

pounded the grounds upon which exception should be taken to the adoption of this bill. I believe that, in the course of his remarks, so I am informed, he expressed the views of the province which he represents, of the nationality and religion to which he belongs. All those who spoke after him—and particularly the hon. member from Labelle (Mr. Fortier) whom I wish to congratulate—have expressed exactly the views of the province of Quebec and of all those who adhere to the Roman Catholic Church.

I am satisfied that we should not in the present circumstance take another stand than the one we took last year, that is protest against the passing of any such measure. It is, therefore, with pleasure, Mr. Speaker, that I shall register my vote against the bill.

Mr. SPEAKER: Is the House ready for the question?

Mr. SHAW: Mr. Speaker, in concluding the debate upon this important subject, I must express my appreciation of the manner in which it has been received. Speaking generally, I think the subject has been discussed freed from bias of any character whatsoever, and I trust that this parliament may in its good judgment come to the proper and the sound conclusion in the matter.

Fortunately my statement of the law has not been found wanting in any particular. I call to witness the support of the hon. Minister of Justice (Mr. Lapointe) of the legal viewpoint which I have expressed here to-day. Then, too, all have recognized the inequality that exists to-day between the man and the woman, and that is the simple problem before this parliament. If my premises are correct, if inequality exists, then what does this parliament propose to do about it?

I listened with admiration to the oration with which the hon. member for Bellechasse (Mr. Fournier) favoured us this afternoon. He constituted himself, and I do not object at all, the guardian of the sanctity of the home; but I ask him not to deny to other hon. gentlemen, including myself, exactly that same duty of guardianship. I take it, if I express the feeling of those who favour this bill, that we have no desire to wreck the home. Our only desire is to preserve the home; but we are not going to be misled in the matter. We are not going to say that just because there is no divorce everything is in a perfectly sound and splendid condition. As a matter of fact, as I pointed out to the hon. member for Bellechasse when I interrupted him this afternoon, divorce is not the disease at all. Divorce is simply one remedy

which is proposed for the disease which does exist. Nor do I agree with the hon. member for Kindersley (Mr. Carmichael) who, although from western Canada, finds it in his heart to oppose this effort at securing equality. I do not agree with him in his viewpoint. I do not agree with him when he tells us that he sits here amused while the "divorce mill," as he called it, of this parliament grinds out its sessional quota. I see nothing at all amusing in those circumstances. It seems to me that anyone with the faintest realization of his duty must feel, in the presence of these numerous divorce bills which come before us session after session, that behind each one of them there is a human tragedy, that behind each one of them there is something wrong—there is some deep, fundamental cause which, so far as possible, it should be the duty of parliament to eradicate if it can. Divorce is not a disease; divorce is simply an attempted remedy for the situation as it exists.

Now, it has been suggested by some hon. members, who have conscientious objections to this matter of divorce, that we should impose similar restrictions upon the husband who seeks relief as is now imposed in the four western provinces of Canada upon the wife who seeks relief from an erring husband. Well, if one thinks of these two individuals, man and woman, thinks of their physical capacities and physical disabilities, what would you say to one who asks a husband, for example, to prove not alone adultery but, in combination with that, the offence of cruelty as defined by the courts in the Old Land. To establish such cruelty the husband would have to prove a cruelty which produced "physical illness or mental distress of a nature calculated to effect permanently his bodily health or endanger his reason, or that there is reasonable apprehension that the same state of affairs will continue." Surely no reasonable person will ask that an imposition of that kind be placed upon a man before he could secure a divorce even if the offence of adultery is committed. As I stated this afternoon, Mr. Speaker, the great offence so far as the marital relation is concerned is the offence of adultery. I am satisfied to make it the only offence justifying a decree of divorce; but do not attach to it other offences which, so far as human beings are concerned, are forgivable, whereas infidelity in most cases is totally unforgivable. I ask, Mr. Speaker, that the House now pass this bill.

The House divided on the motion (Mr. Shaw) which was agreed to on the following division: