

*Criminal Code*

on the government side, are against this clause, like the great majority of the population, I do believe—and I hope so because of my optimistic nature—that the house could vote for this amendment.

• (5:10 p.m.)

I cannot quite see how a member, in particular a Quebec member—I do not know what the situation is in other provinces—could vote against this amendment.

I am optimistic to a certain extent, and I hope that finally the light will dawn and that our role, the role of the house and the role of the government, will not be debased by the sponsoring of pieces of legislation which nobody wants.

Mr. Speaker, many arguments would warrant rejection of this amendment. Several have already been put forward and I shall point out the most interesting ones.

It has been said—and I agree with it myself—that this section will absolutely not check the expansion of that dreadful plague.

Mr. Speaker, if you read the history of certain countries, you realize that those who have accepted such depravity have been brought down, as if by mere coincidence. This is what happened to Ancient Greece and Rome. Let us read those portions again, if need be, and realize how the degradation of morals simply reflects a state of decline.

And it is not because our mother-in-law, England, has passed legislation of that kind that we have to follow the decline of that country, if I may use the expression.

Too often we felt compelled, in this government, to copy the laws enacted by the Parliament of London, and I do not see why we should feel obliged to do so, since I am not afraid to be wrong in saying that a referendum would reveal that 95 per cent of the Canadian citizens would be opposed to the legalization of homosexuality.

When expressing that view, we feel to be in a strong position, because we are sure of what we say, and the minister should also share that view, but he answers categorically: No organization presses for the passage of that bill. There has not been enough research done so far to allow a listing of the various questions pertaining to homosexuality. Should the phenomenon be placed under the heading of crime, of a psychic or sociological distortion, or simply of a disorder which could be cured by the medical science?

We do not know enough on all the aspects of the problem to be in a position to legislate

[Mr. Matte.]

adequately at this time. We are not here simply for the pleasure of passing laws. Besides, it seems to me that there are plenty of other extremely important matters to be dealt with. For example, the increase in the incidence of that plague would be particularly serious in our penal institutions.

Mr. Speaker, I would like, if I may, refer to an article published in the Tuesday March 4, 1969 issue of the *Journal de Montréal*, which describes the situation prevailing in American penitentiaries, and I quote:

Young convicts are corrupted by perverts.

The report comes from Washington.

Following an investigation by a Senate committee on homosexuality in penitentiaries, a young Negro aged 25 has been mentioned as a typical case of that scourge of which young prisoners are a victim.

After hearing the testimony of this Negro, referred to as John Doe, a former confirmed morphia addict, attorney Arlen Specter, of the district of Philadelphia stated that, in the penitentiaries, every new prisoner is approached barely a few hours after his arrival and that, if he refuses to take part in some unspeakable acts, he is literally raped and subjected to the roughest treatment.

As for senator Thomas J. Dodd, he deplored public indifference to the "unspeakable conditions existing in the penitentiaries, under which prisoners who at the start could have been rehabilitated become hardened criminals".

Attorney Specter explained that he was compiling very upsetting testimonies on the prevalence of homosexuality in the prisons and that he intended to submit, in support of such testimonies, "live" descriptions of obscene assaults upon young prisoners. "Such descriptions will not be to everyone's taste," added the attorney, "but they are in accordance with the facts." He added that homosexuality was one of the major problems in American penitentiary institutions and that drastic remedial measures were urgently needed.

At a time when our neighbours to the south are greatly alarmed by the very serious problem of homosexuality, we, in this country, acting like smart-alecks, like know-alls, under the guidance of a fifty-year-old young man, are getting ready to adopt measures such as this one. We should, in all decency and in all logic, wait until the results of the investigations to be carried out in the United States are known and then deal with the problem as it exists in our own country.

The absence of psycho-social investigations indicates that we should not adopt this clause now and, consequently, we should vote in favour of the amendment to delete it.

Therefore, the increase of the number of criminal offenders will become a serious problem, as one of my colleagues pointed out