

*Criminal Code*

this measure. Long after these proposals have become law—and I am convinced they will become law—people will pause and remember that on issues involving certain moral and conscientious questions which should lie far outside the range of political partisanship laws were in fact placed on the statute books by most questionable means.

All too often governments explain their decisions by saying that the methods and means used are immaterial so long as they secure the passage of certain legislation. I oppose this attitude. I deplore it. I see too much of it in the way this government approaches its responsibilities. I challenge the assumption that the means are immaterial. In a democratic society they are tremendously important, and at times can even be said to outweigh the objectives. There was never a dictator who did not rationalize his actions with the statement, "It had to be done because the country needed it."

The debate has generally been a good debate of high calibre, save only that I must again express regret that in my opinion many of the government members have been inhibited in their approach to certain of the matters covered by the bill, and I think this has had a restricting effect. Nevertheless, the quality of the speeches, the sincerity of the motives, and the eloquence of the expressions which have found their way into *Hansard* have been a certain indication of the deep feelings and the strong emotions which have been brought into play not only in this house but in the country as a whole.

I am also inclined to think that the spirit which has been engendered in this debate has its foundation rooted in something even more fundamental than the issues here. Society is troubled, is stirring, is changing. People are challenging old values and are sometimes tempted to replace them with new theories which have not been tested or are not likely to be successful.

When society is in such turbulence as to seem likely to perish, it is good advice that we should seek to restore to it the principles from which it sprang. The Criminal Code, which nourishes many of the rules that govern society, should always be related to justice, and truth is the nursing mother of justice and must always be the light which guides a people groping to find their way.

Members from both sides of the house have delved into the merits of many of the proposals and I have but a few simple comments to make. I naturally reserve the right to make further comments after the bill has been

through the standing committee and has come back to the house. As a matter of fact, under the procedure we are now following we are, in effect, taking a step in the mechanical process of moving this bill on a stage so that in committee it may be examined in detail and members may have the opportunity to consider it and to propose amendments that then come back to this house.

In reviewing the comments which have been made may I say I have nothing but respect for the differing points of view and opinions which have been expressed, and I do not think it right that any hon. member or group of members who cannot accept views which have been otherwise expressed should in any sense seek to disparage these alternative points of view. Certainly we must give the fullest effect to views of a religious nature offered validly and sincerely, particularly if those views are honestly held by a considerable percentage of our population. There is today, alas, too great a tendency for society, like a river, to find ways around the hard rocks of morality. Proposals must be examined in the light of their effect on the preservation of the basic unit which western civilization was founded, namely, the family. I do not regard myself as being among those who feel that the family has outlived its usefulness and may well be quietly rejected at this time. So if society does require the retention of the family we must be prepared to recognize and give effect to certain moral principles which are essential for that purpose, even to the extent of declaring certain acts to be a crime. This, I think, is the whole approach of our criminal law.

When people in their infinite wisdom and through the actions of their representatives have concluded that the continuation of certain specific acts which heretofore have been only moral or social offences have now become so widespread and so much a danger that they must be raised to the quality of a crime and subjected to regulation and punishment, then this must be so. A sin can become a crime if the act has become or is so abhorrent and repugnant to human belief and is so likely to cause a deterioration in our social behaviour that it must be brought under control. I say this because some of the statements that have been made in the house, with some of which I do not agree even though they may have been expressed by people who have come to the same conclusion I have by other means. This, of course, is not always an easy thing to do. It is in coming to determine what is a crime or what should not

[Mr. Baldwin.]