

something which can only be done through a minister putting forward a royal recommendation.

Hon. members are very much aware, I am sure, of Standing Order 62(1) and citations such as citation 243 of Beauchesne's which preclude hon. members from proceeding with money bills or bills with money recommendations unless there is a royal recommendation. This is a very strict restriction which is imposed upon private members who do not have the opportunity of reaching their representative of the Crown and seeking such recommendation. However, because of the understanding that we proceed today with this bill at the request of both sides of the House, having made this caveat I feel the debate should proceed on the merits of the bill, provided that before the question is put the Chair would invite hon. members to express their views so a decision on the procedural acceptability of the bill can be given.

**Mr. Goodale:** Mr. Speaker, I shall not take very much of the time of the House at this point. May I simply thank Your Honour for your expression of concern as to the procedural point you have raised. I think it is advisable to proceed with the discussion during the hour that we have available to us at this time. Your Honour would, of course, have to reach a decision on the point you have raised before any vote could be taken.

May I just express to Your Honour and to the House, perhaps a little belatedly, my appreciation for the co-operation and consideration shown by the hon. member for Selkirk (Mr. Whiteway) during the period before Christmas in helping us arrange the work of the House in regard to private members' hour. We did impose upon him at very short notice, and I should like to thank him for his co-operation at that time.

**Some hon. Members:** Hear, hear!

**Mr. Deputy Speaker:** All this being said, we will now proceed to the consideration of Bill C-210.

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### CRIMINAL CODE

#### MEASURE TO MAKE IT AN OFFENCE TO SELL OR EXPOSE TO PUBLIC VIEW RESTRICTED LITERATURE

**Mr. Dean Whiteway (Selkirk)** moved that Bill C-210, to amend the Criminal Code (obscene literature), be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

He said: Mr. Speaker, before getting into the principle of the bill I might say that my attitude to this matter is indicative of the co-operation that the official opposition always extends to the government so as to allow the government to proceed with its absolute right to govern and to bring forward legislation to the betterment and welfare of all Canadians.

We witness many problems of great magnitude in Canada today. We have economic problems, unemployment, housing problems, problems related to the handicapped, which we

### *Obscene Literature*

debated in this very chamber yesterday afternoon, and serious environmental problems such as the Garrison diversion project which affects Manitoba. But standing head and shoulders above all these is the problem of moral decay. Moral decay is an issue which transcends petty party differences. It goes to the very moral fibre of the nation and to the very heart of its people.

I realize that I face a dilemma here. It is a dilemma that has been debated in legislatures and parliaments for decades. The dilemma has to do with the separation of church and state; that is, separation of moral law and political reality. Some of the great questions which have been raised in this regard are as follows. Does the Christian church have the right to demand that state law be consistent with biblical law? Does the state have the right to enact law that allows or disallows actions that violate moral law? Does the state have the right to restrict the freedom of citizens—and by that I mean the right to impose censorship? Should the state allow absolute freedom when the freedom of one man becomes the bondage of another?

I suggest, Mr. Speaker, that whatever else the duty of government might be, it at least has responsibility for placing in position laws which restrain those who would extend evil and corruption. It should put into place laws which encourage the doing of good and the application of love and justice. I maintain that any law which allows unrestricted distribution of anything which postulates obscenity is wrong, degrading and destructive of the very moral will of the nation. Those who support uncontrolled permissiveness in the name of individual freedom and liberty are, at best, nothing more than blatant moral anarchists.

From time to time statements have been made inside and outside legislative chambers that you cannot legislate morality. Sir, I suggest that you can. Martin Luther King once said that laws cannot change the hearts of men, but that laws can change the actions of the heartless.

I think it would be helpful if we took a look at the bill, and specifically at what the intent of the bill is. Essentially, this bill would set up classification boards in all provinces.

With regard to the point of order that has been raised, I think the intent of the bill makes it obvious that those who sit on such boards would be volunteers, non-salaried and hence not a burden on the treasury. Thus, no royal recommendation would be required. It would not involve the expenditure of any federal funds. As a matter of fact, in most provinces classification boards already exist, primarily to classify movies. These classifications are known by different terms in each province, but generally they range from general viewing, which is viewing for all, to restricted viewing, which would limit the audience to those of legal age, which is 18 years or over.

The boards to be set up by my bill would simply classify written literature, primarily magazines, and so on. These magazines or literature classified as restricted would not be permitted to be sold in outlets frequented by children, I have in mind the corner grocery store, such as Mac's Milk, the kind of store which kids run to in order to buy candy, or those visited