

Divorce Act

in that? Alternatively, does he think that the law simply follows the customs and moralities of the day? What does he think we should do to affect that, if anything?

Mr. McGrath: Mr. Speaker, I have always been concerned about some of the recommendations that are coming forward on an ongoing basis from the Law Reform Commission. I do not know who that commission is in touch with because it is certainly not in touch with the society in which I live. For that matter, it does not reflect the cares and concerns of that society.

In this particular case, I believe that we are dealing with a lawyers' Bill. As I said during the course of my remarks, divorce is a social problem that is far too important to be left to the lawyers. That is why I believe that, legal arguments notwithstanding, we should look beyond this Bill to the impact that it will have on the family unit and the impact it will have on the rights of children, impacts which are not fully understood and not addressed in this Bill.

Mr. Lambert: Mr. Speaker, I believe I spoke on the first day this Bill was presented. Since that time, a good deal of correspondence has been received from various parts of the country on both sides of the question. I would like to ask my colleague, the Hon. Member for St. John's East (Mr. McGrath), whether or not he has received any particular reactions. Perhaps he could inform the House of the reaction of the many religious groups in the Province of Newfoundland.

Perhaps I was the first one to say so, but during my speech I said that I felt, as does my colleague, that as this is really a matter of the morality of the country, the House Justice Committee should undertake extensive hearings across the country to hear the views of the people and not just the views of the lawyers. It has been said that this is a lawyers' Bill which is responding to a certain element in society that is looking for quick, fast, glib divorces.

Mr. McGrath: Mr. Speaker, I believe that this Bill is out of step with the mainstream of Canadian society. That is perhaps best reflected by the concerns that are put forward on an ongoing basis by various groups in society, not the least of which are the churches. I referred to two such groups. I referred to the Canadian Catholic Conference of Bishops, a group which speaks for the Roman Catholic Church on a national basis, and I believe that their adherents represent about 40 per cent of the population of the country. I also referred to the Pentecostal Assemblies of Canada. I believe the question has been addressed by many synods of the Anglican Church in Canada. I know it has been addressed by many of the member churches of the United Church of Canada.

It seems to me that this Bill is merely responding to the lawyers who seem to be saying to Canadian society that they know what is best for us. I do not think that they do in this particular regard. I think we as legislators have a responsibility

to put this legislation before the mainstream of Canadian society so that we can hear from the churches and from the groups that must deal with family breakdowns, battered wives and the poverty that is symptomatic of a single-parent family. We as legislators have a responsibility to make sure that the committee that will examine this Bill on second reading will travel extensively throughout the country.

Mr. Dionne (Northumberland-Miramichi): Mr. Speaker, I would like to commend the Hon. Member for the quality of his remarks on this Bill and for his obvious concern, of which I think all Members know and for which I think all Members respect him.

I would like to put a question to him that is perhaps a double-barrelled question. First, I agree with his position regarding abortion and I wonder if he would comment briefly on whether or not the Act itself, an Act that was passed in the House before I came here, has not been subverted to a large degree by the provincial Attorneys General and the so-called hospital abortion committees that have basically become a rubber stamp for abortion in many hospitals? The fact that that can happen may well be a fault of the law, but it is also a fault of the people.

I would ask the Hon. Member what his suggestions might be *vis-à-vis* divorce in Canada in order to prevent the kind of knock-down, drag-out, dirty battles that often occur in divorce court, which make relationships between the divorced partners so bitter that there is little chance of their ever speaking a civil word to each other again and thus causing a great deal of trauma for the children of the marriage.

Mr. McGrath: Mr. Speaker, the non-adversarial elements of the no-fault provisions in this Bill are the only positive things I can find in it. Because of those provisions, there is a serious chance that the two parties can be reconciled. That is why I believe the no-fault provision which eliminates that adversarial approach should be complemented by compulsory mediation.

I am only concerned that this legislation does not adequately address the importance of marriage and the family unit. If we go the same route with this Bill as we did with the abortion Bill, then, putting the two Bills together, we as a Canadian society are in deep trouble. If we cannot take steps to support the family and to support the rights of children, then we, Sir, are in deep, deep trouble.

I believe that we as legislators and parliamentarians have a responsibility to address this problem, and I welcome the question of the hon. gentleman. I remember the time when I put forward a provision to provide for the rights of children. I had the support of the Hon. Member and he was one of the few people who understood what that measure was all about. He understood the rights of children in a society to an adequate upbringing, which means the right to double-parent families. To me, that is a basic right. As well, when a divorce is granted, children still maintain certain basic rights with