

Criminal Code

A Tory member, Sir Cyril Osborne, said: "I have had enough of this democracy which is too lenient with prostitutes, pimps and procurers."

An honest Labour member, Mr. Tommey, added: I protest against the tone of alleged intellectual superiority adopted by the supporters of the bill. What those people are in fact asking us is to allow male prostitution, when a few years ago parliament dealt severely with female prostitution and waged war against call-girls. But, today, by a strange aberration of mind, British legislators are being more indulgent for unnatural acts than for acts which, though they are in a way sinful, are after all natural.

Raymond Lacoste continues in a kind of humorous vein that draws tears rather than smiles:

We were entertained during the debates with "serious" considerations. Needless to say that when the vote was taken, the handsome young men whose eyes were painted with Kohol and who were huddled up in the galleries burst into applause so great was their joy!

The lawyers of the dear boys put up all kinds of arguments... Mr. Wood seriously asserted that homosexuality does not entail the danger of illegitimate children! And what is the use of sending an uranist to prison? Is it not like sentencing Don Juan to a few years in a harem?

Mr. Speaker, these few remarks clearly show that the amendment to the Criminal Code that we want to bring in involves all kinds of dangers and may lay this government or even Canada open to ridicule, which we would bitterly regret in the next few years.

It is my opinion, Mr. Speaker, that we should give special consideration to amendment No. 6, since it purports to amend sections 147 and 149 only, which now read as follows:

147. Every one who commits buggery or bestiality is guilty of an indictable offence and is liable to imprisonment for fourteen years.

149. Every one who commits and act of gross indecency with another person is guilty of an indictable offence and is liable to imprisonment for five years.

Mr. Speaker, the amendment which I move would have the effect of deleting paragraph (b) which reads as follows:

(b) any two persons, each of whom is twenty-one years or more of age,

That would mean that section 149A would apply only to husband and wife. The amendment should therefore be considered seriously and I would be glad to hear the comments of hon. members on that matter.

[*English*]

Right Hon. J. G. Diefenbaker (Prince Albert): Mr. Speaker, I shall not be here next week when the vote on the bill before the house takes place. I want to make it clear at once that with the inclusion of the homosexu-

[Mr. Laprise.]

al clauses and the free-love abortion clauses I would be voting against the bill despite the fact that there are many of its provisions which deserve my support and would otherwise receive it.

I wish to explain at once that the reason for my absence, and I trust it will be regarded as a reasonable excuse. The legislature of Saskatchewan will on Tuesday be unveiling a bronze sculpture of me. I tried to get into that institution for a period of four years on two occasions. Now I am to become permanently included in it.

Some hon. Members: Hear, hear.

Mr. Diefenbaker: I am glad hon. members agree that my absence is excusable in the circumstances.

I wish to say I have been impressed by the arguments advanced and by the speeches made during the course of the debate. My hon. friend, the hon. member for Calgary North (Mr. Woolliams), and those associated with him have placed their views before us, as have hon. members supporting the government and those speaking for other parties, in a reasonable and responsible manner.

These are subjects which naturally arouse strong emotional opinions. On the one hand there are those who found their case on sociological advance—the new world. It certainly is not a just society that these things will bring about but a hard society. There is no widespread request that these matters should receive attention from parliament. Last year, I believe on December 13, I spoke and pointed out that it was a strange commentary on the attitude of the present administration that with great economic problems facing the nation the government seemed irrevocable in its determination to bring in these two items.

It is interesting to read the arguments advanced yesterday by the Minister of Justice (Mr. Turner). He has argued better cases. I doubt that he ever went through a more trying or introspective examination than when he made his speech yesterday. Indeed, as I read it I was reminded of the schoolmen in the middle ages who, incidentally, brought about the first student riots. Students refused to attend lectures and rioted because so much time was devoted to such metaphysical arguments as the number of angels who could occupy the head of a pin. The arguments advanced yesterday by the hon. gentleman bore a strange and peculiar resemblance to some of the arguments that were advanced by the schoolmen.