

*Criminal Code*

the interests of society are involved with respect to what goes on in private and that the criminal law must regulate such conduct.

**Mr. Turner (Ottawa-Carleton):** I take it the hon. member was asking a question and I shall try to reply to it.

**Mr. Sianfield:** It was a statement.

**Mr. Turner (Ottawa-Carleton):** The effect in law of clause 7 is to provide a defence to sections 147 and 149 with respect to those conditions described in the clause. That is the legal effect of it.

**Mr. Woolliams:** But section 147 deals with bestiality.

**Mr. Lloyd R. Crouse (South Shore):** Mr. Speaker, I had not intended participating in the debate on the amendment to clause 7 of the bill. But as I listened to the minister this afternoon and to the explanations he gave hon. members with respect to the bill I, too, found myself becoming increasingly confused. Frankly, I do not know why the Minister of Justice has followed the course he has in introducing this bill. As the English speaking heir apparent to the Prime Minister's throne which may become vacant more quickly than we realized, he has not done himself justice by promoting this type of measure.

**An hon. Member:** You are confused.

**Mr. Crouse:** Yes. As one hon. member has said, I am confused. Considering what is rumoured throughout the country I feel that my statement has some validity. As I listened to the minister I could not help wondering just who was promoting this bill across Canada. Where did the pressure come from that caused the Minister of Justice to initiate this form of change or this type of measure? I fail to understand it. I cannot conceive of the reasons that prompted this measure to be brought before the house.

**An hon. Member:** Whom are we trying to protect?

**Mr. Crouse:** I wonder, whom are we trying to protect? When the effect of clause 7, as I understand it, is to make legal acts of homosexuality and buggery between two consenting adults or bestiality involving animals when such acts are carried out in private, how can the minister justify his thinking on this matter? When we pass clause 7 these acts, although they are committed in private, become legal. Would the minister say, for

example, that if two adults smoke marijuana in private their actions would be legal?

• (3:40 p.m.)

In view of the controversy in the house on this point I think the Minister's views would be of interest to the house as well as to Canadians generally. I cannot conceive of the measure now before us being passed. I wish to register my strong protest against legalizing homosexuality and I want to indicate my intention to vote against any act that will legalize it in Canada.

Would the minister answer my question with regard to the use of marijuana? Does he believe that the smoking of marijuana by two consenting adults in private should be considered legal?

[*Translation*]

**The Acting Speaker (Mr. Béchard):** Order please. May I remind hon. members that the Chair will accept such questions provided they are addressed to the minister while he has the floor.

These questions must not be allowed to develop into speeches since some hon. members will probably want later on to take part in the debate on this amendment.

[*English*]

**Hon. W. G. Dinsdale (Brandon-Souris):** I did not have the privilege, Mr. Speaker, of serving on the justice committee which dealt in depth with this very difficult problem, but I have followed the debate in the house at the various stages, particularly at this stage.

Having listened to the comments of the various members who have spoken and to the statement of the minister a minute ago, it seems to me that legal chicanery has been the main concern involved in discussing a matter which I feel is a very profound and disturbing moral issue. I am not a lawyer and I do not intend to get involved in the legal niceties of the problem, but I would like to present some of the moral concerns that bother me as I contemplate having to make a decision on this matter.

As I have listened to the discussion it has become more and more evident why this bill should not have been considered in omnibus form, but it should have been dealt with in separate parts. I understand this was the desire of the Minister of Justice in order that we could deal with the merits of other parts of the bill which are worth while and