

Criminal Code

considered by most people who are knowledgeable about literature to be a classic. I give that as an illustration of why I am a believer in the right of people and organizations to express their views on every subject with as little restriction as possible.

However, one must be realistic. I am a grandfather. I have two grandchildren, a granddaughter who is eleven and a grandson who is six. Albeit as a believer in free speech, I must admit that I am appalled at some of the material which is now available in print, on film, and through other media. I have faced reality and am now prepared to agree to some restrictions to which some years ago I probably would not have.

Mr. McDermid: Changed your mind, did you?

Mr. Orlikow: Like anyone who has any sense, which excludes the Parliamentary Secretary who just interjected, I try to face reality.

Mr. McDermid: Yet you criticize the Prime Minister (Mr. Mulroney) for changing his mind. Double standard.

Mr. Orlikow: I am very happy to support the resolution on pornography which was passed by the Federal Council of the New Democratic Party in 1983. It reads in part as follows:

Therefore be it resolved that the Federal New Democratic Party:

- (1) defines as pornography material which condones violence, coercion, abuse and degradation in its depiction of human beings and condemns the production and distribution of such material whether in film, video, print, or any other form;
- (2) condemns the production and distribution of material which portrays or promotes the sexual exploitation of children and calls for severe penalties for offenders;
- (3) calls for a strengthening of Section 159 of the Criminal Code of Canada to reflect these concerns;—

It goes on to give some detailed suggestions for amending the Broadcasting Act and so on.

This proposal with which we are now dealing was first brought forward in a Bill by the then Minister of Justice, the Hon. Member for St. John's West (Mr. Crosbie), was criticized very severely. Calls were made by a large number of very responsible organizations for the Bill to be withdrawn.

• (1320)

Now we have the second version of the Bill that was brought forward by the present Minister of Justice (Mr. Hnatyshyn). The reaction of very responsible groups and individuals has been one of criticism. The Bill has been criticized by editorials in *The Globe and Mail*, *La Presse*, *Le Devoir*, *The Ottawa Citizen*, *The Toronto Star*, the *Toronto Sun* and *The Vancouver Sun*. I never thought I would live to see the day when *The Toronto Star* and the *Toronto Sun* would agree on anything, but both have criticized this Bill.

I am sure that this is by no means a complete list of the newspapers in Canada that have criticized this Bill and called for its withdrawal or major revisions.

Organizations which are opposed to the Bill include the National Action Committee on the Status of Women, the Canada Council, the Canadian Conference of the Arts, and ACTRA, which represents most actors, writers and film directors.

Let me put on record the views expressed by *The Globe and Mail* in an editorial on Tuesday, December 1. The title of the editorial is: "The Bluenose Bill". I will only read part of it:

Ottawa's anti-pornography Bill is an unjustifiable intrusion into freedom of expression, sloppily drawn and meanly defended. It seeks to criminalize taste in the guise of defending morality and expresses a rigid intolerance of human sexuality and eroticism. It panders to prudery with reckless disregard for justice. It denies Canadians access to harmless and pleasurable materials. It demands a regression in time that will spark a revolt in practice. This is a gratuitous and clumsy piece of work that should be withdrawn and replaced with common sense.

Let me put on record the views expressed for the Canada Council by its chairman, Maureen Forrester, one of the best known Canadians who has sung with every major opera company in the world.

In a statement on November 27, the Canada Council indicated:

The Canada Council has been on record, since January 1985, in opposing censorship of the arts. Since Bill C-54 received first reading in May 1987, the Council has made representations to the Prime Minister and the Minister of Justice to express its concern at the negative effect Bill C-54, if passed in its present form, would have on the legitimate creative activity of professional artists. The Council fears that Bill C-54 will result in an unreasonable limitation of the freedom of expression of Canada's artistic community, as guaranteed in the Charter of Rights and Freedoms.

A large number of artists' organizations, representing a majority of the Council's clientele, have stated that they find Bill C-54 to be not acceptable as drafted. The Council agrees with this position and will communicate its concerns directly to the legislative committee in the strongest possible way.

Like other Members of Parliament, I have been receiving letters from people expressing their concerns about the large quantities of pornographic material which they say is available. They have been urging support for legislation, and I am not opposed to legislation. I have already indicated that I am not opposed to legislation which will limit material that is clearly pornographic, whether it be in print or on film.

This Bill does not do that. This Bill will put severe limitations on much more than pornography because, according to people like Maureen Forrester, Pierre Berton, and many other individuals who have expressed opposition to this Bill, it goes much further than simply dealing with what is clearly pornography.

This Bill would put restrictions on any erotic material, whether it is in books or films, on television or tapes.

Sex is a part of life. One cannot ignore it or legislate against it. One cannot prohibit it by law.

If this legislation is passed, the depiction of any form of sexual activity will become illegal. The only legal images will be those defined as erotica, or those determined by a judge to