

protocol of a law of this nature. Because of these latter discussions, and other research I have undertaken on the subject, I have this afternoon decided to make a major change in this bill by making it less complicated and, it is to be hoped, more practical. It is my personal wish to request the unanimous consent of the House to withdraw three words from proposed section 49.1. Those words are "or Provincial flags."

In addition I wish to withdraw proposed section 49.2 in its entirety. This would make the bill deal with Canadian flag legislation only, and it would then read as follows:

1. The *Criminal Code* is amended by adding immediately after section 49 thereof the following:

"49.1 Every one who destroys, disfigures, mutilates, defaces, defiles, desecrates or casts contempt upon the Canadian flag is guilty of an offence punishable on summary conviction."

My reason for wishing to withdraw these two items is that I hope their withdrawal will ensure easier passage for the remaining part of the bill, plus the fact that we would be dealing with the ramifications of enforcing one particular piece of legislation instead of three at the same time.

For example, if the House were to approve the bill this afternoon in its present form, the Standing Committee on Justice and Legal Affairs could be faced with representatives from provincial governments across Canada who might wish to comment on the bill. The committee could also be faced with many representations from groups across the country in regard to the foreign flag section of the bill. Then, of course, there may well be people wishing to comment on the Canadian flag section of the bill. After considering all the ramifications of the present form of this proposed legislation, I have come to the conclusion that both the provincial and foreign aspects should be removed from the bill.

I am advised by legal experts that it is normal procedure for the provinces to recommend to the federal government the changes they wish in the *Criminal Code* as it applies directly to them. Therefore, if I were to retain the part about provincial flags I might end up stepping on the toes of some provincial legislatures. That is certainly not my intention.

Similarly the foreign flag section presents a problem in that many foreign flags of countries legally represented in Canada are on the various embassy properties which are excluded from Canadian jurisdiction. If such a foreign flag is insulted in any way, the Department of External Affairs extends an apology on behalf of the Government of Canada and ensures that the matter is brought to police attention for action under the appropriate law. Many people have expressed views to me, and I am sure that other hon. members have had the same views expressed to them, that they are quite often disgusted when they see a flag being torn down, burned, or insulted in any way—and I mean with intent to insult.

I do not consider it an insult to or desecration of the Canadian flag if people wish to wear a sweater or T-shirt with the Canadian flag on it, if they wish to wear a Canadian flag on the hip pocket of a pair of jeans, or if they wish to sew a Canadian flag on their knapsack when travelling. This is simply a way for people to express pride in their country and their very definite identification with Canada.

### *Criminal Code*

By bringing this bill forward today I wish to make quite clear to hon. members that if it becomes law I would not wish to have it used to charge someone where the intent is simply to express pride in Canada. If this bill passes I would want the resulting law to be used against those who wilfully damage a Canadian flag or insult it in any way, or where there is clear evidence that there was intent to do so.

Any time that I have seen a Canadian flag being desecrated or insulted, my first thought was that the person or persons involved had no pride in the nation. There is also the underlying feeling that citizenship in this country carries with it not only rights and privileges but also duties. I hope that this bill will help such individuals to realize that Canadian citizenship is something in which Canadians take a great deal of pride, and that citizenship carries with it certain duties and responsibilities, and not just rights and privileges.

Regardless of what human frailties we may have, as members of the House of Commons or indeed as members of the Canadian community as a whole we surely must agree that we live in a country with great potential. We live in a country with great institutions, and we live in a country that presents all kinds of challenges and frustrations. The latter we must tackle, and while doing so we must display a reasonable amount of patience and perseverance.

● (1710)

A flag is a very important symbol to any nation, and by insulting the flag you are indeed insulting a nation and its people. If we, as Canadians, are able to treat that important symbol with the dignity and decorum that true Canadian citizenship has a right to demand from us, then it will make us look that much bigger in the eyes of other nationals. By doing so we are not in any way merely paying lip service to or worshipping a piece of cloth, as some agnostics might wish to have us believe; instead it should be interpreted as an act of respect and loyalty to our nation and to the people who occupy this nation.

I suppose all of us in this House of Commons had many occasions over the years to visit the Cenotaph on Remembrance Day, November 11. There we see the ceremony carried out with decorum and respect by those who fought to retain our nationhood, while at the same time we pay our due respects to those who made the supreme sacrifice on the battlefield to preserve it.

We are also well aware that the Canadian Armed Forces wherever they are around the world consider any ceremony dealing with flags, and with the Canadian flag in particular, as something that must be carried out to the nth degree of perfection along the lines that protocol demands. They have been responsible to a very large degree for portraying the Canadian image around the world, and the Canadian flag has become clearly identifiable in the international community.

I wish to thank this House for its patience and consideration during the course of my remarks and before I sit down I should like to ask unanimous consent of the House to remove the two parts of the bill that I have mentioned or, if not, I will give the House a commitment that if the