

substantial connection with Canada, and it is hoped we shall be able to deal with that kind of case.

Mr. FLEMING: Suppose a man is not representing an agency, but some members of his family may be here. For reasons of health he may be compelled to take up residence abroad. Suppose a man goes to California and for reasons of health he takes up ordinary residence there and corresponds with his family. Would that be considered substantial connection?

Mr. MARTIN: There is no doubt about that. He could not have a more substantial connection than having a family in Canada.

Mr. FLEMING: Suppose he has no family?

Mr. MARTIN: He might have some other connection.

Mr. FLEMING: Suppose he has property. Suppose he is a former minister of the crown and is a bachelor?

Mr. MARTIN: That is a doubtful case. Take a case of substance.

Mr. STEWART (Winnipeg North): Would the minister explain exactly what is meant by what was subparagraph (e) of paragraph 1, of section 21, which reads as follows:

. . . has shown himself by act or speech to be disaffected or disloyal to His Majesty.

Mr. MARTIN: Yes. I want to take the committee into my confidence. When we came to deal with that paragraph it gave us a great deal of trouble. The hon. gentleman knows me well enough to know that I would not want to have any measure in the bill which could be unscrupulously used by an individual to deport an alleged undesirable person.

Mr. HACKETT: Is that the language of the subparagraph taken from the criminal code?

Mr. MARTIN: Yes. I do not wish to refer to existing cases, but there are many instances. I forget the exact number we had before the war, but there were Canadian citizens who went to Germany between 1934 and 1936, many of whom took part in the activities of the German army. Others, if they did not take part, did other things which were obviously disloyal, and certainly could come within the characterization of being by act or speech disloyal to the crown. We must have some provision to deal with these people. These people acquired naturalization. They were not natural-born people. They came into this country and we took them for people who would give their loyalty to Canada. They did not. They being naturalized persons, we felt

that we should have the right to deal with such people in this way. I am not denying that with people who have no responsibility this sort of thing could be open to abuse; but we have to trust whoever holds the office of Secretary of State, whoever serves in the government of this country, that they will not act lightly in a matter like this. That is the only effective reply I can give to the hon. gentleman, but it is a powerful reply. I do not think there has been any abuse of it, and I see no occasion to suspect that there will be.

Mr. STEWART (Winnipeg North): I am quite willing to accept the Secretary of State's word that he would not abuse it. I believe that implicitly, but there may be other secretaries of state following him. To some extent it has been abused in the past. I remember the history of the 1919 strike when undoubtedly men who afterwards achieved eminence of position in legislatures were arrested and virtually charged with treason and sedition. The founder of this political party, of which I am a member was arrested and incarcerated for four days, I think, because he quoted Isaiah in the streets of Winnipeg. We are not always going to get men in the position of the Secretary of State who are liberals in the best sense of the word. To my mind this section gives undue power to a minister, and I do not like to see that no matter how good the minister may be. I should like to move in amendment that what is now section 21(1)(d) be stricken out.

Mr. MARTIN: That is paragraph (e) as it appears in the bill?

Mr. STEWART (Winnipeg North): Yes.

Mr. PINARD: I should like to add a few words to what was said by a previous speaker. I think paragraph (e), which was just referred to, is a very general provision. It says that a person will cease to be a Canadian citizen and will lose his citizenship if he shows himself to be disaffected or disloyal to His Majesty. On that point I think this paragraph should be clarified and explained, because "disloyalty" has been defined in the criminal code. I think sections 74 to 87 describe the treasonable offences, but I believe here we should better explain what we believe would be disloyalty to His Majesty. For instance, I do not think it should be considered disloyal to His Majesty if one did not approve a measure which was ratified by the king on the advice of his South African or Australian ministers or, as another example, that a man would be disloyal if he did not approve the policy followed by His Majesty