

view. I see this question as being one of dealing with the fact of the failure of relationships.

I intended to say that fault or blame is not a helpful concept. If I said that fault or blame is not an interesting concept, of course I was quite wrong. It is a very interesting concept. Whenever I counselled a couple with problems, I was very interested in the whole question of who was at fault and who was to blame. However, that was not helpful. It was helpful for the couple to see that their relationship had reached a certain point. Perhaps it had not reached the point of absolute breakdown but it had reached a point where certain actions had to be taken. Maybe the action taken would be one of reconciliation, but maybe the point had been reached where the most helpful solution would be to simply acknowledge that they had reached the point of complete breakdown and the most helpful action would be to separate and indeed to have a divorce. It is on that basis that I say it is not helpful to assign blame.

● (1630)

I do not think that as a general rule assigning blame has ever led to reconciliation. Sometimes it is helpful if I, as one of the people involved, accept blame that attaches to me. If I go into a situation where there is a dispute between myself and another person, however, I do not think it is helpful for me to try to put blame on that person, nor do I think it is helpful for the law to try to put blame or fault or another person.

Mr. Friesen: Mr. Speaker, I want to point out to the Hon. Member that I did not invoke the Scriptures; I could easily have done so but I did not. I was referring to his own statement that he had officiated at many marriages.

I would like the Hon. Member to define the second point more clearly. I am not talking about blame, I am talking about fault. I make distinction between blame and fault. Talking about blame brings us into a pejorative and accusatory atmosphere, and it is not my intention to invoke that kind of pejorative atmosphere. My concern is that we have a health-giving atmosphere. If we talk about blame we will get into that kind of atmosphere, but if we talk about fault then we can examine it. Surely the emotions are not involved with fault as they are with blame.

I should like the Hon. Member to make the distinction. I thought he was using terms very loosely and I should like him to clarify whether he sees a distinction between fault and blame.

Mr. Manly: Obviously, Mr. Speaker, there is a distinction, but in the way I was using the words I think they both apply. I would ask how the courts can determine fault if they do not have some process? Very often that process become pejorative where one person blames another. The court also assigns blame along with assigning fault.

The whole history of our divorce courts is one where people try to assign blame to one another. If the Hon. Member wants to quibble with the word "fault" or have a no-blame divorce, that is fine with me. I would be glad if he would accept a no-blame divorce.

Divorce Act

The Acting Speaker (Mr. Herbert): If there are no further questions or comments, I will recognize the Hon. Member for Kingston and the Islands (Miss MacDonald) to continue debate.

Hon. Flora MacDonald (Kingston and the Islands): Mr. Speaker, I consider this to be one of the most important debates in which we have engaged in the House of Commons, one which certainly involves some long overdue reform. On the other hand, we are faced with a Bill that raises some very, very major reservations on the part of many of us on this side of the House.

When the Bill has been before the House, a number of Members have commented that it is a sad fact that in Canada today over 40 per cent of marriages end in divorce. This figure represents something like 70,000 divorces per year. That figure is growing and is twice the number of 10 years ago.

Perhaps more important, however, than the increasing number of divorces is the fact that 50 per cent of divorcing couples have dependent children, many of whom are put to unnecessary suffering due to the adversarial or confrontational nature of divorce.

That there is a pressing need to reform and humanize the current divorce law cannot be denied. What has to be highlighted and brought to the attention of every Member of the House is that what is unacceptable is the very superficial and simplistic approach to divorce that Bill C-10 brings to the subject.

One cannot really expect legislation to be accepted on the basis of slogans or popular headlines. It is great to see something like "No Fault Divorce" in headlines, but beyond the headlines and slogans one has to consider the heartache and frustration and pain that accompanies the breakdown of marriage.

The press release that accompanied the Bill when it was introduced in the House by the Minister said that the Bill would "—revise Canada's divorce law to make it more consistent with current social needs and realities". That would be a laudable goal. That is the way the present Bill has been sold, particularly to the media, and it has been conveyed to the people of Canada in that vein. Does that necessarily accord with the facts? Perhaps someone will stand up and say, "We took a Gallup poll on the subject across the country and 62 per cent of those polled agreed that no fault divorce was welcome. A shorter time period and fewer reasons for divorce are acceptable because 62 per cent of the Canadian public said so".

Mr. MacGuigan: It was 64 per cent.

Miss MacDonald: I stand corrected; the Minister says 64 per cent. I should like to know whether 64 per cent of the people who replied have actually read the Bill. Have they looked beyond the headlines and the slogans to what is actually in the Bill? I suggest that the other 36 per cent, those who did not accept it so easily, are the people who have probably