

Mr. SHAW: I listened with a great deal of interest the other day to my hon. friend describing the British North America Act as a treaty, an arrangement between the provinces and the Dominion. Now, do I understand him to suggest to-day that although divorce is covered by the British North America Act, that part of the treaty must not be operative at all?

Mr. VIEN: I do not understand my hon. friend. I do not see in what way I am touching the British North America Act.

Mr. SHAW: Well, a lot of us can. I want to suggest this. My hon. friend says that he objects to this bill because it deals with the question of divorce and because it would put a divorce law on the statute book. If he respects the British North America Act why does he not vote in favour of this bill, having regard to the fact that there is provision for divorce in the original agreement of confederation?

Mr. VIEN: The British North America Act enables the Parliament of Canada to pass legislation on divorce. But I would oppose any legislation introduced in this parliament in respect of divorce, even though it is within the province of the Parliament of Canada to pass such legislation—I would oppose it on the ground of the principle involved. I contend that it is a wrong principle to introduce legislation enabling the people of Canada to obtain divorce. I would prohibit divorce altogether, not on the ground that it is not within the province of the Parliament of Canada to grant or provide for divorce, but on the ground that it is inadvisable to pass any divorce legislation.

Mr. HUGHES: May I ask the hon. member a question? There are two groups of people in Canada, one made up of those who do not believe in divorce at all and do not practise it much, and the other consisting of those who believe, to some extent at least, in legal divorce. Now, is it fair for those who do not believe in divorce to try to impose their will on the rest of the people and to place the female portion of the rest of the people in an inferior position? I would not be a party to that. I do not believe in divorce myself, but I do believe that where divorce is granted or recognized at all the injured wife should have the same standing and the same rights before the courts that the injured husband has.

Mr. VIEN: I think my hon. friend's question is hardly fair. I am not trying to impose my will on anybody. But sitting in

[Mr. Vien.]

this House as the representative of the county of Lotbinière I find it my duty to oppose all legislation on divorce, because I consider that it is a serious evil, not only in respect of the section of the country in which I live but in respect of the whole of Canada. I do not take this stand on account of my religious belief, which alone would be enough to prompt it; but as a Canadian citizen and as a representative of the Canadian people having a seat in this House I am convinced that divorce is a social evil; that we should restrict it by all possible means, and that in so doing we would render a great service to our country. I repeat that I do not desire to impose my opinion upon other hon. members of this House, still less should I try to stampede the House, even if I could, into passing legislation which would debar others from expressing different views. I take this attitude not because I do not respect the views of hon. members who differ from me on this question, but because, as I have said, I am opposed to all divorce legislation. I think it is the duty of hon. members to restrict divorce by all means and not to introduce any legislation which will render divorce easier in future.

Mr. L. J. LADNER (Vancouver South): Mr. Speaker, as one of the members from British Columbia, which is affected by this legislation, I would like to say a few words on the bill now under consideration.

Those who have taken part in the discussion can be divided into two classes, namely, those who are discussing the principle of divorce and those who are discussing the principle of the bill, which is the matter of the relationship of husband and wife in marital differences of the kind referred to. Throughout the whole of the Christian world, in all Christian countries, the principle of divorce has been established by legislative enactment. I do not know of one country where that is not the case. In seven of the nine provinces of this Dominion the principle of divorce has been accepted, and by acts of the federal parliament the principle of divorce is established for the people of Canada as a whole.

Divorce in many cases is a social evil, but I submit that it is an arbitrary course to classify all those who seek divorce or believe in its principles as condoning an evil in our social system. There are instances where in my judgment divorces are absolutely justified. As one engaged in the practice of law and engaged on occasions in divorce cases, I know personally of individual cases in connection with which no hon. member of this