

Supply—Citizenship and Immigration

Both applicants had resided in my constituency for many years. One was of European ethnic origin, and the other of Chinese ethnic origin who first went to the United States and then came to Canada and has resided in Canada for many years. Both have professional status but have been denied citizenship by the minister's department.

What happens, Mr. Chairman, when these people want to know why they are refused and are given no reason? They do what I think is the logical and natural thing to do—they take it up with their member of parliament. These two applicants got in touch with me and said: "We have been recommended for citizenship. We have no knowledge of any wrongdoing. We are told it is not going to be granted, or that there will be a delay for one year". As their member of parliament I take up their case with the minister's department and I ask why they have been turned down. Correspondence goes back and forth; the minister writes me, I write him back and on we go. Then finally I receive letters in connection with each of these cases which say they are being held over for a review in one year's time, and the letters go on to say: "Of course, Mr. Winch, you know we cannot tell you the reason why".

I think something is definitely wrong when in a democratic country like Canada a person who, as far as he knows, is completely eligible for citizenship, is told by the minister he is not going to get it, that it is going to be postponed for one year and then reviewed, and is not told why, or whether any charge is made against him. Not only the applicant but his member of parliament is also told exactly the same thing. Of course the constituent blames his member of parliament for not being able to solve his problem or to find out what is the difficulty. I maintain that this is and has been a disgraceful situation. A person should know the reason why his case is held over. If something is wrong, surely the person concerned has the right to say whether it is true or false, and if it is false to demonstrate it is false. But as it is it hangs over him like a shadow and he cannot be blamed for wanting to know what kind of democratic country he has arrived in.

Another case I have been handling for months now concerns a woman who does not even want her name mentioned. As a matter of fact, she does not even want anything more to do with the matter. But her neighbours are more incensed than she is and I am almost being deluged with letters from these neighbours who maintain that this appli-

cant is a wonderful person, that there is none better, and they hold me responsible to do something about it or at least to give them an answer. But I cannot do so.

Now, Mr. Chairman, surely this is a wrong procedure to adopt and a wrong attitude to take. It certainly is not democratic and is an out-and-out totalitarian dictatorship policy, and the policy of a police state. I contend that it is absolutely incumbent on each and every one of us to exercise every bit of influence on the minister to have this despicable policy changed, and changed immediately.

Mr. Favreau: Mr. Chairman, although these are not my estimates a question was raised in the house the other day which led to discussion between the minister and myself and I should like to deal with it very shortly at this point, if I may. It concerns the case of Mr. and Mrs. Bergsma, who are man and wife. The question was raised in the house yesterday by the hon. member for Hamilton South.

I think there is no question in the Bergsma case that an application for citizenship was refused because the Bergsmas refused to take the oath. What happened in this case, if my interpretation is correct, was that in the course of examining the two applicants the county court judge, who was sitting as a citizenship court, elicited from them an answer to the effect that they did not believe in God. Then presumably the county court judge said—I am not certain this is what happened but he probably said something like this—"If you don't believe in God then you won't be able to take the oath". However, the basis of his decision was that, in his opinion, because these persons happened to be atheists they could not be said to be of good character, which is a finding conditional upon which an application may or may not be granted by the minister under section 10 of the citizenship act. Therefore the matter never reached the minister, and will not reach the minister under the act unless some way is found to reopen the case in the citizenship court, or unless application is made after two years from date of refusal, which as the committee knows is the minimum period which must elapse between the denial of an application by the court and the filing of a new application.

As we are discussing this case in a very frank manner sitting as members trying to find the truth, may I say that it is my opinion, not as Minister of Justice but as a member of the bar—I am not giving any interpretation here of the meaning of a person of good character in section 10 of the act—that on the assumption that the judge was wrong in law