

Protection of Privacy

a brief for any particular group in society but is carrying it, hopefully, for all society, to bring forward amendments to a statute like this in the manner I have suggested, because if the bill were left in its original form it would not be a good piece of legislation but would be legislation which the minister and the government would live to regret.

Mr. John Gilbert (Broadview): Mr. Speaker, an hon. member speaking on another motion suggested that the Minister of Justice (Mr. Lang) is competent but rigid. The more I see him in operation, the more I think that statement is true. A standing committee in a previous parliament made a recommendation which the Standing Committee on Justice and Legal Affairs saw fit to incorporate in this legislation. However, the Minister of Justice has got his deputy ministers busy again in trying to undo the work of the committee. That makes me very sad and underlines the minister's rigidity.

It was the hon. member for Fundy-Royal (Mr. Fairweather) who gave the thrust and strength to the particular amendment we are considering. I recall well that in early meetings it was he who saw the injustice of certain provisions that were included in the bill when it went to committee. The Minister of Justice, I think, called the hon. member for Fundy-Royal a man in an ivory tower and an impractical ideologist.

Mr. Lang: I did not do that.

Mr. Gilbert: Mr. Speaker, I prefer the ivory tower, impractical idealist for Fundy-Royal at any time to the Minister of Justice who has such rigid attitudes. The hon. member for Fundy-Royal senses the true meaning of this bill and he wants to give full protection to all Canadians. I know the Minister of Justice has often spoken about the famous heroin case. I suggest that he told students about this when he was dean of the law school out west.

Mr. Knowles (Winnipeg North Centre): He may be out there again next year.

Mr. Gilbert: He tries to use his experiences with the heroin case, or with rape cases or what have you, to terrify members and put fear into their hearts. That is not worthy of the Minister of Justice.

I now wish to refer the words of a learned judge, Mr. Justice Louis Brandeis of the United States, who said on this point that experience should teach us to be most on our guard to protect liberty when the government's purposes are beneficent. Men born to freedom are naturally alert to repel the invasion of their liberty by evil-minded movers. The greatest dangers to liberty lurk in the insidious encroachment by men of zeal, well-meaning but without understanding. Those are appropriate words of a very learned judge.

On behalf of the New Democratic Party may I say that we are very proud to see someone of the stature and experience of the hon. member for Fundy-Royal serving as a member of this House and, more especially, as a member of the committee. He certainly gave the committee leadership. He is concerned about the protection of the public and he has pointed to the direction in which we should go. The minister may say the hon. member lives in an ivory

[Mr. Fairweather.]

tower. I suggest it would be better if the minister were to take a less rigid stance, as I think his present attitude detracts from his strength. I have always considered the minister as a person who could give moral leadership. In this instance he has fallen short of his potential. Fortunately, there are members like the hon. member for Fundy-Royal who can give us leadership.

We of the NDP will strongly oppose the motion moved by the minister.

Mr. Knowles (Winnipeg North Centre): The minister should withdraw.

Mr. Trevor Morgan (St. Catharines): Mr. Speaker, it is a privilege to rise and support the position taken by the hon. member for Fundy-Royal (Mr. Fairweather). Too often in the annals of this country, not only in parliament but in society generally, all too few people will take a strong philosophical view. Perhaps the minister will say "ideological" or he may refer to an ivory tower. I suggest the minister lives in an ivory tower. I point my hand to where the ivory is.

● (2030)

Some hon. Members: Hear, hear!

Mr. Morgan: As we progress in this nation we must hold true the rights of the individual. We must not let them be sacrificed and suffer because it is easier to do something else, because it is easier to just ignore the little man. We have a responsibility to the average citizen to make sure he sees that justice is done. Surely it is the obligation of any government with any commonweal or brotherhood with the citizens of this country to know what is in the best interests of the people. They have the resources at their command. They have a bureaucracy which has grown beyond all sense of reality. We talk about that reality, and they talk about the hon. member for Fundy-Royal being nothing more than a pure idealist. I wish the two could be put together and they could be a little more idealistic in the way they run the affairs of this country. It is only right and natural that the position taken by the hon. member for Fundy-Royal should be adopted by this House. If we do not do that, we disregard the people for whom we act.

We talk about law and order. That is supposed to be the hue and cry which is put up by this government to try to jam down the throats of the members of this House the amendments proposed by the Minister of Justice (Mr. Lang). That law is not meant for the average individual. How do you expect to have order unless the government assumes a proper stature which inspires order? What the minister is doing is inviting a situation which decries the law and order which is so necessary in this country. If you adopt the position taken by the hon. member for Fundy-Royal, you will initiate this essential feeling in the average man, inspiring him to respect the law. Through respect for the law, you generate order. This is the only way it can possibly be done.

There are many fundamental issues involved in this matter. I do not intend to talk about them tonight. In dealing with legislation like this we must take a fundamental approach to what is required if we are to build up