

Adjournment Debate

stupid, non-Jews are intelligent. Jews are abused. Jews submit to non-Jews, Jews are beaten, by non-Jews. Jews kneel before non-Jews. Non-Jews carry whips, knives, pistols and other arms. Jews have none. Jews dance naked in front of non-Jews, while their bodies are looked at and commented upon. Jews are obliged to give the impression they enjoy this kind of treatment, that they are naturally submissive to non-Jews that they are unworthy. Finally, some Jews are raped, tortured and killed by non-Jews. Their fear and suffering are shown, while non-Jews are laughing and having a good time. That would be pornographic anti-Semitism, and we could not imagine seeing this on public television in Canada. But suppose the Ku-Klux-Klan happened to get a pay television licence? What would the CRTC's response be? "If you do not like anti-Semitism, switch channels, do not subscribe", or would we get this answer from the Minister of Communications (Mr. Fox): "Censorship is socialism?" I do not think so. One would expect a better answer from the CRTC and the Minister. However, abusing women seems to be acceptable to the CRTC. The Council is against censorship as far as women are concerned. It does exercise censorship in many other areas, such as commercials that are directed to children, drugs, alcohol, religious broadcasts—areas it thinks are more important than protecting women against abuse.

● (1805)

[English]

The problem of pornography is growing; qualitatively and quantitatively it is getting worse. What is the correct role for the Criminal Code in the control of pornography? The Criminal Code must be the base, I suggest. It must give a clear and reasonable definition. The current Code is not clear on what constitutes undue exploitation of sex, and the courts have interpreted it in a way that is objectionable to many Canadians. They have included scenes that are frankly sexual but are not abusive or coercive.

In my view, a good definition would specify excessive violence, coercive sex, degradation of human persons, the sexual exploitation of children and bestiality. In the latter two cases the understanding is that children and animals, by definition, cannot give consent. Even if there were no explicit violence, these would not be allowed.

The Criminal Code badly needs repair but it is not only the Criminal Code that needs repair. The broadcasting regulations for television and radio forbid programs that are profane, indecent or obscene, but no penalties are specified. Penalties must be made clear and applied to Pay-TV as well. It should be a condition of licence to respect the guidelines of sex stereotyping in the broadcasting media. A conviction for obscenity should be grounds for revocation of licence. A \$300 fine is not going to stop pornography in any part of our society. Violence against women in our society is a serious problem. It is time the Minister of Justice took his responsibilities seriously and worked with the Minister of Communications (Mr. Fox)

to ensure that there are adequate laws. The time, Mr. Speaker, is now.

Mr. Henri Tousignant (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Mr. Speaker, I am pleased to respond to the Hon. Member for Broadview-Greenwood (Ms. McDonald) on behalf of the Minister of Communications. We understand her concerns very well.

The issue of pornography is a matter of grave concern to us all. The Broadcast Act was adopted unanimously by Parliament in 1968. The Broadcasting Act provided for the regulation of broadcasting by the CRTC, placing this agency at arm's length from the Government of the day. Even at that, the Broadcasting Act also places primary responsibility for the content of programming with the broadcaster. Section 3(c) of the Broadcasting Act says:

All persons licensed to carry on broadcasting undertakings have a responsibility for programs they broadcast but the right to freedom of expression and the right of persons to receive programs, subject only to generally applicable statutes and regulation, is unquestioned.

This system of self-regulation has on the whole over the years proven effective. By and large, broadcasters have exercised responsibility in choosing programming for broadcast. Broadcasters who do not, face the possibility of criminal prosecution.

The CRTC is attempting to extend this self-regulatory principle to pay operators and, as Hon. Members will recall, has had meetings with the pay-television licensees to develop a voluntary code. Dr. Meisel informed Members of the Communications Committee of this during his appearance on May 26.

As the Broadcasting Act says, this freedom of expression should be subject only to generally applicable statutes and regulations. The Criminal Code is a general law of general applicability. The Criminal Code defines obscenity. If a broadcaster does not behave responsibly and does carry pornographic material, he is in violation of the Criminal Code and subject to the penalties therein.

● (1810)

Very recently the Minister responsible for the Status of Women announced that, in consultation with the Minister of Communications (Mr. Fox), the Government was funding a voluntary body established by the National Women's Organization called "Media Watch". The purpose of "Media Watch" is to monitor and evaluate over a two-year period the self-regulatory standards implemented by the broadcasting and advertising industries. As the Minister of Justice (Mr. MacGuigan) indicated to the Hon. Member for Broadview-Greenwood during Question Period on May 16, the Government is considering amendments to the law on obscenity which, of course, will affect that law wherever it is applied, broadcasting or anywhere else. The Minister intends introducing these amendments in the immediate future. It is hoped that the New Democratic Party will support amendments to the Criminal Code on obscenity this time. It rejected proposed