

Bill C-51: 'Where will the line be drawn?'

Ryerson professor and students weigh in on the new anti-terror legislation

By Jon Solmundson

The Harper government's new bill to boost intelligence powers passed its second reading last week and if it makes it through review, protesting on Yonge and Dundas streets could land you in jail, no warrant needed.

Bill C-51 was proposed as a slate of anti-terror laws put on the fast-track to Parliament after the Ottawa shootings last October.

Ryerson University professor Arne Kislenko, who worked in intelligence as a senior immigration official for 12 years, explained that these changes fundamentally alter the Canadian Security and Intelligence Service's (CSIS) job.

The new laws increase powers to include direct interception of possible terrorist threats and the ability to shut down any protest or media which might promote terrorism.

Kislenko said students should take particular notice of the fact that this legislation will let CSIS arrest protesters without a warrant.

"If you give powers to prevent a social gathering to occur, who determines that and what constitutes a violation?" he said. "Is an Occupy movement in Queen's Park now

a terrorist act? The Sri Lankan protest a few years ago ... that could constitute a violation."

However, Kislenko warned students not to automatically reject any increase to security powers, stating that some change to CSIS was necessary and encouraging them to seriously consider their own safety.

Fourth-year business law student Melissa Golberg said there needs to be a clearer definition of what is being criminalized.

"On the one hand, if you're not a criminal you have nothing to hide, on the other though it affects civil liberties," Golberg said. "If the government has this power where will the line be drawn?"

Kislenko added the government was using its majority to force the bill through Parliament, sidestepping the necessary review process.

"The government is very clearly using their majority and trying to capitalize on the public's broad-base support following the Ottawa attacks," Kislenko said.

"Here we are throwing all these new powers at CSIS and to my knowledge we haven't had a serious discussion about recruiting new people, building new facilities,

getting money into that system, it's endless — that takes years to develop the capacity for, not weeks."

Second-year business student Bobby Aujila took issue with the bill being forced through Parliament by the government's majority.

"They're literally bypassing crucial people to do what they want, it's not going to help represent the public opinion in any way," Aujila said.

C-51 extends CSIS the power to arrest people it suspects "may" commit terrorist acts, rather than "will" commit terrorist acts, and allows them to directly "disrupt" terrorist activities, though the definition of "disrupt" is never limited in the bill itself — leaving the government free to decide what is and is not appropriate.

Kislenko added that even if Bill C-51 were to pass into law, in its current form, CSIS doesn't have the resources or oversight to effectively administer these increased powers.

"Giving CSIS that authority means nothing if they don't have the resources, the training the understanding of law, the interagency relationships — it's like taking a student and all of a sudden making them a professor."