

But on all those matters I must repeat and go on repeating what I have said on previous occasions—it is a difference of education, it is a difference of temperament, if you like. In those matters we Catholics look primarily to the social aspect. I am not saying that we are right or wrong. I am stating a fact. We look primarily to the social aspect. We claim, as they did, not only in old France, but in England as well, up to the middle of the last century, that matrimonial laws are primarily enacted for the sake of society, and that such individual cases, sad as they may be, which may come in conflict with the general law, should not predominate in the minds of the legislature or of the tribunals over the social principle.

Now, if you take that state of mind, if you take that principle of legislation into consideration, you will readily understand how on the one hand we endeavour to maintain the laws of matrimony intact from the social point of view, while at the same time we endeavour to make it as clear as we can in law, in practice, in effect, that no stigma, no degradation should attach to those individuals who happen to have broken the laws and therefore have put themselves into a position resulting in the situation which my friend has described, when in good faith they thought they had complied with the law.

So I repeat, without attempting to bring any religious issue into the debates of this house, that we should hesitate before we pass any legislation, private or public, which will put the subjects of such legislation in a position entirely antagonistic to the social surroundings and to the social laws under which they had been born and brought up. Of course, I realize that this parliament cannot legislate from the point of view of any individual church in this country. My friend from Cartier may regret that we have not Jewish legislation here. My friends of the Anglican church may feel similarly. I may feel the same as a Catholic. But we have to take the conditions in the country as we find them. As far back as 1851 it was declared in the legislature of United Canada, I will not say with unanimity, but under the influence of a French majority, that the conditions of Canada being as they are, all religions, all churches and creeds must stand on a footing of equality before the law. That may be objectionable from a purely philosophical or religious point of view, but it is true and unavoidable from the point of view of fact. But while I take it as an admitted principle of our polity that no legislation should be passed under the dictation of any

church, as detrimental to any other church, I claim that we should avoid, either in private or in public legislation, hurting the feelings or impairing the social position of any church in this country, when the decision we make affects only the members of that church. That is a principle which was recognized by parliament in the past.

Mr. WOODSWORTH: In this particular case one of the parties comes seeking a divorce. That action, I presume, would not be countenanced by the church.

Mr. BOURASSA: Of course not.

Mr. WOODSWORTH: But can we refuse to receive this petition even though the person seeking the divorce may be a member of the Roman Catholic church?

Mr. BOURASSA: Here again my hon. friend will realize the difficulty—but it is a difficulty which we must face—the difficulty of harmonizing the individualistic point of view, which I respect, of those people born and brought up in what I might call the tendencies of Protestantism, with the point of view of those born and brought up in the faith of Roman Catholicism. My hon. friend is impressed—and I appreciate his point of view—with the individual position of the woman asking for this bill. I have endeavoured however to direct the attention of the house to the social aspect of the case as it relates to the position of the four children concerned in this legislation, who have no word to say in law or otherwise, nor anyone to represent to this house what their situation will be after the marriage is dissolved. In the assumption that these four children will remain members of the Roman Catholic church when they come of age and when they enter into social relations with people of their creed, I submit that they will be placed in a most awkward position. Moreover, if either the woman or the man, heretofore the wife or the husband, should choose to marry again, against the rules of their church, taking advantage of this piece of legislation, once more you will place this Catholic family in a most awkward position. And you do it, I repeat, when there is no one entitled, legally or morally, to state the views of the four children. I have said on a previous occasion, and I repeat it now, that all through this broad question of marriage and divorce, I am more concerned with the fate of the children than with the fate of either the man or the woman. They are supposed to know what they have done and what they are doing; they are supposed to stand the consequences of their action. This