

Divorce Act

As I said earlier in my remarks, no one is better off as a result of a divorce. It simply costs far more for a threesome to be involved than it does for a twosome, particularly if a home has been established with all the ancillary things which go along with it. It is a tragedy that the old standards seem to have been ignored or forgotten. Often those who think they are getting away with something by living a new life or a new lifestyle find out that they have missed something pretty precious.

The Acting Speaker (Mr. Herbert): For questions, the Hon. Member for Surrey-White Rock-North Delta (Mr. Friesen).

Mr. Friesen: Mr. Speaker, one of the difficulties I have had in coping with legislation in this place has been the whole area of the language of legislation. It tends to get more complicated as the years go by and therefore more undiscernible and undecipherable to most people. I can accept that every Bill with which we deal always comes before us at the outset with a list of definitions of terms. The purpose of that is to make the legislation as precise as possible so that those affected by the legislation, the practitioners and the lawyers who deal with it, can be as precise as possible in narrowing it down to the finest point so that nothing is left to the imagination. It is the opposite of generalization. It is precision. Yet, in this bill we have the term "marriage breakdown", which is about as encompassing a term as can be. Lawyers who practise the art of precision in most cases want the language to be as precise as possible so that there is no opportunity for elaboration, misconstruction or misapplication. In this Bill the term is as general as possible, with an umbrella definition as to why it is possible. What does the Hon. Member think about this digression from the principle of precision in this legislation to one of generalization?

Mr. MacGuigan: Marriage breakdown is defined by one year's separation.

Mr. McKinnon: The Minister of Justice just said, "Marriage breakdown is defined by one year's separation." He is just showing the idiocy of that attitude. He would have been much wiser to say nothing, and we would not have known that he held that opinion of marriage breakdown in the English language.

Mr. MacGuigan: It is in the Act.

Mr. McKinnon: Marriage breakdown can happen for a dozen different reasons, or maybe a thousand different reasons, one being that the personalities clash day in and day out, another being a misdemeanour of one or the other parties. A group of lawyers say that marriage breakdown means living separately for one year; of course during World War II we would have lost 700,000 marriages. They would have gone down the tube with this legislation because couples were separated.

Mr. MacGuigan: That is not separate and apart—

Mr. McKinnon: That is separated for one year and that is how a marriage breakdown is defined.

The Acting Speaker (Mr. Herbert): Order, please. I am sorry to advise the Hon. Member that the ten minutes for questions and answers has expired.

PROCEEDINGS ON ADJOURNMENT MOTION

[Translation]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Herbert): It is my duty, pursuant to Standing Order 45, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for Mission-Port Moody (Mr. St. Germain)—Labour Conditions (a) Youth unemployment levels. (b) Criteria applicable to youth employment fund; the Hon. Member for Peace River (Mr. Cooper)—Employment—Program expenditures made by Canada Post Corporation; the Hon. Member for Dauphin-Swan River (Mr. Lewycky)—Income Tax (a) Expense deductions for volunteer firemen. (b) Increase sought.

● (1610)

GOVERNMENT ORDERS

[English]

DIVORCE ACT

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. MacGuigan that Bill C-10, an Act to amend the Divorce Act, be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

Mr. Jim Manly (Cowichan-Malahat-The Islands): Mr. Speaker, I appreciate this opportunity to speak on Bill C-10, an Act to amend the Divorce Act. This Act is important both to thousands of individuals and to society as a whole. Perhaps it would be helpful if I clarified the perspective from which I speak. It might illustrate the evolution of the views in our society.

As a small child, I remember hearing whispered comments about a certain woman being divorced, implying that divorce was not something people talked about, at least not out loud. There was a whiff of scandal about it.

During the 1950s, I remember divorce becoming a subject for farce. About the only way people could obtain a divorce was to prove adultery. On one hand, there was the situation where aggrieved spouses hired private detectives to follow their partners, break in on them with flashbulbs and witnesses in an