

Security Intelligence Service

put forward his motions. Despite what he would hope to do, it went some distance. As a former Solicitor General of Canada, he is far more widely supported by civil libertarians than the present Solicitor General.

There is a mood among many Canadians involved in church groups which are trying to provide legitimate help and care for refugee groups, particularly political refugees and so on, or even in commercial activities, that the intention of the clause is so broad that the Solicitor General or the Government will be allowed to use it in a very political way. Groups such as the PQ in the Province of Quebec have a legitimate right to be disturbed about this clause. Despite the fact that there was obviously a political hand involved in getting the RCMP security service to steal its membership list and in activities ranging from the burning of barns, to breaking into people's homes, to stealing things, kidnapping, forgery, fraud and assault, there has been no justice.

Where has the justice been in terms of our existing security service? The present Solicitor General has never demonstrated any particular backbone in bringing those criminals within the security service to justice. I think Canadians expect it. If he would have come in with a clean slate and said that he would set right what Mr. Justice David Macdonald felt was wrong in terms of the existing system and situation, then there would have been a greater mood in the Canadian electorate to say that the man and his Party were demonstrating the integrity required to bring in a security service with powers that are really required. Instead, the Solicitor General brought in a truly Draconian Bill, going in exactly the opposite direction to that of the CIA, which has for many years been out of control in the great republic south of us.

Who could be targeted? I pointed out, Mr. Speaker, that you could be. Let us take a look at who else might come under the definitions proposed by the Solicitor General, who, I am quite confident, will not be the Solicitor General at the end of this week.

On page 13 of the brief of the Canadian Council of Churches, paragraph 42 reads:

We submit that the definition of threats to the security of Canada is vague and uncertain and hence excessively broad in effect.

Why would the Solicitor General not take that advice? Why does he piously sit in the House of Commons and say that the NDP and the Official Opposition are just stalling?

We will do more than stall. We will ensure that the Bill is changed. The Solicitor General might think he will be able to jam it through the House of Commons, but we can put up speakers on every clause and make sure that he will ultimately have to start accepting some changes to the Bill. It will not be passed into law while New Democratic Party members are sitting in the House.

In paragraph 43 it goes on to indicate:

We are particularly concerned about the effect of broad interpretation of paragraphs (b) and (c) of Section 2. Our submission is that the Canadian Security Intelligence Service could construe lawful church activities, for example in mission work, and/or lawful church and community activities, including development education, peace advocacy and human rights defence as falling

within these definitions, and hence to determine previously lawful activities as threats to the security of Canada.

What would happen to these church groups under the "shall" clause which the Minister slipped into Bill C-9? They would have their mail opened and be subject to all kinds of intrusive techniques.

Mr. Speaker: The Chair has a problem. Is the Hon. Member confining his remarks to the particular clauses grouped for debate? He appears to be ranging outside this particular group of clauses.

Mr. Fulton: I am dealing specifically with Motions Nos. 2, 5, 6, 7, 8 and 9. Motion No. 2 seeks to delete Clause 2 and the other motions seek to eliminate parts of the clause. The part proposed on the government side actually amends those clauses. I am sticking to those clauses. However, I want Canadians to know what happens if they are defined or identified under this very broad rubric definition of a security threat to Canada.

● (1320)

What happens under the "shall" clauses of the Bill is that they will have their mail opened, telephones bugged, medical or work records seized and on and on. The Canadian Civil Liberties Association in its brief to the committee on this clause, the delegation at that time being composed of Mr. Borovoy and Mr. Swan, the general counsel and vice-president of the Canadian Civil Liberties Association, took a very close look at this clause and said the following:

—the Bill would make such intrusive surveillance available for "activities" . . . intended ultimately to lead to the destruction or overthrow by violence of the constitutionally established system of government in Canada". When ultimate intentions become the operative threshold, there is a great danger that speculation rather than evidence would be at a premium. What indeed would constitute acceptable evidence of an ultimate intention? Can the word "ultimately" deal with any point between now and the end of time? The more speculative the exercise becomes, the greater the risk of intruding on completely lawful behaviour.

Having come from the court system, having been a probation and parole officer and being the only elected peace officer in this House, I can state what kind of powers the present Solicitor General would be proposing if he were to apply the same principles he wants in Bill C-9 to the Parole Act of this country. We already have the second highest rate of incarceration in the western world. We are already a very punitive society.

What we have within our system of justice in Canada is a balancing act. We have a defence and we have Crown counsel. In Parliament we have the government side and the opposition side. The Minister is proposing a piece of legislation that is so highly politically motivated, so highly open to political manipulation that no one in our society who may simply want to dissent about anything could be certain that Big Brother's eye would not come upon them. If they became a political thorn in the side of the present Solicitor General, you can be darn sure that he or someone of that ilk will invoke some part of Bill C-9 and have them brought under some kind of intrusive techniques. Ultimately, completely honest, open, law-