

Establishment of Immigration Appeal Board

given authority in security cases for the board to hold its appeal hearings in camera and to exclude the accused and his counsel when evidence of a security nature was being given. It would have required the Department of Manpower and Immigration, on the order only of the appeal board, to give particulars of the objections to admission.

• (5:10 p.m.)

There is no point in beating our breasts about human rights in theory and then denying them in practice. Reasons of security of state are always used in an effort to excuse breaches or denials of rights acknowledged in theory. Admittedly there may be occasions when genuine reasons of state may require the suspension of normal rights, but this is not such an occasion. Security in wartime even in regard to internment did not require the total denial to those interned of any reason for their internment. In this instance security does not require that the beneficial right of appeal conferred by this bill should effectively be denied.

Fundamental rights are not for the majority alone. They are not for the popular. They are not for the accepted. Fundamental rights are for minorities, for unpopular minorities. They are for harried, would-be immigrants who are seeking admission to this country. It is important in the interests of Canada, not just of the immigrants, that our immigration procedures should be fair and in accordance with the best of our traditions.

This bill is a significant advance in the fair treatment of immigrants and sponsors of would-be immigrants. It is too bad that in the interest of security there should be a blot place upon what is otherwise good legislation in the very field where the rights conferred by this measure are most urgently needed. I have heard the explanation given by the minister in committee. He argued that there is no half way house, that there must either be a full hearing with evidence or there can be no appeal at all of any value. I said then that I believed him to be wrong and I repeat that he is totally wrong. Practice has shown that there is a half way house where the interests of security can be balanced against a desire to be fair to those concerned. For this reason I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That Bill No. C-220 be not now read the third time but that it be referred back to the committee of the whole house for the purpose of reconsidering clause 21 thereof.

[Mr. Brewin.]

Hon. R. A. Bell (Carleton): Mr. Speaker, we made it quite clear in committee of the whole that we were not satisfied with clause 21 as it now stands. The view which we take, and it was supported by an amendment moved a week ago today—

Mr. Olson: On a point of order, Mr. Speaker, I should like to question whether the amendment moved by the hon. member for Greenwood is in order. We have already had a decision of the house not to refer this bill back to committee. That amendment was that the bill be not read the third time but that it be referred back to the committee of the whole house for reconsideration of clause 17.

May I refer Your Honour to citation 415 of *Beauchesne* where it is stated:

(2) Bills may be recommitted a number of times with or without limitation; in the latter case the whole bill is opened to reconsideration—

I suggest that if the bill had been referred back to the committee for the purpose of reconsidering clause 17 and we had then progressed to third reading it would be in order to move another motion to recommit the bill in line with this citation. It could be recommitted then for the reconsideration of another clause. But since it is stated that the whole bill is opened for consideration and since the house has in fact rejected an amendment for recommitment only a few minutes ago, I suggest that the present amendment is not in order inasmuch as the house has already reached a decision on an amendment which is essentially the same as the one before us except that the one before us refers to clause 21 and the former amendment referred to clause 17.

Mr. Knowles: Mr. Speaker, may I suggest that the answer to the argument put forward by the hon. member for Medicine Hat is contained in the very citation from which he read. Citation 415 (2) refers to recommitment without limitation. Neither the amendment moved by the hon. member for York South nor the amendment now moved by the hon. member for Greenwood is a motion without limitation. In each case it is a motion for referral back for the purpose of considering one specific clause.

There are many examples of bills recommitted over and over again. My recollection tells me that in 1956 this happened repeatedly. I have had occasion to look up this point and see what happened during some of the early years of the history of the House of