

*Hate Propaganda*

are fully protected against all kinds of civil actions for slander when we are speaking here. But are we protected against a criminal charge? If, in desperation, an hon. member were to assassinate somebody or commit assault resulting in bodily injury, actions covered by the criminal law, would he enjoy parliamentary immunity? I am sure he would not; this House would quickly move a resolution and the parliamentarian concerned would be tried in the courts of justice like any other citizen.

But what would happen to parliamentary immunity under this bill if any hon. member dared raise his voice in the House and express himself in a way which brought him within the formula laid down here? Could not a resolution be passed by supporters of a majority government which is awfully hungry for power and which has shown itself prepared to override parliament at every turn? These are the dangers of the bill before us. I ask what would happen to parliamentary immunity if it became law. The Attorney General has power to say whether an offence, if one has been committed, shall be subject to prosecution or not. Well, the Attorney General is a member of a political party; he is as much a political animal, as anyone else here. What might happen?

When the legislators stagnate, I am glad we have dissenters. But consider the actions of those who take a stand on the Viet Nam situation; those, for example, who defend the position of the United States. Do their words not lead to hatred? Do they not cause, on occasions, a breach of the peace? It is the process of dissent which gives rise to freedom. Just because there is a man like Beatty in Toronto, and a few other crackpots like him, is no reason for using a packet of dynamite when a few drops of mosquito oil would do.

One hon. member mentioned the CBC. What about the plays I see continually on the television screen? My children would never have known anything about Nazi Germany but for them. Every night there is one of these programs. Now there is one about Yugoslavia. They have got out one about fighting guerrillas. Are these programs hate literature? Are they directed against identifiable groups of people? What will happen to TV and radio? I must congratulate the national newspapers; they have been writing responsible editorials drawing attention to precisely the points I am raising now. I hope the press gallery of this institution will measure up to

[Mr. Woolliams.]

its responsibility and make it known that the power to write, the power to find out the truth and the power to protest is vital to democracy even though its effect may not be appreciated for some time.

We have a right to be silent, too. That is a form of free speech. Take the example of an obscure Englishman named Francis Jenkes, in the time of Charles II. He had been brought before the court for daring to criticize the court itself—at least it was an identifiable group, made up of judges and bishops. When asked the question, "Who advised you in this matter?" he replied:

To name any particular person (if there were such) would be a mean and unworthy thing, therefore I desire to be excused all further answer to such questions.

What did the lords and bishops do? They threw him into a dungeon. But as a result, freedom was born. He stayed in prison all summer, but his stubbornness helped bring into being the great Habeas Corpus Act of 1679. What about the right of the press to remain silent as to their sources of information? What about the right of a Member of Parliament to remain silent as to his sources of information? Does free speech produce truth? The great writers and speakers mislead us a little because their inspiring words lead us to expect too much from discussion too soon. In great debates it is possibly true to say that no parliamentarian convinces more than a few. But we tend to ignore thousands of listeners and readers many of whom reshape their half-formed views because of what is said in the course of free speech, in the thrust of parliamentary debate or, indeed, in debate on the hustings.

To put it in another way, we know the tide is either coming in or going out, but we do not possess a tide-table. Very few people can accurately measure public opinion. Every now and then, of course, we encounter the speaker or the writer who is really an objectionable fellow. There is the position of the extremist. He may frighten a multitude of cautious and sensitive men who do not dare imperil their wives and children: it upsets their tranquility, which is essential to productive writing. We cannot know what is lost through the effect of repression of them, because it is not prosecuted but simply left unsaid. The agitator's contest is waged on behalf of these thoughtful men as well as for his own sake, and if he wins, the gain to truth will usually come more from their writing than from his. As