

tion is very unforgiving and, in that sense, very narrow minded.

I suggest, Sir, that social laws, the laws of human relations, are just as relentless. The only choice we have is to harness them. The law of gravity is a great law if we harness it and use it properly. The law of combustion is a great law if we understand it and harness it. Society's laws, the laws of human relations, are tremendous laws if we understand and accept them and learn to harness them. They are also unbending and if we obey them, we will flourish. If we harness these laws, we will prosper. If we violate them, we do so at our peril and the peril of society.

There is a tendency on our part, Sir, in order to be compassionate to the individual, to overlook the universal laws or reject them on behalf of an individual. Therefore, we must pay the consequences of this legislation, indeed any legislation. Where will it take us? What will happen if we invoke these laws? As we look at the consequences, I would point out that there is a total contradiction between the principle in this law and the law we passed 18 months ago in this House, the Young Offenders Act. Provisions of that Act have just been applied in one of our provinces, and I want to quote from Section 3 under the heading "Declaration of Principle":

It is hereby recognized and declared that (a) while young persons should not in all instances be held accountable in the same manner or suffer the same consequences for their behaviour as adults, young persons who commit offences should nonetheless bear responsibility for their contraventions;—

There we have a principle enunciated in legislation. We are saying to young people that young people have to be responsible, although perhaps in not quite the same way as adults, and adults have to be responsible for their behaviour and decisions. But in this Bill we say just the opposite. We say you can have circumstances where there is no fault. You do not have to assume fault. I suggest to you, Sir, and to all of my colleagues here, that if we start enunciating one principle to the young people on accountability and another principle to adults where the adults share less accountability than young people, we are invoking a duality that we are going to come to regret. If the trumpet give an uncertain sound, what is going to happen to future generations? Are we not teaching young people through this legislation that there is a law for adults and another one for young people? We are going to rue that day.

We are now 15 minutes into my speech and I am only half way through, Mr. Speaker. That is one of the faults of a 20-minute debate when it comes to a subject like this.

We are training people to look to alternatives rather than to commitment, resolution and reconciliation. We are already teaching people to look at alternatives so that when they enter the threshold of a major decision like marriage, they are already able to say: "Hey, I can cop out of this in a year". That, Sir, leads us to tension which our society cannot handle.

In 1969, after the provisions of the previous Divorce Act came into focus, 19.3 per cent of dissolving marriage lasted 25 years or more. In 1979, ten years later, it was 11.3 per cent. You see, Mr. Speaker, once we opened the door we did not

Divorce Act

make divorce simply easier, we made marriage considerations include the consideration of opting out later on. We made it easy. Aside from that, our income tax laws make it cheaper to cohabit rather than get married. There is a prejudice in our income tax laws against marriage.

I suggest that the people who will suffer most if we destroy the commitment to permanence will be the children in those families involved in a divorce. For children the best hope of continuing relationships and for a sense of security is the home. It is not school, church, the local McDonald's, the baseball league or the hockey league. The best hope for security for young people is still the home, imperfect as it is. There is no study which shows or proves that it "is better for the kids if we separate". The fact is that if they are given a choice, they would rather the parents stay together in most cases, even in conflict, than have them separate.

We also have to look at the effect on the oath which this Bill has, whether it is before judge or before God in church. What does it do to the law of the land, our system of jurisprudence, if before a judge we swear permanent loyalty and commitment and one year later we can back out? What does it do to an oath before God? What does it do to the concept of His character? If we say before God that we are going to be true to each other, and then, in a year's time, we say forget it, what does that do to our concept of God and the integrity of His character?

Finally, Sir, the no-fault provisions of this Bill will lead us to an era, and I say this carefully and cautiously, of a kind of incipient mental illness. It leads to a world of illusion when we say there is no fault. Both parties know there was a fault and you cannot have mental health if you deny there is a problem. The first rule of mental health is if we accept reality. If we try to escape from reality by saying there is no fault, we perpetuate an illusion. That will lead us to a kind of national illness in the home. It also involves a denial of justice. What do we do for the person who knows there is fault and is denied a court of appeal? One of the marriage partners was injured but is denied the right to be heard by the courts. I thought all of our jurisprudence rested on the right of the accused or of both parties to be heard by a forum. If we are going to invoke the principle of no fault, presumably in order to take away the tension, we will increase, postpone and put forward the tension that is already there and magnify it for future years. That is not a route to health, Sir.

• (1530)

As I said at the outset, we are dealing with a Bill that is focusing on national health. The national health of our families is at stake here. We need to preserve it. As we look at the provisions of this legislation we must consider its impact on our children and on future generations in order to maintain the health of families and of the nation.

The Acting Speaker (Mr. Herbert): There follows a 10-minute period for questions or comments.