

to say that they have been actually used in this world of ours for the wholesale destruction of certain groups—elsewhere, not in Canada. I am sorry to say that there may be those in Canada who would practise them here, in whole or in part. The Maxwell Cohen committee found no less than 14 organizations in Canada engaged in hate propaganda. While they say that the persons involved are few in numbers, and they suggest unimportant from some points of view, to ignore the potential injury and the prejudice developed by their activities in the distribution of hate literature would be a mistake.

Because most of the acts defined as genocide are clearly prohibited in the Criminal Code—such as murder, assault and a few more such acts—this bill is confined to the advocacy and promotion of genocide. This is clearly not forbidden by our Code as it stands today. While mass murder of any group in Canada distinguished by colour, race or ethnic origin is unthinkable, at least at the present time, and is certainly very remote, the awful consequences of racism and prejudice are such as to warrant a repudiation by the Parliament of Canada.

The groups against whom it may be levied—and that perhaps applies to us all—are entitled to protection from its advocacy—and, I might add, from the insult of such attack.

Honourable senators, I turn again to the bill. I would like to mention the second great division of prohibition. It reads as follows:

Every one who, by communicating statements in any public place, incites hatred or contempt against any identifiable group where such incitement is likely to lead to a breach of the peace, is guilty of

(a) an indictable offence and is liable to imprisonment for two years; or

(b) an offence punishable on summary conviction.

Two years may seem to some as being severe, but section 622 of the Code permits a fine in lieu of or in addition to, the specified penalty set out in the act. It limits the imprisonment for non-payment to the penalty set forth in the act, in this case two years. The penalty on summary conviction may be a fine as high as \$500 or six months' imprisonment, or both.

That section which I have read requires some definition. "Public place" is defined to include any place to which the public has access, as of right or by invitation, expressed or implied.

"Statements" which are prohibited, as you have noted, include words, either spoken or written, gestures, signs, or other visible representations.

Then comes the very important definition of "identifiable group". It means "any section of the public distinguished by colour, race or ethnic origin."

"Ethnology" is defined in Webster as "the science dealing with the races of man, their origin, distribution, peculiar characteristics, et cetera."

Hon. Mr. Choquette: Is my question again timely?

Hon. Mr. Roebuck: It is not timely quite yet.

Hon. Mr. Choquette: I hope it will come.

Hon. Mr. Roebuck: It will come in a moment. May I say to my good friend that the committee's recommendations included religion, language and nationality. They are not in the bill, and I will tell you why. "Colour, race and ethnic origin" is broader in its scope, as it includes all of a group, whether or not they adhere to the religion of the group and whether or not they speak the language of the group.

Hon. Mr. Choquette: Yet their religion could be maligned and insulted, and you could have all colours belonging to that religion and it would be all right.

Hon. Mr. Roebuck: I do not think it goes that far.

Hon. Mr. Choquette: That is the explanation you are giving.

Hon. Mr. Roebuck: The ethnic definition would cover what you say.

Hon. Mr. Walker: How?

Hon. Mr. Roebuck: At all events, that is something for more thorough discussion in committee. If religion is not covered, we may amend the bill. At the same time, I submit now that the addition of adjectives or words to a simple sentence usually restricts the meaning rather than enlarges it. That is the argument at least with regard to the present phraseology. To add religion, language and even nationality would narrow rather than widen the definition. Moreover, religion is pretty well protected, as my friend will see, under section 161 of the Code. "Nationality"