

Dissolution of Marriage

for years—you will not solve the problems that bedevil judges or parliament when these matters are considered.

May I suggest the solution? It deals with the basic grounds for divorce, the grounds of adultery. All the mischief of perjury, collusion and connivance that exists today will not be cured in more than 1 per cent of the cases by adding the extra grounds suggested by the hon. member. What is needed is a brand new approach to this subject. I venture to say, sir, that the approach I will give now will be such a startling one that it will take some time for divorce reformers to become accustomed to it. I believe it is the only ground upon which we can correct the ills that infest the divorce problem.

Here it is. I suggest that adultery be the ground for divorce only if it is on the basis of a continuing liaison between one party to a marriage and any outsider. I suggest that because this would cover some 60 per cent of the cases that come before the courts at the moment.

Now, what about the other cases? I refer to those cases in which the couple obviously agree to a divorce because of their incompatibility, differences in temperament and so on which do not allow them to go along with each other or to make their marriage work. I will cover those cases by a new formula, one to which it may take Canadians a while to become accustomed. I suggest that in those cases, if there is going to be divorce by agreement using the pretext of adultery, then there should be divorce by agreement after separation for a period of not less than three years. If one bifurcated the grounds of adultery in this fashion, so to speak, I suggest to you we would close up the divorce mills in Canada. We would not have the detectives in our provincial courts and we would not have the detectives in our court of parliament.

There is another point which I think should be made clear. While it is not strictly relevant, nevertheless it was brought before us this afternoon and I hope I will be allowed to deal with it. It concerns the Quebec and Newfoundland cases. It is often misunderstood why they come before parliament, but I am told that in the case of Newfoundland the chief negotiator for that province some 13 or 14 years ago, Sir Albert Walsh, insisted that the Newfoundland cases be dealt with in parliament, or Newfoundland itself would not enter union.

Finally, since time is growing short I should like to make one further point, that over the last year I have had the opportunity to discuss this matter in all the provinces with the exception of Newfoundland and Prince Edward Island. I have talked about it

with the judges, with archbishops, bishops, priests and social workers, and they have all agreed with me that if we are to solve the problem of divorce not only should we grant extra grounds but we should also be very careful in how we deal with the present cases in order to clean up the situation as it now exists. If parliament bends itself to that task and in that direction, it will take time but this reform can be brought about.

Mr. Speaker, may I call it six o'clock?

Mr. Speaker: It now being six o'clock, the time allotted for the consideration of private members' business has expired and I shall leave the chair until 2.30 o'clock on Monday afternoon. It is suggested that I remind hon. members of the house that there is a change of time so that it will be 2.30 o'clock eastern standard time.

BUSINESS OF THE HOUSE

Mr. Chevrier: May I inquire from the house leader what business will be transacted on Monday, and I wonder if he could give some idea of the whole program for next week? It is helpful when that can be done.

Mr. Churchill: On Monday, Mr. Speaker, we will be in committee of ways and means and will continue in committee of ways and means if the house wishes to carry on with the debate on the subject that has been raised there. Our preference on this side of the house would be to complete the ways and means work, at least the four resolutions, on Monday, or certainly by Tuesday at the latest, and then go on with legislation on Wednesday, Thursday and Friday. Tentatively, without making any definite commitment, we would like to deal with the special committee of the house dealing with railways owned and operated by the government, followed by the various pieces of legislation pertaining to that subject matter standing in the name of the Minister of Transport. That is the tentative program for next week.

Mr. Chevrier: Will the urgent business that the house leader has in mind be redistribution, the matter concerning the resolution in the name of the Prime Minister?

Mr. Churchill: If the hon. member wishes to have that discussed next week we might make that arrangement.

An hon. Member: That was urgent two weeks ago.

Mr. Pickersgill: It is still urgent under the constitution.

Mr. Churchill: Everything is urgent.

It being three minutes after six o'clock the house adjourned, without question put, pursuant to standing order.