

Criminal Code

says, "Let them in, don't interfere with them; this is freedom of speech." This is not freedom of speech, Mr. Speaker. Freedom of speech does not permit libel, treason or sedition. And yet they have the blanket approval of the Minister of Manpower and Immigration which might almost be interpreted as, "Come unto us all ye that want to destroy the democratic system and we will let you in." We do not need these infesters of society, these perverters of free democratic institutions.

I suggest that instead of interfering with immigration officers who are trying to do their job by inquiry to keep these people out, the government of Canada should give them every support in making it clear to these individuals who stir up revolution in their own countries that they are not going to find a welcome mat when they come into Canada. To do otherwise is to allow these people to make their speeches to groups of young men and women across the country, incendiary speeches, seditious speeches which if made by Canadians would result in prosecution. I hope there will be some co-operation by the Department of Justice and the Solicitor General with the immigration authorities to let it be known that this type of individual coming into our country to stir up trouble is not welcome.

Some hon. Members: Hear, hear.

Mr. Diefenbaker: Throughout my life I have believed in the freedom of the individual. I do not have to mention this. The law reports record that when the freedom of individuals was interfered with and it was brought to my attention I tried to secure justice for the person involved. But to take the stand that apparently is the official stand of the government of Canada, that this type of individual is welcome here, is to lay the foundation for further and greater trouble, indeed, to permit what the Prime Minister warned about some time ago at Queen's University as I recall his speech—the danger of there ultimately being internal disorder and worse.

What are some of the things I suggest might be done? I am rather surprised that there is nothing in this bill in connection with obscenity and pornography. I have made a lengthy study of the law on this subject and I am ready to introduce a bill provided I will not find myself in the position that so many do when they introduce private bills in this house: everybody gets on the bandwagon,

[Mr. Diefenbaker.]

says they are all for it, and then talk it out. If the minister is prepared to take a draft bill, submit it to a committee and give his undertaking that if the committee recommends action the government will bring in a bill in this regard, there will be no delay in the introduction of my bill. It is not only my personal view.

One has only to watch television today, or go into stores which specialize in pornographic literature, crime and horror magazines and the like, to know of their detrimental influence on the youth of our country and, indeed, on the minds of all. As of today, according to the latest judgment of the Supreme Court of Canada regarding the meaning of obscenity there is actually a field day of opportunity for distributors of pornographic filth. Today there are no teeth in the law in view of the interpretation that has been given.

In the magazine and book field I think the proper course is to strike at the person who offers these things for sale. This has been found more effective than anything else in the United States. Some of the dealers contend that they have been prevented from refusing to accept this type of thing because of the rule in the trade that unless they accept a certain number of these pornographic books and magazines they will be denied the opportunity to operate as a retail outlet for the magazines they want to sell.

What kind of law would I suggest? There is a very fine balance between what is wrong and what is right within the purview of the expression freedom of speech, freedom of the press. I think that the British act goes a long way to meet the situation. Under the Obscene Publications Act of 1959, which incidentally put an end to the old Obscene Publications Act of 1857, provision is made as follows:

• (3:30 p.m.)

For the purposes of this Act an article shall be deemed to be obscene if its effect or (where the article comprises two or more distinct items) the effect of any one of its items is, if taken as a whole, such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied therein.

The other day I asked a question about the C.B.C. and some of its TV performances. I have not yet received an answer. It is as difficult to get information out of the C.B.C. in parliament as it is for a camel to go through the eye of a needle. They just simply do not give information. We pay and they