

*Protection of Privacy*

cal remark that is made by members of the opposition when they have nothing to say. They accuse ministers of being rigid, arrogant or overzealous; and when they find a minister who is not arrogant, rigid, or overzealous they call him weak-kneed, feeble and otherwise unable to stand firm in the face of adversity. Those are the different possibilities they find. Let us see that clearly and understand that they are political remarks, and not put them down to something else.

After all the violins for the hon. member for Fundy-Royal, I regret that he found it necessary to drop to that level tonight and resorted to that kind of tactic once again. The hon. member for St. Paul's was in the committee. We not only made the move in respect of the definition of "subversive" activity in this context and in the context of a section where we saw the special need to protect the state and have the Solicitor General take the responsibility for it, but we added a further section, a section which I placed before the committee and asked to be moved and approved which called for the Solicitor General to make a detailed report on the activity under this part which had not previously been included in the bill and which had not been suggested originally by the hon. member for Fundy-Royal. We now, once again, have the responsibility and undertaking of the Solicitor General for the warrant, in the first place, and the responsibility to report in detail on the activities under this section.

With the political responsibility that is involved, that should have been recognized by the hon. member for Fundy-Royal as being adequate to better protect our country and our freedoms. However, with the sound of violins playing in his ears, he failed to appreciate that. I hope other members have seen it and will fail to support the motion of the hon. member for New Westminster and will, instead, support the basic need in this country to have at certain times certain measures to take care of the very existence of the state and the very freedoms and liberties which we all defend.

**Mr. Ouellet:** Mr. Speaker, on a point of order, I should like to draw the attention of the House to the presence in the gallery of a great Canadian athlete—a man who had a tremendous hockey career in Toronto, Detroit, and now in Montreal, and whom we honoured last night in Montreal. I refer to Frank Mahovlich.

**Some hon. Members:** Hear, hear!

**Mr. Deputy Speaker:** I am sure the Postmaster General (Mr. Ouellet) is assisted by every member of this House on his point of order.

**Mr. Erik Nielsen (Yukon):** Mr. Speaker, he scores a good deal more often than any member of the government. I never cease to be amazed at the gall of the Minister of Justice (Mr. Lang) in purporting to rise, as he did a minute ago, to object to the way in which we have berated ministers on the treasury benches for their shortcomings. He is an expert at that. He has proven it time and time again in his two portfolios. I am glad to see his predecessor is here tonight, the Minister of Finance (Mr. Turner). I commend the speech he made in 1969. I fully endorse everything he said at that time.

[Mr. Lang.]

It is a pity the Minister of Justice did not follow the precepts set forth by the minister of justice of that day. I doubt whether he even read the speech, otherwise we would not be seeing such terrible legislation before us as there is in this bill. I see the Solicitor General (Mr. Allmand) has left his seat—although his seat gives every appearance of being ready to be occupied again. I hope he comes back because I want to say something about responsibilities under his jurisdiction.

However, before doing so let me say I am opposed to this section in its entirety and not only to the amendment that has been advanced. I do not think any great improvement has been brought about by the amendment made in committee, which has attempted to confine the operation of the section to so-called matters of national security. The section as it stands gives the Solicitor General absolute power to issue a warrant or intercept communications when those communications effect a subversive activity or the gathering of foreign intelligence essential to the security of Canada. Subsection (3) of this section attempts to set forth a definition of subversive activity. It includes espionage or sabotage and foreign intelligence activities directed toward gathering intelligence information relating to Canada, and activities directed toward accomplishing governmental change within Canada or elsewhere by force, violence or any criminal means. The word "elsewhere" concerns me a good deal in a piece of Canadian legislation.

The next part deals with activities directed to an actual or potential attack or activity against Canada. No one can quarrel with that. The last part has to do with activities of a foreign terrorist group directed toward the commission of terrorist acts in or against Canada. That is a very broad definition that could include all sorts of so-called organizations in Canada which have as their objective precisely that. But let me backtrack for a moment to subclause (c) which includes in the definition of subversive activities, activities directed toward accomplishing governmental change within Canada or elsewhere by force or violence or any criminal means.

• (2110)

In effect, the section is authorizing the Solicitor General to issue a warrant for the purpose of intruding on the conversations or in the mail of anyone in or out of government if this is all that is required, if they have reasonable and probable grounds to believe that someone is conducting activities directed toward accomplishing government change anywhere in the world. This seems to me to be a breathtaking power to be giving to the Solicitor General. All that is necessary, for instance, for the invocation of this clause and the granting of a warrant is the request by the CIA or by any other intelligence service in the country to the Canadian Solicitor General to intrude upon the communications emanating from any Canadian citizen because they have reasonable and probable grounds to believe that some activity is being conducted by that Canadian citizen, government employee or otherwise, which might have the effect of causing a governmental change within the country. It could happen in the case of Chile, it could happen in the case of the United States or of China—indeed, any country in the world. That kind of