

Dissolution of Marriage

Mr. Speaker: Order. I regret to advise the hon. member that the time allotted to him has expired.

(Translation):

Mr. Bernard Dumont (Bellechasse): Mr. Speaker, I shall try to speak as well as possible because several members have complained we speak as fast as machine guns. In future, in order to maintain goodwill and national unity, I shall strive to speak more slowly so as to be clearly understood.

Since I came here, there has been some talk about planning and the agreement which exists between the 118 socialists who sit in the house. It is now proposed to subject marriage to planning.

I should like to recall the statement made the other day by the hon. member for Skeena (Mr. Howard) when he stated, in reply to my speech, that we had no respect for minorities. I invite him to tour the province of Quebec for that will enable him to see that in our province, the French Canadian people have great respect for minorities. He will then have the best example of the kind of respect he will be able to demand for minorities throughout Canada.

We, from Quebec, who are particularly guided by our mother the Roman Catholic church, admit that in certain cases there are serious reasons which favour a separation from bed and board. And the Roman Catholic church that is broadminded recognizes that such cases exist. The Roman Catholic church considers all Canadians as her children. She is opposed to divorce because from her point of view, it infringes on the rights of the individual.

People are afraid of cancer, and a moment ago we heard of certain drugs which can cause certain illnesses but some dare ask for more laxity in a statute the consequences of which are more serious for the soul than cancer is for the body.

Hon. gentlemen opposite give us clear evidence that divorce has solved many problems in the U.S., that it has solved some in Great Britain. If your evidence is conclusive we will send you to the ecumenical council, so that you may discuss those rights which, according to you, we are refusing minorities.

In Bill C-12, before us today, I find this under clause 4:

For the purpose of this act, a party to a marriage who is domiciled in any province of Canada shall be deemed to be domiciled in every other province of Canada.

[Mr. Woolliams.]

Now, what would prevent someone who tomorrow will have left for the United States or Europe, to ask for a divorce, since the act will be relaxed more and more every year?

The intent is to have a very lax statute. The other day I remarked that within a few years we would find in procedural practice only pitiable rot.

Subparagraph (b) of paragraph 6, reads like this:

That, since the marriage, the other party to the marriage has, without just cause or excuse, wilfully deserted the petitioner for a period of not less than two years.

Those are terms that can result in endless lawsuits, terms which are neither clear nor precise. I agree with the hon. member from Bow River (Mr. Woolliams) who, earlier today, told us that he wanted the legislation to be seriously scrutinized, especially if there were distaste in respect of discussing each case of divorce in the house, a procedure, as which, as I said, does prevent numerous divorce cases we otherwise would have to deal with.

At this time, it prevented us from being flooded with a great number of divorces because, very near us, in the United States, we find there is one divorce or more granted every second. Well, in Canada, we are still protected from this great calamity.

Subsection (k) of section 6 reads as follows:

—that the other party to the marriage has, for a period of not less than one year, failed to comply with a decree of restitution of conjugal rights made by a court in a province.

I do not know how this is done in the rest of Canada, although I did go to Vancouver, where I met wonderful people, with whom we can certainly get along. But at home, in Quebec, I cannot conceive a court decreeing a restitution of conjugal rights. In Quebec, we have learned that when a man has come to the point where he cannot and not to the point where he will not, it is very difficult for him to comply with a court's decree of restitution of conjugal rights.

Proceeding with the reading of this bill, I find that under section 8, subsection (2), paragraph (d), a marriage may be annulled:

Where the consent of either of the parties is not a real consent because it was obtained by duress or fraud.

How can this duress or fraud be proved? Indeed, a law can be given various interpretations when it is too broad.