

*Criminal Code*

in Paris which originally published "Lolita" in French has a notorious reputation and almost any book that is published by that firm is banned automatically. I think that is why "Lolita" suffered. I think the present people in the customs department probably recognized the literary merit of the book when it was published in English.

**Mr. Brunsdon:** Will the hon. gentleman permit a question? Has he read "Lolita"? If so, what is his impression of it?

**Mr. Fisher:** I have; I think it is irrelevant.

**The Acting Speaker (Mr. McCleave):** Order.

**Mr. Fulton:** It is a fair question.

**The Acting Speaker (Mr. McCleave):** Let us try to continue the discussion on general lines and not engage on a discussion of works of literary merit.

**Mr. Fisher:** As a librarian, Mr. Speaker, I have always taken the view that we must be very careful in what we censor. I think almost any librarian always goes by Milton's "Areopagitica" the words from which are very strongly against the imposition of any kind against the liberty of any man to express in a written way his feelings, thoughts and ideas.

Because of the nature of the list which I got from the Minister of National Revenue when I was in Paris last fall with the NATO group I was able at the end to spend a day down in the bookstores on the Seine going through and checking those books that were barred by this tariff item, and I had to agree that almost every one of them was of such a kind that I certainly would not want to see them in Canada. I must say quite frankly that this was a bit of a shock to me. I had not realized that I was so inexperienced in so far as such books were concerned.

**Mr. Bell (Saint John-Albert):** And in a good many other things.

**Mr. Fisher:** There were many books that filthy and that bad. On that particular day I was in conversation with an author in one of the stores who explained to me that this particular press, the Olympia Press, that puts out most of those books, had recently had a court case in connection with "Lolita". He told me the basic defence that this firm had put up for choosing to publish "Lolita" was I thought, most intriguing.

The first point in the defence was that after all these books were printed in English and could have no effect upon French morality. The second point was that they were sold to Englishmen and Americans, brought in good foreign exchange and were thus of commercial value to France. The third argument, which of course was usually the key one, was

[Mr. Fisher.]

that some of these books had literary merit. If as a result of the change in the act we get a definition that is going to impede—

**Mr. Fulton:** I am sorry, Mr. Speaker, but I must ask you for a ruling. My hon. friend is now discussing the effect that would be produced if the clause in question carries. Indeed, as I have suggested before, his discussion relates exclusively to one particular clause of the bill. As I say, when we reach the clause I will not attempt in any way, or ask the chairman in any way, to narrow or confine the debate. We can have a full debate on that question then but the bill itself relates to a very great number of questions having no connection with obscenity and I do not want to indulge at the second reading stage in a debate confined exclusively to the question of the definition of obscenity. I do ask Your Honour for a ruling because I am satisfied that the debate will be well served and the interests of the house will be better served if we wait for this discussion until we get to the clause in question.

**The Acting Speaker (Mr. McCleave):** I thought the Chair had made it abundantly clear before that the Minister of Justice had made a request to members and that it is the opinion of the Chair that members can, if they wish, disregard that request although it would undoubtedly add to the expediency with which we can deal with this matter. Members are entitled to discuss particular parts of the bill on the basis of principle following the rules that pertain to debates on second reading. However, I must ask the hon. member who has taken his seat to bring his remarks closer to the principles that are set forth even when dealing with a particular part of the amendments to the Criminal Code. Questions of foreign trade and other extraneous matters seem to be creeping into his remarks.

**Mr. Fulton:** The hon. member was about to discuss the effect of the change and we will not be able to discuss the effect of the change until we get to the clause.

**Mr. Howard:** Why not?

**Mr. Fulton:** Because it is out of order to discuss the provisions of a clause on second reading, and that is what my hon. friend is doing. He is talking about the changes that will be made by a particular provision of the bill. Mr. Speaker, I do not usually raise and press points of order but I do refer Your Honour—

**Some hon. Members:** Oh, oh.

**Mr. Fulton:** No, not at this stage.

**Mr. Chevrier:** You are wrong again.