

*Criminal Code*

Bad laws breed disrespect for the law itself, according to Father James R. Roberts, member of the Roman Catholic matrimonial tribunal.

"For any law to be effective and serve the community it must be backed by the general acceptance of that community, otherwise the mass violations (even in good conscience) of that law, produce disrespect for the law," he explained.

"Prohibition did not have the support of the community and the disastrous results of that puritanical law prove this point," he added.

In his opinion the basic issue is one of civil rights.

"We (Roman Catholics) support the principle of civil rights for Negroes and for Indians but all this would be hogwash if we were not truly sensitive to the current question of civil rights in B.C.

"And the law prohibiting the sale and use of contraceptives here is an infringement on those rights," he said, enlarging on remarks he made at a panel discussion last week on quality or quantity.

Father Roberts said that he "realizes many non-Catholics in Canada hold the Roman Catholic church responsible for the preservation of this archaic legislation".

"But this is not true," he said.

"Although we may hold that certain methods of birth control are immoral, we are not obliged to force our moral code on the civil law," he explained.

I realize that everyone in the church does not hold that view, but there are a very substantial number of the theologians and laymen of the church who do hold that view. It is a matter of civil rights for each person to decide for himself.

Yesterday the general council of the Canadian medical association wired the Minister of Justice (Mr. Favreau) urging passage of this bill. Last night the 21st general council of the United Church of Canada meeting in St. John's, Newfoundland sent a telegram to the Prime Minister asking that there be a free vote on this bill. I do not believe, Mr. Speaker—I do not think I am being naïve about this—that there is any plan to talk this bill out. I understand that there is wide support for it in all parts of the house. I understand that there can be a free vote, but if there is to be such a free vote I would respectfully ask members who want to speak in favour of the bill—and there are quite a few—to keep their remarks quite brief so that we can proceed to a vote, because there is no general plan as far as I know to talk it out. If we can do that and give the necessary reading to the bill today we can correct one part of our law which many thousands of our citizens have asked to be corrected.

**Mr. Joseph P. O'Keefe (St. John's East):** Mr. Speaker, despite the rather plausible argument of the mover of this resolution I wish to voice my personal opposition to the bill proposed. I do not for a moment suggest

[Mr. Prittie.]

that in this matter, or indeed in any other, I am voicing the views of all my constituents. I am confident however, that I reflect the feelings of a great many people, and most certainly my own.

I oppose this bill on principle and not merely as a matter of conscience. Our function in proposing legislation—as I understand that function—is to propose and to enact laws which are in the best interests of the common good. This bill asks us to legalize that which is beyond our jurisdiction. My opinion is that the determination of what is morally good or bad is not within our competence. I suggest we legislate within a determined area of morality. For instance, theft, murder, and other crimes are not morally good or bad simply because we make them so by legislation. They are against the natural law, and not because Canadians, British, United States or other legislators declare that they are.

I oppose this bill in practice. What has been the experience of those countries which have enacted this legislation? cursory reading indicates that some countries at least are now very much concerned over the consequences of the legalized sale of contraceptives. They have experienced, and are now experiencing depravity, promiscuity and a rampant recklessness among the young—and not only the young.

Mr. Speaker, the purpose of this government or of any government, is, or certainly should be, to promote the common good and to work diligently for a more equitable distribution of wealth. The government knows full well that, in fact, contraceptives will be purchased especially by unmarried people and by the young, resulting in corruption of public morals. In my opinion this or any government should not permit these gravest of social evils, evils which attack morals, attack married life and attack the family, the very foundation of our society. The family should and must be protected at all costs.

May I quote a word or two here from an address given by His Excellency the Governor General at the opening ceremony of the Canadian conference on the family. His Excellency said:

To my way of thinking, the best and surest way of developing generous and idealistic hearts, of giving the community men and women who are well balanced and conscious of their responsibilities to their country, is to protect the family, for the family—far from opposing the interests of society—is capable of giving to the universe the human beings who are prepared to put justice and truth before their own personal interests.

Any government, but particularly this government, has to work for the material better-