

Divorce

Mr. McMASTER: Without having considered the question deeply I should say the marriage is set aside altogether and both parties are free to marry again. I am not prepared to say that that is not the best thing, but I do not need that in view of the argument made by the hon. member for Lotbinière who objects to the remarriage of either party.

Mr. MARCIL (Bonaventure): You put them on the same footing?

Mr. McMASTER: I would say it would be better in the public interest that people should be allowed to marry again rather than that they should not. That is merely my personal view, but it is not necessary to the purpose of this argument. I would say this, however—we cannot and should not be out of line with every other civilized nation in the world. Every civilized nation in the world has found it necessary—it may be because of the hardness of men's hearts—to admit, with regret, the necessity of divorce, and in most countries divorce courts exist. Divorce courts also exist in some of our provinces, and this bill is merely to give to one of those provincial courts the right to deal out even-handed justice in the matter of divorce as between man and woman. This is consistent with the law as it is in Great Britain, and it seems to me it is consistent with the highest moral ethics and with all christian principles. I trust that the amendment moved by the hon. member for Lotinière will be defeated, and that the bill as drafted will be passed.

Hon. CHARLES MARCIL (Bonaventure): Mr. Speaker, I have protested on previous occasions against the granting of divorce and I protest once again. The hon. member for Lotbinière gave several very good reasons why we should not extend the opportunities for divorce as we are asked to do in the present case. Divorce is a curse to every country. It is a curse to the United States at the present time; it is even becoming a curse to Canada. Let me quote some statistics which bear out the contention:

Divorces granted in Canada	
Year	Number
1916..	67
1917..	54
1918..	114
1919..	376
1920..	429
1921..	548
1922..	544
1923..	505

Mr. SHAW: Does my hon. friend know that according to the statistical bureau no fewer than 1,368 divorces were granted in the [Mr. McMaster.]

year 1922 in the United States to couples from Canada?

Mr. MARCIL (Bonaventure): Every authority in the United States is denouncing the evil of divorce at the present time, not only clergymen but men holding the highest public positions. I want to read a few lines from an article by a gentleman who is very well known in Canada, who has occupied the highest position in the United States, and is at present occupying the distinguished office of Chief Justice of the Supreme Court of that country; I refer to Chief Justice Taft. His opinion, as set forth in Hearst's magazine of June, 1912, is:

The increase of divorce in this country is a reflection upon the laws of our country. We ought not to permit the marriage tie to be dissolved at will. We ought to have a general uniform law on the subject that stiffens up and makes sacred the marriage tie.

In this country we do not agree on this matter of divorce. Neither did the Fathers of Confederation agree on it. However, they were compelled to accept the principle of divorce at the time of confederation because divorce courts existed then in Nova Scotia and New Brunswick. They were never created in Quebec, nor were they instituted in Ontario. A recent decision by the judicial committee of the Privy Council allows a man and woman to be placed on an equal footing in the prairie provinces, as they are at the present time in England, the result of certain legislation there some years ago. Let me quote a reason for the increase in the number of divorces in Canada:

In explanation of the surprising increase from the 67 divorces granted in 1916 to 548 in 1921, emphasis may be laid on two main causes—(1) the unsettling psychological effects of the war period, combined with the long separations, and (2) the provision of new facilities for divorce resulting from a decision of the Imperial Privy Council in 1918, which enabled the courts of the prairie provinces to grant divorces where previously an act of parliament had been necessary. The slight decrease in divorces granted in 1922 from the previous year, followed by the more marked decline during 1923, may indicate that the wave of divorce due to the war has passed its crest.

I quoted some time ago the statement of an English newspaper that I do not happen to have at the moment. It was to the effect that when the law was amended in England putting the woman on the same footing with the man, 800 divorce cases occurred in the very first month after the law went into effect. Therefore we cannot blind ourselves to this fact: When we place woman on the same footing as man we are opening the door, indeed, we are throwing it open wider than it was