



Bulletin

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TWIN FREEDOMS OF A DEMOCRACY

Speaking to the Canadian Bar Association in Ottawa last month on the subject of wiretapping and whether or not this and the use of similar electronic techniques should be made a criminal offence, the Minister of Justice, Mr. John N. Turner, said that his Department and the Standing Committee in the House of Commons had been studying the whole question with a view to introducing legislation on some of its aspects during the next session of Parliament. "The right to privacy and the right to know," he declared, "are twin freedoms under a democratic order."

Excerpts from the Minister's address follow:

...A remote-controlled amplifier and microphone no larger than the head of a pin can capture a conversation and transmit it by wire for 25 miles; a parabolic microphone without wires or radio transmitter can catch the conversation of people in a boat in mid-lake and record it on shore; the switching of a single wire can convert any telephone in Canada into a live microphone conducting sound, even when the telephone is in its cradle; cameras the size of a cigarette can photograph a room two blocks away by moonlight; infra-red light techniques permit a room to be watched and photographed from an adjoining room through apparently opaque walls, while wall microphones, of course, can hear and record anything said in such a room; radio pills substituted for the subject's aspirins and lodged in his stomach can transform him into a living electronic beacon; the investigator's dream — making his subject a walking transmitter and enabling the investigator to hear everything the subject says to anybody else, or even what he mutters to himself — can be realized by the wiring of a person's clothing. There are transmitters so small that they can be

mounted as a tooth in a dental bridge.

The corollary to all this, as revealed in testimony before the House of Commons Committee on Justice and Legal Affairs, is that our telephone can be tapped, our office bugged, our files photographed, our physical movements monitored, our communications recorded — all this without our knowing anything about it or having any right of recourse or any protection in law. The Orwellian society of 1984 may be here already. The open society has become the bugged society. The struggle for freedom is being mortgaged to the parabolic microphone. The zones of solitude are being occupied. There are no more sanctuaries. The erosion of privacy is the beginning of the end of freedom.

RIGHT TO PRIVACY

How can we overestimate how important it is to be left alone? Privacy is paramount. Without it a man's friendships become suspect, his trust wanting, his love tainted, his self-respect gone. Imagine a life full of days of being observed by invisible, anonymous eyes, or being listened to by invisible ears. Think of going through life continually looking over our shoulder to try to spot that invisible shadow. The human being in us would suffocate. We would have no real freedom to build a community, to practise our religion or adhere to a political party....

In a democratic society, sanctity of communication is essential if its citizens are to have freedom of thought and action. Creativity depends on privacy.