

legislation was introduced in recent years. We have referred to the disturbing psychological and psychiatric implications of hate propaganda, citing three significant documents—the study by Dr. Harry Kaufman as embodied in the Report of the Special Committee, *Warrant for Genocide*, a book by a noted British psychologist on the myth of the world conspiracy and how this myth gained acceptance, and a psychiatric report on a survivor of the death camps presented to the Ontario Court of Appeal. We have dealt with the safeguards the legal draftsmen have written into the bill to ensure protection of freedom of speech, and have shown that the defence of truth is available in this bill though it is not present as a defence in a number of other allied offences.

We have established that this proposed legislation does not permit any prior censorship of speech or writing and we have suggested that consideration might be given to the fiat of the Attorney General being a requirement for prosecution. We have entered a strong plea for the inclusion of religion as a quality of an identifiable group. We have listed the number of professional, communal and political organizations who have asked for the law to intervene in this vital area of human relations.

We urge you, honourable senators, to give this bill your scrutiny and attention—something I am sure you will be doing—for we are optimistic that a close examination of its measures will reveal the positive benefits that will flow from it. This is an opportunity to demonstrate in a practical and affirmative way that in this International Year for Human Rights Canada is serious in the defence of her democratic pattern of life and values and intends to offer these full protection in law.

We therefore look forward with confidence to your committee commending the bill before you.

Thank you for your attention. If I or my colleagues—and I think because of my voice now my colleagues may take an active part—can deal with any of your questions we shall be very pleased to do so. Thank you again.

The Chairman: Thank you, Mr. Harris. Any question?

Senator Laird: Mr. Chairman, do you recall the explanation given by Mr. Scollin for the omission of religion? It seems a serious omission.

The Chairman: As I recall, the explanation given at that time was that people can and do change their religion, and that with some religious the very propagation of the religion amongst disbelievers is the basis of the religion, whereas the three things put in—colour, race and ethnic background—are things which people cannot choose in the first instance, and cannot by any action of their own change under any circumstances. On page four of the report Mr. Scollin said:

It is considered that "ethnic" covers "national", that so far as Canadian conditions are concerned the word "ethnic" covers the total ground that need be covered. This was the view taken. With regard to the word "religion" it was considered that since this is a matter which can be the subject of and changed by debate and discussion, even of a very vigorous and brutal form, religion as distinct from the other attributes ought not to be a test. The other tests, of colour, race or ethnic origin, are immutable, they are matters which cannot be changed by debate in any way, and the same is basically true of language.

He then goes on to cite the United Kingdom Race Relations Act. I think we then had a discussion on the dictionary and found that our dictionary said that "ethnic" meant non-Jewish.

Mr. Garber: It might be true that individuals change their religion, but if the religious group of, say, ten million people is attacked it is inconceivable that overnight those ten million would change their religion. First of all it is against their religion to change their religion, and if they are religious they would not do it. There is no example in history of a whole group, involving even hundreds of thousands, who have suddenly changed their religion. It is done on a gradual basis and an individual basis. Sometime in the ninth century there was a group enamoured of the Jewish religion who joined it, but it was only a small group and it was done as a result of long propaganda. If I may for a moment be hypothetical and not factual, if Jews are attacked on Sunday for going to the synagogue, it is inconceivable that on Monday they will all go to the bishop and change their religion.

Mr. John A. Geller (Chairman of Canadian Jewish Congress Special Committee on Bill S-5): We do not suggest that the discussion of