

Criminal Code

be brought into the category of a crime that we find ourselves parting company. I say this because, even though I may not agree with the views that have been placed on the record by some members, or with their assessment and evaluation of the facts, many of the people who have so spoken have based their convictions on morality and religion. I respect this position and I understand and appreciate the quality of their argument.

Let me conclude this portion of my remarks by repeating that I intend to support this bill on second reading. I do so despite the fact that I have very definite and grave reservations, as well as strong doubts, about certain aspects of some of the clauses contained in the amendments to the Criminal Code. People have said there is a right to personal independence. I prize that right. But let me say this—and here I think I am paraphrasing what some philosopher said—that the body we use to traverse the slim isthmus between birth and death is not a completely private carriage. Society has a certain interest in it and in what we do with it.

• (4:00 p.m.)

I must say—I hope my remarks will be accepted as an objective viewpoint but I must make them all the same—that it is not as easy as some have suggested today to have absolute personal independence and freedom. The curse of the overplanned society is all about us. Every day, in parliament and in the legislatures of this country, governments are encroaching on our freedom of choice to live as we like. I do not like this. I oppose it when and how I can. Those who approve and support restraints on independence and curbs on the social and economic freedom of mankind do not make the best advocates for some of the changes which are proposed in this measure. I say this not only because of some of the things I have said previously but because I have the feeling that all too often the government has not made any real attempt to meet squarely the various wrongs and injustices which criminal law should always be aimed at.

The feeling persists with me that there has been an effort to try to show that this government and party are progressive and forward-moving, that they have cried out and exclaimed about change and progress and said, "See how fast we are going," while all the time keeping an eye on public feeling and public approbation and trying to cover the widest possible spectrum of what, in the Liberal party, passes for popular support.

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This is always our difficulty—the eternal struggle between right and wrong.

That is simple to say. We can generally locate wrong but we are not always sure of how to remedy it. Again, the punishment of wrong will not necessarily result in the triumph of right. For those reasons it is improper for any government to try to make political capital out of some of the issues which have been brought forward in this bill. This, I think, is where the government falls down. They have this inordinate preoccupation with things which are new. To be new, Mr. Speaker, is not always to be right.

It has been said that we should so arrange things that we adopt new views only when they appear to be true views. Thus, when I see the government's overly political approach to this issue, it seems to me that this administration is beginning to emit an odour of mild decay. It is simply not good enough to look at these positions and say that this is all we can do at this time and that circumstances are against us. Man is not the creature of circumstance. Circumstances should always be the creatures of man, and any government which forgets this does not deserve to continue in office.

In viewing this measure I have tried to look at the over-all picture. A great deal of general good will flow from the vast majority of proposals put before us in this measure. Much benefit will flow from it to millions of people, and for that reason I support it. My only regret is that the government did not see fit to include a great many more proposals of reform with regard to the substantive and procedural aspects of the Criminal Code. In the light of existing criminal law jurisprudence based on decided cases, of new discoveries and experience in other lands, I submit we are woefully far behind a great many other democratic societies which have made improvements and discovered them to be effective and useful. Nevertheless, knowing that so much good will flow from these general proposals I must support the bill despite the fact that certain, particular measures contain proposals which I either reject or which do not meet the real problem in each instance.

I hope that certain changes will be made in committee. This hope, of course, is a faint one in the light of our recent experience when the hon. member for York East (Mr. Otto) stated his disillusionment in no uncertain terms.

Mr. Woolliams: He was very truthful.