

*Hate Propaganda*

May I conclude by once more making a general comment? I think that the fears to which the hon. member referred and which have been aroused among some sections of the public with regard to this bill are totally without foundation. A narrow definition is incorporated in this particular clause, and I suggest that ample defences have been erected. We are dealing with a clear and present danger, one that was found to exist by the commission that studied this matter. We are carrying out our international obligations by dealing with this question. As I have already said, while I do not feel as strongly about this amendment as I do about some others that will be coming before the House, I do suggest that the bill would be a better one without the inclusion of this particular amendment.

**Mr. Steven Otto (York East):** Mr. Speaker, I have heard a good deal about the dangers or supposed dangers to freedom of speech presented by the clause that provides that everyone who advocates or promotes genocide is guilty of an offence. I have also heard that this provision was instigated by the authorities because of a desire to protect ethnic groups of one sort or another. I do not believe that is true. I believe that the origin of this amendment goes back 25, 30 or 40 years. I think the recent tragic experience in world history has indicated to us that freedom of speech has to be circumscribed now to some extent.

Freedom of speech in this world—not necessarily in this country but in the world—cannot include freedom to promote or to advocate genocide. The world today has been called a global village, and one can well imagine that if freedom included, as it did over 2,000 years ago, the freedom to say that a certain race must be completely eliminated, then the problems of Canadians in Canada and the rest of the world would become insurmountable.

I do not believe the legislation is designed to protect an ethnic minority, or indeed any number of minorities, though mind you, Mr. Speaker, this is more important possibly in Canada than elsewhere in the world. But I do believe that freedom itself has to be redefined. There has been a constant hue and cry that freedom of speech is being lost. The news media would be the first to say that freedom of speech must be protected, certainly as far as they are concerned. We are proposing a bill to grant pardons to people who have criminal records but have served their time and have become good citizens. Yet

[Mr. Brewin.]

the news media are going to make their records available in perpetuity, and thus completely undo what we have done.

There has been a constant cry that freedom of speech must be maintained. The fourth estate today is much more powerful than it was. Its members now comment on the news instead of merely reporting it. Freedom of speech, freedom to hold private conversations, is no longer the sacred thing that it was at one time.

In this regard I would even disagree with the hon. member for Greenwood (Mr. Brewin), who said that if the bill provided that private conversations did not constitute a criminal offence the legislation would be suitable. It would not. After all, from where does hatred stem? Does it arise on any occasion when a person, known or unknown, hires a hall or an hour on television or radio and starts to promote genocide? I suggest that the evils we have experienced over the past 30 years have found root in private conversation, in private letters, in private messages, which have developed a consensus that the thing to do was to promote hatred.

Let no one belittle or minimize the importance of protecting private conversation—yes, in a family and, as the hon. member said, in cases where a person might be slightly drunk. Let no one minimize the danger of this kind of conversation, of this kind of promotion of genocide. On such occasions as this the children hear, as do others who are influenced by the conversation, and as a result they begin to mimic and to copy.

I do not think for a moment that we are going to see any number of prosecutions. The chances are that the words “advocates or promotes” will be considered as one. The chances are that the courts will for a long time say that “advocacy” and “promotion” must be combined, and that mere conversation will not give rise to prosecution. There is the further protection that the attorney general must consent to a prosecution.

Nevertheless, if we in this House stamp with the authenticity of a national law the proposition that to advocate or promote genocide, even in private conversation, is evil, and may also subject a person to criminal prosecution, certainly the listener would be protected because he too has some rights. A person reading certain correspondence has the right not to have it sent to his house or to be told that the promotion of genocide is a course that he should adopt. We cannot minimize the importance of telling our children