

Inquiries of the Ministry

amendments to the Criminal Code would be brought in. Is the minister in a position to advise the house as to that?

Hon. Guy Favreau (Minister of Justice): Mr. Speaker, with regard to the possible application of the law as it exists, and irrespective of what might be my own opinion, I have communicated with the attorney general of Ontario and it is understood that the Royal Canadian Mounted Police will place at the disposal of the Ontario authorities any material which will have been uncovered in this respect so as to make possible the testing of the present provisions under the Criminal Code.

As to the answer which I have already given with specific reference to a certain type of hate literature, I may say that the matter is still being actively pursued by my officers and myself, but a formula which will reconcile freedom of thought and expression and also provide for the necessity to cope with certain situations has not yet been evolved in a manner which is satisfactory to me.

Mr. Diefenbaker: One further question in that connection. Recognizing the great difficulty there will be in the drafting of such legislation to assure, on the one hand, the maintenance and preservation of freedom of speech, and at the same time to move against those who commit a crime against the state when they go beyond the limit of what is regarded as freedom of speech, has the minister sought the opinion of outstanding counsel outside of his department in this regard, and have there been any draft suggestions brought to him from such counsel?

Mr. Favreau: Mr. Speaker, I am not quite sure that I am at liberty to divulge the actual nature or type of consultations which have been going on in this matter, but I must say for the moment that I have had occasion to read an opinion which has been given by one learned counsel at least to the Canadian Jewish Congress.

Mr. Diefenbaker: That is by Mr. Robinette, Q.C.?

Mr. Favreau: Yes. But personally I have not yet sought opinions from outside the department; the discussions have been pursued under my responsibility as legal adviser to the government.

[Translation]

Mr. Gilles Grégoire (Lapointe): Mr. Speaker, I wish to direct a supplementary

question to the Minister of Justice. Can he assure us that his department will take the same action against those distributing hate literature against Roman Catholic French Canadians in the province of Quebec, as mentioned this morning?

Hon. Guy Favreau (Minister of Justice): Mr. Speaker, I think the first characteristic of hate literature is discrimination. If, as regards this literature mentioned this morning and of which, personally, I had no knowledge, we did not take the same action as in the other kind of literature, then we would ourselves be making discrimination, which we do not wish to do. Consequently, the same procedure will be followed.

[Text]

ALIEN INFLUENCES IN TERRORIST ACTIVITIES

On the orders of the day:

[Translation]

Mr. Heward Grafftey (Brome-Missisquoi): Mr. Speaker, I too directed a rather similar question to the Prime Minister yesterday and today I give notice of it to the Minister of Justice.

I feel that it is extremely important that I should ask this question.

Mr. Speaker, in view of the reports to the effect that world communism is taking a very special interest in the terrorist activities in our country, has the government ordered a thorough investigation and does it have in its possession evidence of organized foreign influences within those movements?

[Text]

Mr. Speaker: Order. It seems to me that this question was asked by the hon. member yesterday, or else this is a super refinement of the question which was asked yesterday. In any event, will he put it on the order paper.

Mr. Grafftey: Mr. Speaker, I should simply like to say that I recognize I asked a similar question yesterday, but the Minister of Justice is back in the house today. I gave him some notice, and I think we are both agreed that in view of the circumstances it is very important that a general answer be made. I believe the minister is ready to answer.

[Translation]

Hon. Guy Favreau (Minister of Justice): Mr. Speaker, I thank the hon. member for giving me notice of his question.