

Criminal Code

practice, which would surely downgrade society. The government which will adopt such a measure cannot but be held responsible for its consequences.

I hope that there are still hon. members to recognize that the section on homosexuality is not acceptable for the time being, when we think of all the ways whereby we could help those people, treat them and reassure society.

Mr. Speaker, I should like, before concluding, to extend my congratulations to those who had the courage to defend their opinions and the commitments they undertook during the election campaign. Members must have the courage of their convictions and duly express the wishes and aspirations of their constituents. We must pay tribute to them and congratulate them on having objected to certain clauses, since they did so in good faith, even though some people may not think so.

Many things have been said and I would not like to be accused of wasting the house's time, but I believe that those who are free to express their views will do so. I do not think that all hon. members were loyally and sincerely for all the clauses contained in this bill.

Some will say that the majority of the clauses are acceptable; nevertheless, some will vote for clauses which inwardly they do not think acceptable. I want the minister to know that I shall have to vote against certain clauses which I would have preferred to approve. But as I am not free to vote as I wish on each clause, I shall vote against some measures which are good, but which my principles, my convictions and my commitments compel me to fight. This bill, in my opinion, is unacceptable to society and I shall honour my commitments as a certain group has done in a very impressive way.

Dishonour lies not in losing a battle, but in refusing to fight.

Mr. Jean-Charles Cantin (Parliamentary Secretary to the Minister of Justice): Mr. Speaker, we are coming to the end of a long debate during which varied and sometimes extreme opinions have been expressed.

In my opinion, the bill submitted to the house is far from being extreme in its implications; it reflects considered and reasonable opinions and this I shall endeavour to demonstrate. We have been asked where the bill comes from. Not so long ago, a man who today is the Prime Minister of Canada (Mr. Trudeau) was appointed Minister of Justice

and undertook the recasting of the Criminal Code which reflects the laws of present-day society.

The outcome of that recasting was 126 amendments to the Criminal Code, all of which are important. All of them are not equally far-reaching I imagine, but the bill deals inter alia with the breathalyzer, cruelty towards animals, firearms, homosexuality, abortion and I submit that those are all important subjects.

● (9:30 p.m.)

True, certain matters affect the conscience of individuals, and that is why we heard in the house some remarks which go beyond the ambit of the bill.

How did those amendments come to be moved and how was the general consensus of the Liberal caucus arrived at? Most of us, like the Minister of Justice (Mr. Turner) and myself, when I accepted to be parliamentary secretary to the minister, were convinced of the soundness of the proposed amendments. In my conscience, I believe that I can vote on each and all of the amendments relating to this bill, because I think the general interest of the population and of all Canadians is at stake.

The philosophy of this bill is simply this; in a society which, because of the social order which controls more and more the individual, interferes with his liberty, our legislation must be redrafted in order to respect to a greater extent individual freedom.

Only public interest must check that freedom. This is how one can explain why amendments have been made to clauses as controversial as those concerning homosexuality, abortion or lotteries.

As to homosexuality, what does the bill say? Two consenting adults indulging in homosexual acts are no longer committing a criminal act. However, corruption and scandal will remain criminal acts. On the one hand, there is the freedom of the individual, and on the other, respect for the common good.

On the matter of abortion, we have heard virtually all the theories. I believe that in this connection, the bill is sensible and reasonable. Some have claimed that it is a clarification of the law. I think they are right.

It has been said in some quarters: But it was assumed that abortion was not permitted.

The Code presently stipulates that an abortion can be practised if in good faith, it is thought, that the life of the mother is endan-