

appreciate what has been done and I want to thank all hon. members who made this possible. Today I am going to discuss in a general way a matter I have dealt with on previous occasions, and in particular on May 8. I emphasize that date because since then a major portion of the revelations in the Watergate investigation has shown the tremendous dangers which are inherent in anything along the line of wiretapping and taping.

To begin, with I should say that the Minister of Justice (Mr. Lang) has apparently not read with care or attention, or probably not at all, the speech made by the former Minister of Justice on September 2, 1969. It is a remarkable piece of work and indicates the amount of attention the present Minister of Finance (Mr. Turner), as Minister of Justice, gave to this very serious problem. In the course of his remarks he said, among other things:

The new cybernetics of an increasingly urbanized technetronic environment will surround us. Science and technology will spawn new forms of electronic surveillance, psychological surveillance and data surveillance. Already scientists are experimenting with brainwave analysis to join the more conventional forms of psychological surveillance such as personality testing and polygraphing. National data banks, commercial reporting agencies, computerized transactions and the like are making us the greatest data-gathering, privacy-invading society ever known. Indeed, data-generating techniques may well remember what we have chosen to forget.

That is the essence, if you understood what has been said up to the present time. These modern expressions are somewhat difficult unless you have a dictionary with you. He went on to state:

The orbit of privacy will be an ever shrinking one; yet the need for privacy will be more paramount than ever. The law must ensure that the right to privacy remains sacrosanct.

I pass that on to the present Minister of Justice from one who is an experienced parliamentarian and has never endeavoured to force his own ideas on the House of Commons, regardless of the arguments advanced in this institution. He then went on to say:

—there is another side to the right to privacy which has not received the prominence it deserves but whose dimensions cannot be ignored. There is a tendency in governments to refuse information to its citizens under the guise of privacy which is disguised as the public interest.

That is an amazing prophesy of what has actually happened today. Secrecy is sometimes legitimized as the state's right to privacy, but it may well be a denial of the public right to know. I do not know how this might be summed up more succinctly than it was in that speech. What has happened here is that the minister has not trusted the committee, and in view of the way the system of committees has been set up that will not work.

Mr. Lang: The committee left in this section.

Mr. Diefenbaker: If the hon. gentleman wants to interrupt he can stand up, and I will listen with the attention I normally give him.

Some hon. Members: Oh, oh!

Mr. Diefenbaker: The committee system would not be effective because committees would become dominated by the minister, and would be permitted to do that which the government wanted done. The minister did not succeed in the committee because there were outstanding representa-

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tives on that committee who would not be pushed around by him. Amendments were made and the minister now comes before the House and asks that those amendments be further amended in accordance with his wishes. That is the first step along the road to the complete domination of a committee by a minister who refuses to listen to arguments, even from members of his own party on that committee. He determines the course he will follow and then, with a determination that would be highly considered in other courses of action, he proceeds to endeavour, having not been able to intimidate the committee, to bring about in this House of Commons a series of amendments.

● (1240)

I made clear on second reading that through the years I had been totally opposed to wiretapping and that I believed there must be some control. In Canada there has been none. I looked on this legislation when it was introduced as a step in the direction of preventing injustices that exist today through unlawful wiretapping. Now, we know something of how dangerous it is since the revelations of Watergate. I want to point out at this moment that, despite all the wiretapping done at Watergate and despite the tapes still available that have not been lost in transit or in consequence of indifferent reproduction, that none of the convictions that have been registered had anything to do with wiretapping. This is a very important consequence. The tapes neither helped nor hindered in the pursuit of the Watergate case. The tapes had never been heard of when the seven original Watergate defendants were convicted or pleaded guilty to bugging the Democratic National Headquarters. Neither the public nor the prosecutors knew the recordings existed when two former ministers, John Mitchell and Maurice Stans were indicted for perjury. No court had ever listened to a taped conversation when John W. Dean pleaded guilty to a charge of conspiracy. The tapes were not a factor whatsoever in the results that had been attained there.

That is a matter of great importance. It has always been the same through history, that when anyone decides to do something that is unjust there is always the explanation that it is for the benefit of the people. The minister has simply embraced that argument. I am not comparing the two, but the tragic irony of the French Revolution was that it was said to be for the good of humanity or the general good. The prosecutions that are taking place in the U.S.S.R., in the Ukraine and in other freedom-loving countries under the domination of the U.S.S.R. are explained by the U.S.S.R. in these words, "for the good, the general good". That type of humanitarian mentality has always been a jumping off place for those who would bring about injustice.

I said when I spoke on May 8 I was prepared to support the bill provided that sections were removed which have to do with temporary and emergency occasions. That to me completely destroys the entire bill. It places in the hands of an individual, an agent, the right to wiretap for 36 hours without the order of a judge. To me, there is nothing more dangerous to freedom within our country than that particular item. Why not leave the matter with the judges? There are 600 judges available. The minister said they might not be available at the moment. Will the agent be available; will the Attorney General of the particular