

Hate Propaganda

other members of his family. We may think that these thoughts are reprehensible, as indeed we do in this particular instance, but I question whether Parliament has the right to say to a man that in the privacy of his home he cannot have an evil thought or communicate it to the members of his family.

I think that this bill goes to dangerous lengths when it attempts to regulate in such a minute way what a man may say to members of his own family, and that is what this bill does. The minister suggested the phrase "may argue in favour of" as a dictionary definition. In other words, a man would be guilty if he "argued in favour of". To argue in favour of a reprehensible act is a pretty minor offence for which to be called upon to answer in the courts. I believe that the hon. member for New Westminster proposed a valuable amendment. I think we would be doing a disservice to the people of Canada if we legislate in such a minute way that we negate the sense of freedom which this Parliament seeks to protect.

I do want to say, therefore, that I support the amendment of the hon. member for New Westminster and I will vote for it, even though I am strongly in favour of the general provisions of the bill.

Mr. Robert McCleave (Halifax-East Hants): I think that the hon. member for New Westminster (Mr. Hogarth) has pointed out the horns of a dilemma upon which we find ourselves in dealing with the genocide section of this measure. It is one thing to reach into a person's home life and to say that that person should be punished for teaching his own children that identifiable groups should be the subject of genocide. That may seem as abhorrent as the thought that there would be people who would nurture such thoughts among their young in their own homes. But it is another thing, and this is the other side of the dilemma, that only the small part of the iceberg shows when genocide is actually carried out.

I suggest that if one reflected upon the state of affairs in the 1930s in Nazi Germany and if one wished to punish the perpetrators of those crimes against mankind under Bill C-3, one would find it difficult going because one would find that there were those who publicly stoked the gas ovens but there were also numbers of people hidden behind the grey walls of bureaucracy. These people never made a public statement that certain people should be sent to the gas ovens, and yet their actions were fatal to the people concerned.

Those who carried out the acts were simply the executioners. That is why I say we are faced with a dilemma here. For example, if genocide should ever be carried out against a group in Canada—if somebody were to fall on an identifiable group of people before police action could intervene—I suggest you would find that the executioners who carried this out would clearly fall within the provisions of Bill C-3. However, I suggest also you would find that the boys in the backroom were the ideological spear carriers but not the actual carriers of spears. I suggest that these people would be equally guilty, perhaps even more guilty than those who actually carried out the crime itself.

As I said, I think we are on the horns of a dilemma and the hon. member who presented the amendment has usefully pointed this out to us. I would answer him by saying that his amendment, which adds the word "publicly" does not, however, say "advocacy by public action", and to me that is a very important distinction. I cannot get myself off the horns of the dilemma by accepting his amendment, and therefore I have to follow the reasoned argument of the Minister of Justice (Mr. Turner)—and I think it is a reasoned one in this case—that the safeguard offered by the attorney general of a province at least is some kind of safeguard. Therefore, in conscience, I am compelled to vote against the amendment proffered.

● (4:20 p.m.)

Mr. Mark MacGuigan (Windsor-Walkerville): Mr. Speaker, I rise to take issue with the amendment proposed by my colleague from New Westminster. I would like to say at the outset that I think his statement that this legislation is before the House as the result of the political pressure of a particular group in our society does less than justice to the many members of this House who have presented bills on this subject, to the government which has put forward this bill, and to the members of the justice committee who have supported it.

I believe that this bill is before the House of Commons because of social need. Unfortunately, even in our country, we have a certain amount of hate literature in its most virulent form. It is also before this House because in the 20th century there has been a sad history of mass murder, to which I hardly need call the attention of this House.

I believe that my colleague from New Westminster is wrong in his philosophy, in his analysis of the report of the Cohen Commit-