However, the Government rejected that motion. Therefore, if we are to do anything to flag this problem, the alternative is to vote to delete the clause as a whole. That, of course, is not really the best alternative theoretically or ideally. What would have been best would have been for the Government to have allowed time for the consideration of this legislation.

The Government probably thinks it was very generous in allowing us a week but, in fact, every witness who came before us referred to the difficulty involved in getting a copy of the Bill, studying the Bill and preparing a considered presentation on it. Nevertheless, most of them did speak against this clause.

It would have been better to give the Bill more study. If the Government had slowed down a bit, perhaps it would have been able to think more cooly and calmly about the entire Bill.

The Government did create quite a furor in July with one-sided statements about the people who arrived in the ship *Amelie*. People who came through other means and manners were mixed up in that furor as well, but that furor has considerably cooled off.

If it were possible to continue consideration of the Bill, or if the Government had waited even a few days to allow further consideration of the Bill before taking up positions pro and con in the usual adversarial way of Parliament, I think a better job would have been done on the Bill. The Government chose for its own political purposes to rush the Bill through in the style of an emergency as though it were not 174 unarmed people who arrived on our shores but 174,000 armed troops invading us.

Experts have told us that this clause is a deprivation of the due process of law. It is a deprivation of the normal rights of a detained person to defend his interests, even while the Government pursues its suspicions or accusations.

It has been suggested that it does not do much harm to reduce or even take away the rights of these people because they are strangers. They are not Canadian citizens, nor are they Canadian residents. They are foreigners. They just came here and therefore we have very few obligations to them as far as human rights go.

That is not the position taken by the Supreme Court when dealing with the Charter of Rights and Freedoms, and it is not the position most Canadians have in fact taken toward strangers. In fact, the first Canadians who met the *Amelie* offered these people food and drink, throughout the world the traditional way to greet a stranger who may be in difficulty.

Treating strangers with an unusual amount of detention and a refusal of habeas corpus or the related rights of review may seem harmless because it is done to these people who have just arrived and whom the Government expects to get rid of. Of course, the Government is treating them as though guilty until they can prove themselves innocent.

I wish to point out that it is a matter of experience, not over years but over generations and centuries, that what we do to other people very often comes back to haunt us. If we deny the human rights and if we deny the humanity of strangers, we have undermined or jeopardized our claim to humanity, that is to say, we have called in question our belief in humanity and in the rights of humanity.

• (1520)

That is why it is risky to pass this law which takes away some, not all, of what our court has considered the basic human right of humanity, not of Canadians only, but of humanity. The court did not extend the application of its decision beyond Canada's borders, quite rightly, but it said that a human within our borders does have certain basic rights simply because of being human and being within our borders.

This law encroaches on that principle. It does not wipe it out entirely but it undermines it. I think it would be a mistake for Parliament to proceed with this law. I think it was a mistake to proceed so hastily with Bill C-84. This is one of the parts that should be withdrawn and given further consideration.

The Justice Department, which may have said it is just fine also said that while the law was just fine, it denied an oral hearing to refugee claimants. The Supreme Court said that that was not just fine. Therefore, the Government is not wise to proceed on the advice of the Justice Department against the advice of many reputable private citizens.

This Government, especially, makes a point of favouring the initiative of private citizens over Government. I wish it would remember that principle it preaches and consider the well credentialed and well respected private citizens who have warned the Government against either the whole of Clause 12 or certain parts of it. Therefore, I support the motion to have this Clause deleted from the Bill.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, this is another motion made necessary by a repugnant approach in another portion of this Bill. I welcome the presence of the Minister of State for Immigration (Mr. Weiner) this afternoon in the House. He has finally found the courage to come here and defend his Bill. We have two Ministers of Immigration but neither has had the guts to defend the Bill during the two days that we have been debating it. They have been hiding behind the Parliamentary Secretary who is carrying the Bill in this House because the Ministers have not had the courage to speak up and explain some of the offensive, nasty, vile and mean clauses it contains. Clause 20 is one of them.

I looked forward to the intervention of the Minister of State for Immigration, hearing his voice in defence of this junk, Mr. Speaker. It is high time the Ministers came out from behind the curtains to defend their own bills instead of hiding behind the Parliamentary Secretary who is carrying the can for them.

We are here on Clause 20. The Hon. Member for York West (Mr. Marchi) has suggested that it be deleted, as has the Hon. Member for Spadina (Mr. Heap). They are quite right. In the committee hearings we heard interventions by the civil