

Hate Propaganda

families who are on public welfare but who have some earnings. They generally have one dollar deducted from welfare for every extra dollar that they earn.

The Acting Speaker (Mr. Béchard): Order. The hour allotted for private members' business having expired, I do now leave the chair until eight o'clock.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS**CRIMINAL CODE****AMENDMENT RESPECTING HATE
PROPAGANDA**

The House resumed consideration of Bill C-3, to amend the Criminal Code, as reported (with amendments) from the Standing Committee on Justice and Legal Affairs.

Mr. Eldon M. Woolliams (Calgary North): Mr. Speaker, prior to private members' hour I was dealing particularly with those clauses of the amendment that relate to advocacy. I said that it is tragically true that in Canada tiny groups of perverted individuals circulate literature that is filthy, malicious and scurrilous; but ideas, good or bad, are seldom buried in jail. As I have pointed out, there is plenty of protection against this sort of thing in the Criminal Code and the Bill of Rights. What we might be doing here is creating the possibility for people to become martyrs. Ideas, as I said before, are seldom buried in jail. As Professor Harry Arthurs, Dean of Osgood Hall, has said, to pass this bill could mean that in the name of democracy we sacrificed democracy. The police crackdown or the jail sentence is a singularly ineffective way of diminishing hatred and contempt.

The most effective strategy to counter either the pathological fanaticism that distributes smear sheets or the more sophisticated expressions of those prejudices and hostilities that still survive among groups in our society is not the incarceration of a few annoying individuals. I cannot admit that we are approaching bankruptcy in terms of our moral and educational resources to deal with the problem of hate and contempt.

With the Canadian Bill of Rights of 1960 we have a new development in the law. The Bill has been interpreted in the Drybones case and now the courts take cognizance of the Bill of Rights which protects us. We have moved into a new concept of how to protect human rights and particularly how to eliminate racial discrimination.

I refer to the human rights commissions that are now being established by various provinces, of which the best example is the Ontario Human Rights Commission. Here we have a new method of approaching this problem. In my opinion we do not need more criminal law. Why involve the police, and why have trials. Matters such as hate and love are in a realm of human behaviour where law is a very awkward and clumsy form of control. You do not release the hatred by more prohibitions, but by fair human rights legislation.

Our anti-discrimination laws are greatly advanced and are developing all the time. To my mind this new kind of approach is almost like a social worker's approach. By a proper and well-balanced system of education you reach the minds of people and raise the dignity of the individual. Individuals are raised to such an extent and their expressions become such that they lack the capacity for this kind of hate literature which is published, as I said before, by small groups.

The second point is that the clauses of the bill dealing with hate literature are not necessary. This is crisis legislation, and there is no crisis in Canada. The bill undoubtedly constitutes an increase in the prohibitions of the Criminal Code and therefore a decrease in the freedom of the individual. I see no pressing evil at this moment, and I do not think anybody can produce evidence of any, in Canada that warrants its necessity.

As for the argument of fulfilling any obligations we may have internationally, there are two international conventions that might seem to give us obligations. There is the Genocide Convention and the Convention on the Elimination of All Forms of Racial Discrimination. There is good authority to say that our present law is adequate to fulfil our obligations under these conventions, international agreements or arrangements.

The third argument is that this bill is dangerous. It is bad education for the public. It teaches that the way you stop hate is by having the police lay charges and putting a man in prison. That is not the way to make people behave better. I do not think anybody