

Privilege—Mr. Stanfield

The question the hon. member raises in his motion and his question of privilege is that of the criteria on which the police has to determine whether a candidate constitutes or not a danger for the state. Well, a candidate is not a member of parliament, Mr. Speaker. In this House we deal with questions of privilege affecting members of this House and not people who might become members of parliament. I say it would be a dangerous precedent and a dangerous departure to extend the notion of privilege of members to those who might one day become members of this House. I say that is not our role, that Canadian citizens are not above the law simply because they show an interest in running for federal office, and that on the very face of it the motion is not a prima facie case of encroachment upon the privileges of members. On the contrary, it does not refer to members of parliament but to candidates and to Canadians citizens under surveillance, something which was denied.

There is nothing in this House to indicate that systematic surveillance is being carried out, but rather an absolutely normal check on any Canadian citizen. For those reasons, Mr. Speaker, and those are basic issues of fact, I believe that no member here in this House considers that his privileges are being interfered with by an absolutely normal check made by the police on people who want to enter federal politics. For those reasons I say the motion should not be presented, is out of order and there is no breach of the privileges of members of parliament here.

● (1532)

[*English*]

Mr. F. Oberle (Prince George-Peace River): Mr. Speaker, I appreciate being able to make a short contribution to this question of privilege. Your Honour will have had time to evaluate the motion put by the hon. member for Halifax (Mr. Stanfield), his submission to this debate as well as statements which were made on Friday in support of and against the hon. member's motion. It defies any rule of logic to listen to the President of Privy Council (Mr. MacEachen) who said on Friday that members of parliament should have no special privilege in this regard, whereas his parliamentary secretary told us just now that members of parliament should have different privileges than has a candidate.

It would help us all if we were to look at the basis for the argument which is presented here, the definition of the words subversion or subversive. The Prime Minister (Mr. Trudeau) has told us repeatedly that the definition of the term as it is applied here is derived from the definition given in the Official Secrets Act. The Official Secrets Act deals with the matter of subversion in four different categories: (a) espionage or sabotage; (b) foreign intelligence activities; (d) activities by a foreign power directed toward actual or potential attack, and (e) activities of a foreign terrorist group. I have omitted (c), which I suppose is the definition the Prime Minister relates to, that is to say, activities directed toward accomplishing govern-

[Mr. Pinard.]

mental change within Canada or elsewhere by force or violence or any criminal means.

Surely a candidate seeking election to the House of Commons is seeking to take part in a time-honoured democratic process. Is it the suggestion that members of parliament or candidates will resort to violence after they are elected, or during an election? Mr. Speaker, persons issuing directives to the RCMP to keep an eye on persons who offer themselves to this time-honoured democratic process must be attempting to subvert the political process if they are suggesting that a person who seeks office or seeks the confidence of his supporters could indeed resort to violence. It is an expression of non-confidence in the political process.

I do not know what process is carried out by the government party, but in my party there is a serious recruiting process carried on to attract people to run for office. Once these people have made the offer to run for office, the party executives in the various ridings learn more about this person before they offer their support. Following this there is a nomination meeting held where the general membership of the party again follows a process of evaluating the person they will support in the general election. Then there is the general election itself where all Canadians have the right and the responsibility to look at that person who will be representing them in this, the highest court in the land.

I will quote a statement made by the Solicitor General (Mr. Blais) on Friday. He said:

When the names of candidates seeking office become available to the security service . . .

We do not know how they become available to the security service but we assume that someone is responsible. Are we to believe the person in charge of elections in Canada provides the police with the names of all the candidates who have offered themselves for election? In any event, a list is made available to the RCMP.

The Solicitor General went on to say:

. . . a name check is conducted against a list of persons known to belong to subversive groups . . .

And here again, Mr. Speaker, it is not a name check conducted against files held by the RCMP. The Solicitor General continued by saying:

. . . or involved in subversive activities. If and when a candidate is positively identified as falling into that category, the fact of his candidacy is duly noted, and the security service continues to be legitimately interested in his or her activities.

I presume those activities might eventually be the duties of a member of parliament.

When the Solicitor General speaks about lists, I cannot, of course, overlook the fact that this House has been preoccupied with the existence of lists. As well, I cannot overlook the fact that in the last week we have been preoccupied with a certain practice within the Solicitor General's office during the tenure of one certain solicitor general who happens to be in the House at the moment. This practice was to compile lists, and a