

for divorce, and each year there is a balance which goes to the general revenue of the country.

I have been a member of the Divorce Committee, much against my wishes, ever since I first came to the Senate. I tried to be excused, but nevertheless I felt it was my duty to attend, and have done so faithfully for over eleven years.

It seems to me that this question of divorce goes back to the time of Confederation, when the constitution gave Parliament authority to deal with it. The people of Quebec—English-speaking as well as French-speaking—did not want to submit their marital problems to divorce courts in Quebec, and in so far as that province is concerned divorce applications have been dealt with in the Senate.

Most of the provinces of Canada now have divorce courts of their own, and the hearing of divorce petitions by the Senate is limited to those from Quebec and Newfoundland. Fortunately, this problem has not affected Newfoundland very much as yet; we receive very few cases from that province, and I believe it does not want a divorce court of its own.

So far as the Committee on Divorce in the Senate is concerned, may I as a humble member of that committee say that I think it does excellent work. There are lawyers on that committee who I believe would grace the bench of any province in Canada. The recommendations of the committee are very seldom interfered with by the other house.

Honourable senators, what seems strange to me is that the people who complain about the work of the Divorce Committee are not those who carry out the work. Usually, the members of the committee do not complain. They work hard and faithfully and carry out their duties well. I think we should be very careful not to disturb the good work now being done by the Committee, until it can be shown that there is a better way to deal with the problem.

The honourable senator from St. John's West (Hon. Mr. Pratt) suggested that a body be set up of qualified persons, other than senators, to hear evidence on divorce, and report to the Senate. I do not think the Senate should be expected to pass on divorce applications without having first heard the evidence.

The honourable senator from Grandville (Hon. Mr. Bouffard) made a suggestion to which I think there are many objections. Not all the people of Quebec are against divorce. May I point out that many persons in that province who come here for a divorce already have a separation from bed and board; and

although none of the testimony with regard to the separation comes before us, the fact that a separation has been granted helps the committee to dispose of a petition with a clear conscience.

A great many people say that it is not in keeping with the dignity of the Senate to deal with matters of divorce and that the Senate could be doing better work for the country. Let me remind honourable senators that divorce is a human problem, that the committee deals with serious personal troubles. Doctors, nurses and other professional people also deal with human problems, and there must be a great many tasks they dislike to perform. I think the Senate can handle divorce cases without losing its dignity. The fact that the petitions come only from the province of Quebec is, of course, saddening.

Personally, I am against divorce. I do not believe in it and, if I could do so, I would abolish it in this country; but I realize that we have to be practical, in the light of the demand for it by certain people. I think it speaks well of the work of the Divorce Committee that there are fewer divorces in Quebec than in most other provinces of Canada. My friend from Winnipeg South (Hon. Mr. Thorvaldson) said there are 500 a year in Quebec. I think there are only about 400. I believe the highest number occurred after World War II as a result of marriages hastily contracted during those years. Otherwise the figures are fairly steady. There are more than 2,000 divorces a year in Ontario, and it seems to me that the requirement that petitioners from Quebec must come to the Senate for relief tends to keep down an evil. Looking at it from all aspects, and I have done so for many years, I think the existing set-up is a good one.

At one time I was asked by a former Government authority to make a report on what could be done on the matter of divorce. One suggestion I offered was that the Senate be made a final court without recourse to the other house. If that were agreed upon, of course, it would be said that the Senate in that respect was not the Parliament of Canada, and that before it could become a court of final jurisdiction the other house might want to have something to say about it. My own view now is that under the present arrangement by which the people of Quebec can apply for divorce through this house, with the proceedings being reviewed by the other house, it can truly be said that cases are being dealt with by the regular processes of the Parliament of Canada. There is a lot to be said for that procedure. I was once speaking to an eminent judge of the Supreme Court of Nova Scotia, who said that that province had no particular judge assigned to