

Human Rights

party had taken that position when they had an opportunity to vote on this proposition before the constitutional committee.

What was the response of the constitutional spokesperson for the Conservative party when this issue was raised? I should perhaps quote what he said. He said that he did not believe we should go too far where we want to hang every barnacle and every eavestrough and every coat of paint on a charter of rights. In voting against this amendment, which would have included sexual orientation in the charter of rights, the constitutional spokesperson for the Conservative party suggested we were dealing here with barnacles and eavestroughs.

We are dealing, of course, with fundamental human rights. Surely that is the issue before the House today. It is a question of basic human rights. Can a person who is of a different sexual orientation be arbitrarily fired from his or her job with no recourse? Can he or she be removed from their place of residence with no recourse whatsoever? Can he or she be denied access to services or goods, access which is afforded to all other Canadians, solely on the basis of their sexual orientation? That is the purpose of this bill as I understand it.

As I have said, I welcome the proposed amendment to the Canadian Bill of Rights. However, I regret that this sentiment was not supported by the Conservative party and by the Liberal party when they had an opportunity to do so in the course of the debates on the Constitution of Canada.

The other amendments in the bill relate to the Canadian human rights act and would include a prohibition of discrimination on the basis of sexual orientation in the Canada human rights act itself. Once again, we certainly welcome that provision. The final sections of the bill referred to prohibition of discrimination in the Criminal Code itself. They would repeal sections 155, 156, 157 and 158 of the Criminal Code, and would also include within the hate propaganda section of the Criminal Code a prohibition of hate propaganda on the basis of sexual orientation.

● (1620)

I note in passing, and I am sure that it was an oversight on the part of the hon. member for Vancouver Centre, that in repealing section 155 of the Criminal Code, she would also repeal the offence of bestiality. I am not quite sure that that was the intent of the hon. member, but that is certainly the type of technical detail which could be examined by the committee if the subject matter of this bill were to be considered by the committee, as I certainly hope it will be.

I have referred to the Criminal Code, and there are a number of provisions in that code which I believe should be considered. One of the provisions which the hon. member has not addressed is the section of the Criminal Code relating to bawdy houses. We all know the recent history of the raid in Toronto by some 200 policemen, armed with crowbars and sledge hammers, into a number of bath houses there. We know of the agony which that must have caused, not only to the 330 men who were involved but also, of course, to their families and friends. What was their offence? There was no suggestion of any prostitution or of any payment of money. There was no

suggestion of the involvement of juveniles. Their offence was engaging, behind closed doors, in an act which is legal. Certainly, in this day and age, people should not be subjected to that kind of harassment and intimidation for something like that. That kind of raid, and a law which would tolerate that kind of a raid, a raid which has been referred to as bully-boy tactics by at least *The Globe and Mail* in its editorial, should certainly be addressed in any consideration of the Criminal Code changes which should take place in that area.

There are a number of other changes as well. I mentioned the hate propaganda provisions in the bill, and those are good provisions. We welcome them. As we know, there are certain forces in this country which we have seen operating, particularly in the recent municipal election in Toronto, which would deny the right of gay men and lesbian women to exist. What can the impact be? What might the impact be on a young person living at home who perhaps receives one of these scurrilous leaflets which suggests that such people have no right to exist? Surely, in a society which is tolerant and which believes in civil liberties and human rights, young people should not have to grow up being afraid to even express their own sexual identities. Of course, that is the way it stands now. A bill such as this cannot change attitudes; but what it can do is to ensure that there is no discrimination on the basis of sexual orientation at any level in the federal government.

What are some of the areas which are covered by this bill? One of the areas which would be covered would be the Canadian army. I was recently approached by a young woman who was a private in the Canadian army, based at Canadian Forces Base Borden. She indicated that she was subjected to tyranny—I use that word advisedly—when it was suspected that she might be a lesbian. In fact, as it turns out, although of course it is really irrelevant, she was not a lesbian. However, what was done in these circumstances was to harass her, was to take her in and subject her to interrogation by the security police, by military police, without any form of charge; to go to her friends, to go to her boyfriend, to visit her neighbours and to suggest that, in fact, this girl was not worthy of continuing in the Canadian Armed Forces.

What is the policy of the Canadian Armed Forces? They say that homosexuals and lesbians must not be permitted in the Canadian Armed Forces. Why is it? I quote the following from a letter from former Admiral Falls, which Admiral Withers has adopted as his policy:

Because in such a milieu persons having unusual behavioural traits may attempt to inflict them upon others, there is only one method of assuring our servicemen and women that their rights will be respected: by denying employment to homosexuals.

Of course, if there is a particular behavioural trait which is inflicted upon another person, that is a criminal offence; but to deny men and women the right to serve in Canadian Armed Forces merely because of their sexual orientation must surely be wrong.

There was one other excuse which was given by Admiral Falls. He stated: