

*Hate Propaganda*

if we are attempting to control the thought processes. Is the advocacy of the subject matter of this private conversation something that we, as a society, should make an offence. As Liberals, we are concerned with the extension of liberty and I find great trouble with this. I wish I did not. I find more trouble now that the member for York East (Mr. Otto) has spoken. There are people who seriously believe that this is a proper thing to do, to move into the sitting rooms and kitchens of the nation. This is a rather peculiar move for a government which has taken the state out of the bedrooms, that it would now put the state into the den and family room.

I must say that I am going to support this motion. I did not, until I listened very carefully to this debate, have quite as much trouble with this particular section of the bill as I had with the next one but having listened to the debate I am persuaded to support the amendment.

**Mr. Deputy Speaker:** Is the House ready for the question?

**Some hon. Members:** Question.

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the said motion?

**Some hon. Members:** Carried.

**Some hon. Members:** No.

**Mr. Deputy Speaker:** I hear some nays and some yeas. All those in favour please say yea.

**Some hon. Members:** Yea.

**Some hon. Members:** Nay.

**Mr. Deputy Speaker:** In my view the nays have it. I declare the motion negatived.

Motion (Mr. Hogarth) negatived.

**Mr. Eldon M. Woolliams (Calgary North)** moved:

That Bill C-3, an act to amend the Criminal Code be amended by striking out  
lines 26-28, both inclusive, page 1 thereof  
lines 1-46, both inclusive, page 2 thereof  
lines 1-44, both inclusive, page 3 thereof  
lines 1-46, both inclusive, page 4 thereof  
lines 1-9, both inclusive, page 5 thereof  
and by adding thereto, next after line 25 on page 1 thereof, the following:

(5) Where a person is convicted of an offence under this section, anything by means of or in relation to which the offence was committed, upon such conviction, may, in addition to any other punishment imposed, be ordered by the presiding magistrate or judge to be forfeited to Her Majesty in right of the province in which that person is convicted, for disposal as the Attorney General may direct.

[Mr. Mahoney.]

He said: Mr. Speaker, first of all I should like to thank you with regard to the slight changes in the page numbers to conform to the amended bill. As I said earlier on a point of order, we did not have the new bill before us. This amendment is fairly extensive and deals with that part of the bill concerning advocacy, so I hope I might be allowed to take a little extra time on it. In that case, I would not take any time on third reading because my argument would only be repetitious. I might as well present it now because it is this part of the bill which I wish to attack.

The motion I am presenting to the House today proposes to amend by striking out all the clauses in Bill C-3, but the sections dealing with genocide. I want to pause there for a few moments. I did not speak on that matter when the amendment was moved by the hon. member for New Westminster (Mr. Hogarth) because on the second reading of this bill our party took the position that we were in agreement with the principle of the Bill in this regard. Our position was well set out at that time by the hon. member for Halifax East Hants (Mr. McCleave). No other member of our party spoke to the amendment just recently presented by the hon. member for New Westminster. In our amendment today we are asking that everything be struck out except those sections dealing with genocide.

First of all, I must say that I have contempt for the vile propaganda which this bill is attempting to suppress. In brief, there is no one in this House of Commons, whatever their position, when the final vote is called, who cannot but feel within their heart a complete sympathy for the bill as far as the principle is concerned. But sometimes one has to go beyond the heart and take a look at these matters from a logical and legal point of view. This is what I hope to do today in setting out my argument on my amendment.

• (4:40 p.m.)

A bill such as is proposed is not a wise or effective way of dealing with the evil involved. The supporters of this bill justified the limitation on freedom of speech and privacy by stating that on balance of public convenience and inconvenience it is warranted to prevent the defamation of groups. I will say something in a few moments about those clauses which deal with statements being made against any identifiable group which may lead to a breach of the peace. I submit that most of these matters have been well protected under the traditions of our system