

owner or distributor, but obviously this is impracticable, unnecessary, and undesirable. For instance, let us suppose that storekeeper A has been convicted, and certain material has been declared illegal. What sense would there be in a long series of prosecutions of others who are found in possession of exactly similar material? Is it not sufficient to give to each possessor of that kind of material the option of appearing in court within a period of seven days to show cause why it is not illegal material? By this simple proceeding, we clear away the objectionable material with the least possible trouble to anyone.

Prosecutions in each instance would unduly extend the time required to clear up the material. It would greatly increase the cost of the administration of justice in this regard, and it certainly would be no favour to the persons involved who might be quite innocent in the matter of having the material in their possession for distribution, in not realizing it was questionable literature. Nothing would be gained by a long series of prosecutions in order to rid the community of hate material of that kind.

I wish to say a few more words about free speech. The bill as originally drafted has been greatly improved, in my judgment. The committee has gone far towards meeting the objections made in this chamber and before the committee by the critics of the bill. I submit that the legislation as it stands now is not, as has been alleged, a limitation of free speech. In pith and substance, lawyers take note, its purpose is the protection of the lives and dignity of many people identifiable in certain groups.

Let me illustrate what I mean. I shall try to make clear the principle I am trying to explain. For instance, we have stringent regulations in respect to the labeling of cans containing food. You must not print lies on the outside of a can of soup. Is that a limitation of freedom of speech? I say it is not. The pith and substance of that legislation, and its real purpose, is the protection of the public against being poisoned by bad food, and nothing else.

Hon. Mr. Aseltine: It is a protection against fraud.

Hon. Mr. Roebuck: Let me give another illustration to make it as clear as possible. A person in Canada may carry a club, but he must not crack people's heads with it. The pith and substance of that legislation is not directed against a person's freedom to carry a

club, but rather against his using it to bruise heads.

Laws regarding libel, slander, sedition, and contempt of court are not against free speech, but are rather to prevent injury that may be done to Canadian citizens by dishonest, disloyal, or evil-minded persons. These laws do not touch the question of free speech. With respect to hate literature, while the weapons used may be words, the prohibition is against the injury done to identifiable groups which are the subject of unjust attack.

I submit that the bill as amended is not an infringement of free speech. There is no member of this house who is more anxious to protect the freedom of discussion that we have in this country than I. I submit that the bill as amended should have your favourable consideration as a necessary protection to great sections of our Canadian people who have suffered too long by slanderous publications to which they now object.

I would point this out in conclusion. We heard everyone, every organization that was suggested. From those 32 witnesses I can draw the conclusion that we have witnesses favourable to this bill, and very favourable, really most desirous for this legislation, and telling us that it should be enacted. We had witnesses taking that favourable position who are representative of more than two million people.

Hon. Mr. Choquette: Oh, come now!

Hon. Mr. Roebuck: It is extraordinary that a committee of this house should have witnesses representative of, I say, two million people.

Hon. Mr. Choquette: Oh, come on! They perhaps belonged to organizations that had 200,000 members, but surely they did not hold meetings to be empowered to come to this committee and speak on behalf of others.

Hon. Mr. Roebuck: I did not say that, but I will accept your statement that they were sent by organizations. You are going further than I did. I say they were representative of two million people.

Hon. Mr. Aseltine: What has this got to do with the amendments? We are considering a motion to adopt these amendments. You are making a speech on the whole bill, and I object to it.

Hon. Mr. Roebuck: I am showing honourable senators how necessary these amendments are. Very well though, I will bow to your