary. These persons allege that they are seeking social change through novel means. In fact they are seeking the destruction of the social order through clandestine and violent means.

"Faced with such persons, and confronted with authoritative assessments of the seriousness of the risk to persons and property in the Montreal area, the government had no responsible choice but to act as it did last night."

A MESSAGE TO THE NATION

In a broadcast to the Canadian people on October 16th, the Prime Minister said:

"This government is not acting out of fear. It is acting to prevent fear from spreading. It is acting to maintain the rule of law without which freedom is impossible. It is acting to make clear to kidnappers and revolutionaries and assassins that in this country laws are made and changed by the elected representatives of all Canadians - not by a handful of self-selected dictators. Those who gain power through terror, rule through terror. The government is acting, therefore, to protect your life and your liberty.

"... within Canada there is ample room for opposition and dissent, but none for intimidation and terror... I am confident that those persons who unleashed this tragic sequence of events with the aim of destroying our society and dividing our country will find that the opposite will occur. The result of their acts will be a stronger society in a unified country. Those who would have divided us will have united us."

~~Mr. Proulx~~  
~~Mr. Martin~~

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FACE A LA VIOLENCE

Octobre 1970

000331

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### INTRODUCTION

Le 16 octobre 1970, le Gouvernement canadien proclamait la Loi sur les mesures de guerre et mettait en vigueur des règlements concernant l'ordre public pour combattre le FLQ. Ce geste faisait suite aux événements suivants:

- le Gouvernement du Québec et la Ville de Montréal faisaient officiellement savoir qu'elles appréhendaient une insurrection et demandaient de l'aide;
- l'enlèvement d'un diplomate britannique et d'un ministre du Gouvernement québécois qu'on menaçait d'abattre si on ne se rendait pas aux demandes des ravisseurs;
- le vol au cours de l'année d'une grande quantité de dynamite et d'un nombre considérable d'armes à feu et l'existence au Québec d'un état de confusion grave, auquel s'ajoutaient des menaces de violence.

S'adressant à la nation ce soir-là, le Premier ministre, le très honorable Pierre Elliott Trudeau, avait déclaré:

"Je peux vous assurer que ce n'est pas de gaieté de coeur que le gouvernement assume de tels pouvoirs. Il ne s'y est résolu que lorsqu'il est devenu évident que la situation ne pouvait plus être maîtrisée autrement. (...) Sans (ces pouvoirs) la police ne pourrait pas avoir raison de ces individus qui se sont voués au renversement de notre régime démocratique par la violence."

L'action du Gouvernement vise directement le FLQ.



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### LE CHEMINEMENT DE LA TERREUR

Le 8 mars 1963, des inconnus lancent des coquetels Molotov contre trois casernes à Montréal. Les engins n'explosent pas. Après les attentats, on trouve, peintes sur les murs de ces édifices militaires, les lettres FLQ.

A l'automne de l'année précédente, un "comité révolutionnaire" s'était formé, à Montréal, qui s'était fixé pour but l'indépendance du Québec par l'emploi de la force. Le FLQ était né.

A cette époque, cette organisation clandestine semble s'en tenir à combattre les "Anglais" du Gouvernement du Canada et ne s'attaque qu'aux bâtiments militaires, aux boîtes aux lettres, à l'édifice du Revenu, à Montréal.

Avec le temps, le FLQ modifie sa stratégie, ses tactiques, cherchant à utiliser les événements à son avantage, épousant par exemple la cause des ouvriers dans certains conflits de travail, puis s'attaquant, par la suite, à l'"establishment". Ce seront les attaques contre le siège de la Bourse à Montréal, et contre des maisons d'affaires. En 1969, le FLQ semble rejoindre, sinon faire siens, les grands objectifs des mouvements révolutionnaires internationaux. Et l'on en vient aux coups accablants de ces semaines dernières.

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La liste des attentats perpétrés par le FLQ au cours des huit dernières années est terrifiante.

La première victime tombe sous les coups du FLQ le 20 avril 1963 alors que les terroristes s'attaquent au centre de recrutement de l'Armée canadienne. Un mois plus tard, des bombes sont placées dans quinze boîtes aux lettres à Westmount: cinq explosent, l'une blessant grièvement un sergent de l'Armée canadienne.

L'année 1964 voit se perpétrer une série de vols dont plusieurs à main armée. Le FLQ se procure ainsi des armes, des munitions et des fonds. Deux personnes sont tuées au cours d'un hold-up avorté dans l'établissement d'un armurier (International Fire Arms Store).

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En 1965, deux déraillements de trains mettent en danger la vie de centaines de personnes. Le 5 mai 1966, une employée de 65 ans perd la vie par l'explosion d'une bombe dans le bureau d'une manufacture. En 1968, vol de bâtons de dynamite et vingt et un attentats à la bombe, dont l'un contre l'hôtel de ville de Montréal.

Le 13 février 1969, vingt-sept personnes sont blessées par l'explosion d'une bombe au siège de la Bourse de Montréal. Le 28 septembre, c'est la maison du maire de Montréal, M. Jean Drapeau, qui est presque démolie par l'explosion d'une bombe.

L'action du FLQ se fait sentir à Ottawa, où une bombe cause la mort d'une fonctionnaire du gouvernement, âgée de 50 ans.

Bref, depuis le début, des terroristes du FLQ se sont rendus responsables de deux déraillements, de plus de cent attentats ou tentatives d'attentats à la bombe, de nombreux cambriolages et vols à main armée, et de la mort de six citoyens.

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### LA CRISE D'OCTOBRE

Cette escalade de la terreur conduit à l'enlèvement, le 5 octobre 1970, du diplomate britannique James Richard Cross.

Le gouvernement fédéral et le gouvernement du Québec entrent immédiatement en consultation. Ces consultations et une collaboration étroite entre les deux gouvernements se maintiennent tout au long de la crise.

Pour la libération de M. Cross, le FLQ posait les conditions suivantes:

- l'élargissement de dix-sept criminels emprisonnés et le retrait des accusations portées contre six autres;
- un sauf-conduit vers l'étranger pour les vingt-trois prisonniers;
- une rançon de \$500,000 en or;
- la suspension des enquêtes policières;
- la publication à la télévision dans les journaux d'un manifeste du FLQ;
- le réembauchage des chauffeurs postaux de Lapalme;
- la dénonciation d'un prétendu délateur du FLQ.

Les deux gouvernements rejettent les exigences du FLQ, mais demandent cependant aux ravisseurs d'établir une "ligne de communication" qui permettrait de discuter la mise en liberté de M. Cross.

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Suit une série de délais que posent tour à tour les deux gouvernements et le FLQ. Le 10 octobre 1970, l'honorable Pierre Laporte, ministre québécois du Travail et de la Main-d'oeuvre, et ministre de l'Immigration, est enlevé.

Les négociations se poursuivent. A la Chambre des communes, le Premier ministre déclare:

"(...) il y a accord absolu entre le gouvernement du Québec et le gouvernement du Canada quant à l'attitude très nette prise par le Premier ministre Bourassa hier après-midi. Celui-ci a dit que la seule chose à faire, c'était d'assurer, au moyen de négociations, la création d'un mécanisme pour la libération de M. Cross et de M. Laporte."

Les deux gouvernements offrent au FLQ, contre la libération de MM. Cross et Laporte, un sauf-conduit hors du pays, visant ainsi à éliminer le danger de meurtre des otages qui, une fois remis en liberté, auraient pu identifier leurs ravisseurs.

A Montréal, la situation s'aggrave. Les efforts déployés par les policiers depuis quelques jours les ont littéralement épuisés. A la demande du procureur général du Québec, des détachements des forces armées sont envoyés à Québec et à Montréal pour protéger la population et les biens. Les troupes passent ainsi sous l'autorité provinciale.

### LE MOMENT DES DECISIONS

Vendredi le 16 octobre 1970, à trois heures du matin, une lettre de M. Robert Bourassa, Premier ministre du Québec, parvient à M. Pierre Elliott Trudeau, Premier ministre du Canada:

"(...) au nom du gouvernement du Québec, je demande que des pouvoirs d'urgence soient prévus le plus tôt possible permettant de prendre des mesures efficaces. (...) nous faisons face à un effort concerté pour intimider et renverser le gouvernement et les institutions démocratiques de cette Province par la commission planifiée et systématique d'actes illégaux, y compris l'insurrection."

M. Trudeau recevait aussi une lettre des autorités municipales de Montréal. Le maire, M. Jean Drapeau, et le président du comité exécutif, M. Lucien Saulnier, demandent de l'aide:

"Le directeur du Service de la police de Montréal nous informe que les moyens à sa disposition s'avèrent insuffisants et que l'assistance des gouvernements supérieurs est devenue essentielle pour protéger la société du complot séditieux et de l'insurrection appréhendée dont les enlèvements récents ont marqué le déclenchement."

Immédiatement, deux arrêtés en conseil sont adoptés en vertu de la Loi sur les mesures de guerre, établissant certains règlements considérés comme nécessaires en l'occurrence.

La proclamation et les règlements, de même que les lettres du Premier ministre du Québec, M. Bourassa, et des autorités de Montréal sont déposés à la Chambre des communes au cours de la matinée. Le Premier ministre présente une motion demandant à la Chambre d'approuver les mesures prises par son gouvernement.

Après un débat de deux jours, la motion est approuvée par 190 votes contre 16. Tous les députés du Québec ont voté en faveur de la motion.

## LA LOI SUR LES MESURES DE GUERRE

Le gouvernement est conscient des pouvoirs étendus que lui confère la loi sur les mesures de guerre, et du fait que cette loi ne constitue pas l'instrument idéal dans les circonstances. Mais il a dû se résoudre à l'employer, aucune autre loi n'étant immédiatement applicable. C'est pourquoi le Gouvernement n'a permis l'utilisation que d'une partie restreinte des pouvoirs que cette loi confère, et que des mesures ont immédiatement été prises pour rédiger et présenter une loi nouvelle, mieux adaptée à la situation.

Le Gouvernement insiste sur le fait que les mesures adoptées jusqu'ici l'ont été strictement en vue de combattre le FLQ. Le ministre de la Justice, l'honorable John Turner, a été explicite là-dessus lorsqu'il s'est adressé aux procureurs généraux des provinces. Le 26 octobre 1970, il déclarait à la Chambre des communes:

"(...) l'objet de la loi sur les mesures de guerre (...) est de faire face à la crise actuelle attribuable aux activités subversives du FLQ.

Je pense que tout autre usage de la loi sur les mesures de guerre hors de ce contexte pourrait avoir des conséquences désastreuses".

Il faut se rappeler qu'en vertu de la Constitution, l'administration de la justice relève des provinces.



INQUIETUDE

Le Premier ministre a reconnu que plusieurs redoutent que l'application de la loi sur les mesures de guerre porte atteinte aux libertés individuelles. A la Chambre des communes, le 16 octobre 1970, il déclarait:

"Ceux qui s'inquiéteront de l'étendue des pouvoirs que le gouvernement a assumés dans cette conjoncture, je ne puis que les assurer de ma sympathie pour l'état d'esprit dans lequel ils se trouvent et je les félicite de l'avoir fait connaître. Toutefois, je me hâte de leur rappeler que le dossier de notre Parlement en matière de législation relative aux libertés individuelles garantit sans équivoque sa crédibilité et sa bonne foi".

Il ajoutait:

"(...) je ressens un profond regret et une vive inquiétude de ce que la situation nationale nécessite une telle proclamation. Nous tous à la Chambre, je le sais, avons cru fermement que la démocratie se portait mieux au Canada que nulle part ailleurs, que le Canada était le dernier endroit où des hommes frustrés dans leurs ambitions eussent des raisons de recourir à la violence pour atteindre leurs fins politiques. J'en suis toujours persuadé. Pourtant, ces dernières années, nous avons dû admettre l'existence au Canada d'un type d'homme nouveau et terrifiant: celui que l'on appelait autrefois un anarchiste et qu'on désigne aujourd'hui comme un partisan de la révolution violente. Ces personnes prétendent travailler à la réforme sociale par des moyens inédits. En réalité, elles cherchent à détruire l'ordre social établi par des tactiques clandestines et violentes.

"En face de gens comme ceux-là et devant les déclarations compétentes sur le grave danger qui menace personnes et propriétés dans la région de Montréal, le gouvernement ne pouvait pas agir autrement qu'il ne l'a fait la nuit dernière".

LE MESSAGE DU PREMIER MINISTRE A LA NATION

Dans son message à la nation, le 16 octobre 1970, le Premier ministre disait en concluant:

"Le Canada demeure l'un des pays les plus sains et les plus civilisés du monde.

Si nous savons être fermes, nous aurons tôt fait de venir à bout de la situation présente, et nous pourrons déclarer avec fierté, comme nous l'avons si longtemps fait, que s'il y a place chez nous pour l'opposition et la dissidence, il n'y en a pas pour l'intimidation et la terreur.

(...) Ceux qui ont déclenché cette série d'événements dramatiques l'ont fait dans le dessein de briser notre société et de déchirer notre pays; c'est le contraire qui arrivera, j'en suis sûr. Le résultat de leur action ce sera une société plus forte dans un pays plus uni. Ils voulaient nous diviser, ils auront fait notre union."

**Page 345**  
**is not relevant**  
**est non pertinente**

D-1-17(2)

O t t a w a  
November 5, 1970.

Mrs. K. Mylrea,  
Secretary to the Honourable W.A.C. Bennett,  
Parliament Buildings,  
British Columbia.

Dear Mrs. Mylrea:

You will recall the Prime Minister's letter to the Prime Minister of British Columbia dated October 16, 1970 and the attachments thereto concerning the Proclamation made under the War Measures Act.

Among these attachments, there was a letter from the Mayor of Montreal and the President of the Executive Committee of that City to the Prime Minister dated October 15, 1970 wherein they declared that the Director of Montreal Police Force had informed them that the means at his disposal were revealing themselves insufficient and that assistance from higher levels of governments had become essential to protect society from the seditious plot and apprehended insurrection of which the kidnappings had marked the setting in motion. Besides, appended to their letter to the Prime Minister was a copy of the letter from the Director of the Montreal Police Force also dated October 15, 1970 to that effect. A copy of that letter was unfortunately not readily available to be sent to your Prime Minister as part of the hurried dispatch of documentation of October 16, 1970.

. . . 2

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I would now like, on behalf of the Prime Minister, to provide your Prime Minister with a copy of that letter which was tabled in Parliament on October 16, 1970 as were the letter above referred to from the Mayor of Montreal and the President of the Executive Committee of that City and the letter from the Prime Minister of Quebec to the Prime Minister dated October 16, 1970 which was included under the October 16 cover so that the British Columbia government has a complete set of these documents.

Yours sincerely,

ORIGINAL SIGNÉ PAR

ORIGINAL SIGNED BY

E. GALLANT

FPP/EG/dm

Edgar Gallant  
Deputy Secretary to the  
Cabinet,  
(Federal-Provincial Relations)

Attach.

VILLE DE MONTRÉAL



CITY OF MONTRÉAL

SERVICE DE LA POLICE  
POLICE DEPARTMENT  
CABINET DU DIRECTEUR  
OFFICE OF THE DIRECTOR

ANNEXE DE L'HÔTEL DE VILLE,  
CITY HALL ANNEX,

Le 15 octobre 1970.

Son Honneur le Maire  
Monsieur Jean Drapeau

Le Président du Comité exécutif  
Monsieur Lucien Saulnier

Messieurs,

Un mouvement subversif extrêmement dangereux s'est développé progressivement au Québec depuis plusieurs années en vue de préparer le renversement de l'Etat légitime au moyen de la sédition et d'une insurrection armée éventuelle.

Les enlèvements récents d'un diplomate étranger et d'un ministre de la Couronne de la province de Québec ont marqué le déclenchement par ce mouvement de leur projet séditionnaire et d'actes menant directement à l'insurrection et au renversement de l'Etat.

.../2

SERVICE DE LA POLICE  
POLICE DEPARTMENT  
CABINET DU DIRECTEUR  
OFFICE OF THE DIRECTOR

Le 15 octobre 1970.

.../2

Dans ces circonstances, l'enquête que doivent mener les autorités policières doit nécessairement porter sur l'ensemble des activités des réseaux de ce mouvement séditionnel et ne saurait se restreindre, à peine d'être vouée à l'échec, à une simple recherche des individus qui ont perpétré l'enlèvement odieux des deux (2) personnes encore à ce jour prisonnières.

La menace que fait peser sur la société cette conspiration séditionnelle, passée à l'action au cours des derniers onze (11) jours, les difficultés d'enquête résultant de l'organisation interne de ce mouvement divisé en de multiples petites cellules étanches entre elles et la somme incroyable des vérifications et des recherches qui nous sont imposées ont taxé et taxent à leur extrême limite les ressources à la disposition de notre Service de Police.

L'extrême urgence d'en arriver à des résultats concrets pour dévoiler toutes les ramifications de ce mouvement et de ses activités séditionnelles, le volume et la complexité des preuves à recueillir et conserver, enfin l'énormité de la tâche que nous devons accomplir sans passer à une répression qui n'est ni saine ni souhaitable, font que l'assistance des gouvernements supérieurs nous est essentielle pour la mener à bien.

La lenteur des procédures et les contraintes qui résultent des mécanismes et des moyens légaux dont nous disposons actuellement ne nous permettent pas de faire face à la situation.

En conséquence, je recommande au Comité exécutif de la Ville de requérir des gouvernements supérieurs qu'ils nous donnent les moyens qu'ils jugeront opportuns et utiles afin de nous permettre de recueillir et présenter les preuves nécessaires pour protéger la société des menées séditionnelles et insurrectionnelles

.../3



SERVICE DE LA POLICE  
POLICE DEPARTMENT  
CABINET DU DIRECTEUR  
OFFICE OF THE DIRECTOR

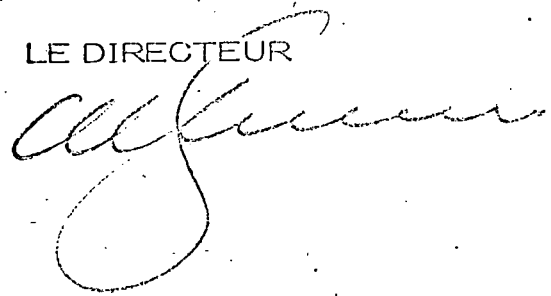
Le 15 octobre 1970.

.../3

dont les enlèvements ont marqué le début.

Veuillez agréer, Messieurs, l'expression de mes  
sentiments les plus distingués.

LE DIRECTEUR



MSt-A/feb

D-1-7(h)

O t t a w a  
November 5, 1970.

Mr. D.M. Hamilton,  
Special Assistant to the  
Honourable Harry E. Strom,  
Legislative Buildings,  
Edmonton, Alberta.

Dear Mr. Hamilton:

You will recall the Prime Minister's letter to the Premier of Alberta dated October 16, 1970 and the attachments thereto concerning the Proclamation made under the War Measures Act.

Among these attachments, there was a letter from the Mayor of Montreal and the President of the Executive Committee of that City to the Prime Minister dated October 15, 1970 wherein they declared that the Director of Montreal Police Force had informed them that the means at his disposal were revealing themselves insufficient and that assistance from higher levels of governments had become essential to protect society from the seditious plot and apprehended insurrection of which the kidnappings had marked the setting in motion. Besides, appended to their letter to the Prime Minister was a copy of the letter from the Director of the Montreal Police Force also dated October 15, 1970 to that effect. A copy of that letter was unfortunately not readily available to be sent to your Premier as part of the hurried dispatch of documentation of October 16, 1970.

. . . 2

- 2 -

I would now like, on behalf of the Prime Minister, to provide your Premier with a copy of that letter which was tabled in Parliament on October 16, 1970 as were the letter above referred to from the Mayor of Montreal and the President of the Executive Committee of that City and the letter from the Prime Minister of Quebec to the Prime Minister dated October 16, 1970 which was also included under the October 16 cover so that the Alberta government has a complete set of these documents.

Yours sincerely,

ORIGINAL SIGNÉ PAR  
ORIGINAL SIGNED BY  
E. GALLANT

FPP/EG/dm

Edgar Gallant  
Deputy Secretary to the  
Cabinet,  
(Federal-Provincial Relations)

Attach.



D-1-7(h)

O t t a w a  
November 5, 1970.

Mr. David Sheard,  
Executive Assistant to the  
Honourable W. Ross Thatcher,  
Legislative Building,  
Regina, Saskatchewan.

Dear Mr. Sheard:

You will recall the Prime Minister's letter to the Premier of Saskatchewan dated October 16, 1970 and the attachments thereto concerning the Proclamation made under the War Measures Act.

Among these attachments, there was a letter from the Mayor of Montreal and the President of the Executive Committee of that City to the Prime Minister dated October 15, 1970 wherein they declared that the Director of Montreal Police Force had informed them that the means at his disposal were revealing themselves insufficient and that assistance from higher levels of governments had become essential to protect society from the seditious plot and apprehended insurrection of which the kidnappings had marked the setting in motion. Besides, appended to their letter to the Prime Minister was a copy of the letter from the Director of the Montreal Police Force also dated October 15, 1970 to that effect. A copy of that letter was unfortunately not readily available to be sent to your Premier as part of the hurried dispatch of documentation of October 16, 1970.

. . . 2

- 2 -

I would now like, on behalf of the Prime Minister, to provide your Premier with a copy of that letter which was tabled in Parliament on October 16, 1970 as were the letter above referred to from the Mayor of Montreal and the President of the Executive Committee of that City and the letter from the Prime Minister of Quebec to the Prime Minister dated October 16, 1970 which was also included under the October 16 cover so that the Saskatchewan government has a complete set of these documents.

Yours sincerely,

ORIGINAL SIGNÉ PAR  
ORIGINAL SIGNED BY  
E. GALLANT

FPP/EG/dm

Edgar Gallant  
Deputy Secretary to the  
Cabinet,  
(Federal-Provincial Relations)

Attach.



O t t a w a  
November 5, 1970.

Mr. Francis Eady,  
Special Assistant to the  
Honourable Edward Schreyer,  
Legislative Building,  
Winnipeg, Manitoba.

Dear Mr. Eady:

You will recall the Prime Minister's letter to the Premier of Manitoba dated October 16, 1970 and the attachments thereto concerning the Proclamation made under the War Measures Act.

Among these attachments, there was a letter from the Mayor of Montreal and the President of the Executive Committee of that City to the Prime Minister dated October 15, 1970 wherein they declared that the Director of Montreal Police Force had informed them that the means at his disposal were revealing themselves insufficient and that assistance from higher levels of governments had become essential to protect society from the seditious plot and apprehended insurrection of which the kidnappings had marked the setting in motion. Besides, appended to their letter to the Prime Minister was a copy of the letter from the Director of the Montreal Police Force also dated October 15, 1970 to that effect. A copy of that letter was unfortunately not readily available to be sent to your Premier as part of the hurried dispatch of documentation of October 16, 1970.

. . . 2

- 2 -

I would now like, on behalf of the Prime Minister, to provide your Premier with a copy of that letter which was tabled in Parliament on October 16, 1970 as were the letter above referred to from the Mayor of Montreal and the President of the Executive Committee of that City and the letter from the Prime Minister of Quebec to the Prime Minister dated October 16, 1970 which was also included under the October 16 cover so that the Manitoba government has a complete set of these documents.

Yours sincerely,

ORIGINAL SIGNÉ PAR  
ORIGINAL SIGNED BY  
E. GALLANT

FPP/EG/dm

E. Gallant  
Deputy Secretary to the  
Cabinet,  
(Federal-Provincial Relations)

Attach.



① - 1 - 7 (h)

O t t a w a  
November 5, 1970.

Dr. J.K. Reynolds,  
Chief Executive Officer to the  
Honourable J.P. Robarts,  
Parliament Buildings,  
Toronto, Ontario.

Dear Dr. Reynolds:

You will recall the Prime Minister's letter to the Prime Minister of Ontario dated October 16, 1970 and the attachments thereto concerning the Proclamation made under the War Measures Act.

Among these attachments, there was a letter from the Mayor of Montreal and the President of the Executive Committee of that City to the Prime Minister dated October 15, 1970 wherein they declared that the Director of Montreal Police Force had informed them that the means at his disposal were revealing themselves insufficient and that assistance from higher levels of governments had become essential to protect society from the seditious plot and apprehended insurrection of which the kidnappings had marked the setting in motion. Besides, appended to their letter to the Prime Minister was a copy of the letter from the Director of the Montreal Police Force also dated October 15, 1970 to that effect. A copy of that letter was unfortunately not readily available to be sent to your Prime Minister as part of the hurried dispatch of documentation of October 16, 1970.

. . . 2



- 2 -

I would now like, on behalf of the Prime Minister, to provide your Prime Minister with a copy of that letter which was tabled in Parliament on October 16, 1970 as were the letter above referred to from the Mayor of Montreal and the President of the Executive Committee of that City and the letter from the Prime Minister of Quebec to the Prime Minister dated October 16, 1970 which was included also under the October 16 cover so that the Ontario government has a complete set of these documents.

Yours sincerely,

ORIGINAL SIGNÉ PAR  
ORIGINAL SIGNED BY  
E. GALLANT

FPP/EG/dm

E. Gallant  
Deputy Secretary to the  
Cabinet,  
(Federal-Provincial Relations)

Attach.

D-1-7(h)

O t t a w a  
le 5 novembre 1970

M. Guy Langlois,  
Chef de Cabinet de  
l'honorable Robert Bourassa,  
Hôtel du Gouvernement,  
Québec, Québec.

Cher monsieur Langlois,

Vous vous souviendrez de la lettre que le Premier ministre faisait parvenir le 16 octobre 1970 au Premier ministre du Québec à laquelle était jointe de la documentation concernant la Proclamation effectuée en vertu de la Loi sur les mesures de guerre.

Faisant partie de cette documentation se trouvait une lettre de maire de Montréal et du président du comité exécutif de cette ville au Premier ministre du 15 octobre 1970. Dans cette lettre, ceux-ci révélaient que le directeur du Service de la Police de Montréal les avait informés que les moyens à sa disposition s'avéraient insuffisants et que l'assistance des gouvernements supérieurs était devenue essentielle pour protéger la société du complot séditionnaire et de l'insurrection appréhendée dont les enlèvements récents avaient marqué le déclenchement. Jointe d'ailleurs à leur lettre au Premier ministre se trouvait une copie de la lettre du directeur de la Police de Montréal, elle aussi du 15 octobre 1970, dans laquelle il les mettait ainsi au courant. Une copie de cette lettre du directeur n'était malheureusement pas disponible lors de l'expédition hâtive de la documentation sur la Proclamation effectuée le 16 octobre dernier mais les autorités montréalaises en auront sans doute fait parvenir copie au Premier ministre du Québec.

. . . 2

- 2 -

Cette lettre a été déposée en Chambre le 16 octobre dernier tout comme la lettre mentionnée ci-haut du maire de Montréal et du président du comité exécutif de cette ville et la lettre du 16 octobre 1970 de Monsieur Bourassa au Premier ministre; une copie de celle-ci est jointe afin de compléter le dossier québécois des documents déposés en Chambre.

Veuillez agréer, cher monsieur Langlois, l'expression de mes meilleurs sentiments.

ORIGINAL SIGNÉ PAR  
ORIGINAL SIGNED BY  
E. GALLANT

FPP/EG/dm

Edgar Gallant  
Sous-secrétaire du Cabinet  
(Relations fédérales-provinciales)

Pièce jointe



D-1-7(h)

O t t a w a  
November 5, 1970.

Mr. David Thompson,  
Executive Assistant to the  
Honourable G. Regan,  
Province House,  
Halifax, Nova Scotia.

Dear Mr. Thompson:

On the 16th of October 1970 the Prime Minister wrote to the Premier of Nova Scotia and provided him with documentation concerning the Proclamation made under the War Measures Act declaring that apprehended insurrection exists and has existed as and from the 15th October, 1970.

As part of this documentation was a letter from the Mayor of Montreal and the President of the Executive Committee of that City to the Prime Minister dated October 15, 1970 wherein they declared that the Director of Montreal Police Force had informed them that the means at his disposal were revealing themselves insufficient and that assistance from higher levels of governments had become essential to protect society from the seditious plot and apprehended insurrection of which the kidnappings had marked the setting in motion. Besides, appended to their letter to the Prime Minister was a copy of the letter from the Director of the Montreal Police Force also dated October 15, 1970 to that effect. A copy of that letter was unfortunately not readily available to be sent to your Premier as part of the hurried dispatch of documentation of October 16, 1970.

. . . 2

- 2 -

I would now like, on behalf of the Prime Minister, to provide your Premier with a copy of that letter which was tabled in Parliament on October 16, 1970 as were the letter above referred to from the Mayor of Montreal and the President of the Executive Committee of that City and the letter from the Prime Minister of Quebec to the Prime Minister dated October 16, 1970 which was included also under the October 16 cover so that the Nova Scotia government has a complete set of these documents.

Yours sincerely,

ORIGINAL SIGNÉ PAR  
ORIGINAL SIGNED BY  
E. GALLANT

FPP/EG/dm

E. Gallant  
Deputy Secretary to the  
Cabinet,  
(Federal-Provincial Relations)

Attach.



D-1-7(h)

O t t a w a  
le 5 novembre 1970

M. R. Pichette,  
Chef de Cabinet de  
l'honorable Louis J. Robichaud,  
Hôtel du Gouvernement,  
Fredericton, Nouveau Brunswick.

Cher monsieur Pichette,

Vous vous souviendrez de la lettre que le Premier ministre faisait parvenir le 16 octobre 1970 au Premier ministre du Nouveau Brunswick à laquelle était jointe de la documentation concernant la Proclamation effectuée en vertu de la Loi sur les mesures de guerre.

Faisant partie de cette documentation se trouvait une lettre du maire de Montréal et du président du comité exécutif de cette ville au Premier ministre du 15 octobre 1970. Dans cette lettre, ceux-ci révélaient que le directeur du Service de la Police de Montréal les avait informés que les moyens à sa disposition s'avéraient insuffisants et que l'assistance des gouvernements supérieurs était devenue essentielle pour protéger la société du complot séditieux et de l'insurrection appréhendée dont les enlèvements récents avaient marqué le déclenchement. Jointe d'ailleurs à leur lettre au Premier ministre se trouvait une copie de la lettre du directeur de la Police de Montréal, elle aussi du 15 octobre 1970, dans laquelle il les mettait ainsi au courant. Une copie de cette lettre du directeur n'était malheureusement pas disponible lors de l'expédition hâtive de la documentation sur la Proclamation effectuée le 16 octobre dernier.

. . . 2

- 2 -

Cette lettre a été déposée en Chambre le 16 octobre dernier tout comme la lettre mentionnée ci-haut du maire de Montréal et du président du comité exécutif de cette ville et la lettre du 16 octobre 1970 de Monsieur Bourassa au Premier ministre; une copie de celle-ci est jointe afin de compléter le dossier du Nouveau Brunswick des documents déposés en Chambre.

Veillez agréer, cher monsieur Pichette, l'expression de mes meilleurs sentiments.

ORIGINAL SIGNÉ PAR  
ORIGINAL SIGNED BY  
E. GALLANT

FPP/EG/dm

Edgar Gallant  
Sous-secrétaire du Cabinet  
(Relations fédérales-provinciales)

Pièce jointe



D-1-7(h)

O t t a w a,  
November 5, 1970.

Mr. Andrew Wells,  
Secretary to the Cabinet,  
Province House,  
Charlottetown, P.E.I.

Dear Andy:

You will recall the Prime Minister's letter to the Premier of Prince Edward Island dated October 16, 1970, and the attachments thereto concerning the Proclamation made under the War Measures Act.

Among these attachments, there was a letter from the Mayor of Montreal and the President of the Executive Committee of that City to the Prime Minister dated October 15, 1970, wherein they declared that the Director of Montreal Police Force had informed them that the means at his disposal were revealing themselves insufficient and that assistance from higher levels of governments had become essential to protect society from the seditious plot and apprehended insurrection of which the kidnappings had marked the setting in motion. Besides, appended to their letter to the Prime Minister was a copy of the letter from the Director of the Montreal Police Force also dated October 15, 1970, to that effect. A copy of that letter was unfortunately not readily available to be sent to your Premier as part of the hurried dispatch of documentation of October 16, 1970.

...2



- 2 -

The letter from the Director of the Montreal Police Force was tabled in the House of Commons on October 16 along with the other letters referred to above, and I am enclosing a copy to ensure that the Prince Edward Island government has a complete set of these documents.

Yours sincerely,

ORIGINAL SIGNÉ PAR  
ORIGINAL SIGNED BY  
E. GALLANT

E. Gallant,  
Deputy Secretary to the  
Cabinet,  
(Federal-Provincial Relations).

Attach.

FPP/EG/jnl

D-1-7(h)

O t t a w a  
November 5, 1970.

Mr. J.G. Channing,  
Deputy Minister to the  
Honourable J.R. Smallwood,  
Confederation Building,  
St. John's, Newfoundland.

Dear Mr. Channing:

You will recall the Prime Minister's letter to the Premier of Newfoundland dated October 16, 1970 and the attachments thereto concerning the Proclamation made under the War Measures Act.

Among these attachments, there was a letter from the Mayor of Montreal and the President of the Executive Committee of that City to the Prime Minister dated October 15, 1970 wherein they declared that the Director of Montreal Police Force had informed them that the means at his disposal were revealing themselves insufficient and that assistance from higher levels of governments had become essential to protect society from the seditious plot and apprehended insurrection of which the kidnappings had marked the setting in motion. Besides, appended to their letter to the Prime Minister was a copy of the letter from the Director of the Montreal Police Force also dated October 15, 1970 to that effect. A copy of that letter was unfortunately not readily available to be sent to your Premier as part of the hurried dispatch of documentation of October 16, 1970.

. . . 2

- 2 -

I would now like, on behalf of the Prime Minister, to provide your Premier with a copy of that letter which was tabled in Parliament on October 16, 1970 as were the letter above referred to from the Mayor of Montreal and the President of the Executive Committee of that City and the letter from the Prime Minister of Quebec to the Prime Minister dated October 16, 1970 which was also included under the October 16 cover so that the Newfoundland government has a complete set of these documents.

Yours sincerely,

ORIGINAL SIGNÉ PAR  
ORIGINAL SIGNED BY  
E. GALLANT

FFP/EG/dm

E. Gallant  
Deputy Secretary to the  
Cabinet,  
(Federal-Provincial Relations)

Attach.



**Pages 369 to / à 373**  
**are not relevant**  
**sont non pertinentes**

D R A F T

November 4, 1970.

.....,  
Executive Assistant  
to the Honourable .....,  
.....,  
.....

Dear Mr. ....:

You will recall the Prime Minister's letter to the Premier (or Prime Minister) of ..... dated October 16, 1970 and the attachments thereto concerning the Proclamation made under the War Measures Act declaring that apprehended insurrection exists and has existed as and from October 15, 1970.

Among these attachments, there was a letter from the Mayor of Montreal and the President of the Executive Committee of that city to the Prime Minister dated October 15, 1970 wherein they declared that the Director of Montreal Police Force had informed them that the means at his disposal were revealing themselves insufficient and that assistance from higher levels of governments had become essential to protect society from the seditious plot and apprehended insurrection of which the kidnappings had marked the setting in motion. Besides, appended

- 2 -

to their letter to the Prime Minister was a copy of the letter from the Director of the Montreal Police Force also dated October 15, 1970 to that effect. A copy of that letter was unfortunately not readily available to be sent to your Premier (Prime Minister) as part of the hurried dispatch of documentation of October 16, 1970.

I would now like, on behalf of the Prime Minister, to provide your Premier (or Prime Minister as the case may be) with a copy of that letter which was tabled in Parliament on October 16, 1970 as were the letter above referred to from the Mayor of Montreal and the President of the Executive Committee of that City and the letter from the Prime Minister of Quebec to the Prime Minister dated October 16, 1970 which was included under the October 16 cover.

P R O J E T

le 4 novembre 1970.

.....,  
Chef de Cabinet de  
l'honorable .....,  
.....,  
.....

Cher monsieur .....,

Vous vous souviendrez de la lettre que le  
Premier ministre faisait parvenir le 16 octobre 1970  
au Premier ministre du Québec à laquelle était jointe  
de la documentation concernant la Proclamation  
effectuée en vertu de la Loi sur les mesures de  
guerre déclarant qu'un état d'insurrection  
appréhendée existe et a existé depuis le 15 octobre  
1970.

Faisant partie de cette documentation  
se trouvait une lettre du maire de Montréal et du  
président du comité exécutif de cette ville au Premier  
ministre du 15 octobre 1970. Dans cette lettre, ceux-ci  
révélaient que le directeur du Service de la Police de  
Montréal les avait informés que les moyens à sa  
disposition s'avéraient insuffisants et que l'assistance  
des gouvernements supérieurs était devenue essentielle  
pour protéger la société du complot séditieux et de

- 2 -

l'insurrection appréhendée dont les enlèvements récents avaient marqué le déclenchement. Jointe d'ailleurs à leur lettre au Premier ministre se trouvait une copie de la lettre du directeur de la Police de Montréal, elle aussi du 15 octobre 1970, dans laquelle il les mettait ainsi au courant. Une copie de cette lettre du directeur n'était malheureusement pas disponible lors de l'expédition hâtive de la documentation sur la Proclamation effectuée le 16 octobre dernier mais les autorités montréalaises en auront sans doute fait parvenir copie au Premier ministre du Québec.

Cette lettre a été déposée en Chambre le 16 octobre dernier tout comme la lettre mentionnée ci-haut du maire de Montréal et du président du comité exécutif de cette ville et la lettre du Premier ministre du Québec ~~au Premier ministre du~~ <sup>qui était incluse sous le pli du 16 octobre 1970</sup> 16 octobre 1970, c'est en tant que document déposé en Chambre que je désire en faire tenir une copie de celle-ci au Premier ministre du Québec.



D-1-7(h)

Le 4 novembre 1970.

C35

NOTE POUR MADEMOISELLE MACDONALD

--  
Vous trouverez ci-joint l'original de la première lettre que nous avons fait parvenir à l'honorable Robichaud sous la signature du Premier ministre le 16 octobre dernier. Le bureau de l'honorable Robichaud nous l'a fait parvenir immédiatement sur réception de la version corrigée de cette lettre. Nous pouvons donc respirer à l'aise de ce côté.

Du côté québécois les arrangements précis sont déjà faits et nous devrions recevoir la première version de la lettre envoyée à l'honorable Bourassa sous peu.

ORIGINAL SIGNED BY  
ORIGINAL SIGNÉ PAR  
F.P. PRONOVOST

F.-Pierre Pronovost.

FPF/al

**Page 379**  
**is not relevant**  
**est non pertinente**



0306 753

COPY  
COPIE

D-1-7 (h)

OFFICE OF THE PRIME MINISTER • CABINET DU PREMIER MINISTRE

O t t a w a,  
November 4, 1970.

The Right Honourable John G. Diefenbaker,  
House of Commons,  
O t t a w a.

Dear Sir:

Would you kindly accept this acknowledgement of your letter of November 2 to the Right Honourable P.E. Trudeau.

Your letter will of course be brought to the Prime Minister's personal attention without delay.

Yours sincerely,

ORIGINAL SIGNED BY  
ORIGINAL SIGNÉ PAR

HENRY ALAIN LAWLESS

HAL/my

Henry Alan Lawless,  
Correspondence Secretary.

c.c. Miss J. Fairbairn (original incoming)  
- to show to the Prime Minister

For information

- Mr. R.G. Robertson
- Mr. Marc Lalonde
- Miss M.E. Macdonald



HOUSE OF COMMONS  
CANADA

6836 753  
①

THE RT. HON. JOHN G. DIEFENBAKER, P.C., Q.C., M.P.

Ottawa,  
November 2, 1970.

Dear Prime Minister:

Some two weeks ago I advised you that I would write and furnish you with suggestions as to the nature of the legislation that could be introduced to take the place of the War Measures Act, and the regulations thereunder now in effect.

I have discussed the question with Mr. Stanfield, and in view of the fact that he has provided you with his views, I shall not burden you with a repetition thereof.

I am looking forward with interest to the measures which the Government, according to to-day's issue of the Globe and Mail, will be unveiling to-day.

Yours sincerely,

Rt. Hon. Pierre Elliott Trudeau, P.C., Q.C., M.P.,  
Prime Minister,  
House of Commons,  
Ottawa.

B-1-7 (h) 3/11/70

CONFIDENTIEL

Le 2 novembre 1970.

MEMORANDUM POUR LE PREMIER MINISTRE

Auriez-vous l'obligeance d'apposer votre signature à la page frontispice du projet de loi ci-annexé "prévoyant des pouvoirs d'urgence provisoires pour le maintien de l'ordre public au Canada".

Jean Richard.

D-1-7(h)

*[Signature]*

CONFIDENTIEL

Le 2 novembre 1970.

MEMORANDUM POUR LE PREMIER MINISTRE

Auriez-vous l'obligeance d'apposer votre signature à la page frontispice du projet de loi ci-annexé "prévoyant des pouvoirs d'urgence provisoires pour le maintien de l'ordre public au Canada", *en date du 2 novembre 1970.*

*[Signature]*  
Jean Richard.

P.j.

Reçu et signé par le Premier Ministre aujourd'hui.

Remis au bureau du Greffier de la Chambre, de main à main, ce même jour.

J.R.



D-1-7 (h) [signature]

CONFIDENTIAL

November 2, 1970.

A. Fraser, Esq.,  
Clerk of the House of Commons,  
Ottawa.

Dear Mr. Fraser:

In reference to our letter of October 30, 1970, please find enclosed the following bill duly endorsed by the Prime Minister:

An Act to provide temporary emergency powers for the preservation of public order in Canada  
(date stamped November 2, 1970).

Yours sincerely,

ORIGINAL SIGNÉ PAR  
ORIGINAL SIGNED BY  
JEAN RICHARD

Encl.

NOV 2 1970

C-

C-

Third Session, Twenty-Eighth Parliament,  
19 Elizabeth II, 1970

Troisième Session, Vingt-huitième Législature,  
19 Elizabeth II, 1970

THE HOUSE OF COMMONS OF CANADA

CHAMBRE DES COMMUNES DU CANADA

**BILL C-**

**BILL C-**

An Act to provide temporary emergency powers for  
the preservation of public order in Canada

Loi prévoyant des pouvoirs d'urgence provisoires pour  
le maintien de l'ordre public au Canada

---

First reading, November , 1970

---

---

Première lecture, le novembre 1970

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THE MINISTER OF JUSTICE

LE MINISTRE DE LA JUSTICE

*Queen's Printer for Canada*  
OTTAWA, 1970

*Imprimeur de la Reine pour le Canada*  
OTTAWA, 1970

22940

000385



3rd Session, 28th Parliament, 19 Elizabeth II,  
1970

3<sup>e</sup> Session, 28<sup>e</sup> Législature, 19 Elizabeth II,  
1970

THE HOUSE OF COMMONS OF CANADA

CHAMBRE DES COMMUNES DU CANADA

## BILL C-

## BILL C-

An Act to provide temporary emergency powers for the preservation of public order in Canada

Loi prévoyant des pouvoirs d'urgence provisoires pour le maintien de l'ordre public au Canada

### Preamble

WHEREAS the Parliament of Canada continues to affirm that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law;

ATTENDU QUE le Parlement du Canada persiste à affirmer que les hommes et les institutions ne demeurent libres que lorsque la liberté s'appuie sur le respect des valeurs morales et spirituelles et sur la suprématie du droit;

### Préambule

AND WHEREAS the public order in Canada continues to be endangered by elements of the group of persons or association known as Le Front de Libération du Québec who advocate the use of force or the commission of crime as a means of or as an aid in accomplishing governmental change within Canada with respect to the Province of Quebec or its relationship to Canada, and who have resorted to murder, threat of murder and kidnapping as well as the commission of other acts involving actual or threatened coercion, intimidation and violence;

ET ATTENDU QUE l'ordre public au Canada continue d'être en danger du fait d'éléments appartenant au groupe de personnes ou à l'association appelé le Front de Libération du Québec qui préconisent l'emploi de la force ou la commission de crimes comme moyen de réaliser un changement de gouvernement au Canada en ce qui concerne la province de Québec ou le statut de celle-ci par rapport au Canada, ou d'y contribuer, et qui ont eu recours au meurtre, aux menaces de mort et à l'enlèvement aussi bien qu'à la commission d'autres actes impliquant la contrainte, l'intimidation et la violence ou des menaces de contrainte, d'intimidation ou de violence;

AND WHEREAS the Parliament of Canada, following approval by the House of Commons of Canada of the measures taken by His Excellency the Governor General in Council pursuant to the *War Measures Act* to deal with the state of apprehended in-

ET ATTENDU QUE, à la suite de l'approbation par la Chambre des communes du Canada des mesures prises par Son Excellence le gouverneur général en conseil en application de la *Loi sur les mesures de guerre* pour mettre fin à l'état d'insurrec-

surrection in the Province of Quebec on the clear understanding that the authority for such measures should remain in force for a temporary period only, desires to ensure that lawful and effective measures can and will continue to be taken against those who thus seek to destroy our democratic governmental system, and agrees that all such measures as are hereafter determined to be necessary by reason of the present emergency be taken under the authority of and in accordance with the provisions of a law of Canada expressly enacted for that purpose, the terms of which provide for its continuation in force for a temporary period only;

Now THEREFORE, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

tion appréhendée dans la province de Québec, étant bien entendu que l'autorité, pour prendre de telles mesures, ne devra être maintenue que pour une période temporaire, le Parlement du Canada désire s'assurer que des mesures légales et efficaces puissent être prises et continueront de l'être contre ceux qui cherchent ainsi à détruire notre système démocratique de gouvernement, et convient que toutes les mesures qui sont ci-après jugées nécessaires en raison de l'état d'urgence actuelle soient prises sous l'autorité et en conformité des dispositions d'une loi du Canada expressément décrétée à cette fin, dont les termes prévoient son maintien en vigueur pour une période provisoire seulement;

EN CONSÉQUENCE, Sa Majesté, sur l'avis et du consentement du Sénat et de la Chambre des communes du Canada, décrète:

SHORT TITLE

Short title

1. This Act may be cited as the *Public Order (Temporary Measures) Act, 1970*.

TITRE ABRÉGÉ

Titre abrégé

1. La présente loi peut être citée sous le titre: *Loi de 1970 concernant l'ordre public (mesures provisoires)*.

INTERPRETATION

Definitions

2. In this Act,

"Communi-  
cate"

(a) "communicate" includes the act of communicating by telephone, broadcast-  
ing or other audible or visible means;

"Peace  
officer"

(b) "peace officer" means a peace officer as defined in the *Criminal Code*, and includes a member of the Canadian Forces;

"State-  
ments"

(c) "statements" includes words spoken or written or recorded electronically or electromagnetically or otherwise, and gestures, signs or other visible representations; and

"The unlaw-  
ful asso-  
ciation"

(d) "the unlawful association" means the group of persons or association declared by this Act to be an unlawful association.

INTERPRÉTATION

Définitions

2. Dans la présente loi,

a) «communiquer» comprend l'action de communiquer par téléphone, radiodiffusion ou autres moyens de communication sonore ou visuelle;

b) «agent de la paix» désigne un agent de la paix selon la définition qu'en donne le *Code criminel* et s'entend également d'un membre des Forces canadiennes;

c) «déclarations» s'entend de mots parlés, écrits ou enregistrés par des moyens électroniques, électromagnétiques ou autres, et de gestes, signes ou autres représentations visibles; et

d) «l'association illégale» désigne le groupe de personnes ou l'association que la présente loi déclare être une association illégale.

«agent de  
la paix»

«déclara-  
tions»

«l'asso-  
ciation  
illégale»



GENERAL

Unlawful  
association

3. The group of persons or association known as Le Front de Libération du Québec and any successor group or successor association of the said Le Front de Libération du Québec, or any group of persons or association that advocates the use of force or the commission of crime as a means of or as an aid in accomplishing the same or substantially the same governmental change within Canada as that advocated by the said Le Front de Libération du Québec, is declared to be an unlawful association.

Offence and  
punishment

4. A person who

(a) is or professes to be a member of the unlawful association,

(b) acts or professes to act as an officer of the unlawful association,

(c) communicates statements on behalf of or as a representative or professed representative of the unlawful association,

(d) advocates or promotes the unlawful acts of, or the use of the unlawful means advocated by, the unlawful association for accomplishing its aims, principles or policies,

(e) contributes anything as dues or otherwise to the unlawful association or to anyone for the benefit of the unlawful association,

(f) solicits subscriptions or contributions for the unlawful association, or

(g) advocates, promotes or engages in the use of force or the commission of crime as a means of or as an aid in accomplishing the same or substantially the same governmental change within Canada as that advocated by the unlawful association,

is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years.

DISPOSITIONS GÉNÉRALES

Association  
illégale

3. Le groupe de personnes ou l'association appelé le Front de Libération du Québec ou tout groupe ou toute association succédant audit Front de Libération du Québec ou tout groupe de personnes ou toute association qui préconise l'emploi de la force ou la commission de crimes comme moyen de réaliser au Canada un changement de gouvernement identique ou à peu près identique à celui préconisé par ledit Front de Libération du Québec, ou d'y contribuer, est déclaré être une association illégale.

4. Est coupable d'un acte criminel et passible d'un emprisonnement de cinq ans au plus, quiconque

a) est ou déclare être membre de l'association illégale,

b) fait office ou déclare faire office de dirigeant de l'association illégale,

c) communique des déclarations pour l'association illégale ou à titre de représentant réel ou déclaré de l'association illégale,

d) préconise ou encourage les actes illégaux de l'association illégale ou l'emploi des moyens illégaux préconisés par l'association illégale pour la réalisation de ses desseins ou la mise en œuvre de ses principes ou lignes de conduite,

e) fournit quelque chose, sous forme de cotisations ou sous une autre forme, à l'association illégale ou à qui que ce soit au profit de l'association illégale,

f) sollicite des souscriptions ou contributions pour l'association illégale, ou

g) préconise ou encourage l'emploi de la force ou la commission de crimes, ou y a recours, comme moyen de réaliser au Canada un changement de gouvernement identique ou à peu près identique à celui préconisé par l'association illégale, ou d'y contribuer.

Idem

5. A person who, knowing or having reasonable cause to believe that another person is guilty of an offence under this Act, gives that other person any assistance with intent thereby to prevent, hinder or interfere with the apprehension, trial or punishment of that person for that offence is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years.

Idem

6. An owner, lessee, agent or superintendent of any building, room, premises or other place who knowingly permits therein any meeting of the unlawful association or of any branch, committee or members thereof, or any assemblage of persons who advocate or promote the unlawful acts of, or the use of the unlawful means advocated by, the unlawful association for accomplishing its aims, principles or policies, is guilty of an indictable offence and liable to a fine of not more than five thousand dollars or to imprisonment for a term not exceeding five years or to both.

Detention

7. (1) A person charged with an offence under section 4 shall be detained in custody without bail pending his trial unless

(a) the Attorney General of the province in which the person is in custody has not, within seven days after the later of the time when the person was arrested or the coming into force of this Act, filed with the clerk of the superior court of criminal jurisdiction in the province a certificate under this section stating that just cause exists for the detention of that person pending his trial, or

5. Est coupable d'un acte criminel et passible d'un emprisonnement de cinq ans au plus, toute personne qui, sachant ou ayant des motifs raisonnables de croire qu'une autre personne est coupable d'une infraction prévue par la présente loi, fournit une aide quelconque à cette autre personne dans l'intention d'empêcher ainsi l'arrestation, le jugement ou le châtimement de cette personne pour cette infraction ou dans l'intention de nuire ou de mettre obstacle à cette arrestation, à ce jugement ou à ce châtimement.

6. Est coupable d'un acte criminel et passible d'une amende de cinq mille dollars au plus ou d'un emprisonnement de cinq ans au plus ou de l'une et l'autre peine, tout propriétaire, locataire, régisseur ou surintendant d'un immeuble, d'une pièce, d'un local ou de tout autre lieu, qui y permet sciemment la tenue d'une réunion de l'association illégale ou d'une cellule, d'un comité ou de membres de cette association, ou de tout groupement de personnes qui préconisent ou encouragent les actes illégaux de l'association illégale ou l'emploi des moyens illégaux préconisés par l'association illégale pour la réalisation de ses desseins ou la mise en œuvre de ses principes ou lignes de conduite.

7. (1) Une personne inculpée d'une infraction prévue par l'article 4 doit, en attendant son procès, être gardée en détention et ne peut être relâchée sous caution,

a) sauf si le procureur général de la province dans laquelle la personne est détenue n'a pas, dans les sept jours suivant l'entrée en vigueur de la présente loi ou, s'il a déjà été procédé à l'arrestation de cette personne, suivant le moment de son arrestation, déposé au bureau du greffier de la cour supérieure de juridic-

Idem

Idem

Détention



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(b) any certificate issued under this section in respect of that person has been revoked, or the Attorney General of the province in which that person is in custody has otherwise consented to the release of that person on bail.

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tion criminelle de la province un certificat établi en vertu du présent article et attestant que la détention de cette personne en attendant son procès est fondée sur une juste cause, ou  
b) sauf si un certificat délivré en vertu du présent article relativement à cette personne a été révoqué, ou que le procureur général de la province dans laquelle cette personne est détenue a d'autre façon consenti à ce que cette personne soit relâchée sous caution.

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Directions  
for expediting trial

(2) Where a person who has been charged with an offence under this Act is being detained in custody pending his trial, and the trial has not commenced within ninety days from the time when he was first detained, the person having the custody of the person charged shall, forthwith upon the expiry of those ninety days, apply to a judge of the superior court of criminal jurisdiction in the province in which the person charged is being detained to fix a date for the trial, and the judge may fix a date for the beginning of the trial or give such directions as he thinks necessary for expediting the trial.

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(2) Lorsqu'une personne inculpée d'une infraction prévue par la présente loi est gardée en détention en attendant son procès, et que le procès n'est pas commencé dans les quatre-vingt-dix jours à partir du moment où elle a été mise en détention en premier lieu, la personne ayant la garde de la personne inculpée doit, dès l'expiration de ce délai, demander à un juge de la cour supérieure de juridiction criminelle de la province dans laquelle est détenue la personne inculpée de fixer une date pour le procès; et le juge peut fixer une date pour le commencement du procès ou donner les instructions qu'il estime nécessaires pour hâter le procès.

Instructions  
en vue de  
hâter le  
procès

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Evidence

8. In any prosecution for an offence under this Act, evidence that any person, either before or after the coming into force of this Act,

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- (a) participated in or was present at a number of meetings of the unlawful association or of any branch, committee or members thereof,
- (b) spoke publicly in advocacy for the unlawful association, or
- (c) communicated statements on behalf of or as a representative or professed representative of the unlawful association,

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is, in the absence of evidence to the contrary, proof that he is a member of the unlawful association.

8. Dans toute poursuite pour une infraction prévue par la présente loi, la preuve qu'une personne a, avant ou après l'entrée en vigueur de la présente loi,

Preuve

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- a) pris part ou été présente à un certain nombre de réunions de l'association illégale ou d'une cellule, d'un comité ou de membres de cette association,
- b) parlé publiquement en faveur de l'association illégale, ou
- c) communiqué des déclarations pour l'association illégale ou à titre de représentant réel ou déclaré de l'association illégale,

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constitue, à défaut de preuve contraire, la preuve qu'elle est membre de l'association illégale.

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Arrest with-  
out warrant

9. (1) A peace officer may arrest without warrant

(a) a person who he has reason to suspect is a member of the unlawful association;

(b) a person who professes to be a member of the unlawful association; or

(c) a person who he has reason to suspect has committed, is committing or is about to commit an act described in any of paragraphs (b) to (g) of section 4.

Charge for  
offence

(2) Subject to subsection (3), a person arrested under subsection (1) may be detained in custody by a peace officer but shall be taken before a justice, magistrate or judge having jurisdiction and charged with an offence under section 4, or shall be released from custody, not later than three days after his arrest, unless the Attorney General of the province in which the person is being detained has, before the expiry of those three days, issued an order that he be further detained until the expiry of a period not exceeding seven days after his arrest, in which case the person arrested shall, forthwith upon the expiry of that period unless he has sooner been released, be taken before such a justice, magistrate or judge and charged with an offence under section 4, or be released from custody.

Idem

(3) In its application to a person who, immediately before the coming into force of this Act, was being detained in custody without his having been charged with an offence under section 4 of the *Public Order Regulations, 1970* made pursuant to the *War Measures Act*, subsection (2) shall be read and construed as though for the reference therein to "three days" there were substituted a reference to "seven days" and for the reference therein to "seven days" there were substituted a reference to "twenty-one days", except that nothing in this subsection shall be construed to authorize the detention of any

9. (1) Un agent de la paix peut arrêter une personne sans mandat

a) lorsqu'il a des raisons de soupçonner que cette personne est membre de l'association illégale;

b) lorsque cette personne déclare être membre de l'association illégale; ou

c) lorsqu'il a des raisons de soupçonner que cette personne a commis, est en train de commettre ou sur le point de commettre un acte visé à l'un des alinéas b) à g) de l'article 4.

Arrestation  
sans mandat

Inculpation  
d'infraction

(2) Sous réserve du paragraphe (3), une personne arrêtée en vertu du paragraphe (1) peut être gardée en détention par un agent de la paix mais doit, dans les trois jours qui suivent son arrestation, être soit conduite devant un juge de paix, un magistrat ou un juge compétent et inculpée d'une infraction prévue par l'article 4, soit relâchée, à moins que le procureur général de la province dans laquelle est détenue la personne n'ait, avant l'expiration de ces trois jours, donné l'ordre qu'elle continue à être détenue jusqu'à l'expiration d'une période n'allant pas au-delà du septième jour qui suit son arrestation, auquel cas la personne arrêtée doit, dès l'expiration de cette période, à moins d'avoir été relâchée plus tôt, être soit conduite devant un tel juge de paix, magistrat ou juge et inculpée d'une infraction prévue à l'article 4, soit relâchée.

Idem

(3) Dans son application à une personne qui, immédiatement avant l'entrée en vigueur de la présente loi, était gardée en détention sans avoir été inculpée d'une infraction prévue par l'article 4 du *Règlement de 1970 concernant l'ordre public* établi en application de la *Loi sur les mesures de guerre*, le paragraphe (2) doit se lire et s'interpréter comme si, au lieu de la mention de «trois jours» qui y est faite, il était fait mention de «sept jours» et que, au lieu de la mention de «sept jours» qui y est faite, il était fait mention de «vingt et un jours», sauf qu'aucune disposition du présent paragraphe ne doit s'interpréter comme autorisant à garder une



such person in custody, without his having been charged with an offence under section 4 of this Act, for any longer period than the Attorney General of the province in which he is being detained deems warranted having regard to the exigencies of the situation.

telle personne en détention, si elle n'a pas été inculpée d'une infraction prévue par l'article 4 de la présente loi, pendant une période dépassant celle que le procureur général de la province dans laquelle cette 5 personne est détenue estime justifiée compte tenu de l'exigence de la situation. 5

Search

**10.** A peace officer may enter and search without warrant any premises, place, vehicle, vessel or aircraft in which he has 10 reason to suspect

**10.** Un agent de la paix peut entrer et perquisitionner sans mandat dans tout local, lieu, véhicule, bateau ou aéronef, lorsqu'il a des raisons de soupçonner 10

Perquisition

(a) anything is kept or used for the purpose of promoting the unlawful acts of, or the use of the unlawful means advocated by, the unlawful association for 15 accomplishing its aims, principles or policies;

a) que quelque chose y est gardé ou utilisé en vue de favoriser les actes illégaux de l'association illégale ou l'emploi des moyens illégaux préconisés par l'association 15 illégale pour la réalisation de ses desseins ou la mise en œuvre de ses principes ou lignes de conduite;

(b) there is anything that may be evidence of an offence under this Act;

b) qu'il s'y trouve quelque chose qui peut contribuer à établir la preuve d'une 20 infraction prévue par la présente loi;

(c) any member of the unlawful association is present; or

c) qu'un membre de l'association illégale s'y trouve; ou

(d) any person is being detained by the unlawful association.

d) qu'une personne y est détenue par l'association illégale. 25

Seizure

**11.** Anything that a peace officer has reason to suspect may be evidence of an 25 offence under this Act may, without warrant, be seized by a peace officer and detained for not more than ninety days from the date of such seizure, unless before the expiry of those ninety days a justice, 30 magistrate or judge is satisfied upon application that, having regard to all the circumstances, its further detention for a specified period is warranted and he so orders, or proceedings in respect of an 35 offence under this Act are instituted in which such thing may be required.

**11.** Lorsqu'un agent de la paix a des 30 raisons de soupçonner qu'une chose peut contribuer à établir la preuve d'une infraction prévue par la présente loi, cette chose peut être saisie, sans mandat, par 30 un agent de la paix et retenue pendant quatre-vingt-dix jours au plus à partir de la date de cette saisie, à moins qu'avant l'expiration de ces quatre-vingt-dix jours un juge de paix, un magistrat ou 35 un juge ne soit convaincu, après avoir reçu une demande à cet égard, que, compte tenu de toutes les circonstances, sa rétention pendant une période supplémentaire spécifiée est justifiée et qu'il n'ordonne cette pro- 40 longation, ou que des procédures relatives à une infraction prévue par la présente loi, et au cours desquelles cette chose peut être requise, ne soient engagées.

Saisie

Bill of Rights

**12. (1)** It is hereby declared that this Act shall operate notwithstanding the 40 *Canadian Bill of Rights*.

**12. (1)** Il est par les présentes déclaré 45 *Déclaration des droits* que la présente loi s'applique nonobstant la *Déclaration canadienne des droits*.

### EXPLANATORY NOTE

Clause 12: Section 2 of the *Canadian Bill of Rights* reads as follows:

"2. Every law of Canada shall, unless it is expressly declared by an Act of the Parliament of Canada that it shall operate notwithstanding the *Canadian Bill of Rights*, be so construed and applied as not to abrogate, abridge or infringe or to authorize the abrogation, abridgment or infringement of any of the rights or freedoms herein recognized and declared, and in particular, no law of Canada shall be construed or applied so as to

- (a) authorize or effect the arbitrary detention, imprisonment or exile of any person;
- (b) impose or authorize the imposition of cruel and unusual treatment or punishment;
- (c) deprive a person who has been arrested or detained
  - (i) of the right to be informed promptly of the reason for his arrest or detention,
  - (ii) of the right to retain and instruct counsel without delay, or
  - (iii) of the remedy by way of *habeas corpus* for the determination of the validity of his detention and for his release if the detention is not lawful;
- (d) authorize a court, tribunal, commission, board or other authority to compel a person to give evidence if he is denied counsel, protection against self incrimination or other constitutional safeguards;
- (e) deprive a person of the right to a fair hearing in accordance with the principles of fundamental justice for the determination of his rights and obligations;
- (f) deprive a person charged with a criminal offence of the right to be presumed innocent until proved guilty according to law in a fair and public hearing by an independent and impartial tribunal, or of the right to reasonable bail without just cause; or
- (g) deprive a person of the right to the assistance of an interpreter in any proceedings in which he is involved or in which he is a party or a witness, before a court, commission, board or other tribunal, if he does not understand or speak the language in which such proceedings are conducted."

### NOTE EXPLICATIVE

Article 12 du bill: L'article 2 de la *Déclaration canadienne des droits* se lit comme suit:

"2. Toute loi du Canada, à moins qu'une loi du Parlement du Canada ne déclare expressément qu'elle s'appliquera nonobstant la *Déclaration canadienne des droits*, doit s'interpréter et s'appliquer de manière à ne pas supprimer, restreindre ou enfreindre l'un quelconque des droits ou des libertés reconnus et déclarés aux présentes, ni à en autoriser la suppression, la diminution ou la transgression, et en particulier, nulle loi du Canada ne doit s'interpréter ni s'appliquer comme

- a) autorisant ou prononçant la détention, l'emprisonnement ou l'exil arbitraires de qui que ce soit;
- b) infligeant des peines ou traitements cruels et inusités, ou comme en autorisant l'imposition;
- c) privant une personne arrêtée ou détenue
  - (i) du droit d'être promptement informée des motifs de son arrestation ou de sa détention,
  - (ii) du droit de retenir et constituer un avocat sans délai, ou
  - (iii) du recours par voie d'*habeas corpus* pour qu'il soit jugé de la validité de sa détention et que sa libération soit ordonnée si la détention n'est pas légale;
- d) autorisant une cour, un tribunal, une commission, un office, un conseil ou une autre autorité à contraindre une personne à témoigner si on lui refuse le secours d'un avocat, la protection contre son propre témoignage ou l'exercice de toute garantie d'ordre constitutionnel;
- e) privant une personne du droit à une audition impartiale de sa cause, selon les principes de justice fondamentale, pour la définition de ses droits et obligations;
- f) privant une personne accusée d'un acte criminel du droit à la présomption d'innocence jusqu'à ce que la preuve de sa culpabilité ait été établie en conformité de la loi, après une audition impartiale et publique de sa cause par un tribunal indépendant et non préjugé, ou la privant sans juste cause du droit à un cautionnement raisonnable; ou
- g) privant une personne du droit à l'assistance d'un interprète dans des procédures où elle est mise en cause ou est partie ou témoin, devant une cour, une commission, un office, un conseil ou autre tribunal, si elle ne comprend ou ne parle pas la langue dans laquelle se déroulent ces procédures."



Continued  
application  
of pro-  
visions of  
*Bill of  
Rights*

(2) Notwithstanding the declaration contained in subsection (1), nothing in subsection (1) shall be construed or applied so as to prevent the application of paragraphs (a) to (g) of section 2 of the *Canadian Bill of Rights* to this Act, in all respects as provided in those paragraphs subject only to the exceptions hereinafter expressly provided, namely:

(a) nothing in this Act shall be held to be a law of Canada that authorizes, or shall be held to operate so as to authorize, the arbitrary detention or imprisonment of any person; and

(b) for the purposes of that portion of 15 paragraph (f) of section 2 of the *Canadian Bill of Rights* that relates to the right of a person charged with an offence not to be deprived of reasonable bail without just cause, just cause shall be presumed to exist where, under this Act, the Attorney General of the province in which the person is in custody has filed with the clerk of the superior court of criminal jurisdiction in the province a 25 certificate stating that just cause exists for the detention of that person pending his trial and the certificate has not been revoked.

Termination  
of operation  
of *War  
Measures  
Act*

13. Notwithstanding the proclamation 30 issued on October 16, 1970 pursuant to the *War Measures Act*, sections 3, 4 and 5 of that Act shall, on, from and after the day this Act is assented to, cease to be in force in consequence of the issue of that procla- 35 mation, and that proclamation shall be deemed to have been revoked.

Acts, etc.,  
deemed done  
under *Pub-  
lic Order  
(Temporary  
Measures)  
Act, 1970*

14. On, from and after the day this Act is assented to, any offence committed under section 4, 5 or 6, respectively, of the *Public 40 Order Regulations, 1970* made pursuant to the *War Measures Act* shall be deemed to be an offence committed under section 4, 5

(2) Nonobstant la déclaration contenue au paragraphe (1), aucune disposition de ce paragraphe ne doit être interprétée ou appliquée de façon à empêcher l'applica- 5 tion des alinéas a) à g) de l'article 2 de la *Déclaration canadienne des droits* à la présente loi, relativement à tout ce qui est prévu dans ces alinéas, sous réserve des seules exceptions expressément prévues ci- 10 après, à savoir:

a) qu'aucune disposition de la présente loi ne doit être considérée comme une règle de droit du Canada qui autorise ou dont l'application a pour effet d'autoriser la détention ou l'emprisonnement arbitrai- 15 res de qui que ce soit; et

b) qu'aux fins de la partie de l'alinéa f) de l'article 2 de la *Déclaration cana- 20 dienne des droits* qui concerne le droit que possède une personne accusée d'une infraction de ne pas être privée sans juste cause du droit d'être libérée sous caution dans des conditions raisonnables, l'exis- 25 tence d'une juste cause sera présumée lorsque, d'une part, en vertu de la pré- sente loi, le procureur général de la pro- vince dans laquelle la personne est détenue a déposé, au bureau du greffier de la cour supérieure de juridiction crimi- 30 nelle de la province, un certificat attes- tant que la détention de cette personne en attendant son procès est fondée sur une juste cause, et que, d'autre part, le certificat n'a pas été révoqué.

13. Nonobstant la proclamation faite le 35 16 octobre 1970 en application de la *Loi sur les mesures de guerre*, les articles 3, 4 et 5 de cette loi, mis en vigueur du fait de cette proclamation, cessent d'être en vi- 40 gueur à compter de la date de sanction de la présente loi, et cette proclamation est censée avoir été révoquée.

14. A compter de la date de sanction de la présente loi, toute infraction commise sous le régime de l'article 4, de l'article 5 45 ou de l'article 6, respectivement, du *Règlement de 1970 concernant l'ordre public* établi en application de la *Loi sur les*

Certaines  
dispositions  
de la *Décla-  
ration cana-  
dienne des  
droits* conti-  
nuent de  
s'appliquer

Fin d'appli-  
cation de la  
*Loi sur les  
mesures de  
guerre*

Actes, etc.  
censés faits  
en vertu de  
la *Loi de  
1970 concer-  
nant l'ordre  
public  
(mesures  
provisoires)*





or 6, as the case may be, of this Act, and any investigation, proceeding or other act or thing instituted, commenced or done under the authority or purported authority of those Regulations shall be deemed to have been instituted, commenced or done under the authority or purported authority of this Act and as though this Act had come into force on October 16, 1970.

*mesures de guerre* est censée être une infraction commise, selon le cas, sous le régime de l'article 4, de l'article 5 ou de l'article 6 de la présente loi, et une enquête, une procédure, un autre acte ou une autre chose intentés, commencés ou faits sous l'autorité ou soi-disant sous l'autorité de ce Règlement sont censés avoir été intentés, commencés ou faits sous l'autorité ou soi-disant sous l'autorité de la présente loi et comme si la présente loi était entrée en vigueur le 16 octobre 1970.

Expiry

**15.** This Act expires on the 30th day of April, 1971 or on such earlier day as may be fixed by proclamation, unless before the 30th day of April, 1971 or before any earlier day fixed by proclamation, both Houses of Parliament, by joint resolution, direct that this Act shall continue in force until a day specified in the resolution, in which case this Act expires on that specified day.

**15.** La présente loi cessera de s'appliquer le 30 avril 1971 ou à la date antérieure qui pourra être fixée par proclamation, à moins qu'avant le 30 avril 1971 ou toute date antérieure fixée par proclamation, les deux Chambres du Parlement n'aient ordonné, par résolution conjointe, que la présente loi restera en vigueur jusqu'à une date spécifiée dans la résolution, auquel cas la présente loi cessera de s'appliquer à cette date.

Fin d'application