

aspects of this that I do not. However, that is my understanding of it at this point.

The Acting Speaker (Mr. Herbert): This is the end of the period for questions and comments. Debate.

Hon. Allan B. McKinnon (Victoria): Mr. Speaker, Bill C-10, has had a rather "on again, off again" history in the House. I am pleased that we are debating it again, although it is a bit of a surprise to us today. Fortunately, certain references were attached to the Bill, such as the document "Divorce Law in Canada: Proposals for Change", which have been quite useful. I found working paper No. 13 even more useful. It is from the Law Reform Commission which also had something to say on this subject.

The Bill does not live up to the promises of the Minister of Justice (Mr. MacGuigan). It neglects many of the key proposals that were spelled out in "Divorce Law in Canada" and Working Paper No. 13. Bill C-10, which was accompanied by this document, reviews very selectively some of the need for reform in divorce legislation.

It seems that the Government never understands some of the ancillary effects of legislation that it passes. A good example of this was when it cut off the capital cost allowance of apartment buildings. When it did this, the Government was surprised when people stopped building apartment buildings, because it did not think that capital cost allowance was connected to construction.

This Bill has some side effects which must be addressed before it is passed by the House. I listened with great interest to my colleague who just spoke when he gave statistics of the broken marriages and divorces that are occurring and stated that only 11 per cent of current marriages are what we call long-lasting marriages. I do not know whether it is the divorce laws that are causing an increase in divorce or if it is the attitude toward marriage. I suspect it is the latter because young people get married without any real sense of commitment toward the vows they are taking. When they get bored a year or so later, they opt for an easy divorce.

Some time ago I attended the wedding of a friend's son. While I thought I gave a pretty poor response to the toast to my bride, his was even worse. While mine was short and bumbling, he said, "So we are getting married, no big deal". Somehow, those words have stuck in my mind over the years. Of course, it was no big deal because they are now divorced after some three years of marriage.

I do not know if this attitude can be changed, but people who enter marriage with the idea that it is no big deal will face an early boredom with marriage and will want to walk out of it. They will miss a great deal in life by doing so.

I believe some people divorce for financial reasons. I have not had that experience but I have heard from knowledgeable people that no one can afford to get divorced. It is always expensive for both the man and the woman.

To show that the Government does not understand the effects of its legislation on the public, one needs to look only at

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the increase to GIS. I see that the Minister of National Health and Welfare (Miss Bégin) is here. Increasing the GIS for single people only means that for a person living in my constituency who is getting older and is thinking of getting married again, there is an inducement not to get married again because it will not be possible to get the increase in the GIS since he or she will no longer be single. However, it is possible to cohabit and receive \$100 extra per couple by next Christmas. Consequently, people in lower income brackets who are considering marriage decide not to marry because they cannot afford the \$100 a month it will cost them.

However, to show how the Government is even-handed, it now grants a continuation of pension benefits upon remarriage. If a widow is drawing a pension benefit, she can now get remarried and continue drawing the pension. This shows that, on the one hand, marriage is discouraged while, on the other hand, it is encouraged. I suggest this uncertain attitude toward marriage has had the result which has been mentioned by my colleague so eloquently this afternoon. The reason that people are not staying married can often be found outside of the fault—no fault arrangement. It is essentially a lack of faith when marriage is entered into.

When the Minister of Justice introduced the Bill and wrote about it, he said, "I encourage groups and individuals to let me know their views on the proposals for changes to the Divorce Act". We on this side are expressing rather wide-ranging views because we do not believe that this is a subject to which a Party should adhere rigidly in terms of being in favour of the entire Bill or certain parts of it, particularly at this early stage of its reading. We are stating our views in the confidence that the Minister is sincere and prepared to revise this rather unsatisfactory piece of legislation.

One of the great controversies is that Bill C-10 introduces grounds of no fault and that marriage breakdown can be the only reason for divorce, with one year of separation being considered a sufficient condition to prove that there has been a marriage breakdown. It is no longer possible to sue for immediate relief or divorce on the grounds of marital misconduct.

My colleague said that this delay was not long enough. There are others, particularly among women's action groups, who believe that one year is too long. I would suspect that it is far too long for a wife who is being physically mistreated and whose husband is guilty of very aggravated misconduct. I suggest that making her wait a year with very little means at her disposal is adding insult to injury.

No fault eliminates the idea of one partner being more responsible for marriage breakdown than the other. The idea of no fault marriage breakdowns and no fault divorces is a purely semantic exercise. I find it difficult to understand how there can be no fault when a wife has been beaten up by her husband who has run off with another woman or when a wife has abandoned her husband for some other man and left two children. The husband has every right to believe that it was not his fault. He may be difficult to live with, but there is clear evidence of fault.