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(HANSARD)

Tuesday, May 7, 1996

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Tuesday, May 7, 1996

The House met at 10 a.m.

Prayers

[*English*]

Mr. Abbott: Mr. Speaker, on a point of order, in my absence yesterday, this being the first opportunity to address this issue, the Minister of Foreign Affairs attributed comments to me which were factually inaccurate and totally untrue.

The Reform Party has a very clear statement and undertakings on our belief in human rights in Canada. I support the Reform Party on those—

The Deputy Speaker: That is debate.

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

TAXATION

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have two petitions today. The first one is from Sarnia, Ontario.

The petitioners draw to the attention of the House that managing the family home and caring for preschool children is an honourable profession which has not been recognized for its value to society.

The petitioners therefore pray and call on Parliament to pursue initiatives to eliminate tax discrimination against families that decide to provide care in the home for preschool children, the chronically ill, the aged and the disabled.

ALCOHOL CONSUMPTION

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the second petition comes from Brantford, Ontario.

The petitioners bring to the attention of the House that consumption of alcoholic beverages may cause health problems or impair one's ability, and specifically that fetal alcohol syndrome and other alcohol related birth defects are 100 per cent preventable by avoiding alcohol consumption during pregnancy.

The petitioners therefore pray and call on Parliament to enact legislation to require health warning labels to be placed on the containers of alcoholic beverages.

HUMAN RIGHTS

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, I am being inundated with petitions sent by all methods short of horse and buggy. The petitioners are concerned about the method by which the government is pushing through in such rapid fashion the addition of sexual orientation to the Canadian Human Rights Act.

These petitioners call on Parliament to oppose this. They have taken a number of different ways to express that but are very concerned with both the method and the message the government is sending.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I ask that all questions stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

CANADIAN HUMAN RIGHTS ACT

The House proceeded to the consideration of Bill C-33, an act to amend the Canadian Human Rights Act, as reported (without amendment) from the committee.

SPEAKER'S RULING

The Deputy Speaker: There are 21 motions in amendment standing on the Notice Paper for the report stage of Bill C-33, an act to amend the Canadian Human Rights Act.

• (1010)

The motions will be grouped for debate. The Chair is not yet ready to give a full ruling on the groupings of the motions and the voting patterns. What we are doing regarding members with motions has been indicated by the officers at the table.

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[Translation]

We can start with Group No. 1, which includes Motions Nos. 1, 9 to 15 and 18. If this is agreeable to our colleagues, we will start with Group No. 1, which includes the motions I indicated.

[English]

MOTIONS IN AMENDMENT

Mr. John Bryden (Hamilton—Wentworth, Lib.) moved:

That Bill C-33, in the Preamble, be amended by replacing lines 2 and 3, on page 1, with the following:

“firms the dignity and worth of every individual and recognizes that every individual has the right to be”.

Ms. Albina Guarnieri (Mississauga East, Lib.) moved:

Motion No. 9

That Bill C-33, in Clause 1, be amended by adding after line 33, on page 1, the following:

“2.1 Nothing in sections 2 or 3 shall be construed so as to render any provision of the Criminal Code inoperative or of no force or effect.”

Mr. Ian McClelland (Edmonton Southwest, Ref.) moved:

Motion No. 10

That Bill C-33, in Clause 1, be amended by adding after line 33, on page 1, the following:

“2.1 The teaching and hiring practices of religious institutions shall not be considered a prohibited act of discrimination for the purposes of sections 2 or 3 provided that such practices are consistent with the Canadian Charter of Rights and Freedoms.”

Mr. Boudria: Mr. Speaker, I rise on a point of order. I wonder if there would be unanimous consent that all motions at report stage of Bill C-33 be deemed to have been moved, seconded, read and proposed to the House. We used that procedure in a bill recently. It would be convenient for members.

The Deputy Speaker: Before I ask for consent on that, perhaps I should mention, since the matter came up yesterday, that any member who does not wish to dispense with the reading of any motion can simply say no. Please say it in a loud, clear voice. This happened yesterday. I did not hear a person say no and I assumed there was unanimous consent when there was not.

Is there unanimous consent?

Some hon. members: Agreed.

Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.) moved:

Motion No. 11

That Bill C-33, in Clause 1, be amended by adding after line 33, on page 1, the following:

“2.1 The reference to “sexual orientation” in sections 2 and 3, shall not be construed so as to amend the meaning assigned in any Act of Parliament to the terms “marriage”, “family” or “spouse”.”

Motion No. 12

That Bill C-33, in Clause 1, be amended by adding after line 33, on page 1, the following:

“2.1 The reference to “sexual orientation” in sections 2 and 3, shall not be construed so as to affect freedom of religion, expression or association as guaranteed by the Canadian Charter of Rights and Freedoms.”

Motion No. 13

That Bill C-33, in Clause 1, be amended by adding after line 33, on page 1, the following:

“2.1 The reference to “sexual orientation” in sections 2 and 3 shall not be construed so as to render any provision of the Criminal Code inoperative or of no force or effect.”

Motion No. 14

That Bill C-33, in Clause 1, be amended by adding after line 33, on page 1, the following:

“2.1 Nothing in sections 2 or 3 shall be construed so as to authorize the extension of spousal or family benefits or entitlements funded and administered under any Act of Parliament to any person who cohabits with a person of the same sex in a relationship similar to a conjugal relationship.”

Motion No. 15

That Bill C-33, in Clause 1, be amended by adding after line 33, on page 1, the following:

“2.1 Nothing in sections 2 or 3 shall be construed so as to authorize the marriage of persons of the same sex.”

Mr. Tom Wappel (Scarborough West, Lib.) moved:

Motion No. 18

That Bill C-33, in Clause 2, be amended by adding after line 8, on page 2, the following:

“3.(2) For greater certainty, nothing in Sections 2 or 3 of this Act shall be construed by any court or tribunal in such a way as to add, read in, or include the words sexual orientation in Section 16 of this Act.”

Mr. John Bryden (Hamilton—Wentworth, Lib.): Mr. Speaker, I rise to speak to Motion No. 1, which also pertains to Motion No. 8.

This would change the amendment proposed by Bill C-33 so that the only difference in wording in the purpose section of the Canadian Human Rights Act would be the addition of the words sexual orientation.

These motions would go a long way toward addressing the fear of many Canadians that Bill C-33 as it now stands would lead to court interpretations such that gay couples could claim marriage and family benefits as a matter of right, that the legal privileges the state confers on conjugal couples of the opposite sex would be equally guaranteed by right to couples of the same sex.

The justice minister has explicitly said this is not the intention of Bill C-33. He said it is workplace legislation and nothing more. He has assured us it has nothing to do with the definition of family, of same sex benefits or of same sex couples.

If the vast majority of Canadians can be convinced of that, they will support Bill C-33. If Canadians could be sure it will be limited in effect to the workplace, at least 90 per cent would support it.

• (1015)

By and large we are a tolerant society. Canadians do not like discrimination. They deplore it, whether it is because of sexual orientation, race, language or religion. It does not matter. Discrimination is discrimination.

If Canadians could be certain that the impact of Bill C-33 would be confined in interpretation to protecting gays from harassment and unfair treatment in the workplace, then I suggest the bill would enjoy overwhelming support.

However, many MPs in the House, including myself, in representing our constituents were unable to vote for Bill C-33 during second reading. They felt, as I do, that there is good reason to believe that as it stands it could trigger interpretations by the courts that would enlarge the legal definition of family to include same sex couples.

In my instance, I am concerned that this will open the door in turn to an interpretation of section 1 of the charter of rights and freedoms, such as under provincial law, where discretion to

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consider the pros and cons of sexual orientation in child custody cases would cease to exist.

In other words, the sexuality of gay parents could no longer be considered in an application to adopt. I am afraid that this might be an infringement on the rights of a child who, when all other factors are equal, might better be raised by heterosexual parents rather than homosexual parents.

I am not saying that gay couples should never be able to adopt. Only that children should have a right to have the sexual orientation of parents taken into consideration when the authorities are placing them for adoption.

That is my primary concern about Bill C-33 as it now stands. Other MPs have other concerns but most of them stem from the implications of Bill C-33 in terms of the legal definition of marital status and the family.

We have some good reason to be worried. Bill C-33 does more than add the words sexual orientation to the Canadian Human Rights Act. It also changes its purpose from being applicable to every individual to being applicable to all individuals. The change to all individuals in Bill C-33 is not trivial. The term every individual is exclusionary in meaning. The term all individuals is inclusive. The former connotes individuals in isolation, the latter individuals in groups.

I have talked to lawyers who are of the opinion that judges could interpret the phrase "all individuals" as including same sex couples for the purposes of the act. This is all the more certain in that Bill C-33 also changes the words "himself" or "herself" and "he" or "she" to "themselves" and "they".

My Motions No. 1 and 8 would restore the original wording of the purpose section of the Canadian Human Rights Act so that the only words added by Bill C-33 are the words sexual orientation and nothing more.

It is my understanding from the drafters of this legislation that the change from "every" to "all individuals" was done for no particular reason. Indeed, I could not get an adequate explanation. I suppose the syntax was tidier.

However, by changing the wording as proposed for the purpose section back to "every individual" from "all individuals" and to "himself" and "herself" from "themselves" we members of the House of Commons can send a strong message to the courts that it is our intent to limit this legislation to individuals in isolation, not to individuals in groups.

By passing this motion we say to the courts that it is absolutely not our intention that the inclusion of sexual orientation in the Canadian Human Rights Act is to be interpreted in terms of any form of same sex partnership, implicit or explicit.

By voting for the motion, my colleagues are saying that Bill C-33 exists outside the issue of same sex marriage, outside the issue of same sex parents, outside the issue of same sex benefits. This bill is to do with individuals only, not relationships between individuals.

We cannot make the will of Parliament clearer. Having done so by enacting this amendment into law, the way becomes open, the road smooth, to support Bill C-33. Then it becomes with as much guarantee as we can hope, a law to do exactly that envisaged by the justice minister, a law that will fight harassment and discrimination against individuals in the workplace. It will then become a law of which all Canadians can be proud.

• (1020)

Mr. Tom Wappel (Scarborough West, Lib.): Mr. Speaker, I listened very carefully to the mover of the motion. He made some very good points, one of which I believe is absolutely critical. He enunciated the concerns of Canadians, that is, the potential ramifications which are not stated in the bill and for which there are all kinds of assurances outside of the bill.

The hon. member discussed discrimination. Clearly Canadians do not support discrimination. Clearly Canadians want to ensure that no one is discriminated against. The point is the potential ramifications outlined by the hon. member.

What disturbs me follows from the attempts which were made by the hon. member to find out why the words were changed. This statute has been in place for many years. It has been interpreted by the courts, based on the language in the act. All of a sudden, at the same time that those two contentious words are being added, we are being asked to change other wording in section 2.

The hon. member tells us that he attempted to find out the legal rationalization for making those changes. He tells us that the justice department was unable to give him any legal rationalization. Indeed, I would suggest that there is no rationalization for making those changes, unless it is to do precisely what the hon. member suggests, to address groups instead of individuals.

The problem is that we have not yet heard anyone from the justice department express a clear reason why these words are being changed. In the absence of a clear reason to change a statute which is already in place and which has been judicially interpreted, I believe there is no clear reason to change the words. Therefore, I am in complete support of the motion put forward by the hon. member for Hamilton—Wentworth. I await a justification, from either the parliamentary secretary or the Minister of Justice, for this change in words and a convincing argument why we should accept these words as opposed to leaving section 2 as it now stands, with the exception of the addition of the words sexual orientation.

I repeat, if there is no reason to make the change, there is no reason to vote for the change. I support the amendment of the hon. member.

Ms. Albina Guarnieri (Mississauga East, Lib.): Mr. Speaker, this week members of Parliament will speed through the intersection of values and politics. Not even a skid mark will trace the collision between a radical agenda and the foundations of our society. Fleeing from the scene is any hope of full and open debate. No legislation is more consequential than laws which affect the core values, the building blocks of our civilization, the cornerstone of our culture.

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In this respect, Bill C-33 will be the most significant legislation since the charter of rights. We have shifted our aims from a just society to a frontier society, a society lacking structure, without guiding values, with no blueprint for the next generation.

Family is the bridge between our roots and the foundation of our future. Its demise, the dilution of its purpose, will reduce children to little more than a commodity, the guinea pigs of a brave new world.

To compare my objections to Bill C-33 to those of the member from Nanaimo would be as wrong as to connect the support of the Minister of Justice to the North American Man Boy Love Association, which also backs his bill.

In June 1995 I voted for Bill C-41. Its only direct consequence was longer prison terms for violent criminals who targeted homosexuals or other identifiable groups. Three years ago I was ready to support Bill C-108 which had wording almost identical to Bill C-33. I was persuaded at the time that its additional definition of marital status would limit its scope and prevent any consequence on the irreplaceable and central role of the traditional family in our society.

• (1025)

Today's Bill C-33 is a Trojan horse, its payload filled with legal reinforcements for the war against values currently being waged in our courts, the constitutional war against core values. Just one more tool is needed to rid our social infrastructure of traditional family values. This bill is that tool.

Bill C-33 was introduced boasting lofty words and lofty intent. I listened to the Minister of Justice tell us how this bill would help persons who may suffer discrimination in the workplace. On that intent I absolutely agree. No Canadian should be fired or demoted for any reason other than the quality of his or her work. That is fundamental and it is a principle that the government must enforce.

We all agree with the platitudes motherhood, apple pie and justice for all, but platitudes in legislation are an abdication of Parliament's responsibility to make tough, controversial and political decisions. One man, one vote has been replaced by one judge, one vote. Sadly the concept of justice is drowning in the courts.

Today the public has been largely removed from debate about how their society should evolve, about how their children should be raised. Those decisions too often rest with unelected judges responding to complaints from special interest groups. Typically the only role left for the public is to read the results in the newspaper and react with helpless outrage.

Some lawyers, appointed by politicians to sit on the bench in judgment, have abused the highest law of the land, the charter, to legitimize everything from child pornography to the sodomy of a 14-year-old by a fugitive sex offender. Timely barely permits a single example.

Vernon Logan was charged with and pleaded guilty to possession of child pornography. Then, despite the guilty plea, Judge Brian

Saunderson gave Logan an absolute discharge. Why? Because in the judge's view child pornography law violates the charter of rights.

I do not recall child pornography being protected in the charter but judges have nearly unlimited licence to read their own personal views between the lines of the law. Of course no consideration is given to the rights of children victimized by the pornographer. They have no standing in court.

The values of society should determine the law. The law should not determine the values of society. Clearly the courts are not guardians of our values. We cannot afford to give them any more legislative blank cheques. No more bills like Bill C-33. I looked to the Library of Parliament, our legislative counsel and even outside resources to predict the consequences of Bill C-33. Is it radical to ask to be informed of the consequences of a law before you vote for it? I was told and I quote from the Library of Parliament:

—it is not feasible to draw up an exhaustive listing of entitlements that might, in theory, give rise to the lodging of complaints based on sexual orientation under the Canadian Human Rights Act.

You should not have to be Nostradamus to predict the consequences of law. Is this not unlimited scope, a blank cheque, no legal guarantees, no collateral, no fail safe, no debate? Mr. Speaker, no signature.

My mentor in drafting the two amendments I propose was of course the Minister of Justice whose booklet on the bill declares that:

The proposed amendment will have no bearing on definitions of "marriage", "family" or "spouse". It will simply guarantee individual rights.

We have also been told that this bill will have no bearing on criminal offences. The best way to make these guarantees is in the body of the bill and that is what my amendments seek to do.

I have added a definition of marital status. Marital status means "the status of being married, single, separated, divorced, widowed or cohabiting with an individual of the opposite sex in a conjugal relationship for at least one year".

• (1030)

Kim Campbell referred to this definition as simply confirming the existing law. Is it any different from how almost all Canadians view marital status? Would it diminish human rights in this country to state a central value in our society? Is it too much to ask that more than lip service be given to the notion of the traditional family?

Bill C-33 is intended to have no impact on the definition of marital status, so says the Minister of Justice. If this is the case, then this amendment is perfectly consistent with the position of the Minister of Justice.

My second amendment restates the minister's position that Bill C-33 should have no impact on criminal offences. It reads: "Nothing in sections 2 or 3 shall be construed so as to render any provision of the Criminal Code inoperative or of no force or effect". In other words, Bill C-33 cannot be used to thwart justice.

To support these amendments will allow Parliament to achieve its goal of a non-discriminatory workplace. It would also signal to the courts Parliament's intent that this bill should not contribute to any redefinition of marital status or weakening of the Criminal Code. Support for these amendments would address legitimate concerns. Opposition to them makes the case that our concerns are well founded.

Bill C-33 in raw form is unacceptable to me. It is unacceptable to my church and I believe it is unacceptable to the majority of my constituents. The amendments I propose define my main concerns. They preserve the central thrust of government policy without harmful side effects for the Canadian family and children. The amendments would confine the bill to the rhetoric that is being used to sell it.

No debate about values will ever be solved with platitudes. We cannot forever deflect the challenges facing our society with glib truisms, but what we can do is make responsible changes necessary to maintain fairness in society without demolishing other key principles at the same time.

At the intersection of politics and values, conscience must always have the right of way.

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, in speaking to Motion No. 10 I will take the opportunity to speak to Motions Nos. 19 and 20 which are interrelated.

I listened intently to previous—

The Deputy Speaker: Motion No. 20 is not on the floor at the moment. That will come up later. Please do not speak to Motion No. 20, but speak to the other ones as indicated.

Mr. McClelland: Mr. Speaker, I will confine my comments to Motion No. 10 which is on the floor at this time.

Previous speakers have very eloquently stated the unease that many Canadians, including myself, feel about this bill. It really strikes to the basic honesty of the position taken by the government in this bill.

If we are going to be debating, and if the debate is to be framed on putting same sex relationships on an equal footing as heterosexual relationships, then we should have the honesty to say so. That is how this debate should be framed.

To frame the debate around discrimination and say not just to members here but to all Canadians who feel uneasy and are against this that somehow they are discriminating against human beings who are gay is wrong. Not only is it wrong, it is insulting. Then to push this debate through the House with such unseemly haste when there are wise and considered arguments on both sides that should be heard by all Canadians so that all Canadians can consider these very important issues of relevance to the kind of society that we

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are, in my opinion is deceitful, dishonest and beneath the dignity of this House. I am embarrassed and I am ashamed.

I am embarrassed and I am ashamed by the way many witnesses were treated at the committee meetings. People came and as Canadians expected to have their voices heard with passion, with dignity, with some sense of solemnity for the occasion and the moment. This is their House of Commons. These are their committee meetings where people on both sides of the issue expect to be heard with dignity. To treat fellow Canadians like cattle in the rush to get this legislation through the House is beneath the dignity of all of us. At least I would hope it is beneath the dignity of all of us.

• (1035)

My specific amendments are based upon the amendments that were brought forward by the Canadian Conference of Catholic Bishops. Their amendments and the amendments I have brought forward would have one purpose which is to limit the scope of this bill to that which the justice minister has said this bill relates. There are two aspects: the human rights considerations and the justice considerations.

Canadians are virtually unanimous in saying they support the human rights aspects of the bill. They support the notion of prevention of discrimination. No Canadian should be discriminated against for any reason, including their sexual orientation.

On the other side of the coin are the people who say that the terms marriage, family, tradition have a place and a foundation in our society and we should not tread lightly upon these foundations, the building blocks of our society. If we are going to change the way we relate to each other, one to another, then for goodness sake let us do so honestly.

There are ways the issues of fairness and equity for our fellow citizens who are homosexual can be addressed. Those of us who are not homosexual but feel just as strongly that these issues need to be addressed for the sake of fairness feel they may be addressed through other measures such as a registered domestic partnership which need not threaten the traditional sanctity of family and marriage.

Thank you for allowing me these few introductory remarks. I would just caution this House that we and all Canadians not take lightly those with whom we do not agree. Even if we do not agree with them, their views do have merit and worth and should be treated with dignity and respect. If their views are unheard they will build tremendous resentment in the land.

SPEAKER'S RULING

The Deputy Speaker: Colleagues, I would like to make a preliminary statement before proceeding with the full ruling on the matter of the motions.

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The hon. member for Central Nova has proposed to table two motions which would have removed the words "sexual orientation" from each clause of the bill. The hon. member for Port Moody—Coquitlam has proposed identical motions. Those motions were returned to the hon. members and not printed on the Notice Paper by error.

Consequently, the Chair has decided to allow the motions to proceed. Since the hon. member for Central Nova tabled her motions first, the motions will be in her name. They will be numbered as Motions Nos. 8A and 16A.

Accordingly, there are 23 motions in amendment for the report stage of Bill C-33, an act to amend the Canadian Human Rights Act. They will be grouped for debate as follows:

Group No. 1: Motions Nos. 1, 9 to 15 and 18. Group No. 2: Motions Nos. 2, 3, 17, 19, 20 and 21. A revised version of this ruling will be distributed as it is easier for members to follow than hearing it read quickly. Group No. 3: Motions Nos. 4 to 8, 8A, 16 and 16A. The voting patterns for the motions within each group will be available at the table very shortly. The Chair will remind the House of each pattern at the time of voting.

Resuming debate on Group No. 1.

REPORT STAGE DEBATE RESUMED

Mr. Tom Wappel (Scarborough West, Lib.): Mr. Speaker, I was quite prepared to wait my turn since mine is the last motion in the group and there are four other motions, but I will take the opportunity to stand.

• (1040)

The Deputy Speaker: The hon. member will be aware that he can only speak once on a group. If the member has misunderstood or if something has not been made clear, perhaps he would seek unanimous consent to speak to his motion.

Mr. Wappel: Mr. Speaker, thank you for the clarification. I was under the impression that one could speak to the motions so I would ask for unanimous consent to address my Motion No. 18.

The Deputy Speaker: Is there unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: There is obviously not unanimous consent over yonder. The member will not be able to speak to his amendment.

Does anyone else who has not already spoken wish to speak to Group No. 1? The hon. member for Ontario.

Mr. Dan McTeague (Ontario, Lib.): Mr. Speaker, I find it somewhat tragic that members of Parliament, even within their

own party are sometimes not able to express themselves on matters and amendments they bring before this House of Commons which are not only represented by their own conscience but I am sure by the wishes and intentions of constituents. I found it unfortunate that the member for Winnipeg St. James did not permit the member for Scarborough West to do that. However, under the circumstances I fully understand.

I was elected to this House of Commons after some 20 years as a member of the Liberal Party. I have worked very hard to help the likes of the Hon. Paul Cosgrove, as well as my colleague the hon. member for Scarborough—Rouge River, and provincially individuals like Alvin Curling. I believed the Liberal Party represented the most important aspect of Canadian life, the freedom of speech.

Regrettably, this bill does more to divide members and certainly confuse constituents because it was not clearly articulated in the last election. Speaking to the motions by the member for Hamilton—Wentworth, I find it important that members of Parliament have an opportunity to articulate matters which are a fundamental concern to all Canadians. The reason for this is very simple.

In the last election we did not campaign on Bill C-33. Nowhere in the red book will be found any discussion about the desire by the government to move to in some way uphold, protect or remove a certain discrimination which probably exists but exists right across the political spectrum and is not exclusive simply to gays and lesbians. Bill C-33 was not mentioned in the throne speech although there are some who are concerned and seem to make the argument that it was.

As we speak many people in Canada are waking up this morning only to find to their shock and dismay that we have undertaken a bill which if not checked, if not amended, will radically transform the definition of family as we understand it. Those are not my words. Those are the words of Supreme Court Chief Justice Antonio Lamer. I am quoting what he said in the Mossop case, it is not obiter dictum: "If Parliament had decided to include sexual orientation in a list of prohibited grounds of discrimination, my interpretation of the phrase family status might have been entirely different".

It is very clear what the court is prepared to do once this House gives in a very limited way its approval to end discrimination based on sexual orientation, at least in the Canadian Human Rights Act.

Unlike what we have seen in the provinces, such as the province of Ontario where I come from and which my riding is named after, in 1986 the government amended its Ontario human rights provision. Nine years later there was a motion before that same legislature to deal with the question of same sex benefits which radically altered the definition of family for the purposes of Ontario's laws.

That step from 1986 to 1994 was not coincidental. Even though the House at the time rejected it on a free vote, it is interesting to

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note that certain justices in the court of Ontario had taken great liberties with what took place in 1986.

Last year many Ontarians were somewhat shocked to find out that a justice had decided that in certain instances adoptions are acceptable. Whether or not that constitutes in rem a question of discrimination is one thing. Clearly Parliament has an obligation to raise this in the eyes of the public. If we are not prepared to do that, I think we fail in our responsibility as representatives.

• (1045)

That the bill is going through the House at record speed is of grave concern not simply for this member of Parliament but for the 230,000 constituents I represent.

Although Group No. 1 talks to many substantive and important motions, my concern as a member remains let us not use the bill as a Trojan Horse to implement same sex benefits or to in some way assail, undermine or redefine or socially reinvent the term family.

There are some things which are based on political correctness, but 10,000 years of tradition cannot be defied. I therefore ask that these motions be duly considered for support.

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, I am pleased to have the opportunity to speak to the House today with regard to the issue of adding the term sexual orientation to the list already found in the Canadian Human Rights Act. During the course of my speech I will make an effort to express the concerns of my constituents of Wild Rose.

One evening at a public meeting a constituent stated an old proverb to me, that there is a way that seems right to man, but in the end it leads to trouble. She was addressing her concerns to the addition of sexual orientation to a list which already exists and that this would only extend the list and not answer the problems of discrimination. She believed the best way to fight discrimination was to continually promote equality and forget about a list, as there would surely be a number of individuals omitted.

Everyone present agreed with the statement that every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination. They felt that was sufficient, as it does promote equality, and therefore should be enforced.

This legislation is a way of expressing distrust in Canadians' value of tolerance. One of the most important values my wife and I picked up on when we arrived in Canada from the United States in the 1960s was that Canadians were a tolerant people, something we found lacking in the United States

During my past 30 years of working in Canada, particularly in the province of Alberta, I found the tolerance of Canadians to remain constant. However, some things that are happening due to

government intervention have made some individuals feel more and more as if they are being discriminated against simply because they are not on the list.

Many white young males are suddenly being made aware that they do not fit the criteria to join police departments, fire departments, EMT squads or the military simply because of their physical make-up. Making a list has resulted in affirmative action and as a result the future hopes and dreams of many of these young men are diminished. Merit, which used to be a primary factor, has quickly disappeared.

The constituents of Wild Rose have told me this is wrong. According to a booklet prepared by the Department of Justice this amendment is made to specifically apply to the protection of gays and lesbians as this lifestyle is referred to on page 14 of this 25 page document.

Therefore it is safe to assume the government defines, although not specifically, homosexuality as sexual orientation. Homosexuality is considered by the majority of Wild Rose constituents as an immoral, unacceptable lifestyle in Canadian society. They ask questions regarding their personal values such as whether it will become illegal to preach from a pulpit against homosexuality. They ask other questions: "Will my children be taught in schools that homosexuality is an acceptable lifestyle in society. As taxpayers will I be required to financially support this lifestyle in any way? As a landlord will I be required to rent my apartment to a homosexual couple? As an employer will I be required to hire a homosexual over a heterosexual applicant, or will merit be allowed? Will this legislation lead to legal marriages of homosexuals? Will this legislation lead to homosexuals being allowed to adopt children?"

• (1050)

All these questions raised are not answered in this piece of legislation. The problem that will arise in the future is that it will be up to the courts to decide answers to these questions. Ultimately the courts will not be accountable to the people.

Many people believe this legislation opens the door to a slippery slope that will lead to the very things people object to.

No one in my riding accepts discrimination of any form. The minister's saying "no longer will you have to sit at the back of the bus", is a statement which clearly says "we do not trust you, we have no faith in you, therefore we will legislate for you".

Canadians are generally a tolerant people. However, intolerance will show its ugly head if the government continues to legislate for the people. Laws such as this clearly indicate our distrust as politicians in the people of Canada. Sometimes people believe governments should butt out of societal values. My constituents can be included in that group.

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I support all the motions in Group No. 1, particularly the motion put forward by my colleague, the hon. member for Port Moody—Coquitlam, which will protect the definition of family, marriage and spouse.

I find it sad for democracy when members are not allowed the opportunity to speak to their own motions or the legislation as a whole.

Mr. Jesse Flis (Parkdale—High Park, Lib.): Mr. Speaker, I congratulate the movers of the first group of motions, the hon. members for Edmonton Southwest, Hamilton—Wentworth, Mississauga East, and Scarborough West. I also congratulate other members who have moved amendments in the other groups.

That there are so many amendments demonstrates the dilemma many in the House are having with the bill. I must confess that when the bill was first discussed and introduced I was not only opposed, I was violently opposed. Why? Not because of the protection for Canadians who have a different sexual orientation from mine. That part I support wholeheartedly. The difficulty I have is what will be the consequences of this piece of legislation. Will it destroy the definition of family? Will it destroy what this country was built on, strong family values?

That is what these amendments are trying to portray. Once the family unit starts falling apart, society is weakened. When society is weakened, the country is weakened. We will no longer be identified by the United Nations as the best country in the world if we destroy the basic unit, the family.

Why did I make a flip-flop? Sometimes politicians are afraid to admit when they make a flip-flop. I made a flip-flop after searching my soul, after searching my conscience. I changed my position because of what the Prime Minister and the Minister of Justice promised. I and other members were after some preamble which would protect the traditional family.

• (1055)

I am pleased the Minister of Justice built into Bill C-33 the preamble:

AND WHEREAS the Government recognizes and affirms the importance of family as the foundation of Canadian society and that nothing in this Act alters its fundamental role in society;

If future courts would honour and respect that, we have a win-win situation. We have a win situation for gays and lesbians, as they hopefully will not be discriminated against as far as getting a job with agencies and companies regulated by the federal government, and a win situation for protecting the family. I do not think we have seen many pieces of legislation where protecting the traditional family is built right into the legislation.

I have had more faxes, calls, letters, individual representations on this issue than I have had on any other issue in my 12 years as a

member of Parliament. The representations are running probably 80 per cent to 90 per cent for me to vote against this legislation.

What do I do? Do I listen to these representations? When it comes to human rights issues, if I listen to the majority representations then no minority group would ever be protected. I am not lobbied by the Prime Minister. I have received no pressure from the Prime Minister on how I should vote. I have had no pressure from the Minister of Justice. I have a lot of pressure from the community. However, I have to stand up in the House and say what is best for the future of the country, short term and long term.

The Prime Minister and the minister have answered many of the concerns I had, the same concerns the member for Wild Rose mentioned in this speech. The first concern was will this amendment not lead to benefits for same sex partners. I am assured this amendment will not extend same sex benefits to partners of gays and lesbians.

Another concern is will this legislation not give special rights or benefits to gays and lesbians. Again I am assured that no one could credibly argue that federal and provincial human rights legislation now confers special rights on Catholics, on husbands or on those with disabilities. Although each of those characteristics is now expressly covered by the existing statute, it is obvious no such special rights are conferred. It would be no different for sexual orientation. The amendment will prohibit discrimination in areas of federal jurisdiction, including employment and access to goods and services.

Many of my friends sitting in the House on all sides were concerned that this will change the definition of marriage, family and spouse. That is why I welcome these amendments. I think that is the protection these people want. Again, I am told that no changes to the definition of marriage, family or spouse are planned or necessary as a result of this amendment.

Another concern I had is will this legislation lead to adoption by same sex couples. My family has been blessed with an adopted daughter, and so this one is very dear to my heart. Again, I am assured that matters such as adoption are primarily under provincial jurisdiction. This amendment deals with discrimination in employment, accommodation and provision of services, and nothing else. I hope future courts will read the debates the House has held on this topic.

Another concern is will this legalize pedophilia. My community has been shattered because a pedophile from B.C. was too dangerous to be housed in British Columbia. So where is he dumped? In Parkdale—High Park in a federal correctional institution that has 50 beds for hard core criminals, including sex offenders and pedophiles.

• (1100)

In the greater Toronto area there are 118 such dangerous offenders who are being rehabilitated back into the community.

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That is what we have to do but it is unfair for Parkdale—High Park to have to take 40 per cent of these dangerous offenders. However, that is another issue which I will be pushing in another forum.

Will this legislation mean that the government will have to amend 40 or 50 other federal statutes? I am told this bill does not deal with benefits for same sex partners. No other changes to federal legislation are planned or necessary as a result of this amendment to the Canadian Human Rights Act. My concern is that these same sex benefits have already crept in but not through this legislation. They have crept in through collective bargaining agreements. I would recommend to all the churches and individuals who are lobbying members that it is time that they started lobbying the labour unions who are signing these collective agreements. Once it is in the collective agreement even the courts cannot overrule it.

A dangerous precedent has already been made when the public servants signed an agreement with Treasury Board. Anyone working in the foreign service, if a partner of same sex passes away, that partner gets all moving expenses covered to return to Canada. It is not this legislation that brought that in. Same sex benefits are already creeping in and from where? Through the collective agreements.

To all the churches, to all the individuals who have been lobbying me and others, maybe it is time to start lobbying the labour unions.

Will this amendment mean the churches and religious schools will now be forced to hire gays and lesbians as teachers even if that is contrary to their—

The Deputy Speaker: The hon. member's time has expired. Is there unanimous consent for him to continue?

Some hon. members: Agreed.

Mr. Flis: I have been given assurance that churches, religious schools and other religious organizations are not within federal jurisdiction so this bill does not affect them.

This has been one of the toughest decisions I have had to make in my political career. I want everyone to respect why I made that decision because I respect everyone else's decision here. I was disgusted that as soon as this legislation passed, gays and lesbians lobbied on the Hill because the Prime Minister gave Liberal members a free vote. That was disgusting. They want me to respect their rights, but they will not respect my rights of a free vote. I found that very disgusting.

I am sorry to end on that note but sometimes these minority groups push a little too far and if they do there is going to be a public backlash.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to participate in the debate on the Group No. 1 motions.

Since the bill was presented, debated and voted on at second reading, all members of Parliament have had an opportunity to reflect on what was in the bill and what has been said. I would like to try to put some focus on the fundamental issue in play here.

Unjust discrimination in all its forms is abhorrent to the House and I know to all Canadians. Unjust discrimination such as discrimination on the basis of sexual orientation or any other characteristic is not in question here. The courts have ruled time and time again that although those words are not in the Canadian Human Rights Act at this point, they are interpreted to be there.

● (1105)

Over the weekend, I had the opportunity to speak to a senior crown counsel. I asked whether any Canadian, regardless of their working for an organization or crown corporation under federal jurisdiction and falling through the cracks, would be covered by the laws of Canada and the courts. He said absolutely not.

The justice minister clearly pointed out to the House that Canadians are covered. The courts have ruled that sexual orientation already is interpreted to be there. The change, simply to add those two little words, should have absolutely no impact on what is happening today with regard to protection from discrimination.

Already, in the present laws of Canada, there is protection. Theoretically, this is a benign bill. It has no implications whatsoever other than simply to add two words. That is exactly the way it should be. No one in this House would disagree with that. We are equal under the law. There should be no discrimination dealing with labour relations, accommodation, services, membership in groups. For any of those things, all are equal under the law.

In discussing this bill at the human rights committee, the issue came up that if it only addresses the discrimination issue, the fundamental question troubling this House is why is there a preamble to somehow deal with the concept of family. There is something I need to know. Why is it, if the bill is to deal with the issue of discrimination, that the preamble tries to address the problem associated with family?

The little booklet distributed with the legislation referred to the traditional family. The preamble refers to family. It does not say the family. It says family.

There are different definitions. I am not a lawyer. I asked where I could look in the laws of Canada for the definition of family. I was surprised to learn that the definition of family cannot be found in a book anywhere. It is something that moves over time based on court decisions, based on social norms and values. Family is a very loose term at best. Very good arguments can be made on all sides about what constitutes family.

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In the committee hearings at the vote on the preamble, the member for Burnaby—Kingsway interrupted the proceedings and asked the chair if the officials could please tell us whether the word family in the preamble excludes homosexuals? It was a very specific question.

The justice officials said the bill does not deal with family, it just deals with discrimination. The preamble is not relevant here. We will not confirm or deny whether homosexuals are included in family. It is not an issue here, yet we continue.

The debate between the justice officials and the questioner carried on. The chair of the committee interrupted to say that it includes heterosexuals, bisexuals and homosexuals. Moments later in fairness and to be absolutely correct, the chair corrected herself and asked whether she could withdraw that remark.

She is a former cabinet minister, someone who travels the world speaking on behalf of Canada on human rights issues. In the discussion on this very fundamental matter, she indicated that her emotional response was that family includes homosexuals, heterosexuals and bisexuals.

It is clear to me that ordinary Canadians and even the courts may, as a result of a fuzzy term, interpret family as something other than the traditional heterosexual family.

My understanding of the preamble is that it is trying to reach out to members of Parliament who are having difficulty with the concept of family. It is trying to reach out to suggest to them subtly that we are referring to the traditional heterosexual family. However, they are not prepared at this point to add that language.

• (1110)

My dilemma is that I agree 100 per cent on the discrimination issue. I know that the vast majority of members would say that discrimination is wrong and unjust. However, there is another aspect. If the bill only deals with discrimination, why is there a preamble? Why is it necessary to explain something that has no relevance to the bill? This is a contradiction.

Suggestions have been made that things like marriage and adoption are provincial issues so they cannot be talked about here. The decision about who can get married is a federal issue. The provinces have the responsibility to issue licences, but they do not determine who gets married. That is a relevant issue here.

It has been stated many times that adoptions are a provincial issue, so they cannot be talked about here. However, there is a separate classification for adoption of foreign children coming into Canada which is under federal jurisdiction. Therefore, adoption is a matter for this place to discuss.

In my work as a member of Parliament I have talked often about the family. I have presented over 100 petitions dealing with discrimination of the family. I have dealt with issues of taxation of the family. I have debated issues of immigration, the family reunification provisions. I have talked about the employment insurance bill which refers to family income credentials. I have referred in some speeches to OAS and the family income criteria. In this place we talk about family all the time. It is throughout all legislation.

When I was at a convention a couple of weekends ago a resolution passed which said: "We want to eliminate discrimination from Canadian legislation". The fundamental point is that all legislation, all policy, is by its very nature discriminatory. Discrimination is not all bad. We all agree that there is unjust discrimination. It is the positive discrimination, or in American terms, affirmative action, where we discriminate in favour of the family because of its special status. We discriminate in favour of disabled people, aboriginal people, seniors just to name a few. Discrimination is not all unjust. It reflects societal norms and values.

If this whole bill had only to do with discrimination the preamble should not be there. But in the wisdom of the drafters of the legislation it is there to try to appease a concern.

It has gone so far, but it has not gone far enough. An attempt has been made in these motions once and for all to answer the question, which I have not heard answered yet, but to which I would like to hear an answer: Does family include homosexual couples? If the answer to that question is yes, it includes heterosexual, bisexual and homosexual families, then the issue is very clear.

The member for Parkdale—High Park addressed the concern about whether other pieces of legislation will be affected. They will be because the definition of family must have been changed. Therefore, all legislation in Canada where there are references or inferences to family they must by definition be subject to court challenge. These are the issues.

No one in this place will support anyone who discriminates against another person on any basis. We must be respectful of each other's positions. However, these other questions have crept in. They are very important issues and important questions.

When I spoke at second reading, I said that I had questions and I still do. I mentioned that I still had concerns and I still do. I also mentioned that I had reasonable doubt about the consequences. I still continue to have reasonable doubt because of those issues.

• (1115)

I hope members will carefully consider the ramifications. How do we separate this bill between unjust discrimination and the other issues that have been raised in this place?

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Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, I will begin by stating plainly to everyone in the House and across the country my own personal position on discrimination.

Discrimination on the basis of any personal characteristic is absolutely wrong. My party's position is exactly the same. We believe that every single individual in Canada should be treated equally. Those policies go through our native position, our position on Quebec and our position on the issue before us today, that of sexual orientation.

Anticipating that this question would come up in the House, I was able to poll my constituents on the issue. I polled them in as plain and straightforward a manner as I could. I found that the constituents of Macleod, my region in southern Alberta, were 79 per cent against including the undefined phrase of sexual orientation in the Canadian Human Rights Act.

Reformers party wide have done polls and have found that whether or not the phrase was dignified by a specific definition, between 91 per cent and 93 per cent of our party members were against that inclusion.

I must say, since this issue has come on the table, I have had a significant outpouring of letters. I will go over the few that came to me this morning on this issue.

Steve from Okotoks is against Bill C-33. Sheila is absolutely against Bill C-33 and asked me to vote against it. Al wants me to know that homosexuals should not have any special status above anyone else and wants me to vote against Bill C-33. Greg is against Bill C-33 and asks me to keep up the good work. That is a little bit of a partisan comment, pardon me. Rod is against the bill and hopes that I am voting against it. Finally there is Lorne whose family is against the bill and hopes that I will vote against it.

I will say publicly in this House that I will follow the wishes of my constituency, the more than 79 per cent who took the time to write to me and those who continue to write to me and ask why. They ask me why an enthusiastic opponent of discrimination, a physician and surgeon, somebody who has operated on, counselled with and has been closely associated with the homosexual community in my area would vote against this bill which is being purported as being nothing more than a bill against discrimination.

I will say publicly that my association is also with family members who are homosexual. I have talked this over specifically with them. These were very personal discussions and they understand my position. My specific problem with this bill is that it will produce and allow a promotion of an unhealthy lifestyle, a behaviour that is unhealthy. I am speaking now as a physician with a physician's specific knowledge and experience.

The specific problems promoting this lifestyle relate to HIV, gay bowel syndrome, increasing parasitic infections, lowered life expectancy and finally, the one I have chosen to highlight today, an increase in hepatitis in Canada.

The U.S. Centres for Disease Control in the first six months of 1991 studied hepatitis in large urban centres in the U.S. They found in Denver 29 per cent of hepatitis A occurred in the gay community. Each figure I am giving to this House will be a specific percentage in the gay community in these large urban centres. In New York, 60 per cent of hepatitis A occurred in the gay community. In San Francisco, 50 per cent. In Toronto, 42 per cent. In Melbourne, Australia, 26 per cent.

• (1120)

This occurs in a segment of the population in those urban communities where it is enhanced. The overall percentage in society is about 3 per cent and those communities can be as high as 15 per cent. It is generally around 10 per cent. Look at the percentages in comparison to the numbers of individuals.

I am very concerned that this bill will start a process whereby the gay lifestyle will be promoted in our schools. I have gone to a specific now. This specific comes from the Toronto board of education sexual orientation manual for teachers. In this document there is a statement to encourage teachers to speak openly and frankly about homosexuality, which is fine. That is excellent. It should be done. However, I am concerned about a specific process here.

Teachers are given an example as to what they should say to the youth of our country. According to the manual this should be done by someone who is lesbian or gay. It should be someone with personal experience. It reads: "I feel fine about being gay. I am in a long term committed relationship with my partner. This is the best thing for me. I think this would be great for anyone". The suggestion that the gay lifestyle would be great for anyone promotes the gay lifestyle. I am quite concerned as a medical doctor that the promotion of an unhealthy lifestyle is not good for Canada.

What about promotion in our educational system in a broader sense? I have a form from the University of Ottawa—

[*Translation*]

Mr. Bernier: I have a point of order, Mr. Speaker. I think this will be a very long day, but would it be possible to remind Reform members to stick to the substance of the bill?

Unless there was an interpretation problem, I understand that the hon. member who just spoke portrayed homosexual behaviour as unhealthy. He gave an example from his little book, but he was in fact making a value judgment.

I wish to remind the House that the purpose of this bill is to stop people from discriminating against those with a different sexual orientation. I feel that the comments made by the hon. member amount to a value judgment. I would like him to get back to the bill

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under consideration so we can talk about it. But we should not make value judgments.

The Deputy Speaker: I thank the hon. member. As Speaker, I must tell the House that members very often digress from the bill under consideration. However, in this case, the comments made by the hon. member for Macleod deal rather directly, in my opinion, with the subject matter of this bill.

[English]

Mr. Hill (Macleod): Mr. Speaker, I have an application form from the University of Ottawa's law school. The application form has a section which states: "I wish to self-identify as: a cultural, racial or linguistic minority person; a person with a physical or learning disability; a lesbian, gay man or bisexual". It then goes on to say that the admission practices of the law school depend upon a quota system for those groups. That is another issue which I believe promotes an unhealthy lifestyle.

There will be those who say I have stood in the House of Commons and have branded the homosexual community. I say simply that I wish to have my medical knowledge plainly displayed in the House of Commons. Doing otherwise is a great disservice to this country.

There will be those who say that by my words I myself am discriminating. I wish only to have those people in Canada know that discrimination is wrong. There should be no discrimination whatever. However, to allow a quota system and to allow something to be promoted in our teaching system which is unhealthy is wrong, just as it is wrong to allow someone into our country who has a serious illness.

• (1125)

[Translation]

The Deputy Speaker: The hon. member for Gaspé wants to raise a point of order, but I hope it is not the same, because if it is—

Mr. Bernier (Gaspé): Mr. Speaker, to talk about "promoting something which is unhealthy", as the member just did, is making a discriminatory statement and it is precisely what the bill seeks to avoid. So we must—

The Deputy Speaker: The hon. member for Macleod has the floor.

[English]

Mr. Hill (Macleod): Mr. Speaker, might I then finish my discourse today by saying that discrimination in Canada in any way shape or form is wrong. There should be no discrimination in this

House of Commons toward those who are of a different lifestyle or different behaviour. To hide behind the term homophobic, to allow a promotion that is unhealthy is far more wrong. In this House of Commons I believe in telling the truth. I believe in saying openly that the opening of this issue with the phrase in the bill is going to take us down a road we should not travel upon.

[Translation]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, before I deal with the real issue, I wish to draw the attention of the Chair to the fact that expressions such as "unhealthy lifestyle", which are used somewhat lightly by very light-headed Reformers, have no place in a debate like this one.

I can accept that people say they do not understand homosexuality, or that they have not been in contact with homosexuals. However, I believe that Reformers should be a little more polite and certainly more careful in their comments. I do realize that this is asking a lot from people who have been very biased since they set foot here, this according to their own leader.

Let us now turn our attention to the object of this debate. We are discussing a bill which seeks to prohibit any form of discrimination based on sexual orientation. All the amendments before us will only create confusion. They are intended by their authors, who have made a career of exploiting bias, to create an unhealthy, conservative and reactionary confusion. As we know, it is easy for certain parts of the country to exploit bias.

First, the amendments moved in this House create confusion between the notions of couple and family. As an individual and a homosexual, I am certainly aware that two people, whether they are from the same sex or not, do not form a family. No one claimed that two people who do not have children form a family. Why is it that today we are seeing this nonsense, I would even say dishonesty, this attempt to confuse Canadians with two distinctly different concepts? Again, who wins in this House by continuing to exploit this confusion?

For once and for all, let us try to be clear. What does the Minister of Justice say? He says: "We know that there exists, in some work places, discrimination on the basis of sexual orientation". Who can forget that the reason the Minister of Justice is in the process of amending the Canadian Human Rights Act is because in 1990 an individual named Mr. Haig was kicked out of the Canadian Armed Forces because he admitted to his superior that he was a homosexual.

This is discrimination and it is unnecessary to know whether Mr. Haig had a family, whether he had children, or from what sort of family he came. What we should be looking at right now is the discrimination that is still rampant in the work place, or any other

form of discrimination to which people receiving services from the federal government could be subjected.

• (1130)

When I see, for example, the Reform member, who shall remain nameless, I believe she represents the riding of Port Moody—Coquitlam, when I see people who take their responsibilities as parliamentarians so lightly and set out to make amendments on marriage, the family, spouses, I repeat, I find that dishonest. I do not believe that serves the cause of human rights.

As parliamentarians, we must be able to make distinctions between types and sexes. We have before us a bill, the purpose of which is to end discrimination. Of course, when they form a couple, and are refused certain benefits, income supplement, paid bereavement leave, and the like, certain courts of common law and certain administrative tribunals throughout the country have required employers to pay those benefits. Not because the people in question formed a family, but because they formed a couple.

When will we in the House have the capacity, the open mindedness, to understand that there is no place for discrimination, whether a couple is homosexual or heterosexual. I trust that the hon. members in this House will grasp that.

I want to ask the Reform members something. As you know, when it comes to human rights, they are way back in the horse and buggy days. What I would like to ask is this: Do they seriously believe that, for a homosexual, being in love is different from what it is for a heterosexual? Do these people believe that, as a citizen who pays taxes and is entitled to benefits, a person deserves to be deprived of those benefits because he is homosexual? Could there be two different tax systems in this country? Is there anyone among them who can stand up and state that an income tax return is different depending on whether it is filed by a homosexual or a heterosexual taxpayer? No one can.

Just look at the insubstantial arguments being used. Those who are opposed, those who are presenting the amendments we are addressing at this time, have nothing more to say than to rehash the old traditionalist line, incapable of making a decision on legal merit, incapable of the slightest legal logic. These people know very well that their legal arguments do not hold up.

When people are unable, like most of the people presenting amendments today, to rise in this House and argue on legal grounds, they haul out their prejudices. I repeat, they haul out prejudices which have only one aim and that is to sow confusion in the minds of Canadians and of Quebecers.

I repeat, and mine I think is a respected voice in this House, no one among us is claiming that a man and a woman, or a woman and woman or a man and a man constitute a family if there are no children.

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I do not see the relevance at this point of members of the Reform Party or the “Flintstone” wing of the Liberal Party making amendments that could, once again—you know how good they are at developing prejudices and using their particular talent of saying one thing and thinking another, creating confusion, whenever they have the opportunity. We would have hoped such a talent was on the way out.

Correct me if I am wrong, but the Canadian Human Rights Commission is not headed by the Bloc Québécois. It is an independent commission, comprising people with a public mandate accorded them by this House. They have executive power. How is it these people overlook the fact that, since 1979, the Commissioner of Human Rights has, report after report, year after year, in words that can leave no doubt, recommended an end be put to discrimination.

• (1135)

Discrimination has a very clear legal definition. It means treating someone differently because of a specific characteristic, a distinction that is not justified because, may I remind you, homosexuals also fill out their tax returns and send them to Revenue Canada. There are not two kinds of taxation, two kinds of money, two kinds of tax returns in this country.

There are some concerns that discrimination may prevent us from treating people differently at the fiscal level. These people cannot understand. Both their minds and their hearts are closed. They would rather shut themselves off in their mean, cheap, narrow little worlds and try to make fun of us because we are different.

That time is over. The majority of people throughout Canada and Quebec, whatever their religion, their profession and their vision of family, share our view that, as parliamentarians, we must do all we can to end discrimination. One day, those who continue to discriminate will have to account to Canadians and Quebecers. They will have to explain their actions. And I know that the Canadian people will judge them quite harshly because most of them understand that discrimination is unacceptable.

Again, this is what this bill is all about. The Minister of Justice was very clear in committee; he was very clear when he made a statement at second reading here in this House. The purpose of this bill is to end discriminatory practices. True, ending discriminatory practices means accepting differences.

What will we, as parliamentarians, have to do? What will the Canadian people have to do to make this hard-core group understand they are not doing anyone any favours by continuing to convey a message that is no longer necessary, that borders on hatred, that suggests we must be guilty just because we are different? That is what the amendments moved by the Reformers and some—thankfully not all—members of the government majority are all about. What is it that bothers them about adding in a

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statutory provision that no discrimination shall be made on the basis of sexual orientation?

Are there members in this House or among the motions' sponsors who are not comfortable with their sexuality? Are there members who are unable to imagine that someone could be attracted to someone of the same sex? People who are at peace with themselves, happy to be who they are, well adjusted and generous do not mind that others are different.

Let us try to understand why members are unable to accept that others can be different in that way. Why are they feeling threatened to the point of having to band together, forming some kind of a watch guard? They band together, get together, make statements, present petitions, then develop an action plan, a plan whose sole objective is to undermine the right that individuals have in this society to be different.

Let me tell you what one witness told us in committee when we studied Bill C-33 at report stage.

We have been told that, in Canada—not just in Quebec, Prince Edward Island or Western Canada, but across Canada—two million people commit suicide every year. In the 15 to 24 age group, suicide is the second leading cause of death, second only to traffic accidents. Sixty per cent of the young people between the ages of 15 and 24 who commit suicide kill themselves because they are having problems coming to terms with their sexual orientation. This is what we were told by a University of Calgary paediatrician, who is represented in this House by a Reform member, which only adds insult to injury.

• (1140)

Will these people finally realize that this bill before us is designed to ensure that discrimination will stop, thus making people realize that, while being different, they have their place in society—

[*English*]

Mr. Julian Reed (Halton—Peel, Lib.): Mr. Speaker, about three days ago my office received a fax from a young man from New Brunswick who said please support Bill C-33. He is a declared heterosexual who spent a summer with a group of people, the majority of whom are homosexual. He said in his fax that he was discriminated against by that group.

The bill talks about sexual orientation, not about homosexual orientation or heterosexual orientation. It simply states sexual orientation. It seems anything we put the word sex into these days perks up everybody's ears for some reason.

There has been a lot of debate about the threat to the family from the bill. Do we think for one minute the family will ever be

threatened by anything done in this Parliament or in any legislature around the world? The family is a natural occurrence. It has come together for thousands and thousands of years for obvious reasons, for mutual support, comfort and procreation. The word family simply does not have to be defined; it assumes a heterosexual family.

We can call two people of the same sex living together a family, pretend it is a family for those purposes. Think back to the historic family and why it exists. The family is not in jeopardy from anything that can be legislated or argued in the House. We should make that clear. My family will continue for generations to come, I hope, as it has for generations past. It has survived religious persecution to the Spanish Inquisition and everything in between, including Oliver Cromwell, and it still exists and it is still strong.

I ask those people who feel their families are threatened to look at themselves, at their own values and deal with them personally.

This country was founded by people who came here from Europe, by the Judaeo Christian ethic. The values of that Judaeo Christian ethic, found in most of the great religions of the world, were the foundation. In that ethic is taught tolerance, understanding and forgiveness. While some of the pronouncements of the Bible do not approve of certain things, if we read the whole thing it states very clearly that the judgment of those things belongs not to us at all; we are admonished not to stand in judgment.

My late father grew up in cabbagetown in Toronto and became a member of the Canadian Council of Christians and Jews during the years when it was not a very popular thing to do. How ludicrous it seems that there was the same kind of fear at that time as has been expressed by some members of this House today. On Sunnyside Beach in Toronto there were signs which read: No dogs or Jews allowed. He became part of that movement which brought society a little further forward and brought to an end that open discrimination against Jews in Toronto.

• (1145)

This bill, this particular amendment to the human rights act simply adds one more step in the progress of a country that is looked upon as being generous, tolerant and appreciative of the other person. It is right and fitting that we should support this and not succumb to the fear that is being generated sometimes in the name of religion or particularly in the name of religion.

I respect everyone's point of view on this. I happen to have one point of view and my friends, some in my own caucus and some across the way, have another point of view. For me, this is not a moral issue. It is simply an issue of human rights. It is simply an issue of the gradual progress of our society toward something a little better than it was yesterday. There is nothing we can do in this House that is going to be threatening to any one of our families.

If we talk about sexual orientation, and refer to homosexuals which some members have done specifically although the bill works both ways, I would simply like to ask my friends: Who are homosexuals anyway? Who are they? They can be your brother, your sister, your second cousin, a friend, or a relative of the family down the street.

The argument is always made that homosexuality is a chosen lifestyle. If those who believe that would talk to some homosexuals for a while, they would find that it is not the case. To choose that lifestyle is not necessarily the popular way to go. Homosexuals do not represent a majority of the population. As a matter of fact they represent a very small minority.

Indeed the quality of our civilization will be judged in years and generations to come as to how we treat our minorities. A few hundred years ago the attitude toward someone who had mental problems or who was born with disabilities was very different from what it is today. There were places called insane asylums. I think every one of us would find it offensive today to consider that those were proper things to maintain.

We changed our thinking through the accumulation of knowledge and through understanding to try to—

• (1150)

The Deputy Speaker: The hon. member's time has expired.

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, I would like to point out an obvious contradiction in what the last speaker said.

He began his speech by saying that the family will not change no matter what we do in this House. He went on to conclude that society is changing, that it is making progress and that we should support those changes.

I listened carefully to the remarks he made. If his arguments are valid, it means he would logically support all of the amendments. He would have no problem with the protection of the family and making sure that this does not have an effect on the family.

The events of the last week remind me a lot of a little lizard in the South Pacific when I was there in 1988-89. It was called a gecko. The gecko had a very unusual escape mechanism. When a person went to catch it, if they were not quick enough, the gecko had the amazing capacity to detach its tail. The person would be left with a wildly wriggling tail in their hand and the gecko would escape. The person's attention was diverted from the main stage, just as many Liberals are managing to divert attention from the main issue before Parliament. With their wildly wriggling tongues accusing Reform of being anti-gay and discriminatory, they are diverting attention away from what they are really doing in the House.

Canadians will eventually realize that their attention is being diverted from what is happening here by some of the other issues

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that have been raised such as name calling and other tactics the Liberals are using. Canadians will eventually see through that. Just as a person realizes after a while when they look at the wildly wriggling tail that the gecko has escaped, Canadians will realize that the Liberals are trying to escape detection on what they are doing here.

The main issue before Parliament is the inclusion of sexual orientation in the Canadian Human Rights Act and the undemocratic nature in which it is being foisted upon an unsuspecting Canadian population. Debate is being stifled by invoking time allocation at every stage. I submit that is probably being done so that Canadians will not become too excited about this and become aware of what is happening. It is hurriedly being shoved through Parliament before people can realize what is happening.

By the way, this is not a Liberal election commitment. It is simply a pledge the Prime Minister made to the gay community in Vancouver. I wonder why it carries more weight than his GST promise.

Let me put this discussion into the context it should be in. Canada may recover in time from the huge financial mess it is in, but the damage that will be caused to Canadian society by changes made this week to the Canadian Human Rights Act will haunt us for many generations to come. Why? The unethical downloading of debt on to our children may be corrected in a generation or two, I hope. However, the irreparable harm caused by creating virtually equal status for gay and lesbian marriages with others will take a lot longer to heal.

We will destroy the very fabric of society by allowing the courts to redefine marriage. Gays and lesbians will be able to adopt children. If we do not believe that to be true, we ought to approve all of the amendments that are being put forward. If we are so sure that is not going to happen, we should approve these amendments.

All the studies I have seen indicate that children develop best when they live with their father and mother. The social crisis we are presently in will be compounded if we approve this legislation. We must encourage parents to make lifelong commitments to the care and raising of children. Society's acceptance of impermanent relationships has caused a great many problems. Many of the problems experienced in education and justice stem from this.

• (1155)

While the public and media look at Sheila Copps and the comments of some Reform MPs, the Liberals are creating changes to society that will cause future generations to ask who was asleep at the wheel when we hit this rock. While the tongues are wildly wriggling, the Liberals will escape the close scrutiny of what has happened in Parliament this month.

Remember that including sexual orientation in the Canadian Human Rights Act will cause the value of traditional marriage to

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erode even further. It is not just me saying that; I am reflecting the views of very many Canadians.

The main point that needs to be made in this whole debate on including sexual orientation in the Canadian Human Rights Act is that it will lead to the redefinition of the family in Canada. Just as in algebra where *a* leads to *b*, or as in geometry with the logical progression of arguments, one can make the argument that this will lead to the redefinition of the family. Even the highest court in the land has stated that it will have a very negative effect on the basic structural unit of society.

We as parliamentarians are responsible to look at the big picture, the overall effect legislation will have on society. The Liberal government assures us that it does not intend to have these negative consequences, but good intentions do not ensure good results. The court or judge looking at the law reads the letter of the law. They look at what it actually says. They do not read the Liberals' speaking notes.

One of my colleagues across the way said that he was assured this would not happen. Those assurances are not written into the legislation. These amendments would have to be approved in order for those assurances to be genuine. Therefore, I urge all members to approve these amendments.

The speeches being made by the Liberals are no more credible than the promises they made on the GST and NAFTA. We have no hold on those assurances that this will not affect the family. I have grave concerns about the effect this legislation will have if it remains unamended. The amendments Reform proposes try to limit some of the negative effects the legislation will have. Homosexual couples should not be given marriage-like status.

The Most Reverend Adam Exner of the Archdiocese of Vancouver makes this point which I believe reflects the views of many Canadians: "Canadians that are morally opposed to homosexual behaviour must have their rights protected". We as Reformers have tried to make that point in the big kerfuffle of the past week. We should not divide society into groups. We should not have any groups in the Canadian Human Rights Act. The Most Reverend Adam Exner goes on to say that homosexual couples should not be given marital or marriage-like status.

Now let me quote from Reform's interim party policy which has been approved by our caucus and the democratically elected council of the Reform Party:

The Reform Party affirms the equality of every individual before and under the law and the right of every individual to live freely within the limits of the law and with the full protection of the law. Under the charter of rights and freedoms, homosexuals have the same rights and privileges as all other persons in Canada. The Reform caucus supports the continued protection of these rights based on the position of each human being, not on his or her sexual orientation. For these reasons, the Reform caucus opposes as unnecessary and inadvisable the government's announced intention to include sexual orientation as a prohibited ground of discrimination in the Canadian Human Rights Act and in other legislation.

The real question is: What will be the long term effect of including sexual orientation as a prohibited category in the Canadian Human Rights Act?

• (1200)

Many other speakers have already made excellent points, but the one which concerns me most is the one concerning the status or the structure of the basic unit in society. That is the point I would like to make and I hope I have an opportunity at a later time to make it further.

Mr. Brent St. Denis (Algoma, Lib.): Mr. Speaker, I am pleased to join in this debate on amendments to Bill C-33 and Bill C-33 itself.

I want to make it categorically clear that I support amendments to the Canadian Human Rights Act which will provide for the inclusion of sexual orientation in the list of those grounds on which discrimination must not take place.

I believe we can all agree in the House that in an ideal world and in an ideal country we would not need a human rights code because everybody would be treated equally. There would be no worry in the courts or elsewhere that minorities would be discriminated against.

In spite of the reality that Canada is the best country in the world by many measures, we still have discrimination. Therefore we must have a code. If some of the comments by some members of the House in the last week are any evidence, it is sadly a fact that we must have a code. I believe it is time we included in that code sexual orientation.

This is an issue of human rights. I respect my colleagues who see this as a moral issue. They have come to that decision and that place for their own very good reasons, and I do not dispute that. We can disagree but that does not change my mind that this is fundamentally a human rights issue.

I will include in my remarks excerpts from an editorial in a community newspaper in my riding of Algoma. I will not read the whole text into the record. I invite any of my colleagues who have not seen this full editorial to contact me and I will be pleased to share it with them.

From the *Manitoulin Expositor*, Wednesday, March 27, an editorial entitled "Discrimination Irrational":

Those who would argue against adding such a right to the human rights act (where it will join bans against discrimination on the basis of age, gender and race) will cite, for example, the contentious issue the Ontario New Democratic Party raised when, as Ontario's governing party, it introduced legislation that would have recognized in law same gender relationships and, in particular, would have opened the doors to same gender family adoptions.

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It was this point—adoptions—that divided MPPs in Ontario from both the Liberal and New Democratic Party benches. The Ontario Progressive Conservatives were universally allied against the legislation.

The Prime Minister can look forward to the same thing because those opposed to the new legislation will raise the same sorts of issues—like adoptions—to argue in favour of some a-wink-and-a-nod type of discrimination: it isn't official, but it's there anyway.

It must be pointed out that most of the objections will be red herrings.

We will hear arguments that the official sanctioning of the right of a homosexual person not to be discriminated against (quite a concept, when one thinks about it) will somehow be undermining Canadian society and moral values; that this will, in some fashion and by implication, lead to more homosexual relationships.

It is hard to imagine, in view of the extremely negative feelings mainstream society holds toward homosexuals, that people of this persuasion or orientation would actually choose their lifestyle.

And while it is a sensitive issue to suggest that homosexuality can't possibly be a matter of choice, but innate, it seems to most—that this must be the case; Darwin and biology teach us that, for any species, the most basic instinct is to preserve itself through reproduction.

This is clearly not a priority for those people who choose same sex partners, perhaps through free will but surely most probably through their own particular chemistry, the point is: they're a part of our society.

They are a minority, to be sure. But they're with us and, just as the United Church of Canada bravely determined that being a homosexual person was in and of itself not a good reason to be denied ordination, so discrimination on the basis of sexual orientation is simply not a good idea in the Canadian society that we think is special in the world.

Most of us will continue to be put off by the idea of same sex relationships. That, like homosexuality itself, is very probably some sort of instinctive response. That's the way we are probably made.

But we also have the advantage of being sensible beings, capable of rising above our irrational fears and responses.

The Prime Minister's support for changes to the human rights act will not do the heterosexual majority any harm, and will do the homosexual minority much good.

● (1205)

I applaud the editor of the Manitoulin *Expositor* for what I think are very insightful remarks.

In the few opportunities I have had to travel abroad in my life, like members of the House, I have travelled in other countries with great pride. We know Canadians are tolerant, understanding and caring. We have opened our country to people from around the world. I am much more proud as a Canadian to say we tolerate minorities in our society, including homosexuals, than to say to those outside our country that we are intolerant of homosexuals.

That many of my colleagues and some Canadians will raise issues such as marriage, adoption and same sex benefits as part of this discussion really is simply part of fair debate from that side of the argument. However, I simply do not buy the argument that marriage, adoption and same sex benefits are relevant to the

amendment. They are essentially private sector or provincial matters.

What we are doing by this amendment is ensuring that in the federal workplace and in those industries regulated by the federal government discrimination will not be allowed on the basis of sexual orientation in employment and in the provision of goods and services.

Eight of the provinces and territories have already dealt with this issue in their provincial or territorial codes. It is a matter of the federal government's actually catching up with other jurisdictions in the country. I am quite proud that the government is showing leadership and is moving forward on a commitment that has been a commitment of this party for nearly 20 years. It is about time we get on with it.

I fully respect those of my colleagues who see this as a moral issue. I do not. To me this is nothing more or less than a human rights issue. We are not changing the Criminal Code. Illegal behaviour before this amendment will be illegal behaviour after this amendment.

We can speculate ad infinitum or ad nauseam on what the consequences might be. That we can do with any piece of legislation that comes before the House. We can speculate. That is fair. However, it is for those of us in the House to judge whether the speculation is reasonable. In my view that speculation is not reasonable, but I respect those who would use that in fair debate.

● (1210)

I do not feel in any way haunted by what will happen as a result of this amendment. If anything bad were to happen, why did we not see that as a consequence of the changes made in the provincial legislatures when they made changes to their codes? I do not recall hearing any terrible things that happened when those codes were changed over the last 10, 15 and 20 years. I feel strongly that no such consequence will be realized in this case.

I caution my colleagues to measure their words carefully when they argue against this, not to suggest the sky will fall because of this amendment, and to remember this is not about creating a special status for any group of people; this is about protecting the fundamental human rights of a minority in our society.

We have seen evidence of it in the last week already in the message the courts and Canadians get through the human rights code that intolerance of any minority is not acceptable in society. We are a modern society which is the envy of the world.

I encourage my colleagues, even those who think this is the wrong way to go, to reconsider their point of view and do the right thing.

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Mr. Randy White (Fraser Valley West, Ref.): Madam Speaker, it is a privilege to speak to Bill C-33 and oppose it.

Countless tens of thousands of petitions in opposition to this have come through my office and through many offices in the country and yet the government still pursues the road of its intent. I compliment those members opposite who are opposing this bill and have the courage to oppose this bill in the face of what seems to be a strong arm of a governing majority party.

I will address a concern of what is wrong with our country, the concerns I have as an individual, the concerns of people I grew up with and the people I live with. Where is Canada heading?

We see employment equity programs brought on by the government, multiculturalism programs, the official languages bill, gay rights bills and other such socially engineered bills. I have difficulty with the fact that if we oppose any aspects of any one of these bills we are immediately identified as a bigot, a racist and homophobic. Not only that, but if one or two or three people among us say something that happens to be a bit untoward in meaning, the whole works of us today are considered to be the same.

I find the problem most concerning. For instance, it can be a boy scout group, a church group or any group. All we need is one or two members to say something wrong and the whole group is identified as such. That is a sad commentary on where Canada is headed.

When I headed the posse in the Reform Party I observed a number of blatantly poor grant payments made to organizations. One was a \$30,000 grant to study the Tzu Tzu dynasty, an ancient Chinese dynasty.

• (1215)

A comment was made when we observed this which at the time seemingly was humorous. The Vancouver *Province*, which is at best a Liberal rag, said that because I issued this news release I am a racist. It has since two or three times said I am a racist because I made these comments.

In this country if something is said, even if it is minor, even if it is not considered by many thousands of people to be in any way slander, it only takes one group, and the media is just as bad as the rest, to say racist and everybody in this country ducks, goes into hiding.

Now we enter into the gay rights debate. If you disagree with gay rights, you are homophobic. You dare not say anything about gay rights in this country, otherwise you are homophobic. I feel sorry for some of the stronger people opposite who stuck up for what they believed and are categorized as such.

Let me just give members an idea of where I come from. I guess I can explain it best by reading from a 1993 Supreme Court ruling which stated that a gay man did not have his charter rights violated

when he was denied bereavement leave in the wake of his partner's death. Okay, decision made by the judge.

The chief justice at the time wrote that the refusal of the benefit could not be condemned on the basis of family status without introducing into the Canadian Human Rights Act the prohibition which Parliament specifically decided not to include in the act, namely the prohibition of discrimination on the basis of sexual orientation.

Indeed, the judge goes on to say that if Parliament had decided to include sexual orientation in the list of prohibited grounds of discrimination, his interpretation of the phrase family status might have been entirely different. Here a judge is saying that when the Liberal government puts in sexual orientation as a form of discrimination, he will judge otherwise.

The justice minister knows that. The Prime Minister knows that. The government knows that. In fact, so do a number of members opposite who caught the government up on these statements. The government stays mute on the issue, hoping to get the bill through as fast as it can with as little damage as possible. In that way perhaps it can get more votes from the gay community than any other party, stay in power and we will still have social engineering at its worst.

It is a vicious circle. It is a sad commentary about what is happening in the country. Do not dare oppose it because you will be called homophobic. Do not stand up for what you believe in, you could be a racist.

I do not know how many times I have been called a racist because I had two individuals deported from this country. I fought hard over a year and a half to do that. One was from El Salvador and the other one was from Laos. Never mind the fact that one helped murder a kid in my neighbourhood. Never mind the fact that the other had 12 criminal convictions and had raped twice. Never mind those facts. By fighting for the rights of my community to help the police to help victims I was called a racist. My family takes great exception to that. So do my friends. So do I and I guess since my mother is watching so does she.

• (1220)

If we do not agree with the governing party, everybody else is something different. They are racists, bigots and homophobics. I hope Canada goes in a better direction because we deserve better than that.

Finally, it was no mistake that the turn of events which hit the Reform Party last week happened. When you are the mosquito of politics stinging the political elephant, then everything comes against you when you take on the system, including the media engineers and their politicians. The House can be guaranteed that everybody who supports us and those who are considering us will

understand we are here to fight, we are here to stay and we are not going to be budged off of that mark.

Mr. Barry Campbell (Parliamentary Secretary to Minister of Finance, Lib.): Madam Speaker, I am extremely proud to rise today to speak in support of this measure.

Bill C-33 will add sexual orientation as a prohibited ground of discrimination under the Canadian Human Rights Act. Introducing and passing this bill, which I look forward to with so many of my colleagues, will fulfil a longstanding commitment of the Liberal Party that goes back many years. It is consistent with countless resolutions of this great Liberal Party and it has overwhelming support within this Parliament and across this great land.

The Liberal Party that I joined 20 years ago was a party noted for its defence of human rights and its advocacy on behalf of minorities. I am proud that the day has arrived where we are debating this measure which is long overdue.

The bill does not take anything away from anyone else. It does not create special status but it responds to a reality. Gays and lesbians are discriminated against in our society because of what they are.

I guess as a Jew I have a special sensitivity to other minorities because of my people's history. The Jewish people have known discrimination, persecution and worse in this century and throughout the centuries, too often simply because of who they are or what they are perceived to be. I attach great significance to what we are doing here today. I think Jews have a special responsibility to stand up in support of a human rights measure such as this.

I am very pleased that the two principal organizations which speak for the Jewish community, namely B'nai Brith Canada with its fine record in defence of human rights with the fine work of the League of Human Rights and the Canadian Jewish Congress with its fine work as well in this field. They both stand strongly behind the government's efforts in amending the human rights act to prohibit discrimination based on sexual orientation.

There are other parallels perhaps to the experience of the Jewish people that may be missed by some of my colleagues.

• (1225)

Perhaps some of us have a special sensitivity, but I get concerned when I hear people in this great country—our brothers, our sisters, our friends, our acquaintances—referred to in ways that make them seem as outsiders. Those kinds of words have a dehumanizing effect.

Eli Weisel said it so eloquently and it is a lesson for all of us. "The holocaust began with words". I would rather be part of a

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party, part of a government that uses words to enrich, to enlighten, to inform and to defend than to use words to tear down, to attack, to isolate, to denigrate.

Some people have said that this provision threatens the family. It does no such thing. Some say that gays and lesbians or their lifestyles attack and undermine the family. I want to pause to speak about a couple that came to see me in my office recently, a mother and father roughly the age of my parents. They spoke about a child of theirs who is gay. The pain I saw in the father's eyes when I first met him was not pain over this child and his situation but rather the pain in knowing there were other Canadians who would want to treat his son differently because of it.

When we speak about what might happen to the family as a result what is being suggested this bill gives rise to, we are overlooking the hurt that is causing in families. Let us remember who we are talking about. We are talking about people. We are talking about individuals. We are talking about human beings. We are not talking about some mysterious person out there who we do not know. We are talking about friends, colleagues, brothers, sisters, sons and daughters. They have families too.

There is not much more to say. This is a very important matter. I look forward to hearing the interventions of other colleagues, although some may disagree.

Gays and lesbians have not asked us to recognize them, as some have suggested in this House. Recognition is not something that we bestow or take away. Gays and lesbians have their own dignity. All they ask from the government and what it will provide is recognition of their right to equality under the laws of this country.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Madam Speaker, I thank the House for the opportunity to speak at report stage of Bill C-33, a bill that was introduced in this House scant hours ago and is being railroaded through because of some concern by the Liberal government that Canadians may find out the facts about this bill. It is afraid that the dissent within its own party may grow as Canadians realize there is absolutely no need for Bill C-33, that the opposition to it is significant and growing.

Members opposite have spoken in support of the bill but they have omitted a very significant factor in their speeches by saying that all good Canadians should support this bill and that all members in the House should support it. They have ignored the public that is speaking out in opposition to Bill C-33.

I want to let the House know what is happening in the real world that is Canada. My office has received hundreds of communications in the past few days since Bill C-33 was introduced in the House. The ratio is about 200:1 in opposition. Of course that does not matter to the Liberals. They have to railroad it through. They had better do it quick. If there is that kind of opposition building,

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we certainly do not want the opposition to gain momentum. We want to squelch this opposition, nip it in the bud. We will railroad the piece of legislation through.

• (1230)

On my answering machine over the weekend the calls were unanimous in their request that I as their member of Parliament oppose Bill C-33. There was not one call received suggesting I support Bill C-33.

People have said to me please vote against Bill C-33. Prior to that, they asked me to vote against Bill C-41. They opposed that because of the undefined phrase sexual orientation included in the bill.

I was chatting with another member of Parliament who said his office was receiving 15 phone calls every 10 minutes. His staff members did not have time to eat yesterday. They were being deluged with calls, 90 per cent of which were asking their member to oppose Bill C-33.

To the members opposite it does not matter. They are on a mission that they want to succeed. They have made some statements, some claims that this legislation is necessary.

Even if Canadians are strongly opposing it and the opposition is increasing, it does not matter. That is all the more requirement that they move with haste and make sure the bill is passed before the opposition can increase.

Members opposite say they have no agenda other than the prevention of discrimination against the gay and lesbian element of society. They say "that's it, we do not want to see anything happen beyond the primary principle. This does not mean there will be spousal benefits for gays and lesbians. It does not mean that we will give them adoption rights. We are not expanding the term sexual orientation to include currently illegal activities. We would never do that. Why don't you get your head on straight? Why would you even suggest such a thing?"

We are debating Group No. 1 of the amendments to the bill. These amendments clarify those issues. They would reinforce what the members opposite are saying. We would think members opposite would be clamouring, saying "that is a good idea, we want to support those amendments, that reinforces what we on our side of the House have been saying".

They do not do that. By not agreeing with the amendments put forward to this bill they are increasing the suspicion of Canadians. I will get more calls in my office. I will see more

opposition to this piece of legislation and other pieces of legislation like it that will follow.

People are saying they cannot trust the Liberals. We could not trust them on the GST. Their word did not mean anything. Why should we trust them on this bill? Why should we trust them when they say this is not a stepping stone to spousal benefits for same sex couples? Why should we believe them when they say this will not provide same sex couples with the right to adopt children? They do not tell us the truth. They just play it by ear. They kind of go along and make it up as they go. Whatever seems convenient to the lobby group that last talked to them is what they will try to put forward in legislation

I was on a talk show with a Liberal MP, the member for Saskatoon—Dundurn. Several callers were concerned about the infringement this legislation might create on religious freedom. The member for Saskatoon—Dundurn said: "I am a good Catholic. This does not have any impact whatsoever on religious freedom. That is a red herring".

If that is true, why do the Liberal members not support the amendments that would protect religious freedom? One would think they would be clamouring for it. One would think they would be jumping up in their seats and saying they support these amendments, these are good amendments, but they do not.

We are left to ask why they will not support the amendments. What is their agenda? What are their plans? They have not told us in the past. They certainly did not tell us the truth about the GST. They mislead Canadians about the GST.

Canadians are wondering what they will do with this piece of legislation. What is their agenda? What is their mission? What are they trying to accomplish in the long run?

If the claims they are making are true, why do they not say so by supporting the amendments put forward on Bill C-33? Why do they not put their actions where their mouths are? Why do they not stand up and vote for some of these amendment? Where is their courage?

• (1235)

I am tired of these members saying it does not mean all these things and yet they will not support the amendments. That is fundamentally wrong and it brings dishonour to the House. I am very disappointed in members opposite who will not support amendments that clarify the very points they have been trying to make. That is intellectually dishonest and wrong. It brings disrepute on the House of Commons.

The Liberals say the purpose of Bill C-33 is to prevent discrimination against gays and lesbians. Reform opposes discrimination against all Canadians. I do not see that discrimination is epidemic

in Canada. Maybe I have been missing something. Maybe the member for Saskatoon—Dundurn knows something I do not and that is why he is not listening to the hundreds of calls he is receiving in his office and opposing this bill.

I have not not been reading in the papers that discrimination is epidemic among the gay and lesbian community. However, even if it were we have laws in place that can be enforced. Even if someone discriminates against a gay or lesbian we have something called the charter of rights. Section 15(1) of the charter applies to all Canadians except gays and lesbians? No, that is not what it states. The charter applies to all Canadians. Everyone who is a Canadian is covered under the charter: “Every individual is equal before the law and has the right to equal protection and equal benefit of the law without discrimination”.

Angus Reid did a poll of Canadians which said right now the charter of rights reads that every individual is equal before the law and has the right to the equal protection and equal benefit of the law without discrimination. The question was “do you believe additional legislation is required to protect the gay and lesbian group in society?”

If Canadians knew this was present in the charter of rights and freedoms 90 per cent of Canadians would oppose Bill C-33. They would categorically say it was not required.

I close by reading a letter I have written to those who have inquired about my position on this bill. This will also clarify the record for the House.

I am opposed to the bill for the following reasons:

I support the equality of all Canadians regardless of race, language, culture, religion, gender or sexual orientation, not because of these defining characteristics.

This is also Reform’s position.

I believe all Canadians have ample protection against discrimination with the laws that are already in place.

The term sexual orientation is currently undefined which opens the door for practitioners of deviant sexual practices (such as pedophiles) to claim legal protection for these acts.

Many legal experts suggest this measure will—

The Acting Speaker (Mrs. Ringuette-Maltais): The hon. member for Kingston and the Islands.

[Translation]

Mr. Peter Milliken (Kingston and the Islands, Lib.): Madam Speaker, I am very pleased to take part in this debate on this very important bill, particularly after the speech of the hon. member for Kindersley—Lloydminster.

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[English]

Some members have suggested there is no need for the law being proposed in this bill. I submit that if they have any doubt as to the evidence required in support of such a law they need only look at the legions of cases that have been brought before the Human Rights Commission of Canada, many of which have been subsequently appealed to the courts of the country, dealing with acts of discrimination perpetrated against members of minority communities; not only ones based on sexual orientation but others.

Discrimination is rife and rampant in Canada. I acknowledge that we have made significant gains in the last 10 years, but there is a continuing problem with discrimination. This bill, in amending the Canadian Human Rights Act, seeks to bring to an end that discrimination.

• (1240)

We have seen evidence of that discrimination in the statements made recently by some members of the Reform Party outside the House. I will not go into those in detail. However, those statements have forced the leader of the Reform Party into issuing a manifesto, although a little late perhaps. I will quote from it because I think his reasons for opposing this bill and those he has put forward for his party are not reasonable or accurate. I quote from this morning’s edition of the Ottawa *Citizen*:

Reformers are opposing the government’s gay rights bill, not because they favour discrimination, but because they favour a better approach to prevention of discrimination. The party supports affirming the equality of all Canadians before the law rather than protecting that equality through the creation of special categories of Canadians with group rights. But the inability—or unwillingness—of some Reform MPs to support this principled reason for opposing Bill C-33 is at the root of the party’s immediate problems.

I am sure even the member for Halifax finds the last statement a little hard to swallow. Some of us find difficulty with the first part as well, and I will deal with that.

What is the leader of the Reform Party proposing in terms of affirmation of equality for all Canadians? What is this chimera being put before us as a basis for changing this law?

An hon. member: It is hard to understand, isn’t it?

Mr. Milliken: The hon. member says I do not understand it. I am about to explain it to him because it is clear this is an excuse to cover the bigotry that has been displayed by his colleagues in the House. It is a sick excuse.

What we have to look at in this case is that their notion of equality is to repeal the Canadian Human Rights Act and make a declaration that everyone is equal. I point out, as I have on numerous occasions in the House, the human rights code does not grant special rights to special groups. What the human rights code declares and what this bill will declare is that there may not be discrimination on certain bases.

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The bases include things like sex, age and colour. Those words are in there and they are neutral. They are neutral in the human rights code. In other words, they give rights to both men and women when sex is talked about. When sexual orientation is mentioned it gives rights to bisexuals, to lesbians, to gays and to heterosexuals. These rights are across the board. They apply to everyone. The section on colour does not give rights only to blacks; it gives rights to all Canadians regardless of their skin colour.

Hon. members opposite forget that. They think that because it says sex and colour and sexual orientation it means women, blacks, gays and lesbians. That is what they think it means. Why do they think so? The Reform Party is made up of older white men. They do not realize discrimination exists because it has not been a particular problem for men who are elderly, who are white and who already have jobs and are doing very well in society.

That is primarily what the Reform Party is made up of. If we go to any Reform meeting the preponderance of men is overwhelming. They are almost all white. They are almost all Anglo-Saxon. They are not part of the other minority groups which form the country, and of the majority group of women who have been under represented in many of the institutions and professions in the country for generations.

What we have here is an attempt by the Reform Party to cover up that its members do not agree with the principles of the human rights act in its effort to grant equal rights to all Canadians.

An hon. member: Special status.

Mr. Milliken: There the member goes again, special status. Because it says sex he concludes it means special status because women receive rights they would not otherwise have under this act. Men receive the same rights, but the hon. member cannot accept that the rights have to be the same. In his view it is special status. His leader is doing his best to cover up the difficulties within that party by arguing that somehow we can just make a declaration which says everyone is equal.

Let us go to the ramifications of that. What are the prohibited grounds of discrimination under this new Reform law? There will not be any prohibited grounds of discrimination. Everyone is declared to be equal and therefore everyone who is discriminated against in any way will have a claim.

One of the members of the Reform Party is a retired professor. I wonder what he would say if a student applied to Simon Fraser University where he taught and was told that his or her marks were insufficient to get in and then the student laid a claim of discrimination saying: "I am a Canadian citizen and the new Reform human rights code says discrimination is not allowed in Canada. My marks are lower than John Doe's. John Doe got in and I did not. I want in". What would the hon. member say to that?

• (1245)

I would like to hear from the hon. member for Calgary Southwest on that point. I bet he does not have the faintest idea of what he would say because he could not possibly come up with a law that will do what he says he is going to do and make it stick. This whole notion is a chimera.

There is no sense of how you divide people into groups, how you discriminate against people if you do not have the bases of discrimination spelled out in the human rights act. This act spells out the bases of discrimination. Almost all Canadians agree that the bases set out in this act are fair and reasonable.

The government by this amendment is providing justice for a group of Canadians who have complained loud and long that they have been unfairly treated. They have already been included in the human rights codes of seven of the provinces. They have been determined to be part of this code by the courts in their exercise of judicial interpretation of this statute.

This law is doing virtually nothing new. What it is doing is bringing Parliament up to date with what has been going on in the rest of society. It is something that should have been done a long time ago and obviously has gone right over the heads of hon. members opposite.

The hon. member for Kindersley—Lloydminster and other members have suggested that this bill is being rushed through with undue haste.

Mr. Cummins: Do you agree?

Mr. Milliken: I do not agree.

It is important for hon. members to realize the reason they are seeking to delay this is so they can spread false stories about what the legislation will do in order to generate opposition to the bill. This bill is clear cut and straightforward and it ought to be approved by the House without delay.

Who are the groups the hon. member for Calgary Southwest refers to in his statement? I do not know. He says these groups are mentioned in the human rights act. They are not mentioned. I have indicated the words that are used. The words that are used include all Canadians. No group is singled out for special protection in the sections of the act we are dealing with in this amendment today.

I have received a lot of letters on this issue, not so much from my own constituents but groups in British Columbia and Alberta in particular have written to me quoting chapter and verse from the book of Leviticus and various writings of the apostle Paul believe in his letter to the Romans I believe and a couple of others. I am concerned that these people would quote this kind of biblical

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reference to me and suggest that because of those particular verses in the Bible I ought to vote against this bill.

I have a message for them and for hon. members opposite which I ask them to consider. I know they regard the importance of biblical teaching very highly. I will read from the gospel of St. Matthew:

Do not judge and you will not be judged. For as you judge others, so you will yourselves be judged, and whatever measure you deal out to others will be dealt to you. Why do you look at the speck of sawdust in your brother's eye, with never a thought for the plank in your own. How can you say to your brother: "Let me take the speck out of your eye," when all the time there is a plank in your own? You hypocrite! First take the plank out of your own eye, and then you will see clearly to take the speck out of your brother's.

Another is: "Always treat others as you would like them to treat you: that is the law and the prophets".

I can only urge those words on all hon. members in this House as we approach a vote on this very important bill. In my view those words from the Sermon on the Mount summarize what the government is attempting to do by this bill to bring fairness and justice to our society.

Mr. Bob Mills (Red Deer, Ref.): Madam Speaker, there are two issues I would like to touch on. Obviously we could take a lot of time to talk about the details of the bill itself and the history behind it, or some of the drivel we have been hearing from the other side. Rather than doing that, I will talk about two things: one, democracy denied; and two, the equality issue and what Bill C-33 will really do in that regard.

• (1250)

Concerning democracy, I made a promise to my constituents that never again will they have to hear that Ottawa knows best. Instead of telling them what is good for them, we will discuss the issues and vote the way our constituents tell us. I will talk later about some of the results of consultations with my constituents in the last four days.

The key issue is that time is short. Last Monday the bill was introduced, Tuesday it was debated, Wednesday closure was invoked. The bill was sent to committee and today it is back. Closure will be used again. At the latest on Thursday we will be voting at third reading. Somebody tell me how members are to consult with their constituents with that sort of time line.

My constituents want town hall meetings. They want to review both sides of the issue. I had an excellent meeting with a group from the gay community in my riding. I told them I would have liked to have had the opportunity to talk about the issue of gay rights and all the other issues in public and to intelligently and scientifically discuss Bill C-33 in its entirety. Instead it is being rammed down our throats with the use of closure, closure, closure, just like the Progressive Conservatives did. There is no opportunity to really get involved. I certainly have had no opportunity to

communicate with my constituents, as I promised. We have tried our best.

One argument we have heard from across the floor is that the voters are really not that bright to understand these things. That is what the PCs thought and what the people orchestrating the Charlottetown accord thought. They did not think anyone would be informed enough to understand and vote on it. In 1993 the people took control and threw out the PCs for that same reason.

I am saying that democracy has been denied in this place. Because of closure and the ramming through of this piece of legislation the people of Canada have not had the opportunity to communicate with their members of Parliament as they should. This sort of legislation has been around for 30 years. Why all the rush now? We only have one week in which to ram it through. I apologize to the people of Canada for being part of this. It is disgusting that we have to do business this way. Everybody should hang their heads.

With regard to Bill C-33 and the whole concept of special status and referring to Charlottetown, any group that has ever tried to put forward this special status concept has found that it just does not work. If anything, it further divides Canadians. It divides families and neighbours who have known each other for years.

When we say everyone is equal or that we are opposed to any kind of discrimination, everybody understands that. It is clear: I oppose discrimination because of sexual orientation, colour, religion or anything else. That is clear. Everyone is equal and everyone should protect that equality, not set out special status and categories within the law. That is another disgrace which has been brought on us by the government.

Let us talk about what sorts of things we should be considering. We are saying let us talk to the people and get their views. In my riding I asked the question: How do you want your MP to vote on Bill C-33 which if approved will amend the Canadian Human Rights Act to include sexual orientation as a prohibited ground for discrimination? I tried to take that right from the bill, to make it as fair as I could. I said that there are two sides to all issues and they must look at both sides.

• (1255)

To members across the way, the results to this point have been: opposed to the bill, in phone calls, petition signatures and letters, 1,152 as of last night; in favour, we have received 18 names. A couple of weeks ago in response to the Senate bill, I mentioned I had met with the homosexual community in my area. They have collected 402 names in favour of a much broader petition which I will be presenting in the House as soon as it is approved. Even if we add those names to the list, if it was on the same bill, it would still be 1,152 to 420.

The calls are coming in. Yesterday there were 80 calls to my office. Those 80 calls all said that I should vote against this

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legislation. Many of the people in my riding, about 68 per cent, are in urban areas. Because we have a large petrochemical industry, because many of them are university graduates, I suppose they are better off than a lot of Canadians, but they are thinking intellectually about these issues. The fact that in less than a week we have received 1,500 responses concerning a piece of legislation tells me that those people are on top of the issue. It tells me that not like my colleagues across the way who think the voters are stupid, the voters are right on top of it. They know what is happening and they are watching very carefully.

I remind all members that Canadians are watching. They are watching the taking away of democracy. They are watching the jamming of this material down their throats without an opportunity to get involved. They are saying enough is enough.

Discussing the issue of homosexuality is not what this bill is about. This bill is about giving special status to a group. Every single Canadian should be treated equally, equally, equally. What does the government not understand about the word equality?

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Madam Speaker, I am speaking on Motions Nos. 1, 9 to 15 and 18.

I am not certain that I understand the purpose of Motion No. 1. Motion No. 1 is a suggestion that we replace the words "all individuals" with "every individual" as they occur in the preamble to the legislation.

The purpose of the changes in Bill C-33 were proposed by the drafters in the legislation section at the Department of Justice. They do not have anything to do with the sexual orientation amendments. The drafters were simply trying to follow the usual practice that when a section in a statute is changed they will also try to modernize the language.

The modernization of the language has no legal effect, that is, it has no effect to alter the statute as it appeared. It is also necessary to make the English version of the statute equivalent to the French version which has contained the modern language for a period of time. What is being proposed by this amendment simply goes against modernization of the language. Modernization of the language is important when considering legislation, in essence to tidy it up.

• (1300)

Motion No. 9 states in part that nothing in sections 2 or 3 shall be construed so as to render any provision of the Criminal Code inoperative or of no force or effect. I have read this clause very carefully. However, I do not understand its purpose.

Any lawyer will say that Bill C-33 and the Canadian Human Rights Act have nothing to do with the Criminal Code. They do not affect the Criminal Code. They have no jurisdiction over the Criminal Code. I can only conclude this motion stems from a lack of understanding of the legislation in question. I would have hoped that by now a parliamentarian would have a better appreciation of federal legislation and the way it operates.

The Canadian Human Rights Act and Bill C-33 only apply to, only affect, only regulate two main things: employment and the provision of goods and services. The Criminal Code has absolutely nothing to do with this subject matter.

Perhaps hon. members have confused the Canadian Human Rights Act with the Canadian Charter of Rights and Freedoms. The charter is a part of the Constitution. As the supreme law of the land, the Constitution has primacy over all other laws, federal, provincial or municipal, and this includes the Criminal Code. However, we are not dealing here with the charter. We are simply talking about the Canadian Human Rights Act which has no application to the Criminal Code.

Finally, the preamble makes it clear that Bill C-33 protects lawful conduct only. Any behaviour that was illegal before remains illegal now. It is not protected by the Canadian Human Rights Act.

While I have tried to understand the purpose of Motion No. 10, I do not know why an amendment like this is necessary. The Canadian Human Rights Act applies to a relatively small percentage of employers and service providers coming within federal jurisdiction, that is the federal government and federally regulated businesses such as banks, airlines, railways and telecommunications companies.

The Canadian Human Rights Act and the amendment in Bill C-33 do not apply to churches or religious organizations. These come under provincial human rights acts and are not affected by the amendments being brought forward. The change proposed in this amendment is not necessary. If I could put it bluntly, it would be of no force or effect, it would be a useless amendment.

Churches and religious organizations are regulated by provincial human rights laws. The federal act is the wrong place for these amendments. This is something for the provinces to address in their legislation. They are completely unaffected by Bill C-33 which can only change human rights legislation within federal jurisdiction, namely the Canadian Human Rights Act.

If the Canadian Human Rights Act were applicable to churches and religious organizations, which it is not, an employer may still refuse to hire on reasonable and justifiable grounds in the circumstances. For example, the Supreme Court of Canada has held that it is reasonable and justifiable for a Catholic school to require that the religious views of its instructors conform with the views of the

church. Churches and religious organizations may rely on this to justify conformity with the tenets of their religions.

With respect to Motion No. 11, no changes to the definitions of marriage, family and spouse are planned or necessary as a result of this amendment. Bill C-33 does not change the law. Sexual orientation is already in the law. The charter and the Canadian Human Rights Act by court order have already done this. This amendment would only make express in the Canadian Human Rights Act what is already there.

The issue of same sex benefits and other issues are already before the courts and tribunals. Whether or not this amendment is made, those cases will be decided and the relevant statutes considered as the courts and tribunals see fit.

Motion No. 12 proposes an amendment that states in part that sexual orientation "shall not be construed so as to affect the freedom of religion, expression or association as guaranteed by the Canadian Charter of Rights and Freedoms". This amendment is also unnecessary. Freedom of religion, expression and association are in the charter.

The charter is part of the Constitution of Canada. The Constitution is the supreme law of the land. It overrides all other laws, whether federal or provincial. It has supremacy over the Canadian Human Rights Act. Therefore, nothing that could be done in the Canadian Human Rights Act could take primacy over the charter or affect the freedoms of religion, expression or association as guaranteed by the charter. This motion is based on a fundamental misunderstanding of the law of the country. Freedom of religion, expression and association are guaranteed by the charter and cannot be taken away by Bill C-33 or any other law. The amendment proposed would add nothing to the law and is therefore not necessary.

• (1305)

It is important to remember also that the Canadian Human Rights Act applies to the employment and the provision of goods and services at the federal level. Therefore, the scope of this amendment is very narrow. It does not apply to churches or religious institutions. There is no way in which Bill C-33 is going to affect freedom of religion or expression.

Motion No. 15 would add a clause stating that nothing in sections 2 or 3 shall be construed so as to authorize the marriage of persons of the same sex. The Canadian Human Rights Act and consequently Bill C-33 have absolutely no application to marriage. The act applies to employment and the provision of goods and services only. The primacy of the act is over statutes on employment or which provide goods and services. While the federal government can make laws concerning the capacity to marry, such laws do not fall into the areas of employment or goods and services.

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As Maxwell Yalden, Chief Commissioner of the Canadian Human Rights Commission, said last month before the Senate committee studying Bill S-2: "We are not talking about who is married and who is not married. That is none of the business of our commission". That is correct. The Canadian Human Rights Act simply does not apply to marriage.

The common law has always provided that a marriage is a union of a man and a woman. The common law has equal force with the statute law. The common law on marriage could only be changed by specific federal legislation on marriage. As noted earlier, the Canadian Human Rights Act applies to employment and the provision of goods and services and cannot affect laws on marriage.

In 1993, in the Layland and Beaulne v. Ontario case, the plaintiff challenged the common law requirement that marriage is a union between a man and a woman under section 15 of the charter against discrimination on the basis of sexual orientation. The charter, as part of the Constitution, does have primacy over all other laws. This is what the majority of the court stated: "The common law limitation of marriage to persons of the opposite sex does not constitute discrimination against the applicants, contrary to section 15 of the charter". This is the law and it is the law right across Canada.

There is only one answer to Motion No. 18. Bill C-33 does not add and cannot have the effect of adding sexual orientation to the existing affirmative action provision, section 16, of the Canadian Human Rights Act. The argument that it is included by implication is wrong. Section 16 stands by itself with its own list of grounds. If the intent were to provide for affirmative action on the basis of sexual orientation, section 16 would have to be amended.

Bill C-33 adds sexual orientation to sections 2 and 3 of the act, not section 16. The list of grounds in section 16 remains unchanged.

The government will be voting against all the amendments contained in Group No. 1.

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Madam Speaker, the justice minister would have us believe that his proposed legislation is merely a fuzzy, feel good statement with no potential economic or social cost.

He blithely assures us that the proposed amendment to the Canadian Human Rights Act will not open the door to same sex marriage, same sex spousal benefits, or the application of laws governing taxation and joint property.

Perhaps the hon. minister does not recognize the opinions of the Chief Justice of the Supreme Court of Canada, which is a little out of character when one considers that it is his party which has already essentially transferred governance of the country from the

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elected Parliament to the appointed Supreme Court. However, that is a subject for another debate.

Today, let us merely accept the reality that, to a very large extent, the court now calls the tune. In the Mossop case in 1993, Mr. Mossop was denied bereavement leave on the death of his homosexual partner's father because the partner did not fit the definition of common law spouse. Fair enough. However, the Chief Justice stated that if Parliament had included sexual orientation in the human rights act, the interpretation of family status might have been entirely different.

• (1310)

The minister is so defensive about the long term implications of this legislation that yesterday he circulated a lengthy paper in which he attempted through generalities and half-truths to discredit the detailed research done by the hon. member for Scarborough West and the research branch of the Library of Parliament. Methinks the minister doth protest too much.

This is hardly surprising when one considers that in March 1994 he stated categorically that the logical next step to amending the Canadian Human Rights Act would be to extend spousal benefits rights to same sex couples. If this bill is harmless window dressing, why is it being promoted through deviousness and deceit?

The minister makes much of the fact that although the capacity to marry is within federal jurisdiction, solemnization and registration of marriages is a provincial responsibility. He knows full well that the law is the sum total of statutes and precedents. To suggest that federal legislation will have no effect on provincial policies is absurd. To say that it would not accelerate the avalanche of regulatory board and lower court decisions in favour of same sex spousal benefits stretches the bounds of rationality.

Some of the oh so sophisticated and with-it members opposite might ask what difference does it make if a few hundred co-habiting homosexuals get spousal dental benefits? For one thing, it makes a lot of difference to me because it makes a lot of difference to my constituents.

Bill C-33 was tabled only nine days ago, but it has already ignited a firestorm of anger. The minister's strategy of pushing legislation through the House before real public opposition can develop has already failed.

Second, the payment of same sex benefits will add credibility to demands for state recognition of same sex marriage. These terribly sophisticated Liberals may then ask, what difference does it make if homosexual liaisons are classed as marriages? What does the collective wisdom of the ages mean to people who profess to know everything? What does it matter to them that the

basic building block of almost every civilization of record has been the traditional family?

With minor variations, the definitions of those families would have conformed to the Reform Party definition of those individuals related by blood, marriage or adoption. Marriage is defined as the union of a man and a woman as recognized by the state, including common law relationships.

This is the definition that we would endorse with respect to the provision of spousal benefits for many federally funded or regulated programs. If the state has no business in the bedrooms of the nation, surely the corollary is that the homosexuals of the nation have no business in the wallets of taxpayers of this country.

Where does one rationally draw the line with respect to benefits? What of the common practice of same sex heterosexuals living together for long periods of time for convenience and household economy? Should they be less entitled to consideration than their homosexual peers? Will the government have a squad of bedroom police to ensure that applicants really are engaging in the requisite practices?

The institutions of marriage and family developed over millennia and they have served civilization well. They have served the essential purpose of procreation and the nurturing of children. Strong family units are the foundation blocks of society. When they are weakened by hedonism society as a whole suffers. Anyone capable of learning from history should look at ancient Athens or ancient Rome.

• (1315)

It is impossible to extend special rights to any group without detracting from the rights of others. In this case the potential losers are children. The minister maintains this bill does not endanger children because pedophilia, even though technically a sexual orientation, is now a criminal act. I remind the minister that less than 30 years ago homosexual acts were illegal, and please observe where we are now.

However, assuming there is no danger of misapplication of the law, it should be obvious the proposed legislation will extend opportunities to potential molesters of whatever gender.

Would any member opposite really want to put his or her children at risk by forcing communities to accept, for example, male homosexuals as scout masters or homosexuals of any stripe as guidance counsellors? How many Mount Cashel types of disasters would it take to impress on these people that the defensive instincts of previous generations of parents were based on valid concerns?

Liberals like to prattle about their deep concern for children but they do not hesitate to expose them to potential trauma in order to bolster their ideological fantasies.

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Make no mistake, I do not much care what adult homosexuals do in private. I do care a very great deal about children. I am a parent—

An hon. member: Ringma around the collar.

Mr. Morrison: If the hon. member for Halifax really feels this is such excellent legislation we are running up to, I am gender neutral on this. I would not want to see a male heterosexual in charge of a girl guide troop either. This is the sort of thing which in the politically correct world of the folks opposite we would like to encourage; child molesters of the world unite.

It is clear to all where I stand. This bill is a travesty. It is wrong. We will oppose it at every possible turn. We are standing up for our constituents who oppose this mightily.

Mr. Wappel: On a point of order, Madam Speaker. I have been here since 10 a.m. and the hon. member for Central Nova has been here since approximately 10.10 a.m. and has attempted to seek the eye of the Chair since that time. She has been in her seat all this time, certainly before the hon. member for Halifax came. I would ask as a matter of courtesy that you recognize her.

The Acting Speaker (Mrs. Ringuette-Maltais): Resuming debate, the hon. member for Halifax.

Ms. Mary Clancy (Halifax, Lib.): Madam Speaker, I am delighted to take part in this debate today. I am particularly delighted that my hon. friend, the member for Swift Current—Maple Creek—Assiniboia, brought up history. Some of my remarks have to do with history. I want to make particular note of his comments that certain things were criminal acts in the past and are no longer.

There are other things that were enshrined in our laws in the past and are so no longer. For example, women were considered to be chattel. That is no longer the case, at least in law, although it is sometimes still the case unfortunately in practice. Married women prior to 1870 anywhere in the British Commonwealth could not actually own property. Any property they brought to the marriage became the property of their husbands. We changed that. There are thousands of examples.

However, murder has been murder since Cain killed Abel, and murder is murder today. Pedophilia is not a sexual orientation; pedophilia is a crime. It will continue to be a crime while good people sit in the House of Commons. I believe good people will sit in the House of Commons for a long time to come.

• (1320)

I believe most passionately in the separation of church and state. I believe most passionately in the separation of moral issues and

legal issues. I believe most passionately that amendments to the human rights act are legal issues and are long overdue.

In 1604 England and Scotland became the United Kingdom of Great Britain under the monarch James I of England, also styled James VI of Scotland. He effectively completed the Elizabethan age. Under his reign we saw the completion of the Shakespearian plays. We saw the beginnings of the metaphysical poets, great poets and church men like John Donne and George Herbert, to name only two.

We heard and saw the wonderful songs and poetry of Sir Walter Raleigh and Sir Philip Sydney. There were not too many women writing in those days because they were chattels then, but that has changed.

Perhaps the jewel in the crown of the reign of King James was the justly famous and magnificent work known as the King James Bible.

Not only is the King James Bible in the minds and hearts of adherents of Christianity the inspired word of God, but it is considered a masterpiece of world literature. I studied it in a course on the masterpieces of western literature at Mount Saint Vincent University some 25 years ago.

The King James Bible is something which people of all faiths read with delight and pleasure, with its glories of the English language. I wonder if all my colleagues know that James I, James Stuart of England, James VI of Scotland, the son of Mary Queen of Scots and Lord Darnley was, in the minds of most historians, homosexual.

Another great figure in British history is Richard I. We go back to time immemorial, the reign of Richard I, at the end of the twelfth century, the dark ages. A great king arose who left England to sail to the holy land to free the holy places from the Saracens. Who was that man? His name was Richard Coeur de Lion, Richard the Lionhearted. Guess what? In the minds of most scholars of that period, he too was a homosexual.

There are those who suggest Julius Caesar was bisexual.

Mr. Wappel: Madam Speaker, on a point of order. This is not third reading debate, as you are well aware. This is debate on specific amendments contained in Group No. 1 with respect to amendments to Bill C-33. None of them pertains to any sort of history of the crusades or anything like that. I ask that you call the member to order and have her address the motions listed in Group No. 1.

The Acting Speaker (Mrs. Ringuette-Maltais): Resuming debate, the hon. member for Halifax.

Ms. Clancy: Madam Speaker, I am sorry the hon. member for Scarborough West is so threatened by the fact that history is

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relevant to the debate today. He can heckle me privately or publicly whenever he wishes, if he dares.

Richard the Lionhearted was also a homosexual. Julius Caesar was, in the minds of most historians of the period, thought to be bisexual. There are hundreds and thousands of other examples.

• (1325)

I listened to my hon. friend for Swift Current—Maple Creek—Assiniboia talk about children, scout masters, pedophilia and all of that. What frightens me more than anything else in the House is bigotry, intolerance and fear of the unknown.

What frightens me is a Salem like response, a witch hunt like attitude to people who have a different lifestyle or a different sexual orientation; not a criminal orientation, a different orientation.

As we stand in the House later this week and see the passage of the justice minister's amendment to the Human Rights Act and see the defeat of the group of amendments we are debating here now, I will be proud that members on both sides of the House understand that freedom from discrimination, freedom from fear, the ability to live as full participants in society are things all Canadians deserve, things all Canadians should expect from their government.

The rights enshrined in the charter of rights and freedoms are beyond the enforcement of many Canadians because of financial exigency. However, the rights spelled out in federal and provincial human rights act can and will be enforced by ordinary Canadians, and should be.

I am proud that I am hear in the House this week supporting this amendment brought by the Minister of Justice and voting against the amendments that are fearmongering, intolerant and un-Canadian.

Mr. Strahl: Madam Speaker, if I had the unanimous consent of the House I would give up my time to allow the member for Scarborough West to present his views on this subject. I ask for unanimous consent of the House.

Mr. Morrison: How do you spell Halifax? B-I-G-O-T.

The Acting Speaker (Mrs. Ringuette-Maltais): Usually we go to a speaker from the government side and then to a speaker from the opposition side, et cetera. Do we have unanimous consent for the request?

Ms. Catterall: Madam Speaker, on a point of order. I believe you will find the member has already spoken and therefore his request is out of order.

Ms. Clancy: Madam Speaker, on a point of privilege. As I sat down the hon. member for Swift Current—Maple Creek—Assini-

boia said, to my hearing and I believe to the hearing of some colleagues: "How do you spell Halifax? B-I-G-O-T".

That is unacceptable and unparliamentary. I would ask you to rule.

The Acting Speaker (Mrs. Ringuette-Maltais): I will review the transcript to see if we can identify the source of your complaint.

• (1330)

Mr. Chuck Strahl (Fraser Valley East, Ref.): Madam Speaker, I am glad to speak to these amendments but what is going on here today is a pitiful spectacle. It is nothing to be proud of on the Liberal side that they do not want to have a debate on subjects that many Canadians consider important. Whether or not we come to agreement on these subjects is one thing but surely we can have a debate.

What is going on here? What is it saying, that we cannot talk about this. If we talk about it, what will happen? Will democracy occur? Will we have an overdose of democracy? Will we have people being allowed to speak conscientiously on both sides of the subject? What is it that they are afraid of?

It reminds me a little of—

Ms. Catterall: Madam Speaker, I rise on a question of privilege. The comments just made by the hon. member reflect on the motives of members of this House.

Perhaps, question of privilege is not accurate. Perhaps it is a point of order. To reflect on the motives of members of the House is contrary to the normal procedures and rules of this House.

Madam Speaker, I would ask you to take that under consideration, especially because it is an unjustified reflection on motives, given that people on this side of the House have spoken on both sides of the issue. The Reform Party has not allowed that to happen in its caucus.

Some hon. members: Oh, oh.

The Acting Speaker (Mrs. Ringuette-Maltais): The hon. deputy whip has made a point. I hope all members in the House will take that into consideration in their comments and statements on the motions we are addressing right now.

Mr. Strahl: Madam Speaker, I will take it into consideration but it will not change my opinion much about what is going on. What is going on is not right.

All we ask for is a debate on the topic in its entirety. We want all members of Parliament to speak their minds on important issues. What happens when debate is squelched on the Liberal side, or on any side?

What happens is that contradictions are raised that cannot be answered. Good points are raised that people cannot answer.

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Canadians say that there must be something wrong, that there must be something insidious, that there is something behind the door, a backroom deal going on because they will not allow discussion to take place.

Listen to this contradiction if you will. When the Minister of Justice introduced this bill he said: "This bill does not confer benefits on same sex couples". That is the issue we are dealing with in this amendment.

On March 12, 1994, in a talk to *Xtra West*, the gay magazine in Vancouver, he said: "If the government takes the position that you cannot discriminate, it follows as a matter of logic that you have spousal entitlement to benefits". In the House on Wednesday he said that this bill had nothing to do with spousal benefits.

Two years ago to *Xtra West*, the gay magazine, he said: "Absolutely, this will lead to spousal benefits". We could debate the subject of whether homosexuals should have spousal benefits or not. Is it an issue we want to get into, such as sponsorship in the immigration department?

Are these the things we want to do? The minister also said that changes may not need to be extensive statutory amendments. They might just include regulations, such as immigration policy. Is that where we want to go as a country? Let us have a debate on it.

We cannot have a debate because the government will not let a debate happen. That is what is wrong. On this side on one day to one audience, the minister says: "Don't worry. There is nothing to it. It is just a simple amendment to make sure that we do not have discriminatory hiring practices". To that I say hear, hear.

• (1335)

Is that all it is about? Two years ago he said that this will lead to spousal benefits. We have a complete, absolute inconsistency from a minister, talking to two different audiences and sending two different messages.

When he does that it raises the concerns of many Canadians who ask what is the government actually doing? What message is it sending and who is it sending it to? Is it the same wherever the minister goes? I am not sure. That is the trouble with clamping down on legitimate debate. We could have a good airing of this. We could have a good discussion but the government will not let it happen.

It reminds me of what happened on the distinct society motion. When the distinct society was brought forward, some asked what does it mean? The government said do not talk about it and cut off debate. Members were not allowed to discuss it. I said that I had some concerns. When I have concerns I want them debated. I may not win my point. I may not always carry the day, obviously not, but I should have the right, as should all members of the House, to discuss important issues.

Is it not interesting that again we have two tiny words. First it was distinct society, now it is sexual orientation. What does it mean? We are not allowed to say that we have some concerns.

What has happened in this first group of amendments is that people have said they are not allowed to discuss it, they are not allowed to bring their concerns forward, the government will not allow them to talk about it. They are bringing forward some amendments to address the concerns of people that have been calling their offices, that have been bringing forward these questions. How else can it be done if members are not allowed to talk?

Members have brought forward amendments. Some of the amendments are strictly for that purpose, to give some of the members a chance to speak. If they say they are concerned about the redefinition of the family, they will throw an amendment in.

The minister says it is not about redefining the family, so members are moving amendments that state the family will remain defined as it is now in Canadian policy. That should put the issue to rest. If the minister is sincere that this bill does not involve spousal benefits, that it does not involve the redefinition of marriage, that it does not make any difference to the other areas these amendments address, then he will vote for them. He will say to the member for Scarborough West: "Right on, you've clarified this for the Canadian people. You've shown how this is not a backroom deal, there are no sweetheart deals, there is no backroom game plan, we were up front. This is what it does not mean". Just lay it right out.

If he is sincere in this then he will support these amendments. He will say that he does not want to scare anybody, open a can of worms or lead us down a path of unknown destination. He will say: "I'm going to show you my sincerity by voting for these amendments because I don't want to redefine marriage, I don't want to use this bill to extend spousal benefits".

Perhaps the people on the other side could listen for a second. It is interesting that the Canadian AIDS society asks how one knows when somebody is homophobic. Do members want to know? Some of these are very good ideas. When one laughs at gay jokes, at people who tell jokes about gays that put gays down and so on, that could be a sign that one is homophobic.

The second sign of homophobia is if one is against spousal benefits. It is interesting that during the debate on the private member's bill for spousal benefits last year, the whole flippin' cabinet voted against spousal benefits, pretty well the whole works. Why? Because they are flaming homophobics. Is that true? Of course it is not true.

What has happened in this House and what has happened over the last week is that we are not allowed to talk about the issue without being homophobic. Is it not something that the Canadian AIDS society would say that most of the Liberal Party are homophobics? They voted against spousal benefits. Shame, shame. I voted against it too. Does that make me homophobic? No more than it made the cabinet homophobic, than it made people over

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there homophobic and many people over here. We are not homophobic. What does that have to do with it?

It is a stifling of debate. We are not allowed to discuss the issue. If you raise the issue at all, if you speak of it in public, you are homophobic. What a crockamole. It is an intrusion on the freedom of speech where people are not allowed to come into the House of Commons, of all places, and speak their minds, and certainly not outside of the House of Commons, certainly not in public, maybe not in private. Perhaps we need the thought police to come in and make sure our thoughts are right.

• (1340)

It is a disgusting display of strong arm tactics by people in the party across the way and also by certain societies that say: "Only my complete and full agenda is satisfactory". They are not satisfied to talk about it and educate one another, to talk about the issues of what should be a family. That is not the issue. We cannot talk about it.

I see people over there who have been here since ten o'clock this morning who have not been allowed to speak. What a shame. I have offered to split my time with members opposite. I have said that I will give up my time because I am allowed to speak over here. I would give up my whole time to the member for Ontario. But he is not allowed to speak. Members rush in from the back saying: "No, I will not let you speak".

Do the people of Canada think this is a democratic and free House? Do they think about changing the definition of spouse, not by debating it, because maybe there could be some consensus if they did? The Liberals say it is their way or the highway. Free debate is not allowed. They will do whatever it takes. They will use scorn, strong arm tactics, try to send us on trips around the world, whatever they can do to keep it quiet, because they do not want a discussion.

That is what is wrong with the debate, as much as anything else. That is why I am going to—

[*Translation*]

Mr. Ménard: Madam Speaker, Reform members have, on several occasions, indicated that the Canadian AIDS Society, which you know, made a connection between being opposed to benefits for same sex couples and homophobia. Reference was made to the campaign conducted last year by the Canadian AIDS Society. I am asking the member to table the document he referred to.

I am asking the Chair to ask the member to table that document.

The Deputy Speaker: Is there unanimous consent for the member to table the document in question?

Some hon. members: Yes.

Some hon. members: No.

[*English*]

Mr. Strahl: Madam Speaker, a point of order.

The Acting Speaker (Mrs. Ringuette-Maltais): We are dealing with one point of order right now and then we will deal with the next one.

[*Translation*]

Does the House give its unanimous consent to have the document tabled?

Some hon. members: Yes.

The Acting Speaker (Mrs. Ringuette-Maltais): Since we have the unanimous consent of the House, I am asking the hon. member for Fraser Valley East to table the document to which he referred.

[*English*]

The hon. member for Fraser Valley East on his point of order.

Mr. Strahl: Madam Speaker, I do not have the document in my hands. I will be happy to table it shortly.

Mr. Stan Dromisky (Thunder Bay—Atikokan, Lib.): Madam Speaker, it will be necessary for me to deal in general terms with many of the motions that have been presented to amend Bill C-33.

For effective learning and for a better analysis of what Bill C-33 really implies, it would be necessary for me to repeat quite a few of the facts and some of the concepts.

It is with inner strength and conviction that I speak about Bill C-33, the government's commitment to amend the Canadian Human Rights Act. The act clearly states that it is against the law to discriminate on the basis of race, colour, religion, age, sex, marital status and disability.

The bill where we are adding two more words to the list is in essence a fulfilment of a resolution passed by the Liberal Party at its 1994 biennial policy convention. This resolution represents a longstanding policy of the Liberal Party dating back to at least 1978.

In January 1994 the Minister of Justice indicated during a response to the government's first throne speech that amendments to the Canadian Human Rights Act were to come. Specifically he stated: "In the throne speech the Prime Minister's commitment made during the election campaign was renewed. We shall introduce amendments to the Canadian Human Rights Act. These amendments, among other things, will include sexual orientation as a ground upon which discrimination is prohibited".

• (1345)

This House has been attempting to implement this principle since 1986. Ensuing governments since that time have also expressed intentions to introduce this amendment. Bill C-33 will finally accomplish that.

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What most people do not realize is that this bill will do what eight other Canadian provinces or territories have already done. Every province and territory has a separate human rights act, such as those found in Quebec, Ontario, Manitoba, Nova Scotia, New Brunswick, British Columbia, Saskatchewan and Yukon. This bill will also bring us in line with court decisions and with an all-party parliamentary subcommittee report from 1985 which recognized that gays and lesbians merit equal protection under the law.

Just what is it that this amendment is advocating? Primarily this amendment seeks to allow someone who has been fired from their job or denied a service by a federal business because of their sexual orientation to file a complaint of discrimination. By federal business I am referring to any company, public or private, which is regulated by federal laws, rules and regulations, such as banks, railways, airlines and telecommunications companies, plus all federal employees.

Clearly this is a question of fundamental fairness and justice, fairness and justice for approximately 10 per cent of the Canadian workforce. What about the other 90 per cent? I repeat, the vast majority of the remaining workforce is covered by provincial and territorial legislation.

The Reform Party would have Canadians believe that this bill detracts from the importance Canadians place on strong, healthy families in our society. This is absolutely and completely false. The fact is that this government has, is and always will protect, maintain and introduce legislation that places the traditional family as the very basis of our society. A strong, healthy family unit is created through the loving relationships among all members of that family unit.

In our family my loving wife and I have taught our children and grandchildren that Christian values are to be used as guiding principles in relationships with all groups and individuals. They are not to be used only with a selected few. How can one be a good Christian by selecting a few and rejecting others because of their differences?

This amendment will have absolutely no bearing on the definitions of marriage, family or spouse. In fact, similar legislation at the provincial level has never had any bearing on issues of same sex benefits. These are the facts, whether the Reform Party likes it or not. Marriage is a provincial issue, not federal. Adoption is a provincial issue, not federal. That is where they shall remain.

It was a very sad occasion last week when the hon. member for Nanaimo—Cowichan made discriminatory statements regarding gays and visible minorities. It is truly unfortunate that members of the Canadian Parliament in this day and age subscribe to such a despicable belief. However, he is not alone. Let me share some of my recent experiences from my riding of Thunder Bay—Atikokan.

In the past two weeks approximately 40 phone calls have been received by me and my office staff. We received most of them in the last two days, after people had attended church. Every time I managed to get one of the phone calls I asked the person: "Why are you asking me to vote against this amendment?" They always had reasons: "It is going to allow same sex marriages". I had to explain to them that they were wrong. "It is going to lead to the adoption of infants". I had to explain to them that what they were told and what they were saying was not true.

• (1350)

The calls established three categories. When I had a chance to explain what Bill C-33 was all about a very large percentage of the people accepted my position. They accepted what it was all about. They were happy and no longer distressed and uncomfortable. A smaller group did not want to discuss the matter with me on the telephone and asked that material be sent to them. We shipped material off to their homes.

However, there was a small, small group, four in total, no more, who frightened me because of the kind of things they said. They made threats and declarations about what should be done to people who are so different from them, that they should be taken out of the city limits and stoned. They also talked about the leeches in our society, those who suck the treasury dry and said that they should be treated the same way.

At that moment, I knew there were no options for me. I knew I had only one avenue to follow, which was to support Bill C-33. I had to make sure that as long as there were neo-Nazis in our community advocating what they said to me, members of Parliament must do everything to adhere to our mandate to protect the citizens of this country no matter what their differences might be.

Canadians do not approve of discrimination based on sexual preference. A 1994 Angus Reid poll supported this, indicating that 81 per cent of those surveyed would be bothered if a gay or lesbian colleague experienced discrimination in the workplace.

In conclusion, I take pride that our government has done more to support equal rights for all our citizens within our first two years in power than the previous government did in almost a decade.

Bill C-33 is delivering justice to all Canadians. I commend the minister and this government for strength of resolve. I ask Canadians of every ethnic background and every religious faith to celebrate their differences—

The Acting Speaker (Mrs. Ringuette-Maltais): Resuming debate, the hon. member for Kootenay East.

Mr. Jim Abbott (Kootenay East, Ref.): Madam Speaker, to begin my portion of this debate I would like to read into the record a column which I just published in our local newspapers.

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The federal government has introduced a new Bill C-33 that would introduce the term "sexual orientation" into Canada's human rights charter. Liberal members of Parliament claim that the special inclusion for homosexuals in the charter would ensure their protection.

I believe that all Canadians are entitled to equal rights, responsibilities and protection under our current human rights legislation. In fact, this is a fundamental principle in Canadian law. Section 15(1) of the charter applies to all Canadians: Every individual is equal before the law and has the right to the equal protection and equal benefit of the law without discrimination—.

If this is the case, you, like me, must be asking yourself why we need to identify a particular group as needing special protection. Each and every one of us is a human being with a right to be treated equally and fairly.

There are some other concerns about the specific language and intention of the bill. The first is that "sexual orientation" is not defined anywhere in Bill C-33. This leaves the bill open to interpretation. The second concern that has been brought to my attention is how including sexual orientation in human rights legislation will affect the right of homosexuals to claim marital or marriage-like status. Finally, that the conscience rights of Canadians who may be morally opposed to homosexual behaviour be protected.

Based on what I have outlined here and what I believe to be the opinion of the majority of my constituents, I will vote against Bill C-33. I am voting no in hopes of reinforcing our belief as Canadians that we are all equal with no special status for any persons or groups.

• (1355)

Speaking to the motions before the House, I support Motion No. 11 moved by one of our members. It adds a new clause defining that sexual orientation will not redefine the terms marriage, family and spouse in any act of Parliament.

I say the following to my friend from Thunder Bay and to other members of the Liberal Party. The government has decided it is going to be including the word family in the preamble to the law. Notwithstanding that the preamble has no force of law and it is only a preamble to the law, the fact that the word family has been put in there undefined creates exactly the same problem as the fact that the term sexual orientation has been put in there undefined.

I therefore will be voting specifically in favour of Motion No. 11 in that the term family is not defined. In addition to that, it will not redefine or define the terms marriage or spouse. This lack of definition and leaving it up to the courts is just a cop-out on the part of the House of Commons. We should say what we mean and mean what we say.

I also support Motion No. 10 moved by one of our members. This motion adds the recognition of the freedom of religious institutions, providing their practices are consistent with the character of rights and freedoms. It should go without saying that if we extend rights to one group, by definition that means it will infringe

on the rights of another group. Otherwise why would we be extending those rights in the first place?

This House as a matter of principle must always guard freedom of association and freedom of worship. This House must stand on the principle that the church may not be interfered with by the state. If, as I believe, this legislation is going to give direction to recognized and organized religious groups and organizations and is going to define what those religious groups are capable of doing or not doing, that is my worst fear. I believe it is a very real fear. It is a very real fear on the basis of what has already occurred in the province of Alberta with respect to this particular question and with respect to a college in the city of Edmonton.

This is not a partisan bill. This has clearly been shown by the fact that there are members of the Liberal Party who, like myself and my colleagues, have serious concerns about the impact of the bill. This is not a political bill in the ordinary sense and therefore I do not want to make strongly partisan comments. I want to respect the fact that there are some people in the Liberal Party who are thinking about the consequences and what this bill will do to the legitimacy of the separation of church and state.

The Deputy Speaker: I am sorry to interrupt the member. He will have approximately five minutes left after question period.

* * *

[Translation]

REPORT OF AUDITOR GENERAL

The Deputy Speaker: Dear colleagues, I have the honour to lay upon the table Volume I of the Report of the Auditor General of Canada to the House of Commons, dated May 1996.

[English]

Pursuant to our standing orders, the document is deemed to have been permanently referred to the Standing Committee on Public Accounts.

We will now proceed to Statements by Members.

STATEMENTS BY MEMBERS

[English]

HOUSING

Mr. Janko Perić (Cambridge, Lib.): Mr. Speaker, I rise today to ask that the federal government make assurances to the people of my riding living in the Cambridge New Hope Housing Co-op that they will not lose their homes when jurisdiction for social housing is turned over to provincial control.

I have received letters from many of the residents of the New Hope Co-op, from young children like eight-year old Scott Entwistle, who is worried that he will lose his home and will have to live on the streets. There are letters from parents struggling to provide their families with a safe, affordable home to grow up in who are afraid that the Mike Harris government will axe funding to their co-op.

• (1400)

I alone cannot allay the fears of these people. I require the assistance of the hon. minister responsible for Canada Mortgage and Housing Corporation and the Prime Minister to let these people know that this government is not abandoning them to the Mike Harris government.

* * *

[Translation]

QUEBEC NATIONAL ASSEMBLY

Mr. Roger Pomerleau (Anjou—Rivière-des-Prairies, BQ): Mr. Speaker, this is the fourth time in less than 30 days that the Liberal Party of Quebec and the Government of Quebec have taken a stand against Ottawa's policies.

Three weeks ago, after unanimously rejecting the concept of "principal homeland" proposed by the federal Liberals, the Quebec national assembly asked the Minister of Natural Resources to reconsider her decision to cut funding to the tokamak research project. Two weeks ago, the Quebec national assembly unanimously condemned the environment minister's decision to ban the use of the additive MMT in gasoline.

Last week, the Quebec national assembly unanimously reiterated the fundamental right of the people of Quebec to make up their own minds about their political and constitutional future, whatever the federal justice minister might have to say about it.

The federal government is increasingly divorced from reality as seen by Quebec.

* * *

[English]

FIREFIGHTERS

Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.): Mr. Speaker, the International Association of Fire Fighters is meeting in Ottawa this week which makes this a good time to reflect on the tremendous contribution our firefighters make to the safety and well-being of our communities. They serve the public with distinction and heroism.

Despite their dangerous jobs, the federal government is not doing all that it can to ensure their safety in action. Firefighters have been pleading with the government to take some basic

measures to add safety to a very perilous profession, so far to no avail.

They are asking for items that would not only be of personal benefit but would also help to protect their families, friends and communities, items like mandatory notification protocol to inform them when they come into contact with infectious diseases in the line of duty, items like the hazardous material identification process so they will know what kind of dangerous goods may be present at the scene of an accident. These are things that could benefit everyone, firefighters and the public alike.

I call on Parliament to lend its support to ensuring that the people who are entrusted with saving our lives are given the full protection for their lives as well.

* * *

CHILE

Mr. Bill Blaikie (Winnipeg Transcona, NDP): Mr. Speaker, I recently participated in a delegation to Chile sponsored by the Canadian Labour Congress.

The CLC and its Chilean counterpart have called on the governments of Canada and Chile to incorporate into any Canada-Chile trade accord a core set of labour and environmental rights that could act as a base for strengthening the now very weak provisions of NAFTA.

Chile's labour laws are still fundamentally those put in place by the right wing dictatorship. If that is all that is required to join NAFTA, then that should tell Canadians a lot about the moral emptiness of such trade agreements.

I also want to raise the concerns of the people of San Alfonso and those who live in a nearby nature sanctuary called Cascada Animas about the gas pipeline being built by the Canadian company Nova Corp. It was embarrassing to hear stories about how this Canadian multinational has behaved. I urge Nova Corp. to heed the concerns of these people and change its plans accordingly.

Between the pipeline and what we heard about Canadian mining companies in northern Chile, I was starting to feel like the Canadian equivalent of the ugly American. Canadian companies should want to do better than this.

* * *

KARL BURKHART

Mr. Ivan Grose (Oshawa, Lib.): Mr. Speaker, I wish to recognize the outstanding volunteer contribution to third world development of one of my constituents, Mr. Karl Burkhardt.

Mr. Burkhardt, accompanied by his wife Elizabeth, went to Sri Lanka as a member of CESO, the Canadian volunteer advisers to business. He offered his expertise in computers, his knowledge of machine maintenance and his translation abilities to assist two Sri Lankan textile manufacturers.

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CESO volunteers are professionally skilled men and women, usually retired, who are willing to share their years of experience with needy businesses and organizations in developing nations and Canadian aboriginal communities. Since 1967 some 7,000 CESO volunteers have completed more than 30,000 assignments in over 100 countries and in every province in Canada.

I ask that the House join me in congratulating Karl Burkhardt. He is a credit to the CESO motto of sharing a lifetime of experience.

* * *

FRANK PICKARD

Mr. Benoît Serré (Timiskaming—French River, Lib.): Mr. Speaker, I congratulate Mr. Frank Pickard, president and CEO of Falconbridge Ltd., one of Canada's foremost mining companies. Mr. Pickard is to be honoured with an honorary doctorate of business degree from Laurentian University.

[Translation]

I congratulate Frank Pickard, president and chief executive officer of Falconbridge Limited, one of the largest mining companies in Canada. Mr. Pickard is to receive an honorary doctorate in business administration from Laurentian University.

[English]

Mr. Pickard's impressive career represents the employment and advancement opportunities the mining industry provides Canadians from coast to coast. A native of Sudbury, Mr. Pickard worked his way from being a process labourer in 1957 to becoming Falconbridge's top executive. The honorary degree also serves to highlight Mr. Pickard's involvement in community projects and support for many developments in Sudbury and northern Ontario.

• (1405)

[Translation]

On behalf of all hon. members of this House, I congratulate Mr. Pickard on this tribute, and offer him and Falconbridge my best wishes for success.

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[English]

**ONTARIO SPECIAL OLYMPIC
PROVINCIAL SPRING GAMES**

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, a gold medal effort and a gold metal performance. It all happened last weekend in Cornwall when we hosted the Ontario Special Olympic Provincial Spring Games.

What a positive heartfelt experience. Approximately 725 athletes participated in five sports: 5-pin and 10-pin bowling; floor hockey; swimming and power lifting.

The Cornwall Police Services as hosts, along with the many sponsors and hundreds of volunteers made these games the best ever.

To Constables Chico Ouellette and Bryan Snyder who had a dream three years ago and submitted a successful bid, and to co-ordinator Jan Munro and the games management team we say thank you and congratulations.

The Special Olympics motto of "Let me win but if I cannot, let me be brave in the attempt" was in evidence all weekend.

What brave athletes, what brave citizens. On to Chatham for 1997.

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[Translation]

AIR CANADA

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, "Sitting Comfortabull?" asks the Air Canada ad in a European newspaper. This ad, which uses Chief Sitting Bull to create a stereotypical, racist image of Canada's native peoples, is insulting, in the opinion of the First Nations and the Bloc Québécois.

For Air Canada, it is a "standard Canadian image". Is an ad denigrating a culture a "standard Canadian image"? We hope not.

The Bloc Québécois calls on the government to bring the necessary pressure to bear on the airline to withdraw this ad, which is damaging not just for the First Nations, but also for the image of Canadians in general, and to offer apologies.

Furthermore, the ad should be designed by a Canadian company, rather than a British advertising agency that has apparently not yet shed its colonial past.

* * *

[English]

FIREFIGHTERS

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, the lack of immediate information regarding hazardous material is a major reason why firefighting is one of our country's most dangerous professions.

Firefighters routinely provide emergency medical treatment in unsanitary field conditions. Firefighters are especially hampered by lack of information available when they arrive at such incidents, especially within the critical first minutes upon arrival at the scene.

The implementation of a hazardous materials identification system would ensure that firefighters have the information they need to effectively respond to any incident enabling them to protect lives and property.

I along with the International Association of Fire Fighters urge the Minister of Transport to establish a Canadian demonstration site for Operation Respond, a computerized North American

emergency response system which will protect the safety of our firefighters, their families, our families and the rest of society.

* * *

CYPRUS

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, on Tuesday, April 30 a ceremony was held in Toronto to recognize the contribution of Canada's armed forces to the United Nations peacekeeping force in Cyprus.

The Cypriot community of Toronto held the event to honour and pay tribute to the Canadian men and women who served admirably with honour and distinction for over 30 years in Cyprus. Canada's peacekeeping force maintained an unblemished record while serving and participating in the United Nations mission.

During the ceremony the high commissioner for Cyprus to Canada, Mr. Iacovides, presented a plaque to the Minister of National Defence honouring our Canadian peacekeepers. High praise was given to the Canadian government and the Canadian troops for their longstanding tradition of exemplary service in worldwide peacekeeping initiatives and more specifically in Cyprus.

I wish to add my thanks and praise to Canada's armed forces and as well to the Minister of National Defence. Congratulations on a job well done.

* * *

[Translation]

NATIONAL DEFENCE

Mr. Jean H. Leroux (Shefford, BQ): Mr. Speaker, we were disgusted to learn that the taxpayers of Quebec and of Canada footed the bill for Major General John Arch MacInnis' retirement celebrations. It appears that these cost between \$250,000 and \$300,000. That is quite simply scandalous.

What makes it even worse is that the Major General's executive assistant, Colonel Fred Noseworthy, had been duly warned that such spending would be viewed as excessive by taxpayers and would affect staff morale. Colonel Noseworthy chose to thumb his nose at both armed forces personnel and taxpayers.

• (1410)

I would encourage you to read today's *Ottawa Sun* for his reply.

This is totally unacceptable behaviour. We demand that, for once, the Minister of Defence show some leadership, demand that this money be paid back, and take the necessary steps to avoid any such occurrence in future.

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[English]

The Deputy Speaker: The hon. member for Vegreville.

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INTERNAL TRADE BARRIERS

Mr. Leon E. Benoit (Vegreville, Ref.): The Prime Minister stated in the red book and in both throne speeches that dismantling internal trade barriers was a high priority. He also promised jobs. Still we have unemployment figures hanging around double digit levels. Canadians want jobs. If the Prime Minister would spend more time at home working on reducing internal trade barriers, maybe his government could honour its promise of jobs, jobs, jobs.

The Fraser Institute estimates that trade barriers cost Canadian families up to \$3,500 a year. Think tanks and business groups estimate that interprovincial trade barriers cost Canadian business \$6 billion to \$10 billion a year. This means tens of thousands and probably hundreds of thousands of jobs, all lost because the government will not honour its promise to remove internal trade barriers.

For the sake of Canadians who are desperately looking for work, will the Prime Minister and his government honour this election promise?

* * *

AUTO LEASING

Mrs. Georgette Sheridan (Saskatoon—Humboldt, Lib.): Mr. Speaker, I rise today to bring to the attention of the House the concerns of many of my constituents regarding banks being allowed to enter the auto leasing industry.

My riding is an urban-rural split. While that sometimes results in a polarization of viewpoints, on this issue my constituents, rural and urban alike, are saying the same thing: Keep banks out of the auto leasing business.

I have had calls and letters from throughout the riding and the province objecting to these changes. All feel that allowing the banks into this field would deal a mortal blow to the car dealerships, the small businesses that currently handle this business. These businesses employ people in the community, contribute to community events and support the volunteer efforts that make a community strong.

The big banks and car manufacturers do not need people like me to lobby for them; they have highly paid professionals to do that job. The people I am concerned about are the small businesses in Saskatoon—Humboldt and elsewhere in the province of Saskatchewan. On their behalf I urge the government not to change the Bank Act to allow banks into the auto leasing business.

S. O. 31

[Translation]

TOURISM

Mrs. Eleni Bakopanos (Saint-Denis, Lib.): Mr. Speaker, last Friday the Government of Quebec surprised everyone by closing its tourism office in Paris. Now any French tourists wishing to obtain information for planning a trip to Quebec are told to contact their travel agent or to consult the Quebec server on the Minitel network.

It is unfortunate, to say the least, to note that the Government of Quebec has neglected to inform its French clientele that trip planning information on Quebec may be obtained, as always, from the Canadian embassy.

During this week's celebrations of National Tourism Week, what explanation can there be for this attitude by the Government of Quebec, which is surprising to say the least? Are we to take it that they prefer to deprive their tourist industry of an important promotional resource rather than to do as they should and offer French travellers the possibility of using the services of the Canadian embassy?

* * *

[English]

LIBERAL PARTY

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, the Liberals declared in their red face book that they would give a greater role to members of Parliament, more free votes and a greater amount of influence in committees. They promised to listen more carefully to citizens and to rebuild trust in our parliamentary process. That is turning out to be quite a sham.

In the last week we have seen the government introduce bills which it is intent on driving through all stages without adequate debate by either the public or members of Parliament. It is invoking closure as soon as debate begins. And the Liberals call that democracy?

When the Liberals were in opposition they howled in protest when the Mulroney Conservatives did it. Now they meekly at the pull of their strings stand up and vote in favour of closure at every stage, even in committee.

The people are not being given an opportunity to express their wishes and their representatives are muzzled. Shame. I call on Liberal members to assert their responsibilities to their constituents, to end the charade and do what is right.

HUMAN RIGHTS

Hon. Sheila Finestone (Mount Royal, Lib.): Mr. Speaker, Bill C-33 that we debate today is about prohibiting discrimination based on sexual orientation against a vulnerable group in our society in employment, in accommodation and in the provision of goods and services. It is about fairness and equality and treating all citizens with dignity and respect in the interests of tolerance. It is about equality, not special rights for anyone.

We want to protect homosexuals who risk losing their jobs and their homes simply because of who they are. Today they are the only Canadians who cannot look to the Canadian Human Rights Act for protection and whom Reformers would fire.

• (1415)

Bill C-33 would finally give gay and lesbian Canadians the same status and the same protection from discrimination as all other Canadians under the law. Nothing more, nothing less.

I congratulate the Coalition for Equality on its appearance before the committee this week along with 30 other groups of witnesses. I also thank the 30 parents, parishioners, lesbians and gays, members of the coalition who have come to Ottawa today to see that justice is done.

* * *

[Translation]

FORESTRY SECTOR

Mr. George S. Rideout (Moncton, Lib.): Mr. Speaker, this is National Forest Week, and I would like to point out the work that is being done by the Canadian Institute of Forestry.

[English]

This group is Canada's only non-governmental national association solely dedicated to advancing the stewardship of the nation's forests.

The Canadian Institute of Forestry's membership consists of over 2,300 professional foresters, educators and scientists representing diverse forest interests from across the country. Its key objectives include: improving all aspects of forestry in Canada; educating members in their knowledge of forestry; fostering public understanding of all aspects of forestry; and cultivating an esprit de corps among members.

The CIF has been serving as a catalyst in bringing together the broad spectrum of forest stakeholders, from preservationists to forest industry executives, to reach a vision of the future for forests which will satisfy the diversity of demands.

Oral Questions

[Translation]

I would like to offer the CIF my congratulations for its remarkable contributions over the years.

ORAL QUESTION PERIOD

[Translation]

REFERENDUMS

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, as the Standing Orders permit, I signal the return of the Prime Minister. I am happy he is back with us.

Yesterday the Prime Minister linked federal intervention in the Bertrand case to the fact that the Government of Quebec may or may not defend itself in court, saying that, if the Government of Quebec did not participate, it would be easier for his government to not participate.

By using this sort of blackmail to induce Quebec not to defend itself before the courts, is the new strategy of the Prime Minister not, in the end, to make the courts the sole arbiter of the right of Quebecers to decide their future?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I must say first that I was happy to be in Montreal yesterday. I met with the premier of Quebec.

This is a matter for the Minister of Justice and Attorney General of Canada, who is, under the law, the Constitution and parliamentary custom, the defender of Canada's Constitution.

I would like to quote what appears on the first page of *Le Devoir* this morning. On page 1A of *Le Devoir*, Mr. Bouchard is quoted as saying: "It seems rather difficult, if not impossible, for a government to lose interest". The attorney general represents a government. Mr. Bouchard said it was difficult for a government to lose interest. So the attorney general represents the Government of Canada.

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, by tying Quebec's participation to Ottawa's, by telling the Government of Quebec that, if it forgoes defending Quebecers' right to decide their future, it will then be easy for the federal government not to participate, is the Prime Minister not resorting to blackmail and is he not revealing by so doing his new strategy, which is to let the courts alone determine whether Quebec may decide its future?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, it was in fact the position Quebec took in this matter that caught our interest. We have no interest in Mr. Bertrand's position nor in the points he raised.

However, the Government of Quebec said clearly, a few weeks ago, on this case, that neither the Constitution nor the courts of Canada had any say in Quebec's sovereignty.

• (1420)

This is quite extraordinary.

So, as the Attorney General of Canada, I must consider whether I can help the court with this question, because the position of the Government of Quebec is extraordinary.

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, the attitude of the Government of Quebec may be extraordinary, but the responses of the minister are very ordinary indeed.

I would like to know from the Prime Minister why he is suddenly so concerned about the legality of a referendum in Quebec, when he took part in those of 1980 and 1995 without ever questioning their legality or the right of Quebecers to decide their future. Why suddenly now has it become so important for him, unless his back is up against the wall and he knows it?

[English]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the question is not the legality of referenda. That is not the issue that has attracted the attention of the national government. Nor have we the least interest in the various positions by Mr. Bertrand.

[Translation]

Mr. Bertrand started his civil proceedings a number of months ago, in August of last year.

[English]

We have not been involved in that litigation at all. We have no interest in the various positions taken by Mr. Bertrand. Our interest is in the position taken by the Government of Quebec during these past several weeks.

That has not to do with the legality of referenda. It has to do with whether the Constitution of Canada or the courts have a role to play in the whole process by which the separatist Government of Quebec aspires to sovereignty and independence.

That is a fundamental issue. It is one on which the Attorney General of Canada may well be able to assist the court. We are considering intervention on that point in the public interest.

[Translation]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, I think the government forgets that, in the Bertrand case, the Government of Quebec is the respondent, while the Government of Canada is only a third party. Perhaps a distinction should be made between the two.

Unable to deliver the goods or to give clear answers to our questions, the Prime Minister continues to improvise his constitutional position, as is obvious again today.

Oral Questions

Will the Prime Minister admit that, by referring to the federal government's possible involvement in the Bertrand case, he is putting himself in a position of confrontation not only with the Quebec government, but also with his federalist allies in Quebec, Daniel Johnson first of all, who recognize the right of Quebecers to decide their own future?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, first of all, the Government of Canada was named as a third party by Mr. Bertrand in his civil suit, so we are involved in the legal proceedings.

[English]

The hon. member speaks of improvisation. What the House of Commons and the Canadian people are seeing is follow through. The government said in the throne speech in February that if there is to be another referendum the consequences will be clear and all Canadians will have a say. We are acting on that commitment. This is follow through on that commitment.

If we do decide to intervene in the case it is because we are responding to a proposition which is wrong in principle and wrong in law because it is impossible to say the Constitution and the courts have no relevance to the process by which some would see Quebec accede to sovereignty.

[Translation]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, if the Government of Canada is only a third party, it should let Quebecers decide their own future and withdraw from this case without going to a higher court, period.

• (1425)

How can the Prime Minister—since the Prime Minister is here, I take this opportunity to question him—how can the Prime Minister reconcile his provocative attitude toward Quebec with the mandate he gave his Minister of Intergovernmental Affairs to travel across Canada preaching the gospel of national reconciliation?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, there is a case before the courts. The parties will present their arguments to the court. If the Parti Québécois and the Bloc Québécois are so sure of their legal position, they should have no fear of going before the courts. If their arguments are sound, they will prevail. If there is a lawyer representing the federal government and if he is wrong, he will lose. That is how the courts operate. When I was a practising lawyer and I had a good case, I did not ask my opponents to withdraw. I was very happy to argue with them.

However, this is not a political but a legal problem at this point. It is not us but the Quebec government that filed the motion before the courts, arguing that there was virtually no longer a Constitution in Canada. So we will defend our legal position, should the Minister of Justice decide to do so.

As for reconciliation, we had a very well defined program in the throne speech and we intend to discuss its implementation with the provinces at the first ministers' conference in Ottawa next month. The reconciliation plan we put forward, which is being stick-handled very adroitly by the Minister of Intergovernmental Affairs, will be on the table and show that we are in favour of renewed federalism and not Quebec's separation.

* * *

[English]

TAXATION

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, today the Government of Ontario will announce the first instalment of a promised cut in the provincial tax rate. Ontario taxpayers, however, are aware of the insatiable appetite for tax revenue by the federal government, an appetite that increased federal tax revenues by more than \$25 billion since the government took office.

In order to maximize the benefits of Ontario's tax cuts consumers have to be convinced the dollars will stay in their pockets and not be picked by some other government.

Will the Prime Minister today promise that his government will not raise federal taxes and negate the stimulative effect of Ontario provincial tax cuts?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the last three budgets have shown to the Canadian people that we have managed to reduce the deficit from 6.2 per cent of GDP to 3 per cent with no tax increases. In many cases there were reductions in taxes.

We are very happy the Ontario government has tried to copy us.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, you will excuse us for not believing the Prime Minister when it comes to pronouncements on the subject of taxation.

The government's own record with respect to tax relief is abysmal. The only thing worse than its record on tax relief is its record on keeping promises. Canadians deserve to know that money left in their pockets by provincial tax cuts will not be sucked up by the federal government to pay for things like a \$1 billion GST harmonization.

Is the Prime Minister willing to enter into a federal-provincial tax relief agreement to ensure tax relief given by provincial governments remains in the hands of Canadian taxpayers?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the answer to this question remains the same as the last 10 times the leader of the Reform Party asked it. We have discussed this

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extensively at the federal-provincial finance ministers meetings. There is a general agreement that it would be counterproductive for any one level of government to fill in tax room simply because of the negative effect it would have on the Canadian economy.

Let me remind the hon. member that not only in the last three budgets did the government not raise personal taxes, but in the last budget we very clearly nailed our colours to the mast. We did not raise corporate taxes, we did not raise excise taxes, we did not raise taxes at all, and we still kept bringing the deficit down.

• (1430)

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, just a simple question. If there does exist a federal-provincial agreement on taxation not to invade each other's territory, as the minister says, will the minister table that agreement in the House?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the member knows full well what I said. There was a discussion by the finance ministers. There was general understanding around the table.

Let me ask the leader of the Reform Party something. In its most recent budget the Reform Party talked about cutting old age pensions. It talked about cutting health care. It did not talk about cutting taxes.

Why is the member raising it here and now if he was not prepared to advocate it himself?

* * *

[Translation]

GOODS AND SERVICES TAX

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, last Thursday, the Minister of Finance reaffirmed in this House that he was indeed speaking on behalf of the government when he said he had made an honest mistake by not abolishing the GST as promised.

The Deputy Prime Minister resigned over this broken promise and the Minister of Finance apologized again on behalf of the government. Only the Prime Minister refuses to admit that his government pulled the wool over Canadians' eyes by running on the promise of abolishing a tax whose scope he is now broadening.

Since the Prime Minister still insists his government did abide by its promise regarding the GST, could he tell us why his finance minister has made public apologies on behalf of the government?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the hon. member must understand that, whenever a minister speaks in this House, he speaks on behalf of the government. As a matter of fact, that is what I did just the other day, when the Deputy Prime Minister and member for Hamilton East gave her press conference. She has put the situation very clearly. Incidentally, I would

like to report to the House that I spoke with the member for Hamilton East this morning; she is doing well and she will win the election.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the person the Minister of Finance should be speaking with is not the former Deputy Prime Minister but the Prime Minister.

I would like the Prime Minister, who is in the House today, to tell us if he agrees with what his finance minister said when he admitted he had made a mistake; that is what he said. The Minister of Finance said he was speaking on behalf of the government; the Deputy Prime Minister was also speaking on behalf of the government, and she resigned.

Could the Prime Minister speak on behalf of the government and stop acting like the old breed of politicians who always had to be right and were incapable of acknowledging their mistakes?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, as the Deputy Prime Minister indicated at the time of her resignation, what she had promised was more than what the red book stated. Our promise is stated on page 22 of the red book, where we say that our goal is to harmonize the tax, to simplify the system, to have in Canada a sales tax system in which businesses need not be visited by auditors from two levels of government. This was stated very clearly on page 22 and remains very clear.

What the Minister of Finance said and what I have been repeating in this House is we wish we could have put this system in place sooner. That is what we were hoping to do. But since the provinces were involved, we had to get their consent.

So far, four provinces have consented. This does not apply to Alberta. We expect the remaining provinces to get on board shortly and we are disappointed that all the provinces did not readily endorse the program, as we had hoped. We had said we wished to achieve this goal this year and we hope that the provinces that are still not involved in the process will be by the end of this year.

* * *

[English]

FEDERAL BUDGET

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, to this government acts of God are used as an excuse for breaking promises. The act of God that is feared by Mike Harris is a consequence of not keeping one's word.

• (1435)

Today's Ontario budget will fulfil two major election promises, a firm date for a balanced budget and tax relief.

When will the finance minister follow the example of eight provincial ministers and commit to a firm date for a balanced budget?

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Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the government has made it very clear that it will proceed on a set of rolling two year targets because it is that procedure which has given us the success in deficit reduction that we have had, a success that has been recognized by markets around the world.

For the first time in an awful long time a Canadian government has not only consistently hit its deficit targets, it has beaten them, and we will continue to do it. It is too bad for the Reform Party because it has lost its agenda.

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, it is too bad for the Canadian taxpayer that when the Liberals talk about going from 5 per cent, to 4 per cent, to 3 per cent of GDP they do not mention \$40 billion and \$50 billion of interest payments that it is costing Ontario taxpayers.

The lack of resolve on the part of the federal finance minister to eliminate the deficit is a cause for concern among Ontario taxpayers. They are asking whether a tax cut provincially will be swallowed up by a federal tax grab.

Canadians are judging their finance ministers by their ability to balance their books. This finance minister is dead last in that concern. When will he start leading by example?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I certainly do agree with the hon. member that there are times when one should cite the province of Ontario. On the GST let me simply cite the premier of Ontario.

He said in 1994 that in terms of GST the manufacturers and the businesses in Ontario would save over a billion dollars by being able to deduct these costs they could not deduct at that time on the sales tax in Ontario. He also said it has been one of those areas of major competitive disadvantage that Ontario manufacturers have had. He went on to say that Ontario businesses have had it.

I repeated this last week but perhaps the hon. member forgot. The premier of Ontario said: "Stop the rhetoric, stop the politics, stop the finger pointing, get on with harmonization and simplification of the GST". That is what he said and he was right.

* * *

[Translation]

IMMIGRATION

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, my question is for the Prime Minister.

Yesterday, the Minister of Citizenship and Immigration admitted in this House that the operation conducted in Quebec on the eve of the referendum, to speed up the issuance of certificates of

citizenship, was of a particular nature and required unprecedented efforts.

However, whenever he was asked about this operation, the former immigration minister always downplayed it, saying that it was similar to those conducted in other provinces before an election.

How can the Prime Minister explain that his former immigration minister tried to downplay the operation conducted in Quebec just before the referendum, if not to hide from Quebecers the fact that Ottawa was doing its utmost to influence the outcome of the referendum?

Hon. Lucienne Robillard (Minister of Citizenship and Immigration and Acting Minister of Canadian Heritage, Lib.): Mr. Speaker, I made myself very clear yesterday and I will do it again today. My predecessor, the current Minister of the Environment, did not deny at all the fact that we were making a special effort in Quebec, before the referendum, to issue certificates of citizenship to those who were entitled to them, just like we are making a particular effort now in British Columbia, where a provincial election will soon be held. Again, efforts are being made in British Columbia to speed up the issuance of citizenship certificates.

The right to vote is a fundamental one in our country and if people have such a right, we must do our utmost to make sure they can exercise it.

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, this government is really pushing its limits. The minister should read carefully what her colleague said, which is the opposite of what she claims.

Of course he said that it was the same for any election. However, the government made a special effort in the case of the referendum. On checking, we found out that, in the case of the election held shortly before in Ontario, nothing special was done. As for British Columbia, if they did something special, then they only started yesterday, because as of last week nothing had been done.

• (1440)

I ask our colleague, the Minister of Human Resources Development, to do what is necessary to deal with the issue of those who have money owed them.

How can the Prime Minister tolerate the fact that his government is once again floundering, with his two immigration ministers formally contradicting each other, one claiming that the operation was absolutely normal and the other confirming that the federal government did make a particular effort?

Hon. Lucienne Robillard (Minister of Citizenship and Immigration and Acting Minister of Canadian Heritage, Lib.): Mr. Speaker, there is no contradiction between the two statements made. As evidence of that, one simply has to look at the number of

citizenship certificates issued in 1995 in Quebec, in comparison to the 1994 figure. In 1994, about 40,000 certificates were issued, while the total number for 1995 will be around 43,000. As for British Columbia, 27,000 certificates were issued in 1994, while 8,000 more will have been issued in 1995.

I realize that the Bloc Québécois has a great capacity for indignation, but it should really look at the facts.

* * *

[English]

GST

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, I have in my possession a secret GST briefing book that was issued to help cover up the Prime Minister's failure to kill the GST because of an alleged act of God.

On page 2 of this holy harmonization hymn book it states: "The GST is not dead, buried and scrapped". I guess that would be revealed truth.

The finance minister, Sheila Copps and the Prime Minister's holy harmonization hymn book all state that the promise was broken. Will the Prime Minister finally admit that he, not God, snookered Canadians when he told them he would kill the GST?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I repeat again that the policy of the government was very clear. It was written on page 22 of the red book. They do not want to read that but they keep accusing the government of breaking its promises.

What about the national infrastructure program on page 60, the cancellation of the helicopter program, meeting the deficit's 3 per cent goal, appointment of an ethics counsellor and passing gun legislation? Do they want some more?

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, there but for the grace of God goes I.

There is some information in the Prime Minister's little hymn book that we cannot find. We all know how the Prime Minister likes to cite page 22 of his red book. Could he now tell us on what page of his new holy harmonization hymn book he admits to forcing Canadians to pay a billion dollars to keep this tax that everybody hates? Where is that?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, when I hear the hon. member I think of the phrase there but for the grace of God goes God.

The hon. member ought to begin to understand that when we bring in a process of profound structural change it is the responsibility of the federal government to help the regions of the country adjust to that change.

This is what we did in 1972 with tax reform. It is what we did in western Canada when we helped the western grain farmer. It is the

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basis upon which the country has been built; the regions of the country help each other.

It may be very difficult for members of the Reform Party to understand but they should understand that they should be speaking for a united Canada, not a Canada that simply abandons—

The Deputy Speaker: The hon. member for Laval East.

* * *

• (1445)

[Translation]

INTERNATIONAL TRADE

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, my question is for the Minister for International Trade.

The organization Development and Peace recently collected 163,500 names on a petition condemning the terrible working conditions that prevail in the factories of certain foreign subcontractors of clothing giants Nike and Levi's. The main victims are women, adolescents and even children.

Can the minister tell us what Canada is doing to keep products such as those sold by Nike and Levi's, which are manufactured under deplorable working conditions, from coming into the country?

[English]

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, we are concerned about issues of labour. It has been a key part of our discussions with Chile about the free trade agreement. A concern with respect to child labour has been raised by the Prime Minister and my colleague, the Minister of Foreign Affairs, on a number of occasions.

We continue to work with our trading partners, particularly through the International Labour Organization and the World Trade Organization, to try to bring about a greater involvement, a greater respect for human rights and for good labour standards.

[Translation]

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, despite the concerns and preoccupations of the minister, and fine sentiments such as those expressed by the Prime Minister in China, the situation has not changed in the slightest. I would like to know: Can the minister tell us if he intends, in the near future, to require that foreign operations of Canadian companies observe humane standards of work, in particular by prohibiting child labour?

[English]

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, I certainly found in the case of Chile and our discussions there, because it has been a matter of some controversy for the Canadian labour movement, that Canadian companies were acting most responsibly. They are leading the way in terms of working conditions, wages and benefits.

Oral Questions

I expect that Canadian companies would act responsibly abroad. We have had many occasions to encourage that and will continue to do so.

* * *

[Translation]

RAW MILK CHEESE

Mr. Mark Assad (Gatineau—La Lièvre, Lib.): Mr. Speaker, my question is for the Minister of Health.

On March 30 of this year, the *Canada Gazette* printed draft regulations on raw milk cheese. Numerous Quebec manufacturers and some Italian delis in Vancouver have expressed their concerns about these proposed regulations.

Can the Minister of Health bring this House up to date on the situation concerning raw milk cheese?

[English]

Hon. David Dingwall (Minister of Health, Lib.): Mr. Speaker, I thank my colleague, other members of my caucus and members opposite for raising this issue in the House.

On a previous occasion I had an opportunity to consume products from raw milk cheese and found them to be very good products.

It is not the intention of the Government of Canada to abandon the industry, the producers, the consumers or the scientific community in any way. There is a process in place, an expert advisory committee, to review all options that will come forward including technological enhancements and labelling.

We look forward to the deliberations, some of which will take place in Quebec City tomorrow.

* * *

TAXATION

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, the auditor general disclosed today that Revenue Canada has approved a very questionable tax loophole for the rich. The loophole has allowed \$2 billion of assets from family trusts to leave the country tax free.

My question is for the Minister of Finance. Why did the government take two and a half years to close a secret loophole that has cost hundreds of millions of dollars in lost revenues while refusing to back off one inch on the GST?

Hon. Jane Stewart (Minister of National Revenue, Lib.): Mr. Speaker, as the new Minister of National Revenue I can say that I welcome my first advice from the auditor general.

The case in point refers to two tax rulings in 1985 and 1991 reviewed by the auditor general which predate our government. He raised some very important issues. I sat down with the auditor

general. I went through his report line by line to be sure that I was clear what his concerns were and to ask him for his views on appropriate action.

• (1450)

I am glad to say he was clear and identified three areas of concern. His ideas for action were consistent with my own and along with the Minister of Finance we have been able to implement that action as we speak.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, we really need to know whether the minister or the auditor general is running the department. That is the type of answer we want.

When we take a look at the facts we find that every bureaucrat involved in decision making said that in a way it was a tax loophole. That is well documented in every meeting they had, but when it got to the final meeting with senior bureaucrats and perhaps even politicians—we do not know—there were no minutes, no record, and the decision was reversed.

Will the minister explain to the taxpayers of Canada why they have to pay their income taxes while the rich and powerful can get a backroom, under the table deal to save hundreds of millions of dollars?

Hon. Jane Stewart (Minister of National Revenue, Lib.): Mr. Speaker, this occurred in 1991. I want the hon. member to understand that we have taken the matter extremely seriously.

Let us be clear. The auditor general has said that he has some concerns about potential ambiguities in the Income Tax Act. He wants them to be clarified. So do we.

We have asked that the finance committee review these particular aspects of the Income Tax Act and report back to us. We will look forward to its recommendations.

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[Translation]

AUDITOR GENERAL'S REPORT

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, my question is for the Minister of National Defence.

According to information obtained today from the Auditor General's report, the Department of National Defence has sustained a total of \$80 million in equipment losses in the various peacekeeping missions in which Canada has played a support role.

How can the Minister of National Defence explain that his department has written off its equipment losses at \$80 million, when it has been unable to provide the auditor general with the supporting documents to explain those losses?

*Oral Questions**[English]*

Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, in answer to the hon. member's question I should point out that some of the documentation has been forthcoming. There is an ongoing discussion with the auditor general on this matter.

It is true that some equipment does get lost during missions. We are trying to verify whether the figure that was actually tabled today is accurate. We will know once all the facts are known.

[Translation]

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, since the auditor general considers that this \$80 million hole is in large part unexplained, will the Minister of National Defence be starting up another search operation to locate the missing documents, as he did for the Somalia inquiry?

[English]

Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I will take that question in the spirit in which it was asked.

* * *

CORRECTIONAL SERVICES CANADA

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, this morning the auditor general added his voice to the growing number of critics of Correctional Services Canada. In a scathing confirmation that quantifies what we have been claiming all along, his overall impression of the government and its bureaucracy was that of a rudderless ship with no one at the helm.

My question is for the acting solicitor general. If the most important aspect of the two-part mandate of CSC is rehabilitation, why is it spending a mere 7 per cent of its \$1 billion budget on rehabilitation while the bureaucrats squander another 93 per cent on operating costs?

Mr. Nick Discepola (Parliamentary Secretary to Solicitor General of Canada, Lib.): Mr. Speaker, the auditor general's report came out this morning. The solicitor general has looked at the report and welcomes its recommendations.

We also recognize, as the report states, that Correctional Services Canada has made tremendous positive gains in its rehabilitation programs. Some of the programs that have been implemented have received international recognition.

• (1455)

INTERNATIONAL TRADE

Ms. Susan Whelan (Essex—Windsor, Lib.): Mr. Speaker, businesses in border communities like my riding of Essex—Windsor are increasingly aware of the growing protectionist sentiment in the United States.

Could the Minister for International Trade outline what the problems are and what he is doing to stand up for the interests of all Canadians?

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, over the last 50 years under the General Agreement on Tariffs and Trade we have made substantial progress in terms of the world trading system.

We have a system that is much more open, liberalized, clearer and with fairer rules than ever before. We have had substantial leadership from the United States and we continue to need that leadership.

We do not need the Americans to pull back into a protectionist mode. That will not serve their interests or anybody's interests. We do not need bills like the Helms-Burton bill wherein they start to take action against their friends, their neighbours and their major trading partners because they are trying to get at another country such as Cuba in this case.

We continue to protest that action. That is not leadership, but we still need their leadership in terms of having liberalized and clear rules based trading system.

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*[Translation]***REPORT OF AUDITOR GENERAL**

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, my question is for the Minister of Finance.

According to the auditor general's report tabled today, senior officials met several times so they could issue an advance ruling on the taxation of capital gains from family trusts. The auditor general questions the validity of this ruling by finance officials.

What does the Minister of Finance intend to do to correct the situation and prevent the government from losing the hundreds of millions of dollars in taxes it will forgo if nothing is done in the next few weeks?

[English]

Hon. Christine Stewart (Secretary of State (Latin America and Africa), Lib.): Mr. Speaker, in response to the concern of the auditor general that perhaps our documentation was not as complete as it might be, my deputy minister met with the deputy minister of finance and we have implemented improvements to our documentation for important rulings.

*Oral Questions***NATIONAL DEFENCE**

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, the government says that it believes in integrity and accountability to Canadians.

At the same time it allowed a senior military official to spend an outrageous \$250,000 on a change of command party. That is a quarter of a million taxpayer dollars spent by Major General McInnis on a party for himself.

Obviously the chain of command at the defence department has completely broken down. Why did the minister fail to prevent this outrageous waste of taxpayers' money?

Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I agree with the hon. member that this is an example of a flagrant waste of money. It is extravagant. It is unacceptable.

I disagree with the conclusion of the hon. member. We have a new commander of the army. We have a new chief of defence staff who has laid down the rules in no uncertain terms to senior military officers that they have to behave in a way with the public's money as the public would have them behave.

* * *

[*Translation*]

THE CONSTITUTION

Hon. Jean J. Charest (Sherbrooke, PC): Mr. Speaker, my question is for the Prime Minister and concerns the first ministers conference he mentioned a few moments ago.

I would like to know, on the one hand, whether the Prime Minister can tell us today the agenda of the proposed conference, which is to take place very soon, in June, and, on the other, whether he intends to move on respecting his referendum promises, including the promise to enshrine in the Constitution the recognition of Quebec as a distinct society?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the agenda is not ready at this time. The Minister of Intergovernmental Affairs met with representatives of most governments and consulted them regarding the agenda, which will be made known when we have finalized it. I will meet next week with the premier of Quebec. The minister will be in Quebec City on Thursday of this week, and we must also speak with representatives of other governments.

The agenda is not ready yet, but when it is, we will be happy to table it in the House.

As for the promise I made, I submitted a resolution in this very House to that effect. In order to enshrine it in the Canadian Constitution, the consent of the Government of Quebec is necessary. I would be only too glad if Bloc Quebecois members across

the way could arrange to have the premier of Quebec tell us that he wants distinct society enshrined in the Constitution.

• (1500)

I am certain that the House of Commons will be delighted to pass the bill, with the approval of the required number of Canadian provinces. But the Government of Quebec must tell us that that is what it wants. We cannot do this unilaterally, because the Constitution does not allow us to.

* * *

[*English*]

HEALTH

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, my question is for the Minister of Agriculture and Agri-Food.

Can the minister assure the House that he has sufficient regulatory and enforcement powers and means to prevent the use of the remains of infected livestock in feed for other livestock so as to protect the health and safety of Canadians?

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I believe the hon. gentleman's question is in relation to the disease known as BSE.

The key point which bears repeating is that there is absolutely no evidence that BSE exists in Canada and therefore it cannot enter the food chain.

Recently the World Health Organization has made certain recommendations to countries about what they might do with respect to BSE. I am pleased to note that the vast majority of those recommendations were introduced in Canada a long time ago, well before the fact and not after it.

The WHO's most recent recommendations are under discussion right now between my department and the relevant livestock organizations in this country.

* * *

SALMON FISHERY

Mr. John Cummins (Delta, Ref.): Mr. Speaker, given the stated objective of the minister's plan to revitalize the commercial salmon fishery in B.C. is to reduce the size of the fleet by 50 per cent, and with the Nisga'a soon to be guaranteed by treaty about 27 per cent of Nass River production, and with at least two other Nass bands yet to settle, would the minister not agree that his downsizing plan was designed only to allow the reallocation of fish under treaties?

Hon. Fred Mifflin (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the hon. member knows that the harvesting capacity increased the last 15 years by anywhere from three to eight times. He knows that fishermen are losing money in all sectors. He also

knows the difficulty with the salmon is that the stocks are in a severe and critical situation.

That is not the issue, that is the problem. The issue is to come up with an effective plan to address this problem. This will be done. I can assure the House that we will end up with economic viability and an environmentally sustainable plan that will address this problem.

The Deputy Speaker: The time for question period has expired.

* * *

POINT OF ORDER

QUESTION PERIOD

Mr. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I have a point of order arising out of question period.

I want to bring to the attention of the Chair a question asked of the Parliamentary Secretary to the Solicitor General. I would ask the Chair to review the blues to determine whether the amount of time allotted to the parliamentary secretary was in keeping with our traditions or even with the other questions that were asked today.

I would contend that the question was far longer than the time allotted for the parliamentary secretary to answer. I hope that the Chair would take this under advisement, examine it with a view to ensuring that this is done in the usual fair and equitable way.

The Deputy Speaker: I thank the hon. whip to the government. In fact the parliamentary secretary probably was cut off a little quickly.

The Chair was trying to get a lot of members on who did not get on today. If the parliamentary secretary had not said the word three and had just gone into the points, he probably would have got a couple of them out.

GOVERNMENT ORDERS

[*English*]

CANADIAN HUMAN RIGHTS ACT

The House resumed consideration of Bill C-33, an act to amend the Canadian Human Rights Act, as reported (without amendment) from the committee and on Motions Nos. 1, 9, 10, 11, 12, 13, 14, 15, 18.

The Deputy Speaker: The hon. member for Kootenay East has three minutes and 50 seconds left in his time.

Mr. Strahl: Mr. Speaker, a point of order. just before question period during my intervention on these amendments, I quoted

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from a document showing that according to the Canadian AIDS Society that anybody who opposes spousal benefits is homophobic.

I was challenged to present that document. I would like to present it to the Speaker at this time. It says:

That we all take part in homophobia when we deny basic rights like spousal benefits to lesbian and gay couples.

I just wanted to bring that to your attention.

• (1505)

[*Translation*]

The Deputy Speaker: There being unanimous consent on the tabling of this document, it is so done.

[*English*]

I was not here, but I am told that unanimous consent was given before. I hear the chief whip for the government agreeing with that.

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, at the conclusion of my intervention prior to the question period I was trying to make the point that an amendment should be moved that would ensure all Canadians continue to have the most closely held values in our society, namely the freedom of association and freedom of worship. Further, the state should not be intervening in issues that have to do with the church. That has to do with Motion No. 10 by my colleague from Edmonton.

My colleague from Port Moody also added Motions Nos. 13 and 14. Motion No. 13 adds a new clause which states that sexual orientation will not affect the enforcement of provisions of the Criminal Code and Motion No. 14 adds a new clause to affirm that nothing in the bill will result in the extension of same sex benefits.

Members have received rather hollow assurances from the spokespersons for the government that this legislation will do no such thing. I draw to the attention of the government that we have an out of control constitutional industry that is populated by high priced lawyers located primarily here in Ottawa who do nothing but look at the laws that we currently have on the books. What do we find but that we have a constitutional industry or overriding legislation, such as this legislation would be which overrides all sorts of laws and provisions in law.

I suggest there is no way that the government and the justice minister in good conscience can say that this legislation will not form a future challenge to existing legislation.

I wish to quote the member for Mississauga South who today said: "The fundamental point is that all legislation, all policy, is by its very nature discriminatory. Discrimination is not all bad. We all agree that there is unjust discrimination. It is the positive discrimination or, in American terms affirmative action, that allows us to discriminate in favour of the family because of its special status. We discriminate in favour of disabled people, aboriginal people,

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seniors, just to name a few. Discrimination is not all unjust. It reflects societal norms and values”.

I agree with the member. Perhaps his logical, common sense intervention in this debate is an example of why so many of the members who have been in the House all day long on the Liberal side have been denied the ability to become involved in this debate. They have a point of view that happens to be contrary to all the right thinking Liberals, if you know what I mean, Mr. Speaker, all of those Liberals who know what is right for Canada and will impose it on us whether we like it or not.

What is the scandal of this legislation and the way in which it is being jammed through this House? The scandal is the massive hypocrisy of the Liberal government on this issue. There are people in the Liberal benches who believe the same things that I and my colleagues in the Reform Party believe, indeed the vast majority of Canadians believe, that this is bad, ill-thought out, unnecessary legislation. Yet this government in its hypocrisy is denying them the right to stand up and speak, to which I say to this government, shame on you.

In conclusion, this is a very difficult and very emotional debate for many people in Canada to whom this is a very closely held value. I recognize that.

• (1510)

However, it does not change the fact that denying people the right to express their points of view in the House of Commons is absolute censorship and dictatorship on the part of this government and it should not be countenanced by anyone in the government.

Mr. Andy Mitchell (Parry Sound—Muskoka, Lib.): Mr. Speaker, before I comment in general on Bill C-33 I will comment on some information that has been conveyed from the other side of the House about censorship and not allowing debate.

If I remember correctly, when second reading of this bill came to a free vote, some government members voted for and some against. The Reform Party voted as a block with no free votes, 29-0. We will have to see where there is democracy and where there is not.

The issue before us is far too important for that type of suggestion from the member. Let us talk about the substance of this bill which I think is important. I agree with the member when he says that it is controversial.

Some of the words in the legislation worry people, they scare people. Some people feel, I do not think accurately, that their lifestyles and beliefs are threatened. They are not threatened.

This bill is not about special rights for anyone or even about special privileges for individuals. It is about equal rights for all of us. It is about protecting through the law the rights of our fellow

humans not to be discriminated against, not to lose their jobs because of their sexual orientation, their race or their religion.

If ever we needed to fight for this legislative protection, we saw that reason very clearly last week when we heard the comments of some of the members who sit opposite. Some of their comments reflect prejudice and intolerance. We heard outrageous comments. Those comments have proven beyond a shadow of a doubt that discrimination exists in Canadian society and it is imperative for government to deal with that. That discrimination is shameful.

Discrimination is a total violation of all that we as Canadians hold dear. Firing someone, sending someone to the back of the shop because of who they are or what they are, be it race, gender, sexual orientation or religion is simply wrong.

As a government we need to show leadership on this issue. It is our duty to lead by example and to amend the human rights act to outlaw discrimination based on sexual orientation. As I said earlier, the recent press reports of last week make that very very clear.

I am a strong supporter of the family and I wholeheartedly believe that families will continue to act as pillars of strength and unity in our society. I also wholeheartedly believe in human rights for all and that is why I speak in support of these rights for all Canadians.

The Canadian Human Rights Act already contains a list of prohibited grounds of discrimination. Adding sexual orientation to that list would help ensure that Canadians cannot be discriminated against in such areas as employment, accommodation, access to goods and services solely because of their sexual orientation.

This is not about the extension of benefits to same sex couples. It is not about changing the definition of marriage, family or spouse. The bill we are debating today simply guarantees the rights of individuals to live their lives free of discrimination.

We are also affirming the importance of the family as a foundation of Canadian society. I quote from the preamble to the bill:

And whereas the Government recognizes and affirms the importance of family as the foundation of Canadian society and that nothing in this Act alters its fundamental role in society;

I could vote against this amendment to the human rights act. I am sure that voting against it would make some of my constituents happy, just as it would disappoint others.

• (1515)

However, at the end of the day my time as a parliamentarian will come to an end and I will have to answer to myself. Was it right what I did? Did I do what I believed in? Did I do what I believed was right for Canada and for Canadians?

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I will be able to answer yes because discrimination is wrong and saying it is wrong is exactly what is right. Someone ought to tell the Reform Party that.

I wish to tell the Reform Party that discrimination is wrong and just saying it is wrong is simply not good enough. It is the actions we take in the House as parliamentarians that people will remember and act on. It is the action that we take in passing the bill that will clearly demonstrate to Canadians that discrimination is wrong and will not be tolerated in Canadian society.

I ask the members of the Reform Party to join with me in voting for this amendment so that their actions state clearly, as their recent words have, that they also believe discrimination is wrong.

There is a pressing need for this legislation. I hope the members opposite will do what is right and support the passage of this amendment.

As parliamentarians we have an obligation to Canadians. We have an obligation to our constituents. We also have an obligation to do what is right for the nation, which is to state clearly and unequivocally that discrimination is not acceptable and will not be tolerated.

If supporting this legislation costs me votes in the next election, so be it. If it costs me friends, I will have to live with that as well because I believe discrimination on any grounds is wrong. I will back that belief with my vote and the vote of my constituents who share this conviction and who want their children to grow up in a world free of hatred and bias. For those reasons I will vote in favour of this at third reading.

* * *

PRIVILEGE

SPEAKER'S RULING—UNPARLIAMENTARY LANGUAGE

The Deputy Speaker: In a matter that came up this morning, the blues have been made available to the Chair. I have discussed it with the hon. member for Swift Current—Maple Creek—Assiniboia. I ask him if he would be kind enough to speak to the House and withdraw the word used this morning.

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Mr. Speaker, it was certainly not my intention to cast any aspersions on the good people of Halifax. I believe the hon. member for Halifax knew what I meant, particularly because she does use that word with regularity and great abandon.

However, it is an unparliamentary word and I do withdraw it.

[English]

CANADIAN HUMAN RIGHTS ACT

The House resumed consideration of Bill C-33, an act to amend the Canadian Human Rights Act, as reported (without amendment) from the committee.

Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.): Mr. Speaker, I had a lot of appointments made in advance when the bill suddenly came up and so I was not here to vote on first and second reading. I assure the House I am here to stay now until the bill has been completed at both report stage and third reading and that I am clearly voting against the bill. I will be voting in favour of the amendments but I do not expect to get much support for that from the majority of Liberals opposite.

They suggest this is a free vote. I think we should clarify this. I do not think there can be any argument on that side that it is a free vote. Had it not been a free vote they would have had just about the same number of Liberals voting against it in any case, which would have presented tremendous problems for the Prime Minister in light of recent actions on their side, their own peculiar version of Liberal democracy.

• (1520)

It is interesting that despite the fact there is a free vote, there is an extremely restricted right of free speech on the Liberal side. We have witnessed that and I am sure we will continue to witness it as the the debate carries on.

I am opposed to various types of discrimination, much of which has been stated in the bill. The problem with the bill is that it does not deal solely with those areas of discrimination. It opens up broad doors where someone can say that is not what they meant, and someone else could say they think it means this or they think it means that.

We know the kinds of problems that happens to legislation, even good legislation, which I would not categorize this as at all. After continuous lobbying, the Minister of Justice finally agreed to pass legislation banning the drunken defence. What happened? The courts said that is not quite the way they interpret the Constitution in any case. There have been cases where that has been overturned. Despite the fact that the entire House passed legislation, the courts have made their own interpretation. When we put something like this in the open and deal with the courts we open up an incredibly bad can of worms.

Some of the amendments deal with clarifications of various concerns that people think the bill may come to represent, things like alterations to the Criminal Code or ways to circumvent the

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Criminal Code, possible situations where there will be special programs because of sexual orientation. These are things people are concerned about, particularly in my riding.

The previous speaker said he has to vote the way he thinks is right. I have to vote the way my constituents think is right. They did not elect me to be their ruler. They elected me to be their representative. Every member of the House as the elected representative of the people of their riding should represent the will of those people.

Some people in my constituency are very concerned about some things that are already happening. I will read from a pamphlet funded in part by the federal government. It found its way into schools and the community college in my riding under the guise of AIDS literature. I assure the House that I will restrict and censor the way I read this, but the House may still find it offensive. It is not my intention to offend anyone. If the Chair sees fit to intervene at any time because it sees this as offensive, I fully understand. Keep in mind this is after censoring has been applied to a government funded document.

This states choices for, in my word, fornication. It mentions things like fisting. Fisting is the insertion of the entire hand inside someone's body: "Fisting can create serious tears in the anus or vagina. In the interest of safe sex the safe choice for fisting is to wear a rubber glove". This is from the Man to Man Society, funded by the government.

It mentions toys. I will not get into what it suggests should be done with these toys. It is suggested how to have safer sex with toys: "Make sure you clean the toys you share".

It also deals with shaving, piercing and branding. It suggests that when branding with a knife, ideally a disposable scalpel be used. It suggests that branding with heat, a branding iron, is much safer because the heat kills the virus. It talks about how to use electric torture. The safer choice for electric torture: "Thoroughly clean anything exposed to body fluids and blood". This is a bad document. I have trouble reading some of the things in here.

I think the point has been made. This is just one of several documents. This is not a document I found somewhere in some obscure specialty bookstore. This is a document in the public school system in my riding. That is why people in my riding are mad, upset and concerned.

• (1525)

I have many constituents, not a huge majority obviously, I want to make that clear, who are part of the homosexual community. These are not rampant people like in Gay Pride and in some of these strange parades promoting the homosexual lifestyle. These are regular citizens who contribute to the economy of our area.

They participate in community events. They run businesses. The people in my riding have no problem with people simply because a man happens, through choice or otherwise, to fall in love with another man, or a woman a woman. That is not what is at issue.

What is at issue is the bill is loosely written, so wide open, people are afraid of how it will be interpreted by the courts. I explained what happened with the drunken defence after it left here a good bill. They are concerned about this kind of garbage ending up in our school system, about the promotion of their right to promote an alternate life style openly to things like marriage benefits for same sex couples.

I live in a rural community. I live in a western, outdoors, rural community. It has a beautiful hunting area and everything. I belong to a trap and skeet club. I am active with it. It is a very prominent activity in my riding. When Bill C-68 came out, it got tremendous response opposing it.

Since I became a member of Parliament I received correspondence on all things, with more opposition for the possibility of marriage benefits to same sex couples aspect alone in Bill C-41 than I have for any other things, including Bill C-68.

To date there has been a short amount of time available to people to mobilize, something I really object to. The previous NDP government in Ontario came out with a bill like this. It had free discussions and a free vote. The difference was it did not rush it through committee or debate. Closure was not used.

It gave the citizens in the communities of this province the time to mobilize to let their elected officials know where they stood. It is my opinion the Liberal government is rushing this through in order not to allow people not only in Ontario but in the rest of the country to mobilize. That notwithstanding, they have.

To provide balance, I will read from the file I have from people who are in favour. I want to be balanced. Because I want to be complete, I will read both of them. One suggests they are writing to support quick passage of Bill C-33 because it fulfils a commitment. That is the strongest argument they use in their letter. In the other one they want to make it clear that they view sexual relationships between consulting adults as a personal matter. So do I.

What people do in the privacy of their homes, within reason, is a general concept I have no difficulty with. I can give more from this pamphlet. It suggests we should go into the homes a little.

I do not think we should refuse to hire someone, fire them or refuse to allow them to rent an apartment simply because their orientation is different from ours if we care to define it.

I cannot remember the official name of it, but there is the man-boy love society. Pedophilia is a sexual orientation. That I am

completely and totally against. I hope everybody in the House is. If it is not defined, if one just says sexual orientation, it leaves us open.

Allow me, because I have a lot of opposition to this, to read a couple. One says: "Each Canadian as a person is already protected. Why must what happens in the privacy of one's bedroom need the protection of the law?"

Another says: "This is an immediate and grave threat to the natural family. A homosexual as a person is entitled to respect because of his humanity, not because of his sexual behaviour".

• (1530)

The protections are there. If we need to clarify then it should be clear. This bill is not clear. This bill is incredibly vague. The amendments proposed now at report stage attempt to clarify many aspects of the bill. They were made by people who object to this bill. They are saying that if we must have this bill, let us at least make its intent clear. Let us have what the government says it means but has not said in the bill.

I urge members opposite to seriously consider accepting the amendments that have been put forward. Without these amendments the House can be assured I will vote against Bill C-33.

Hon. Sheila Finestone (Mount Royal, Lib.): Mr. Speaker, I have been listening to this debate for too many years. For those with a deep interest in the issue of human rights in Canada and the introduction of sexual orientation as a prohibited ground of discrimination and for those with serious and legitimate concerns about Bill C-33, I would like to recommend the speech given at second reading by my colleague, the Minister of Justice, for their enlightenment.

They will find the answers to many of the questions and to some of the concerns which I legitimately recognize are from the depths of their hearts. I understand that.

We would be foolish if we did not acknowledge that over time there have been misunderstandings, stereotypes, myths, misrepresentations and all the words that one would care to use. However, the bottom line is that there are groups of people in this country who suffer from discrimination. They suffer from prejudice, they suffer from bias. Within that group, which is a major group—we just have to turn on the Internet to see what I am talking about—there are people who have a different orientation with respect to the expression of their sexuality.

In the time I have today I am not able to explain as clearly and in such an enlightened way as the minister did. He has expressed, as we have all expressed in our remarks, why we are not adding a special right and why we are being very defined and confined in our

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view that there is a segment of our population which is suffering from discrimination. This is not the Canadian way. This is not how we care to address these issues. Adding sexual orientation to section 3 of the human rights act completes the list which was intended with respect to the prohibition of grounds of discrimination.

As the chairman of the Standing Committee on Human Rights and the Status of the Disabled, I have found that this bill is in some way a logical progression of the work I have done over many years in this House. I have had a great interest in the field of human rights. When the charter of rights and freedoms was first introduced in 1982 there was a three-year hiatus during which time the question of section 15, the question of the application of non-discrimination and a list of those areas in which people were most vulnerable were included in this charter.

We were asked to look at section 15, study it and see how to bring it into force by the year 1985. Time allocation was an extremely interesting eye opener. We looked at many areas of discrimination, including the elderly, the disabled, women and children. We went through a whole range of acts, including those related to the economy, insurance and all aspects of our daily lives.

I was proud to be a member of that very hard working, all-party committee which examined, inquired into and reported on equal rights. We looked at areas in which federal law had to be changed so the rights of the individual would be respected. The committee was convinced after consulting Canadians across this country that "to leave any one group of citizens beyond the pale is a dangerous precedent. In a democracy it is equally dangerous to leave the decision about inclusion or exclusion of any particular group from human rights safeguards to the will of the public or at any moment in the course of our history".

• (1535)

Many people react to questions involving homosexuality on a visceral level. We have heard that reaction in this House. I think they are expressing some serious concerns which they have been exposed to over a long period of time. This reaction reflects longstanding attitudes and stereotypes in our society. It is time we wiped the cobwebs and put the facts on the table.

We are dealing with a question of public policy that must be reasoned through. We have reasoned this through since 1985. Minorities in our society need protection to put them on an equal footing with all others.

Because the government provides legal protection, does not mean it endorses a particular religion, a particular political belief or a personal trait. It simply means that in a free and democratic society, discrimination under our laws on the basis of those differences will not be tolerated.

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We have said many times in the House that racism is not to be tolerated, ageism is not to be tolerated. We have removed the obligation to fire people based on age. We have looked at racism and we have developed a whole series of programs to address the unfounded targeting, particularly of people who are visible minorities.

In 1985, the committee met Canadians of all ages, professions and religions who were gay. For many of us this was our first contact with people who professed this kind of lifestyle. In all honesty and all candour, we were a bit shocked. First we were shocked by the number of people we met. In every city we went to, in all the towns and villages there were people who had chosen a lifestyle that we had not chosen. They live everywhere. They are part of the larger family and I guarantee that if members look at their families, they will find people with homosexual preferences.

Minorities in our society need protection. Provision of legal protection does not mean we endorse their approaches. Discrimination under our laws on the basis of those differences is what we are talking about and will not tolerate.

We met these people. We heard details about physical abuse, and psychological oppression from which they have suffered. We heard about the hate propaganda which had been targeted toward them and that they had been demonized in many ways. We heard about the outright discrimination they faced in employment, in housing and in services.

[Translation]

Some, moreover, were apprehensive about coming before the committee, for fear of losing their jobs or their homes.

That was what the situation in Canada was like just 10 years ago, in a country that boasted of its justice, compassion, tolerance and mutual respect, but did not extend them to people with a different sexual orientation.

[English]

My colleagues and I, some of whom had never before been aware of or been very concerned about the discrimination faced by homosexuals and lesbian Canadians, submitted to this House a unanimous report called "Equality for All". In it we recommended that sexual orientation be added to section 15 of the Canadian Human Rights Act as a prohibited ground of discrimination.

If members would care to read the document which contains some of the things we heard, they will see we used the term sexual orientation. It could have been any one of a number of different terms. This term is used and referred to very often worldwide. It is an inclusive ground of exclusion. It covers homosexuals, heterosexuals and transgendered Canadians.

Mr. Gouk: What about pedophiles?

Mrs. Finestone: Pedophiles have nothing to do with this law. The member's ignorance is absolutely abominable. Go as a parliamentarian and understand pedophiles and the whole question of criminal acts in this society.

[Translation]

That was the least we could do to meet the charter requirements, to ensure that Canadian values had any true meaning, and to maintain our country's reputation for justice.

• (1540)

[English]

Last week when the standing committee heard witnesses on this bill I learned that not much had changed. We were told of a lesbian couple on a train that was ordered to stop holding hands or be thrown off. We learned about ongoing dismissal in our forces and of employees here on the Hill, which you might want to look into, Mr. Speaker.

[Translation]

We heard the story of a homosexual building manager who had been in his job for years without a single complaint, and who was let go when the management learned that he was gay.

[English]

We have been told by parents of gay and lesbian children that they had to face their own prejudices. They had a lot to learn, as do many members of the House. They were very concerned for their children's well-being, knowing they would have to face ignorance, hatred and discrimination.

No one in the House, and I have been here to witness not less than seven—

The Deputy Speaker: I am sorry, the hon. member's time has expired. Is there unanimous consent for her to continue for one minute?

Some hon. members: Agreed.

Mrs. Finestone: Mr. Speaker, there have been no less than seven justice ministers who I have had to listen to in this House. They all made promises to make sexual orientation a prohibited ground of discrimination. Not one of them did. Gay and lesbian Canadians have paid the price until now.

We are very fortunate to have a minister who is prepared to move ahead to finally give gays and lesbians the same status, the same protection from discrimination as all other Canadians now enjoy: nothing more, nothing less. The bill will not, as many members fear, have anything to do with being protected in three areas. There will be no changes in the definitions of marriage or family. It will not legalize criminal sexual behaviour. It will not confer benefits.

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I find it somewhat unfair and irresponsible for hon. members of this House to say that those issues will be covered in the bill. They know perfectly well it is not so. They are using this issue to promote their own ends. The bill does not confer benefits. It does not cover illegal acts or criminal acts. It does not change the definition of family.

If we want to have the discussion at some time about the state of the family, we should put it on the agenda. The state of the family is a reflection of economic, social and political realities in the country at this time. Those factors are causing some of the concerns regarding families.

Lesbians have families. Gays have families. There are reconstituted families. There are common law families. There are all kinds of families. This bill deals with sexual orientation and asks that as a group these people not be discriminated against. It is only fair.

When was the last time that granting equal rights to women diminished the rights of—

The Deputy Speaker: The hon. member has certainly had more than a minute to wrap up.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I feel honoured that I was able to make the list to speak on this bill.

We are at a crossroads in our country because of the process on which we have embarked and the results which will undoubtedly follow from this bill.

I am very concerned about the procedure that has been followed. It seems that respect for the law and respect for government are a direct result of members of Parliament representing their constituents, of being careful to listen to what the people of Canada are saying.

There is a growing disrespect for certain governments that, without the consent of the people, have imposed different rules, regulations and laws on Canadian citizens without their consent. The best example of that is the GST which has seized our attention in Parliament and across the country. During the election campaign of 1993 I heard over and over again the complaint that my predecessor did not represent his constituents on that issue.

• (1545)

When we embark upon a change in law, an important bill such as this one, it is important that individual members of Parliament be given time to return to their constituencies to debate the precise wording of the bill and discuss its implications with the people.

That process has been and is being denied to us. It is almost as if we had a question of privilege in terms of how we are hampered in effectiveness in doing our work.

I feel frustrated that the government, through a motivation which I think is straight political expediency, introduced the bill at this time. It was not in the long term plans. It was not mentioned in the throne speech. Suddenly at the end of January it was very important to prorogue Parliament to get a new start. Then there was a new throne speech with a list of all items the government considered to be priorities. The bill was not mentioned in the throne speech. The minister expressed approximately a month ago that it was not his intention or plan to introduce the legislation at this time.

Why was it introduced? I confess to a growing amount of cynicism in the political process. I believe it was introduced as a simple tactic to divert the attention of the press and other media away from the extreme attacks the Liberal government was receiving on accountability, keeping promises made during the election campaign, the GST and other issues. It was brought forward as a strategy to divert criticism.

That is unconscionable. I do not think the lives and well-being of Canadians and their families should somehow be put on the list of items which are disposable for political reasons.

My second complaint is even greater, that is the necessity to invoke closure. It does not make any sense. When we want to rebuild trust in government, in the House of Commons and in Parliament why would we ram through a bill because we suspect if the people ever got to debate it there would be opposition and a great political fallout from it? It is unconscionable.

Closure should be used for matters of dire emergency. It should be used when our country or our security is a stake and we need to bring an item to conclusion because there would be great consequences if it were not done right away.

It is unconscionable of the government to close off debate in the House and in committee. Many Canadians sincerely want to have input. How much time were they given to prepare? I suppose they got a weekend and should not complain. Should they drop everything to make sure they get to Ottawa to appear before the committee to present their briefs? People were asked to respond in a very short period of time.

The vote will be finished before a lot of people even know it is taking place, simply because it takes time to communicate to people. What would be wrong with giving us an opportunity to put the question fairly and squarely to the people we represent?

• (1550)

If the argument in favour of the legislation is strong surely it will have the support of the people. If it does not have the support of the people, let us be honest and admit that we are giving but a token acknowledgement to democracy. We are clearly abandoning the principle that the majority rules in a democracy. We are abandon-

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ing the principle that the voters even count. I do not know why we should bother with this process if there is such a limitation.

I should like to make a few comments about the bill. A lot of people who support the legislation have tried over and over again to assure us that this is the end of it and that all we are talking about is discrimination.

I will speak loudly and clearly in favour of principles that do not discriminate against individuals because of personal characteristics. However there are two real flaws in the Canadian Human Rights Act when it starts making lists. One flaw is the difficulty of not including all possible groups and individuals. The second flaw is just as important, that is somehow implying that anyone not on the list is fair game for discrimination.

I reject that hypothesis. One of my main reasons for opposing the bill is that I am not on the list, which means it is correct and acceptable to discriminate against me.

Members must be wondering what I am talking about. I am one of those people who some describe as being robust. Sometimes the word rotund is used and I am discriminated against because of my weight. It goes beyond being squeezed into economy seats in aeroplanes. It goes much beyond that. I was discriminated against in the House because of my weight.

This is what happened. I used to work at the Northern Alberta Institute of Technology. As a staff member I was permitted to participate in its insurance plan. When I came here I thought I could replace it. I was refused participation in the House of Commons life insurance plan because of my weight. They did not take into account the fact that my dad is 85 and just as heavy as I am. They did not take any of these things into account. I am not on the list.

In closing, the list is not complete until every Canadian is on it. That is the situation. Discrimination is not acceptable. All we are doing is adding to the list, which means by implication that everyone who has not yet made the list is fair game. I reject that hypothesis and I urge Liberal members, who have it in their power to do something about it, to vote against the bill because it is so wrong.

[Translation]

BILL C-33 NOTICE OF TIME ALLOCATION MOTION

Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.): Mr. Speaker, it was not possible to reach an agreement pursuant to Standing Orders 78(1) and 78(2) with respect to the proceedings at report stage and third reading of Bill C-33, an act to amend the Canadian Human Rights Act.

Therefore, I give notice that, at the next sitting of the House, pursuant to Standing Order 78(3), a minister of the crown will be

moving a time allocation motion for the purpose of allotting a specified number of days or hours for the consideration and disposal of proceedings at that stage.

[English]

MOTIONS IN AMENDMENT

Mr. Andrew Telegdi (Waterloo, Lib.): Mr. Speaker, I am pleased to enter the debate on Bill C-33.

Before getting to the substance of the bill perhaps it would be good to take stock of our great country and to take a look at the evolution of Canada.

• (1555)

There is no question that when the French and the English first came to the country a sizeable native population had its own nation. There is no question that over the years one shortcoming was the way we handled our native people. There is no question when we look at immigration to Canada from other places that we have had painful experiences of racism.

I recall reading some articles on the evolution of the various groupings in Canada. I came across a part of a book with a poster which said: "Help wanted. Irish need not apply". My wife is Irish.

There is no question the Chinese who helped build our railway were discriminated against as a group. Their spouses were not allowed to join them and they were kept in barrack-like conditions.

What happened to Canadians with Japanese ancestry during the second world war is well known. They were uprooted, put in camps, dispersed outside British Columbia, and their properties were confiscated.

In my community of Kitchener—Waterloo there is no question there were problems involving the German population. There was also discrimination against Italians during the second world war.

Jews were discriminated against in this century and previous centuries. The *Spirit of St. Louis*, a boat carrying hundreds of Jews, was denied access to free ports. The people on it, mostly women and children, ended up being killed.

I came to this country as a refugee in 1957 from Hungary. I am painfully aware of what is happening in Europe, the former Yugoslavia and other countries right now. In those other countries there are problems with minorities dealing with each other.

When I was president of the federation of students at the University of Waterloo in the early seventies I heard of cases where people were denied accommodations because they were Chinese or of other ethnic origin. They were proven.

Previous to that time we saw the great human rights debate in the United States wherein we came to know what we shall overcome means and what was being done to African Americans in the United States. Some of that was happening in Canada as well.

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In the late seventies a volunteer working for an organization in which I was executive director committed suicide because she could not bear to live in a world where homophobia was so strong.

In 1990 during Desert Storm people with Arab and Jewish backgrounds in my community got together to try to bridge some of the gulf between their two communities and make sure what was happening in the Middle East would not spill over to our community.

One result was the establishment of the Mayor's Race Relations Commission in the Waterloo region to foster understanding among the various groupings in our community.

It is not difficult to recognize that bigotry is alive and well. It certainly has been expressed in the Chamber. I noticed in today's paper that the Reform Party member for Calgary Southeast questioned her place in a party whose members espouse racist and bigoted views. It comes from the incident last week when the former whip of the Reform Party told Canadians that it was okay to fire somebody on the basis of their sexual orientation, that it was okay to fire somebody or to move someone of a different colour to the back of the shop.

• (1600)

Unfortunately too many people in the third party express those views. It is unfortunate that those views are put forward by members of Parliament. The job of members of Parliament should be to try to bridge various communities, not to drive them further apart by setting community against community. What makes this country so great is we have learned from our past experiences and we have worked on building a tolerant society.

The question as to whether the issue before us should be subject to a free vote or whether it should be subject to party discipline was one that was debated prior to the decision being taken last week. I was of two minds on that issue.

I believe that the bill deals basically with human rights and equality of Canadians. We also say that someone is not going to be fired on the basis of their sexual orientation. Also, a bank for example will not be able to deny service to someone on the basis of their sexual orientation. To me that is a human rights issue. Some of my colleagues in the Liberal Party have said that for them it is a moral issue.

Originally I told our party whip that I considered this to be a party vote and I wanted us to vote along party lines. I listened to the debate. I saw what happened in this House when the former Reform Party whip stood up and made those comments. Not only did he make those comments, many of the members around him supported those comments, including the leadership. When that happened I said to myself, I want this to be a free vote. When this issue

comes on the floor of the House of Commons I want the people of this country to know that we are allowed to vote our conscience on it.

I am very proud to be voting in favour of the bill. I am very proud to stand up for this bill which is going to help make Canada the best country in the world. It is going to take us forward to be a more tolerant society.

I do not think that any Canadian would ever believe that someone should be denied a job based on their sexual orientation. I do not believe that any Canadian would want someone rejected for a bank loan on the basis of their sexual orientation.

I am sad that some people would misrepresent the bill and bring forward issues that are totally false, for example, that once we pass the bill we are legalizing pedophilia. That is a red herring which has been thrown out by people who want to keep the status quo. They are sad that we actually have human rights legislation in Canada and would undermine this bill.

This bill does not give anything to people based on sexual orientation that other Canadians do not have. It makes sure that they are not denied what other Canadians can have.

I will be proud to stand in my place to vote for this legislation. The people of Canada will be proud of us as well.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, as usual I am pleased to debate the bills before us in this House.

Bill C-33 is another bill that has raised some serious debate across the country and rightly so. I will raise three issues on which I believe hon. members on the other side have not given any real serious consideration.

• (1605)

First, this bill deals with the workplace. It deals with the working environment of government, crown corporations and industries that are federally regulated. We already have a law on the books which deals with sex in the workplace called sexual harassment.

Sexual harassment is completely outlawed in the workplace and rightly so. Anyone who feels they are going to impose some kind of sexual overtones needs to be punished. We will not tolerate that in the workplace. Sexual harassment has been defined to be more than physical assault. It considers such things as discussion of sexual innuendo, sexual prowess, sexual adventure, anything sexual in the workplace that offends someone else. That is the way it should be.

Therefore, to provide sexual orientation in the workplace is in direct contravention to the law that already exists which says that sexual harassment is not allowed. Now we are going to say that sexual orientation is allowed, and sexual harassment is not allowed.

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I do not know why the government thinks that sexual orientation in the workplace, however that manifests itself—and I am not sure how—is acceptable. People can walk down any street and I am sure they will pass people of a different sexual orientation and never know what they are. Somehow or other we are going to say it is perfectly acceptable to demonstrate sexual orientation in the workplace, yet sexual harassment is absolutely and totally illegal. This is a total contradiction of the facts which this government has not considered as it pushes the bill through against the wishes of many Canadians.

Second, there are many Canadians who find the term sexual orientation to be code words for homosexuality and lesbianism. Some people find these acts repulsive and repugnant and are opposed to legal sanction being granted to them by this House. The Reform Party has a responsibility to represent that opposing point of view. There are some people who feel these types of issues should not be entrenched in legislation.

It is important to give expression to those who are opposed to the point of view that is being put forth by the government. It is important to recognize that these people hold these views quite legitimately. They are entitled to their opinions. They are entitled to see their opinions expressed. These opinions are being expressed freely by the Reform Party. I hope they are expressed by more than just a few of the people on the other side who have to summon the courage to stand up against their colleagues in the Liberal Party and give free expression to the large number of people in their ridings whom they represent that they do not agree with this bill.

Third, this bill has been in the public domain of debate for the last two or three weeks. Something else has been around for the last two or three thousand years, the moral code we call the Judeo-Christian principles. We could say they have withstood the test of time. These are principles such as thou shalt not kill, thou shalt respect thy father and thy mother, thou shalt not commit adultery, and so on.

• (1610)

When we look at those and what we have done in the last 25 years, we find that this House of Parliament has abandoned the principle of thou shalt not kill. It does not even express an opinion on abortion any more. We do not have a law in this country against abortion. In Canada 100,000 unborn children are being aborted every year. We have turned our backs on an expression which is 3,000 years old: Thou shalt not kill.

The hon. member for Burnaby espouses the principle that we should take away the principle of thou shalt not kill. Now we are focusing on the older generation. Euthanasia is almost upon us. That will be debated in this House at some point in the future. If we measure the old principle and moral code of thou shalt honour thy father and thy mother against the debate on euthanasia which is on the horizon, we have to ask ourselves what is going on.

I ask all members of the House to weigh a code which has been around for 3,000 years against the debate which has been going on for approximately three weeks. I would say to government members and my colleagues in the Bloc that if these principles have withstood the test of time for 3,000 years, and thousands of people have died for them and committed their lives to upholding them, surely there must be something in them that we should not lightly cast aside.

I sincerely hope that government members and Bloc members will give serious thought to that point. While they may think they are in command of all the facts and while they may think it is the right thing to do, let us remember that for 3,000 years we have had a code which says that what we are about to do is wrong, what we have recently done regarding abortion is wrong, and what we may do in the very near future regarding euthanasia is wrong.

We are dropping a moral code which we have had for 3,000 years into the trash can. We are saying that members of the House and the people on the street in Canada today are imbued with a sense of wisdom and knowledge which far exceeds the people who lived on this earth in the last 3,000 years. That is a note of caution.

I urge my colleagues to weigh the issue very carefully. In my humble opinion we will be wrong if we approve this bill.

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, I usually like to begin my speeches with the salutation that I am happy to engage in the debate. Unfortunately, I find that the debate on Bill C-33 has caused confusion and indeed hostility and division even within my own community.

The general public still questions the integrity of members of this place. I note the recent publication of a survey by Ekos Research which discovered that only 15 per cent of the general public places trust in elected officials. I have often taken the time to consider why this should be so. It seems to me it is because many believe that politicians once elected do not represent their views. This of course occurs to some extent because of the diversity of our nation. How do we get Ontario members to vote for harmonized consumption taxes in the maritimes when financially it does not seem to be in their own best interests?

• (1615)

This problem becomes even more exasperating when it comes to the question of moral issues. The public generally has two views of Bill C-33. One is that it is a matter of human rights. The second is that it is about morality; those who believe we are ensuring all

citizens can live free from discrimination and those who believe this is a stepping stone to the redefinition of family and marriage.

I am very uncomfortable about being placed in a position of prejudging the morality of the people of Durham. It is not that I shirk from my responsibilities but rather realize that one person's definition of morality can be quite different from another.

On this point I congratulate my leader for allowing a free vote. We should take the time to put more faith in our elected officials, but at the same time these officials will have to prove they are individually up to the challenge.

The United Kingdom has experienced many government members who had contrary viewpoints and yet their governments have not fallen. I suspect the views of their electorate are more effectively heard. A tiered disciplinary system would do much to restore the faith of the public in the House.

I note in passing that statements by the homosexual community that the vote should be a free vote are inconsistent with their own desires for freedom from discrimination and the social abuse of power.

This brings me to the bill. I have studied the amendments as well as having read the jurisprudence. The bill is quite clear in that it deals with hiring practices at the federal level, both within and outside government, as well as the provision of goods and services.

Most of us would agree we should not discriminate regardless of our attitude toward lifestyles. "Blacks and gays to the back of the store" tells us that not all the prehistoric creatures from Alberta are in the Royal Tyrrell Museum of Palaeontology in Drumheller. I am sure many Albertans feel the same way.

I have conventional values. As a family person I respect the historical role of the family. That means marriage between those of the opposite sex. A study of anthropology can hardly lead one to any other conclusion.

The legal interpretation of one act does not necessarily affect the definitions of another. In any case, most of the problems expressed by those who regard this as an issue of morality should be addressed to the charter of rights and freedoms and the interpretation of section 15 of that act. Marriage and adoption are essentially matters of provincial jurisdiction in any case.

Seven provinces now include a provision in their human rights legislation preventing discrimination based on sexual orientation. Furthermore, the courts have interpreted the CHRA as if the terminology sexual orientation were already included as a prohibited grounds of discrimination. In other words, these amendments simply bring the legislation into conformity with what the courts have already interpreted the act to say.

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In spite of my understanding of the issues as well as the desire to truly represent the people of my riding, I undertook a professional poll between May 1-3, 1996. Over 400 calls were made to my riding.

The question was very simple: "As you know, the Minister of Justice has introduced legislation in the House of Commons that would include the addition to the human rights act that people cannot be discriminated against because of their sexual orientation. This would apply to employment in the federal civil service and employment in federally incorporated companies. This act would also apply to the receiving and selling of goods and services. Are you strongly in favour of the legislation, somewhat in favour, somewhat opposed, strongly opposed, or do you have no opinion?"

• (1620)

My riding is both urban and rural. In spite of the fact that my office has been inundated with calls of non-support, the poll reflects an entirely different position: 56 per cent of the people of Durham support this legislation.

A national poll by Angus Reid between April 18-24 called about 561 people in Ontario. The results were identical to my own poll: 56 per cent of the people are in favour of this legislation.

It is clear the majority of those in Durham want me to support this legislation, which I intend to do. A civil society is not measured on how it treats its majority but on how it treats its minorities.

In order to ensure all the elements of our society are treated fairly, it is reasonable to find ways of preventing discrimination of those who, in sheer numbers, find themselves to be a minority. This is both fair and reasonable. Even those who take exception to these changes will accept this corollary.

I believe I have fulfilled the obligations given to me by a free vote on this matter. I am pleased to have represented the views of those in Durham. To those who are opposed, this is a great strength of our democratic institutions. People can openly debate issues such as this and arrive at a conclusion.

While this may still be far distant from the concept of consensus, most people in Durham can appreciate that it is not the member of Parliament prejudging their moral conduct but rather the people of Durham who have come to the conclusion that it is fair and reasonable to ensure specific elements in society are free from discrimination.

I am happy to have been an agent for the people of Durham in this matter. I will be voting as they have directed, to support the legislation.

Mr. John Cummins (Delta, Ref.): Mr. Speaker, it is a pleasure to speak to this bill today. It is a bill to which I am opposed. I find it

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is fundamentally flawed. A measure of that is the co-operation among all parties where there is widespread concern about the bill.

The bill stands for more than the government would have us believe. Chief Justice Lamer, in the Mossop case, said: "Indeed, in this case if Parliament had decided to include sexual orientation on the list of prohibited grounds of discrimination in the Canadian Human Rights Act, my interpretation of the phrase family status might have been entirely different. I might then have concluded that Mr. Mossop's situation included both his sexual orientation and his family status". That is the underlying concern that many of us have with the bill.

Max Yalden, chief commissioner of the Canadian Human Rights Commission, similarly stated: "We are strongly in favour of an amendment that would prohibit discrimination based on sexual orientation. That means if benefits are paid to a heterosexual couple living in common law, the same benefits should be paid to a couple living in the same situation except that they are two men or two women. Our position on that matter is very clear. We are waiting for the government's reaction".

That sentiment is fairly well founded when there is the Chief Justice of the Supreme Court and someone of Mr. Yalden's expertise commenting.

It was reported in a local newspaper that the government's position on this, that these matters were not of concern, was a position that was seriously flawed. If I used the wording in the newspaper article I would be called to account for unparliamentary language.

• (1625)

I will point out the comments of one member opposite who said that some of our members stood up in the House today and said "blank" about this legislation. I will leave the word "blank" to your discretion. However, the legislation is more than it seems.

The previous speaker talked about polling. In my riding we tried to get a feeling about how our constituents felt about this legislation. We asked two questions. The first was: "Do you think the federal government should amend legislation to add sexual orientation as a grounds of discrimination?" A slim majority of people felt this was a reasonable objective.

The second question was: "Would you support this amendment if it means that homosexual couples would receive economic and family benefits which include medical, survivor, income tax benefits and so on?" That was where people drew the line. When we factored that question into it there was opposition to that bill.

Anybody who seriously polls their constituents on this bill must ask those two questions, the first question being simply whether they support the bill and the second and most important one being whether they support it if these are the implications.

Given the implications and that there is a large religious community in the country concerned about these implications, the Canadian Conference of Catholic Bishops proposed some amendments to the member from Edmonton from my party. He checked with the Evangelical Fellowship of Canada and asked if it would support the amendments to the bill.

The amendments proposed by the Catholic bishops are simply: one, the definition of marital status and family status under the Canadian Human Rights Act be limited to heterosexual couples, as the Canadian Council of Catholic Bishops says, because of their irreplaceable role in the procreation and nurturing of children, upon which the future of our society depends; two, it should be legislatively permitted that the history and social objectives of this legislation be taken into account in determining whether certain policy distinctions amount to unjust discrimination; three, the teaching and hiring practices of religious institutions are to be protected.

Unfortunately the government, although claiming the bill would not have these effects, is reluctant to support amendments which would support the position of Canadian Catholic bishops and Evangelical Christians in Canada. I believe that really speaks words for the intentions of the government in promoting this bill.

I do not have any difficulty in voting against this. I believe my constituents are solidly opposed to the bill for the reasons I gave. However, the big concern I have in addressing the bill deals with my first priority in life. Believe it or not, as much as I value my position as a member of Parliament, it is not my first priority in life. The first priority in my life is trying to be a reasonable father for my children. As much as I may have failings, I do have good support at home from my wife, for which I am eternally grateful.

When I look at the bill and recognize the implications the government has in proposing it, I ask whether the bill is really stating that thou shalt not discriminate, or is it presenting to the children of this country an alternate lifestyle in stating that this lifestyle is of equal significance, importance or value as another.

I as a parent cannot say I would sit my son or daughters beside me and tell them one of their choices is to marry Jane down the street, have a family and raise children, but another equally legitimate lifestyle is the homosexual lifestyle. I do not believe those two lifestyles are equal. Because an adult makes a personal decision in these matters does not say that I am opposed to him or her, or that I look down on him or her. My role is not to be judgmental to that degree.

• (1630)

My role as a parent is to present reasonable alternatives to my children. By supporting this legislation which will lead, I believe, to family benefits and that sort of thing for homosexual couples, the underlying theme for our children that this is a legitimate alternative. I do not think it can be presented that way. For that

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reason I am very concerned and will be voting against it when the time comes.

Mrs. Karen Kraft Sloan (Parliamentary Secretary to Minister of the Environment, Lib.): Mr. Speaker, before I begin I would like to say a couple of words about what the last speaker said.

Obviously different families have different ways of approaching things, but in my family I believe the most important lesson that I can leave for my children is to respect, value and appreciate the dignity of every individual no matter how he or she lives his or her life. For a party that continues to speak about equality these kinds of statements fly in the face of that.

It is with a great deal of pleasure that I speak in support of Bill C-33. The Canadian Human Rights Act applies to the federal government and federally regulated businesses. All 10 provinces and the two territories have their own human rights laws.

Human rights laws in every jurisdiction have a list of grounds or characteristics of discrimination that are against the law. Most human rights laws in Canada apply to employment, accommodation and the provision of goods and services.

The Canadian Human Rights Act governs principally employment and the provision of goods and services under federal jurisdiction. Currently the grounds for prohibited discrimination in the Canadian Human Rights Act are based on race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability or conviction for an offence which a pardon has been granted.

All that Bill C-33 does is add sexual orientation as a ground for prohibited discrimination. Last year I stood in this House in support of Bill C-41. As I gave my speech I was subjected to loud and rancorous heckling from the members of the Reform Party. They objected to my support of the inclusion of sexual orientation as a prohibited ground of discrimination in reference to hate literature. They did not get it then and they are not getting it today.

Last year I stated that many of us assume that Canada is an open, tolerant and inclusive society. However, it cannot always be taken for granted. Members of the Reform Party have publicly stated that they would fire a homosexual employee. In addition, they made very unkind comments about black Canadians. These comments are totally unacceptable and are strong evidence of why human rights legislation is so very necessary.

Imagine for a moment being a gay or lesbian employee working for someone like the Reform members who feel that it is their right to fire employees, not on the basis of merit but on the basis of a personal characteristic. This from the Reform Party that consis-

tently states over and over again that it is the party of equality and that the only hiring criteria is merit.

No one can deny that discrimination in the workplace for gay men and lesbians is very real. Many work in hostile and homophobic work environments where gay jokes are an accepted norm. Lesbians and gay men must often conceal their identity in order to get hired or to keep their jobs. As a result they cannot talk openly about their personal lives or about their partners.

• (1635)

When people are unable to share in simple conversations with colleagues about non-work activities, this can be very isolating. No one would want to be in a position where one has to conceal who one is for fear of verbal or physical abuse or for fear of being fired.

While some members on both sides of the House are not willing to extend protection against discrimination to gay men and lesbians, I am most disappointed with the Reform Party that has taken as a matter of party policy the right of individuals to discriminate against gay men and lesbians. Reform members say they are the party of equality, but is this only for people who look like them, who behave like them? Is there no one in the Reform Party who has the courage and the principles to stand and vote against the Jurassic Reform Party line? Is there no one in the Reform Party to stand in this House and be counted as someone who supports protection for all Canadians regardless of race, ethnicity, gender, age, ableness, religion and sexual orientation?

Some try to confuse the public by suggesting they would support this legislation if only the term sexual orientation was properly defined. This is merely an excuse for their homophobia or adherence to the third party line.

Courts and tribunals have looked at a number of cases pertaining to discrimination on the grounds of sexual orientation. They have clearly understood sexual orientation to mean heterosexuality, homosexuality and bisexuality. Opponents of this bill mislead Canadians when they say pedophilia will be sanctioned. Pedophilia, whether the perpetrator is homosexual or heterosexual, is an illegal act. As illegal behaviour it remains under the Criminal Code and is not protected by this amendment.

Tom Harpur has said there are many paths to God. For believers I agree with Mr. Harpur, there are many paths to God. The path that I have chosen is Christianity. I have to tell the House how hurt and angered I am that some individuals in this House use religion to further their political agenda. They have threatened and they have manipulated well-meaning individuals and I find this inexcusable.

The basic tenets of the Christian faith include compassion, respect and tolerance. Protection against discrimination is about

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compassion, respect and tolerance. Diversity is the hallmark of creation. Diversity is healthy and natural. It must be protected.

Over 70 years ago as a woman I was not considered to be a person. If political leadership to change this gross inequity had not occurred I would not be in the House today arguing for the basic rights of other vulnerable groups in Canadian society. If we are to be civilized and humane we must protect the rights of all Canadians.

In my maiden speech I said that as parliamentarians we merely pass through this place. I feel very fortunate and honoured to be in this House when a federal government has finally made the decision to bring forward legislation that extends protection against discrimination on the grounds of sexual orientation.

I urge my colleagues on both sides of the House to seize this very important historical moment and support this legislation.

• (1640)

[*Translation*]

Mr. Gérard Asselin (Charlevoix, BQ): Mr. Speaker, I am pleased to take part in this debate this afternoon on Bill C-33, to amend the Canadian Human Rights Act to prevent discrimination against homosexuals and lesbians.

How many people have suffered discrimination because of their homosexuality? There are of course people like the members of the Reform Party who go into trench warfare at the sound of the word "homosexuality". How many people have lost their homes or have been driven out of them because of their homosexuality?

Discrimination occurs even at the workplace. There are firms, companies and associations that used to send for and still do send for Cvs when a job competition is announced. How many people have been discriminated against because of their age and have been penalized in the selection process? How many people have been discriminated against and have even been denied an interview where they could explain their skills and how they would go about doing the job? How many people have been bypassed in promotions at the workplace, again as the result of discrimination?

Discrimination is not limited to homosexuality. It is faced by older people, who are often said to be too old to do the job. People have also been passed over because they are considered too old to be promoted. Older people are often offered a retirement program, because their age threatens company performance. Older people currently face a lot of discrimination in our society.

Members of visible minorities also face discrimination. Let us look at an example. In Montreal, 60 per cent of people represent visible minorities, coming from Vietnam, Japan, Italy, Greece and so on. In short, 60 per cent of the present population of Montreal come from cultural communities.

Naturally these people want to put their experience and their qualifications to use for the benefit of their fellow citizens and of a company. Very often, unfortunately, companies do not want them. With Cvs again, a lot of discrimination occurs when a firm looks at an individual's age and nationality and is afraid of his or her effect on business. It does not hire the individual. It does not even give the person a chance to go through a selection interview.

How many people are punished because of their sex? There are a lot more non traditional jobs in industry these days. I myself am a former employee of Reynolds in Baie-Comeau. I am on leave without pay at the moment. In the aluminum plant in Baie-Comeau today there are women electricians, women solderers and women doing jobs that, in the past, were always done by men. Women are being trained in and are doing these jobs.

In French, job posters often specify that the masculine includes the feminine or that the position is open to women. Whether you are a man or a woman, the job is open. Equal skills, equal pay. I think a woman who works beside a man should not earn less because she is an electrician. She should earn the same as the man.

• (1645)

How many people are discriminated against because of language? They say that nowadays, salaries being equal, employers will go for the person who speaks several languages, English and French for example. There are also companies in the tourism field, airlines, travel agencies, which will give priority to people speaking several languages. This can end up penalizing people who have, unfortunately, not had the chance to learn another language, particularly in Quebec where the first language is French. They are highly qualified, through their experience, to work as travel agents, but would be penalized because they do not speak two languages.

And how many people are discriminated against and penalized in Canada because they are disabled? Because of an accident? The person was highly competent, active and cost-effective to the employer but now is pushed aside, sometimes even let go, because of a handicap resulting from accident or illness.

In the Quebec National Assembly in 1977, then Premier Lévesque introduced a clause in the Quebec charter of rights and freedoms which allowed male homosexuals and lesbians to live free of discrimination. So it is already in the Quebec charter, and here we are getting around to it only 20 years later. Quebec has definitely always been ahead of its time in such things.

This is the reason Quebec has sent 53 or 54 Bloc MPs to Ottawa to show the Canadian government that it is high time in 1996 to include the same clause in the federal charter that is in the Quebec charter. This is not, I feel, any sort of luxury. The federal government must evolve, must keep abreast of the latest developments. The Bloc position is quite simply to see that Ottawa

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endorses what the Parti Québécois put in place back in 1977 under René Lévesque.

Some things that have been said by the Reform Party around this bill I would classify as racist remarks and liable to incite to violence. Let me explain.

The comments made by the former Reform whip recently, about moving someone into the back room in a store if the employer were to discover that person to be homosexual, strike me as both vulgar and racist.

The Reform Party is calling for more and more free votes in this House, yet when members call in caucus for their people to be less far to the right, closer to the centre right—as was the case recently when the hon. members for Calgary Southeast, Simcoe Centre and Calgary Centre called for the party to take less radical positions—the Reform caucus jump on them like a pack of wolves. This makes absolutely no sense.

I feel the Reform Party needs to take the path of reason. We have read in the press that the leader of the Reform Party, the hon. member for Calgary Southwest, approved of violence, approved of the Prime Minister's violence toward a demonstrator, especially if a sovereigntist. This is inciting violence, inciting his party to violence, and now we see the consequences. We have just had several byelections in Quebec and the Reform Party got only 0.5 per cent of the popular vote in Quebec.

Might I, in closing, make it clear to both this House and the voters who are viewing us at home that there is a great difference between recognizing same sex couples and preventing discrimination.

• (1650)

[*English*]

Ms. Roseanne Skoke (Central Nova, Lib.): Mr. Speaker, I enter this debate with respect to the amendments in Group No. 1, which are concerned with the freedom of religion, expression and association, marriage, family and spouse, the Criminal Code and the preamble. With that in mind I will address the comments made by the Minister of Justice during debate on Bill C-33, which are in *Hansard* of April 30.

The Minister of Justice indicated on debate, “in my respectful view no participant has the moral high ground, no one is holier than any other”. I wish to remind this honourable House that in the preamble to our Canadian Constitution we recognize the rule of law and the supremacy of God.

By recognizing the supremacy of God we entrench in our laws natural law. Therefore, justice, law and morality are inseparable. Bill C-33 is an issue of morality. When legislating, Parliament must ensure that its laws are just and moral. The issue before the

House is one of morality and conscience; therefore it is also an issue of one's religious belief, opinion and freedom of expression.

The justice minister in debate stated unequivocally, “it is an issue of human rights”. What is a human right? I remind this House that the first right, the most basic right and the primary fundamental right is the right to life. Until Parliament addresses the right to life, from the moment of conception until natural death, it has no jurisdiction to extend the human rights to include sexual orientation.

To profess and to legislate that sexual orientation is a human right is to find that a human right is determined on the basis of behaviour, which is erroneous. To confer a human right on the basis of sexual orientation is to confer a special right, a specific right to a special interest group on the basis of behaviour identified by lifestyle.

To confer homosexuality as a human right on the basis of sexual orientation will provide homosexuals with a special legal status that will allow them to redefine the family, to redefine spouse, to enter into the realm of the sanctity of marriage, to infiltrate the curriculum of our schools and education and to impose an alternative lifestyle on our youth.

To legislate that sexual orientation is a human right is to elevate the existing legal test in Canada from one of tolerance to a legal test of condonation and acceptance.

All Canadians are equal before and under the law. Canadians are tolerant and compassionate people. However, by conferring a specific right to homosexuals in the Canadian Human Rights Act, Parliament is requiring Canadians not only to be tolerant and compassionate but also to condone and accept homosexuality as natural and moral.

Homosexuality is unnatural and immoral. The words unnatural and immoral are terms used in legal debate. Justice, law and morality are inseparable. As recognized by our justice minister, this is a moral debate.

I also wish to refer to *Hansard* wherein our justice minister attempts to refute arguments with respect to the rights this amendment in Bill C-33 will confer. He talks about family: “It is suggested by some that this bill will either directly or indirectly undermine or diminish the importance of family in Canadian life”. I am one of those some.

• (1655)

Families have inherent and inviolable rights in Canada. Families have existed before the church and families have existed before the state. The rights of family must be safeguarded and protected.

The reference to the importance of family in the preamble to Bill C-33, which was included merely to appease those members of Parliament with morality and conscience issues on their minds, was in my opinion a grave error on the part of the Minister of Justice.

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Introducing family in an amendment to confer special rights with respect to sexual orientation is a violation of the rights of family. It allows the very redefinition of family that we choose to protect.

In *Hansard*, the justice minister makes reference to his subjective opinion on how the bill will not affect his own family. Canadians are not interested in the subjective opinion of the Minister of Justice. He has no jurisdiction to impose that opinion on Canadian families.

With respect to the issue of religion, the Minister of Justice stated in *Hansard*: "This bill is fundamentally consistent with the most basic teachings of religion". He also stated: "I developed a deep respect for the tenets of the Catholic faith. I suggest this amendment and the action it constitutes is completely consistent with those tenets". This is not a matter for debate.

The Minister of Justice has exceeded his jurisdiction by speaking on behalf of the church. I use the word church in an all inclusive sense. The justice minister has made a pronouncement on issues of ecclesiastic law and canon law that is not within his jurisdiction. For the Minister of Justice to state that this bill is fundamentally consistent with the most basic teachings of religion is to interfere with the individual and personal freedom of religion and belief that every individual in Canada has, pursuant to our Canadian Charter of Rights and Freedoms.

To state that this bill is fundamentally consistent with the most basic teachings of religion also closes the door on any religious defence that may be argued in future with respect to the introduction of Bill C-33.

"This bill is fundamentally consistent with the most basic teachings of religion", as stated by the Minister of Justice, is an interference with the domain and jurisdiction of the church. The principle of separation of church and state is well founded historically, culturally and in our laws. The state has no jurisdiction to interfere in matters of church.

However, the House should be reminded that the church has a right and a responsibility to concern itself with matters of state on issues of morals, values, principles and religion. In this regard I have called on the Minister of Justice by letter, and I do so here again today in the House, to withdraw the statements he made in this House specially with reference to religion, to withdraw the statement: "This bill is fundamentally consistent with the most basic teachings of religion—I suggest this amendment and the action it constitutes is completely consistent with these tenets".

I ask that the Minister of Justice be accountable for exceeding his jurisdiction in the House.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, considering the imposition of time allocation on Bill C-33, I am pleased to have the opportunity to address the House on this piece of legislation. However, I must inform the House that it is not a pleasure. I would have far preferred if this legislation were not brought forward by the Liberal government.

I will begin my remarks by indicating my approval for the amendments we are presently discussing. They are put forward in good faith, dramatically improve the intent of the bill and make it much more palatable. It is certainly my wish to see them passed and the bill amended as in the grouping of the first nine amendments.

• (1700)

In particular I should like to indicate my support for the basic thrust of Motion No. 11 put forward by my colleague. It would add a new clause affirming that sexual orientation will not redefine the terms marriage, family and spouse in any act of Parliament.

This is particularly important because this area seems to be causing so much concern among the constituents of Prince George—Peace River, the riding in northeastern British Columbia which I represent. The people of Canada from coast to coast are very concerned about this amendment being put forward and about the term sexual orientation when it has not been defined by the justice minister or by Parliament.

I would like to read into the record "A Statement Regarding Bill C-33" from the Archdiocese of Vancouver:

In order for the federal government's proposed amendment of the Canadian Human Rights Act regarding sexual orientation to be acceptable, three basic safeguards need to be built into the legislation. First, sexual orientation must be defined; second, the amendment must not be used to give homosexual couples marital or marriage-like status; third, the conscience rights of Canadians morally opposed to homosexual behaviour must be protected.

Sexual orientation should be defined to refer to homosexual persons but not homosexual activity. By homosexual persons I mean individuals who experience a predominant, exclusive or very strong attraction to members of their own sex. Such a definition will ensure that the focus of the amendment will be where it should be: on prohibiting unjust discrimination against homosexual persons who have the same inalienable human dignity as other members of society. By specifying homosexual persons, the definition also would prevent the amendment from being used to protect pedophilia or other aberrant sexual behaviour.

It is also necessary for the legislation to explicitly state that the amendments should not be used to redefine the meaning of marriage, family or spouse so as to include homosexual couples or confer marriage-like benefits on such couples. Without such a statement, the amendment's preamble, which refers to preserving the role of "family", is unclear and subject to misinterpretation.

Thirdly, the legislation should make it clear that the amendment is not to be used to restrain Canadians who are opposed to homosexual behaviour from acting in conformity with their conscience, assuming they maintain due respect for homosexual persons. It should not force them to do something which reflects approval for homosexual behaviour, and it should not prevent them from doing

something which reflects disapproval for such behaviour. For example, it should allow employers to make the non-practice of homosexual activity a bona fides occupational qualification. (Manitoba's human rights act explicitly provides for this).

These safeguards are necessary to preserve the common good while at the same time enabling Canadian society to clearly oppose unjust discrimination toward homosexual persons.

This document comes to me from the most Reverend Adam Exner, OMI, with the archbishop's office in Vancouver. I thought it was particularly appropriate to read it into the record because it certainly fits in quite nicely with amendments we are debating at present.

Motion No. 12, also submitted by my colleague, adds a new clause affirming that sexual orientation will not affect freedom of religion, expression and association as guaranteed in the charter of rights and freedoms.

• (1705)

I refer briefly to the Reform blue book. Bill C-33 has certainly caused quite a stir in the Reform Party, the Liberal Party and most if not all political parties over the last week or so since it was introduced in the House.

This is my first opportunity to speak to the bill because over the last couple of weeks I was back in my riding. There are many people at the grassroots level across Canada discussing the legislation. There is open and honest discussion about the possible ramifications of Bill C-33.

The constituents of Prince George—Peace River have made it very clear to me as their elected member where the majority of them stood on the bill. Motion No. 12 dovetails nicely with principle number eight in the Reform blue book:

We believe that every individual, group, province and region in Canada is entitled to fundamental justice. That fundamental justice entitles the people of each region to benefit equally, without discrimination, from participation in Confederation and from the programs and expenditures of the Government of Canada.

Certainly that fits in quite nicely with this amendment. That is why we are supporting this motion.

Motion No. 13 warrants some attention. It adds a new clause that sexual orientation will not affect the enforcement of provisions in the Criminal Code.

Motion No. 14 adds a new clause to affirm that nothing in the bill will result in the extension of same sex benefits. This is consistent with Reform policy and consistent with survey results from my own riding.

I conducted the survey in a householder in the spring of 1994, some two years ago, but it is still appropriate today. Because we were forewarned in the infamous Liberal red book of what they intended to do, I took it upon myself to ask questions of the constituents of Peace George—Peace River. Over 1,200 constituents replied to the questionnaire.

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Question No. 3 indicated that the Canadian Human Rights Act should prohibit discrimination on the basis of sexual orientation. It was very succinct and very straightforward. Thirty-four per cent of the respondents agreed, fifty-four per cent disagreed and twelve per cent were undecided. It was not a large majority but a majority nonetheless.

On the accompanying question of same sex couples being eligible for spousal benefits received by traditional couples, men and women, 16 per cent agreed, 75 per cent disagreed and 9 per cent were undecided.

The vast majority of the constituents of Prince George—Peace River feel quite strongly about the issue, certainly those who responded to the questionnaire at any rate.

As early as about an hour ago I was faxed a memo from one of the more prominent radio stations with a very high profile talk show, CJDC out of Dawson Creek in my riding. It is signed by a number of people who work at the station and states:

I oppose the initiative to have sexual orientation added to the Canadian Human Rights Act without definition and proper input from the Canadian people.

A large number of people have advised me as their representative how they feel I should be voting on this piece of legislation. I have received over 100 E-mail letters in the last two days alone, all in opposition to the bill. I have received faxes, phone calls and personal consultation over the last couple of weeks I had the opportunity to travel throughout my riding. Certainly constituents were coming to me and making their views known on this piece of legislation.

In summary, without these amendments being passed I will have to vote against the legislation, not because any individual should suffer from discrimination but having the term undefined could lead to all types of things that I have clearly laid out in speeches in the past. Those are my concerns and therefore I will be voting against Bill C-33.

• (1710)

Mr. Ted McWhinney (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, there will be a free vote on Bill C-33. It is my understanding that government practice requires members of the government, ministers, secretaries of state and even parliamentary secretaries, to support a government measure. That is almost axiomatic. However I would want members to know that in voting on this measure I am voting on the merits as I see them.

I have had the advantage of consulting with my constituency association over the last 18 months. We knew a bill might be introduced with a social policy forum. Only a week or 10 days ago I spoke with members of my constituency association who were delegates to the annual convention of the party a month ago. My

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vote has been influenced very heavily by the opinions which have been expressed to me. However I believe I can contribute to the debate by addressing some unnecessary confusion in the discussion.

First, there is a false dichotomy between constitutional positions and ethical opinions. Every constitution is an expression of an ethical position, a value choice. It is sometimes forgotten that Jefferson and Madison who inspired so much of contemporary constitutionalism had a commitment to what we today call open society values, and that is a value choice. I believe we should have mutual respect for the positions on both sides of this debate so far as they have been articulated to date.

Part of the problem in our Canadian approach to the issue comes from one of the significant choices made in 1980-82 when we were patriating the Constitution. Many of us advised the government of the day and Mr. Trudeau that they should take as a model for a charter of rights either the American bill of rights, which by legend Madison wrote one Sunday morning, or the great French declaration of the rights of man and the citizen of 1789 and 1791, which is still in the constitution of the fifth republic and the most widely copied of all charters of rights throughout the world. The essence of those charters is that they reduce to a single page the basic principles of a free society.

There is a principle of equality, equality before the law, equal protection of the laws, but it is cast in broad terms without limitations. Perhaps it is regrettable that our charter is very long and the equality principle proceeds to list in extenso examples of equality or categories to which it is applied. It has the effect of cutting down the generality, the sweep and the opening to creative innovation. It may be one of the reasons our courts, including the Supreme Court, have been spasmodic and non-sequential in the development of principles under it.

I understand, therefore, the feeling of people not on a list that they are excluded. It is the old Latin maxim: expression unius est exclusio alterius. If a person is expressed they are in; if they are not expressed they are out. In some ways it distorts the dialectical notion of constitutional development that broad principles are capable of changing in their application according to new societal facts.

I have an interesting letter from the president of the bar association, Gordon Proudfoot, which rejects the step by step, pragmatic, problem oriented development which was the key to human rights development in the United States and in many European countries which were subsequently influenced by it, with the Supreme Court playing a creative role in lock-step with the justice ministry that puts up the test cases. What has occurred there is pragmatic incremental change, not wild experiments in judicial legislation as some might have feared. This would have been a better development for us in Canada, but it is water under the bridge.

• (1715)

We have a lengthy charter that is really a lawyer's charter, not a people's charter. It is hard for lay people to understand. The Canadian Human Rights Act replicates the charter of rights in that sense.

I also had a thoughtful letter from Archbishop Exner of Vancouver. It was quoted by the hon. member opposite. It is thoughtful and helpful. One problem here I think relates to the way the amendment to the human rights act was drafted. The human rights has a wide range, covering some agencies which might be considered private for the purpose of the charter of rights. Beyond that it covers bodies subject to federal regulation such as airlines.

Contrary to general impression, the human rights act is not a general code of human conduct. The amendment makes very clear what is inherent in the Canadian Human Rights Act, unlike the charter, is it is really limited to removing discrimination in employment and the provision of goods and services. That is in the act. It may be enough to make that purpose explicit and make it clear as a matter of legal interpretation.

I would have suggested to the Minister of Justice that rather than put it in the preamble it be put in the substantive part of the act, perhaps section 1. It would make clear as a matter of law that the act applies to prevent discrimination in employment and the provision of goods and services. That as its scope would remove a good deal of the unnecessary fears or questions raised by people of integrity and good faith that somehow this is a licence for a fishing expedition into many other areas of social policy.

It may be that the community will decide in its wisdom that it wishes to move into other areas, but if the purpose of the law is as I have said, and I think that is very clear, it would be better in the language and drafting if it said so.

I do not believe the fears that have been expressed that this may be too widely and too loosely interpreted by unelected judges. I do not think they are warranted on the language as it stands. I simply suggest that to make certainty doubly clear, and there is a Latin maxim for that but I will not quote it, the justice minister might consider at the committee stage of the bill making the change I have suggested.

The open society values implicit in the charter of rights are implicit in this measure too that the Canadian people as whole accept the notion that discrimination in employment based on all the factors mentioned in the amended bill is unacceptable in social terms. That is a good and worthy motive. It is on that basis that I have given my support to the bill.

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Mr. Jake E. Hoepfner (Lisgar—Marquette, Ref.): Mr. Speaker, I did not really expect to say anything in the debate today. I thought I might at third reading. However, now I have the chance and I will add my comments.

I am a Reform member and I believe in equality for all citizens. That is why I ran for Reform. I have had experiences in another country where it said there was equality but I did not see it. I have said a number of times in my speeches that the visits I made to the Soviet Union it made me realize how important democracy is.

When I see the democracy in the House today it reminds me a lot of the manifesto of 1917 when there was freedom of speech, freedom of religion, freedom to have property. It was freedom only for two or three people at the top. The rest were shut down or exterminated.

It sounded almost biased when I heard the government over the last couple of days making excuses that it could not fulfil its promises because of acts of God.

• (1720)

If we look back to the story of creation, God did create a husband and a wife. What do members think happened? The husband blamed God for his breaking the promise not to eat the fruit of life. He said it would not have happened if God had not given him that woman. That is where discrimination started.

I do not think that is the type of thing we want to reinforce, blaming God for our problems or making us do some things. We want to give him credit to show us and give us the wisdom to make the right kind of legislation.

When I look at this bill, it is a stepping stone to attacking the basic family unit. I cannot see it differently. If it is not, why would the government refuse to endorse the amendments made by my colleagues? They have been made to protect the basic institutions of marriage and family. If that is not acceptable, what is in the bill? Think about it.

The bill is a smoke screen. It is probably a way to get the door opened up a little wider to destroy the basic unit of the family. As we have heard in the House a number of times, when that happens, when the basic family unit becomes disintegrated, when it becomes non-functional, so does the country. That is something we have to look at very seriously in this legislation.

The communists in 1917 said they would be equal, that they would have freedom. They said families did not do a proper job of raising their children and they would take over. They said they do not really need marriage, the basic family unit. It was not many

years later that Stalin took over the reigns and had a huge problem. He had so many orphans he did not know what to do with them.

If members want to read about history and some of the tragic stories before he got the system back on track, it is horrendous. In 1935 or 1936 Stalin passed legislation that gave the world the toughest divorce laws ever implemented. He could see the basic family unit was there for a reason. Even if he did not believe in God he could see it would not work otherwise.

I was amazed when yesterday or the day before I was watching "Newsworld". I saw the documentary on the Igor Gouzenko family. I remember when the Gouzenko family defected from the Russian spy system and asked for asylum in this country. Those people are still under protection today because the edict is out to kill them for what they did. They were warned when they discussed whether they would defect. Mr. Gouzenko said it means our family will die in Russia. What do we do? Can we afford to take that risk? They will be executed.

Their family told them if they ever got out of the country they had better not come back no matter what it meant to them. Today they are under strict security. They are hidden in this country. Nobody knows who they are. When they are on television they still must have their faces screened. What a life. What a penalty to pay. What a penalty the Soviet Union put on that family.

It took 50 million people, according to Mr. Gouzenko, to die because of what they believed before that system was overthrown. Solzhenitsyn wrote that 40 million people died. When I was in the Soviet Union in 1991 after the coups and the books were finally opened, the estimation was 60 million.

One old gentleman said "because of our mistakes, because our government tried to stamp out the religion that brought the earth into being, we will pay for it for centuries.

• (1725)

For five years of greatness in the second world war we propagated that and bragged about it for 70 years but never allowed the world to see what was happening our country".

According to that rate, he said it will take 970 years to write the horror stories that happened in that nation because it failed to look at the basic family unit, what it was set up for and what function it had.

Today we are debating this issue. Are we willing to bring that kind of a punishment on this nation? We have heard about the Roman Empire and other empires where the family unit became dysfunctional the nation finally did fall. If that is what we are trying to do we are on the right path.

Private Members' Business

I will not be part of that. I will vote against this legislation on third reading. I hope the Liberal government sees there can be no value in passing this legislation without ensuring those amendments are passed.

There is not one issue that has been debated in the House on which I have had so many phone calls, letters and petitions as those asking me not to support Bill C-41 and Bill C-33.

When we were voting on Bill C-68 we heard a comment from a senator that this was really not a bill to register guns or put guns under further restrictions. This was a social engineering project. This is exactly what happened in the Soviet Union. It outlawed capital punishment, then it implemented gun registration and implemented gun confiscation. Finally what did it have? It had a revolution. Only the people on the top had the guns. The poor people who did not have them died very violently by them.

If we do not want to believe what we read let us go back and look at history to see what has happened and what the examples are. If we want to look at what homosexuality and permissiveness have done to some countries let us look at Africa and the problems it has run into. There are guidelines laid down in this universe that we have to follow or we will pay the consequences.

What do we want? Do we want more freedom for a few years and then pay the consequences or do we want to follow what has been laid down for us in history, something that has worked for centuries? The family unit has built one country after the other. Once we have a country we have a government. Where are we going to go? Are we to destroy the family and destroy the government? Let us look at Liberia right now. Do we want that type of system? I do not.

It is a privilege and honour to say a few words on this subject. I hope we will take this seriously, look at the amendments and pass them with the bill because we all want equality.

[*Translation*]

Mr. Ménard: Mr. Speaker, on a point of order. I do not know whether you understood the same thing as I, and perhaps there is a problem with the interpretation, where there is always a little time lag, but I believe that the hon. member is going a bit far in suggesting to us members some connection with societies in open ethnic conflict, certain African countries, and the question—

The Acting Speaker (Mr. Kilger): With all the respect that I have for all of my colleagues in the House, I must say that this is not a point of order. We are really entering the debate.

PRIVATE MEMBERS' BUSINESS

[*Translation*]

CRIMINAL CODE

The House resumed from May 1, consideration of the motion that Bill C-217, an act to amend the Criminal Code (protection of witnesses), be read the second time and referred to a committee.

The Acting Speaker (Mr. Kilger): It being 5.30 p.m., pursuant to Standing Order 45, the House will now proceed to the taking of the deferred division on the second reading of Bill C-217, an act to amend the Criminal Code (protection of witnesses).

Call in the members.

[*English*]

The Acting Speaker (Mr. Kilger): As is the practice, the division will be taken row by row starting with the mover and proceeding with those in favour of the motion sitting on the same side of the House as the mover.

[*Translation*]

Next, the votes of those supporting the motion on the opposite side of the House will be recorded. The votes of those opposing the motion will be recorded in the same order.

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 54*)

YEAS

Members

Adams	Alcock
Althouse	Assadourian
Asselin	Augustine
Axworthy (Saskatoon—Clark's Crossing)	Bakopanos
Bélanger	Bélisle
Bellehumeur	Bergeron
Bernier (Gaspé)	Bernier (Mégantic—Compton—Stanstead)
Blaikie	Brien
Brown (Oakville—Milton)	Brushett
Caccia	Cannis
Chamberlain	Chrétien (Frontenac)
Crête	Cullen
Dalphond-Guiral	de Jong
Deshaies	DeVillers
Dromisky	Duceppe
Dumas	Easter
Fillion	Fontana
Gaffney	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gauthier	Godin
Graham	Grose
Guay	Guimond
Harvard	Hopkins
Hubbard	Iftody
Jacob	Kraft Sloan
Lalonde	Langlois
Lastewka	Laurin
Lavigne (Beauharnois—Salaberry)	Lavigne (Verdun—Saint-Paul)
Leblanc (Longueuil)	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Lincoln
Loney	Loubier
Maloney	Marchand
Massé	McCormick
McGuire	McLaughlin
McTeague	McWhinney
Ménard	Mercier

Private Members' Business

Meredith
Mitchell
Nault
O'Brien (London—Middlesex)
Paradis
Patry
Peric
Picard (Drummond)
Reed
Richardson
Rocheleau
Scott (Fredericton—York—Sunbury)
St. Denis
Telegdi
Thalheimer
Tremblay (Rosemont)
Vanclief
Verran
Zed—107

Minna
Murphy
Nunez
O'Reilly
Parrish
Payne
Pettigrew
Pomerleau
Regan
Rideout
Sauvageau
Speller
Taylor
Terrana
Tremblay (Rimouski—Témiscouata)
Ur
Venne
Wells

Duhamel
Landry
Lefebvre
Paré
Tremblay (Lac-Saint-Jean)

Hickey
Lebel
MacAulay
St-Laurent
Walker

● (1800)

The Acting Speaker (Mr. Kilger): I declare the motion carried.

Accordingly this bill is referred to the Standing Committee on Justice and Legal Affairs.

(Motion agreed to, bill read the second time and referred to a committee.)

The Acting Speaker (Mr. Kilger): Before we proceed, it is my duty, pursuant to Standing Order 38, to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Davenport—the environment.

[English]

The Acting Speaker (Mr. Kilger): The House will now proceed to the consideration of Private Members' Business, as listed on today's Order Paper.

* * *

CHILD LABOUR

Mr. Bill Blaikie (Winnipeg Transcona, NDP) moved:

That, in the opinion of this House, the government should take measures to prohibit the importing of goods manufactured or containing parts manufactured by child labour as defined under International Labour Organization conventions.

He said: Mr. Speaker, it is with pleasure that I rise today to speak to my motion which calls on the Liberal government to take measures to prohibit the importing of goods into Canada made with child labour, one of the great scourges of the contemporary global economy. At the end of my speech I will be seeking unanimous consent for a vote to occur on this motion so that the House might be able to express itself on this very important issue.

This is not the first time the House has had the opportunity to debate this important issue. In November 1994, during the ratification of the World Trade Organization agreement, the House considered a New Democratic Party motion to amend Canada's customs legislation to prohibit the importing of goods made with child labour. We argued at that time that as the international community grappled with the social implications to the globalization of the world economy, there was an obligation to ensure that the emerging new trading rules protected not only the legitimate rights of international investors, but also the legitimate rights of labour, especially the basic human rights of vulnerable groups such as child labourers.

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We sought to make a constructive contribution to the trade agenda by joining with a growing international movement seeking to put the social implications of trade front and centre of the project of improving international trading rules. The government, along with the Reform Party, voted against our amendments on child labour and a social clause, signalling that it did not want to be part of the constructive movement to develop an international trading system that pays as much attention to the rights of child labourers as it does to the multinationals.

• (1805)

It echoed this position in the actions it took in international bodies, siding with those who wanted the child labour problem studied rather than acted on in the OECD and the International Labour Organization.

The government's position appeared to change as a result of the determination and hard work of Craig Kielburger, the young activist whom many Canadians have come to know about recently. Craig confronted the Prime Minister publicly in Asia when Team Canada was touring that part of the world. Craig confronted the Prime Minister on the question of what Canada was doing to help in the struggle to end child labour. It was clear that Craig and the other child campaigners in India and elsewhere struck a deep vein of concern with the Canadian public and the international community.

Through his dramatic confrontation with the Prime Minister, he was able to break through the mantras of the advertising industry which attempts to cleanse the image of their products of the taint of the dreadful human context in which they are often made in developing countries. He was able to pressure the Canadian government to say that it would take action on child labour.

Craig appears to have shamed the government about its inaction, but so far he has not been able, nor have I nor anyone else been able, to shame it into action. The government did put a line in the throne speech about working toward an international consensus on the issue of child labour. It also has made a financial contribution to the ILO's program on child labour, something by the way that I had called for in a private member's motion tabled in the last session of Parliament. Anything more decisive or bold than these timid measures seems very far off at this point anyway.

What I hope to accomplish with today's debate is to help sustain or indeed add to the momentum that there may be on this issue by allowing members of the House to join in the growing chorus of those calling for real international and national action on child

labour and to ask the government to put its cards on the table about exactly what measures it will be taking.

For despite the pleasant words in the throne speech, the media reported that Canada's position at the recent meeting of G-7 officials on the unemployment crisis remained one of keeping child labour and human rights out of international trade rules. This is not consistent with what the Prime Minister promised to Craig Kielburger.

The numbers of children involved in child labour in developing countries and the conditions they face are staggering. The International Labour Organization estimates that there are some 200 million children working as child labourers around the world with some 55 million in India alone. The conditions these children work under are often inhuman and in many contexts in India and Pakistan are literally conditions akin to slavery.

Accordingly to the International Labour Organization, half the children in Pakistan's carpet industry die of malnutrition and disease before the age of 12. Girls 10 years of age work in China's special export zones in toy factories for \$10 a month.

No one pretends that a social catastrophe on this scale can be overcome overnight. It is a very complex problem that is deeply rooted in the social and economic cultures of some developing countries and in the absence of political structures that respect basic human rights. Most importantly, child labour is also rooted in the globalization of world markets. The fact is that child labour has been growing in tandem with the liberalization of world trade, as multinationals seek to find labour markets with ever lower and lower wages and lower standards. They find the cheapest labour with contractors in developing countries who use children to produce rugs, textiles, garments, shoes, toys and other light manufacturing products which the multinationals market in the global economy.

It is because child labour is so deeply intertwined with international trade that the international community has a large obligation to participate in the efforts to respond to the plight of child labourers and begin the process of eliminating child labour.

Canadians I believe are clearly looking for ways to play a leading and constructive role in these international efforts. The question everyone wants to know is what Canadians and their governments can do to make a difference.

On one level Canadians can make a difference as consumers. The bewildering world of international trade rules, the organizations that operate them, and the obscure jargon of international economics must at times seem to most Canadians as having little immediate or direct bearing on their own lives.

• (1810)

As consumers we are all directly connected to the global economy. Every time we purchase a pair of athletic shoes made in Indonesia, a toy made in China or a carpet made in India or Pakistan, we are directly involved in international trade and very likely involved as well in the problem of child labour.

A growing number of people in Canada and around the world are awakening to the fact that as consumers of goods made with child labour, we are implicated in the problem. We are complicit in the problem. It is too rare for any of us to feel anxious when buying clothes or toys for our children because we wonder about the children in Indonesia or China that worked in the sweatshops to make the clothing or the toys.

Yet there is an awakening sense that as consumers of goods we have a moral obligation to ask questions about how these goods that we are consuming are produced. That leads us to have a moral obligation to child labourers.

As consumers, potentially we have a great deal of power to change the situation. If consumers did not purchase goods known to be made with child labour, the multinationals who had them produced and imported would have to adjust their business practices. The challenge is in providing information to consumers about how, where and by whom goods were produced.

Two approaches have emerged out of the insight about the potential power of consumers. The first is a movement to attach effective labels to products attesting to the fact that they were not made with child labour. One such program is the recent innovation of the "Rugmark" label which addresses the problem of child labour in the South Asian carpet industry, one that is particularly notorious in the use of child labour. There are proposals to extend this kind of approach to other products as well.

The other response to the potential use of consumer power as a tool in the struggle to eliminate child labour is the fair trade movement. Organizations such as Oxfam's "Bridgehead" market products from developing countries that are traded on a fair basis, that is with good labour standards and fair prices. Consumers who wish to ensure that they consume goods traded on a fair basis have the opportunity through such organizations to shop in a morally responsible way by shopping through Bridgehead and similar organizations around the world.

The movement for better labelling and the growth of fair trade opportunities for Canadian consumers are developments that I am sure everyone wants to see flourish and expand. Child labour and other problems with international labour standards cannot and should not be solved by conscientious consumers alone.

In the first place, the multinationals have an extremely powerful advertising industry with an awesome grip on our popular culture

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that they use to hide the social context of how their goods are produced in developing countries.

For every Craig Kielburger who may prod the conscience of Canadians or the Prime Minister by getting a few minutes on *The National*, there are dozens of sport celebrities with ready-made public reputations who are used by the multinationals to market their goods. It is not really a fair contest and the gap between the millions paid to the sports star to endorse a running shoe in a 30-second ad made in an Asian sweat shop, and the pennies paid to the child labourer to manufacture that shoe in a lifetime of miserable drudgery, has got to be one of the most eloquent condemnations of the new global economy.

The other reason we should not limit ourselves to consumer power is that we are not only consumers making decisions in the marketplace, we are also citizens. We are citizens of a state that is in a position to take action itself, and as a participant in international agencies that are in a position to take effective action toward the elimination of child labour.

Canadians want to know that their government is doing all that it can to play a constructive part in international efforts on child labour. Unfortunately, the Canadian government has not done all that it could do. In spite of being shamed into mouthing some reassuring rhetoric, the policy of the government on child labour has been hands off. It has been content to have the problem studied by the OECD and the ILO. But in its opposition to having the World Trade Organization, the one body that sets trade rules, have anything to do with human rights or labour standards or environmental standards, the government has consistently sided with those who want trade rules to be blind and deaf to child labour and other human rights abuses. Nor has the Canadian government taken any action on its own to restrict the importation of goods made with child labour.

• (1815)

What are we to make of the government's decision to condemn child labour but permit it in trade deals, to study the problem but not to take action? There are, I think, some unstated assumptions behind the government's inaction: that child labour is an inevitable and inescapable part of the development process; that it is necessary for the children of developing countries to suffer under child labour until their societies properly adjust to globalization; and that in the future the practice of child labour will disappear as the developing economies become more prosperous just as child labour disappeared in Europe and North America.

There are two things terribly wrong with this unfounded confidence in the inevitability of economic progress. The first is its blindness to the fact that much child labour in developing societies has been an outgrowth of so-called economic progress. Child labour is not some old uneconomic social custom that liberal economic practices will eventually dissolve. Child labour has grown as a result of trade liberalization. It is how many societies

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have responded to trade liberalization. It will continue to grow as long as low labour costs remain the main source of competitive advantage for developing countries with no labour standards.

The second thing wrong with this optimism is its misreading of the history of child labour in western societies. Child labour did not wither away in Canada as a result of economic progress. It was abolished as a result of the outrage of citizens who thought it was immoral to allow businesses to exploit children, an outrage that eventually forced governments to regulate the workplace and set labour standards to protect children.

If we are to make any headway against child labour in the developing world today, there must be a recognition that it will not happen without the setting and enforcement of legal standards to protect the rights of children. In the current context of globalization, the international community will have to play a role in ensuring that those labour standards are in place.

Let us imagine what would happen if we treated the rights of the multinationals with the same lackadaisical inaction that we treated the rights of children. For example, an integral part of the new world trading rules of the World Trade Organization is the protection of the intellectual property of multinationals. Pharmaceutical companies want to have full rights to the value of their drugs and entertainment companies do not want independents bootlegging their CDs or videos.

Imagine a situation where governments said to the multinationals as they are saying to child labourers: "We think your rights should be respected, but to actually make trade rules that enforce your rights would destroy trade. But do not worry. We are studying the problem in the OECD and in any case, as these countries become more prosperous by exploiting your intellectual property they will gradually come to respect your rights. Just be patient, it is just a matter of waiting for the proper adjustments to take place". The multinationals would not tolerate it. They would laugh in the face of any government that offered such an argument.

The trouble is the multinationals have the power to laugh in the faces of governments and child labourers do not. As a result, governments have worked hard to protect the multinationals' interests. China's lack of regulation of black market CDs and videos has kept it out of the WTO. Canadian governments protect multinational drug company interests with drug patent legislation. However, these same governments, the Canadian government among them, have refused to put enforceable clauses on labour rights in international trade agreements. It is the utter powerlessness of children in the face of the very powerful multinational corporations that exploit them that imposes on governments an inescapable moral obligation to defend their rights.

Governments can do two things. They can work together in international organizations to pay as much attention to human rights as economic interests when developing international economic agreement. This could take the form of social clauses in trade agreements. It could take the form of a new mandate for the International Labour Organization to enforce its agreements and conventions. Or it could take the form of a new United Nations body, an economic security council to parallel the existing security council. Whatever the mechanism, it is vital that human rights and labour standards be a central part of the international trade agenda.

Governments can also take independent action. This brings me to the specifics of my motion today. Governments can on their own initiative regulate the trade in goods made by children in contravention of International Labour Organization conventions. My motion today asks the government to take the kind of measure which would compel importers to make a declaration that the goods they are importing were not manufactured by child labour.

It would be important in designing the measures to stipulate that importers would have to attest that their suppliers did not exploit child labour in the manufacture of a product. It is common practice not to hire children themselves but to contract out production to local manufacturers that in turn make use of child labour.

The main advantage of this kind of approach to combating child labour is that it puts the regulatory sophistication of a developed country like Canada at the disposal of a problem of underdevelopment.

• (1820)

Many individual governments of developing countries are making efforts to introduce regulations to protect children. Many such countries do not have the resources to police regulations on child labour however well intended those regulations may be. Developed countries like Canada have an obligation to help the governments of developing countries prevent multinationals from trading in goods made by children.

Measures by the Canadian government to prohibit the importation of goods made with child labour would put the burden of proof on the large importers and retailers to establish that they have not imported goods made with child labour. The costs of regulation would therefore be shouldered by the corporations themselves.

Some will say that we cannot help child labourers by cutting them off from their source of employment which after all would in most cases be a crucial part of their family's subsistence income. In this regard, some observers have noted that the very success of the Rugmark program in raising public awareness of child labour has hurt child labourers in Bangladesh where firms exporting to

western Europe and North America no longer employ children. Child labour may be exploitative, it has been argued, but for the very poor in very poor societies at least it allows for survival and we would be wrong to remove an opportunity for families to support themselves.

The immediate impact of a successful cessation in international trade in goods made with child labour is something the international community must address. It must do so with a commitment to relate with developing countries in more ways than through liberalized markets. To argue that we should not stop the trade in goods made with child labour because it will harm the standard of living of the poor is to be blind to the fact that the international community can do much more for the very poor than purchase products made by their children.

As everyone involved in international development knows, access to primary education is one of the keys to development. International communities should be helping the very poor by building schools for their children, not by buying trinkets made by their children.

At this point, I would seek the unanimous consent of the House that my motion be voted on at the end of the hour.

The Acting Speaker (Mr. Kilger): Is there unanimous consent?

An hon. member: No.

Mr. Blaikie: Mr. Speaker, I would like the record to show that pursuant to a letter I received from the deputy government House leader, it was the government that denied unanimous consent to my request.

Mr. Ron MacDonald (Parliamentary Secretary to Minister for International Trade, Lib.): Mr. Speaker, first I want to personally commend the member opposite for continuing to put before the public in this House of Commons the very important issue of the exploitation of child labour. He has spoken very passionately about the issue for a very long time. There are others in the House who share his point of view. I think the House would like to recognize that.

The reason unanimous consent was denied is not that anyone in this House believes that this issue should not be dealt with but perhaps it was the method of dealing with it. The hon. member's motion in and of itself is very commendable and touches part of the problem but many of us believe the problem is much larger. Those of us who have been in this place for a while know that sometimes there is only one kick at the can on these things. If a motion which only addresses a small part of the problem gets on the agenda and is

dealt with, it will be a very long time before parliamentarians are asked to deal with the broader issues in a more substantive manner.

The member knows full well that these issues are dealt with by the procedure and House affairs committee. The bills and motions are drawn. Very many worthwhile private members' bills and motions come up and in its wisdom, that operating committee determines which will be votable. That committee has representatives from the Reform Party, the Liberal Party and the Bloc Québécois. It decides on the votable items. It does not mean that certain issues are not important but that the committee does not believe they are issues which at that point should be dealt with.

Before I start my brief remarks in support of what the member has put forward today, I am in an unusual position. I am representing the government which believes that this motion, although the intent of it is very commendable, does not deal with the issue broadly enough.

To the member opposite, a letter was sent by our acting House leader to Mr. Craig Kielburger. The House leader said: "As deputy leader of the government in the House, I am prepared to discuss with Mr. Blaikie ways and means of asking the House to pronounce itself on this issue in the very near future. This will have to be done in an orderly process in consultation with parliamentary leaders of all parties". Although consent has not been given for this to be a votable motion, the deputy leader of the government in the House of Commons on behalf of the government has indicated support for the initiative that has been put forward and has put an offer to the member to deal with it expeditiously.

• (1825)

Indeed, the people in the House and across the country will recognize that no less than the Prime Minister of Canada has indicated by public statements abroad, by statements outside of this place and also in the speech from the throne that this is an issue the government takes very seriously. It is an issue on which the government wishes to find a forum to deal with it very quickly.

The Government of Canada is fully committed to action to end this abuse and to work co-operatively at all levels to ensure the elimination of conditions which limit the chance for all children to achieve their full potential.

The validity of the goal underlining the motion is not in doubt. In fact, there is a great deal of logic to the idea that by making the products of child labour unprofitable, the practice will stop. Action against imports is an area where the government continues to struggle in considering the most effective way it can act on its throne speech commitments to child rights and protection and its

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fundamental conviction that economic activity and human rights must occur in tandem.

The debate is about whether prohibiting the import of goods made by child labour in and of itself will actually achieve the goal sought. A number of criteria have led the government deliberations on this issue.

Is this action likely to be effective? Will it go as far as the government believes it will have to go in ending the practice? Labour practices which exploit and harm children present a dilemma of the worst and defining problems of underdevelopment; poverty, failed government, weak democratic institutions, just to name a few. Child labour is also a matter of culture and traditional social practice and a response to family poverty and a lack of access to education. Simply banning the import of goods that are made by child labour does not really deal with the fundamental underlying issues.

In well over 90 per cent of the cases, children work in domestic rather than export oriented activities. Therefore 90 per cent of the activities would go unchecked. Import restrictions would not touch these millions of children, nor would they affect the conditions of underdevelopment which allow abusive practices to continue. Development is a key to ending such practices.

There is evidence to conclude that import bans do not effectively reduce the problems associated with export products, as hard as they try. Rather they would drive the children who have been thrown out of the factories into potentially even more dangerous situations. Employers ready to use such practices are devious, determined and skilled. Other children will be found and their practices probably better disguised.

Canada has made significant advances internationally toward encouraging and implementing a rules based multilateral and open trading system. It is the view of Canada that only by working multilaterally with other governments through international organizations, trade organizations, banks, et cetera, that we can truly deal in an expeditious fashion with the horrendous practice of exploitation of child labour.

We have to look at the selection of the best alternatives to end child abuse. It is the view of the government that the most effective use of Canadian policy to end child labour would be: one, through long term development of co-operation aimed at meeting basic human needs, reducing poverty and promoting good governance; and two, through multilateral actions reflecting Canada's fundamental commitments to human rights and to just, equitable and a rules based trade and labour standard system.

CIDA currently spends about \$1 million per day directly addressing the development and protection of the needs of children. A number of these programs are aimed at expressly eliminating the causes of child labour, alleviating its most harmful effects and

rehabilitating its victims. The Department of Foreign Affairs, the Department of National Defence and CIDA are also paying attention to the plight of child soldiers and to children in the context of post-conflict reconstruction and transition economies where child employment, often physically very dangerous, is tolerated and encouraged as acceptable features of rebuilding social and economic conditions.

Through CIDA and human resources development and with active policy support from foreign affairs, Canada has provided a grant of \$700,000 to the international program for the elimination of child labour, to implement training to that end based on and in conjunction with countries that have committed to end the practice in their own back yards.

• (1830)

The result of this project will feed directly into conferences to be held in Norway and The Netherlands later this year. These conferences will include over 30 developing and developed countries, including Canada, which will seek to produce real action plans to deal with the real problems of child labour.

Canada was active in the decision of the International Labour Organisation to initiate a new convention to eliminate the most harmful forms of child labour. Foreign affairs and human resources development continue to work closely toward the pending June ILO conference which has child labour as its central theme. The government is also exploring means of providing better consumer education and is working with the private sector and community groups to that end.

Building on the determination of Canadians to play an active role through their governments is a very key part of our commitment. Acting on our commitment in the throne speech, foreign affairs and justice have tabled an act to amend Canada's Criminal Code to permit the prosecution of Canadians who engage in child sex tourism, which is the most heinous form of child labour abuse.

Canada is also working to ensure successful adoption of the optional protocol to the rights of the child concerning the sale of children, child pornography and child prostitution, activities which do not take place only in foreign countries. Unfortunately they also take place on the streets of cities and towns across Canada.

We have also participated in the Americas regional consultation and have contributed substantively to the draft declaration of action in preparation for the conference on commercial sexual exploitation of children to be held in Sweden in August, to which we will be an active participant.

We are learning through like minded countries and through our own experience that success is most assured where multiple approaches which stress local participation in poverty reduction, child care, education and broadly based job creation for youth and adults are emphasized, and where efforts are made on the

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multilateral level to implement rules based trade and core labour standards.

The government supports the initiative of the hon. member. However, the government has committed itself in the throne speech and in statements made by cabinet members, in particular by the Prime Minister, to taking its limited resources, its goodwill and its international reputation to the international community to deal with this very real problem.

It is my hope that the offer which has been put forward by our deputy House leader to the hon. member will be taken up quickly. Perhaps in a very short period of time we will find the proper forum and the proper opportunity to have all members of this place participate in the debate to deal with the very far reaching problem of abusive child labour.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, I would first like to tell you that we will be supporting the bill introduced by the hon. member from the NDP, and we hope that this bill will be made votable.

I would like to mention that a few days ago a delegation of Canadian parliamentarians, including myself, went to Geneva to take part in the international conference on human rights. As part of this conference, we visited the International Labour Organisation.

I find it strange, to say the least, that the government is refusing to make this bill votable, because, and I will have an opportunity to explain this in some detail, the point was brought home to us, as Canadian parliamentarians, in figures we were given showing the International Labour Organisation's estimates of the extent of child labour in various countries throughout the world.

I should perhaps read a definition provided by the International Labour Organisation: "We consider child labour to be any economic activity performed by a person under the age of 15, regardless of their professional status". There is a clear definition. It is the economic activity performed by a person under the age of 15—not very old really—regardless of their professional status.

The International Labour Organisation estimated that, worldwide, in 1990, there were 78 million children under the age of 15 engaged in economic activities. And of these 78 million, close to 70 million were between the ages of 10 and 14. I think it is important to keep these figures in mind.

• (1835)

It must be noted that there is, throughout the world and particularly within the large UN agencies, a growing awareness that it is no longer acceptable for 78 million of the world's children

to find themselves in the situation of having to choose between education and work.

As the mover of the motion perhaps mentioned in his remarks, Asia now holds the record for the largest number of child labourers. Sometimes, we might think that this is the fate of developing countries, that this is a reality not found in industrialized countries. I myself asked the question when I travelled to Geneva with a number of my colleagues, and I learned that there were companies in Ontario that exploited children, young children that are hired, particularly from immigrant families. I was told that this is also true in the United States, our neighbour to the south.

In the case of Turkey, the International Labour Organisation has more specific estimates showing that in 1994 8.3 per cent of children in that country were economically active. I think that it is important to know, as Canadian parliamentarians, that this is not just a fate that befalls children unfortunate enough to have been born in developing countries.

As a further point of interest, it is also known that children in rural areas are twice as active economically as those in urban areas. Still more interesting, because this gives us some idea of what we will have to do, or what we will have to subscribe to, at the next conference in Norway, to which our colleague has referred. Three-quarters of children involved in economic activity in the various countries around the world, those who make up the 78 million figure I have referred to, are engaged in family businesses.

This adds to the difficulty we will be facing, since there are all sorts of considerations relating to family life, life in cramped conditions, in short to the connections between a child and his immediate family. Three-quarters of children engaged in economic activity are involved in a family business, in very specific sectors such as the textile, garment or rug industries, as the motion's sponsor has mentioned, particularly in Egypt and India. They are also involved in making shoes.

It is important to understand that a connection has to be made in the understanding we members of Parliament must have of this reality between access to education and child labour.

When in Geneva, we came to understand that in the developing countries enrolling a child in primary school can take one-third of a family's cash income. Many of the households in question have a number of school aged children. This is why the International Labour Organization, in parallel with its efforts to help us in the rich countries understand how important it is for us to have solidarity around future child labour legislation in these countries, is making us see how closely related the issue is to education.

We are, I think, capable of understanding this as members of Parliament, particularly those of us who are from Quebec. It is not all that long ago that we too have had to do a lot of catching up as a society in the area of education. It is only when the conditions for

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access to primary school are also addressed that it becomes possible to militate against child labour.

Let me remind you that only 68 per cent of children in the world finish primary school, whereas the rate is 95 per cent in industrialized countries. I think these figures remind us of the whole relationship to be made between child labour and education. There is also of course a link, as the mover and the parliamentary secretary have pointed out, between child labour and family poverty. There is also a link between child labour and the overall wealth of a family.

• (1840)

In studies done by the International Labour Organization, especially for countries like Bangladesh and India, child labour is closely linked to family survival.

There is good reason why the International Labour Organization, through its director general in Geneva, has made it clear that, even within the UN, the issue is extremely sensitive. It is one that strongly divides the rich and the poor countries, because the poor countries are not necessarily prepared to pass legislation.

This takes us back to the question of the transfer of wealth. What is the recommendation of the International Labour Organization? It asks us to set up an international organization and to establish a regulatory framework to monitor this issue. It reminds us that concerned governments should take three basic steps.

The first, obviously, is to establish legislation on child labour. The second is to establish a national policy on child labour that would set public priorities and mobilize society as a whole. The ILO also reminds us that funding for a system of primary education guaranteeing access to quality schools for all children is absolutely vital if the battle is to be won.

I thank the NDP member for introducing the motion. I hope it will be made a votable item, and I want to assure my colleague that the Bloc Québécois is very concerned about this issue.

[*English*]

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, it is my pleasure to speak to this motion which deals with a very serious and important topic, the exploitation of child labour.

We in the House should be doing whatever we can in the best interests of children who are forced into labour throughout the world. The member who put forward this motion genuinely believes, as we all do, that we must address this problem. In the course of my remarks I hope to outline a non-partisan way to find some answers to this problem.

While Motion No. M-189 makes a very strong statement by prohibiting the importation of goods manufactured through child

labour, will it really improve the lives of the children we are talking about? I believe there are other solutions. I welcome what we have heard here tonight. It is certainly a start, but I think there is another approach which I will try to explain.

The main problem with implementing Motion No. M-189 is that many of the children who work in the developing world absolutely need the income to survive. If these kids lose their jobs right away without the simultaneous implementation of programs to feed, house and educate them, we would actually be hurting them, not helping them. This is not just my opinion. I have made a real attempt to try to get answers or at least some possible answers.

I thank the hon. member for Yorkton—Melville who has provided me with information from agencies such as UNICEF and some of the other NGOs around the world. These organizations have looked at this problem for a long time. They are there, they deal with it on a day to day basis. They know where it exists, how it exists and they know the abuses that occur and the evils of it.

This afternoon some of us had an opportunity to talk to five members from CCIC. It is an umbrella organization which tries to bring together the NGOs and put forth a common front not only to parliamentarians but to the donors, industry, labour and to all of the other areas.

• (1845)

I did not have a long time with those people but I did get the opportunity to present this motion to them. I said I would be giving a speech in a couple of hours and wanted to know what they thought of the overview of what I had to say. I was pleased that we were all opposed to child exploitation but that we cannot jump right into it, that we must come up with a program, a complete package to deal with this problem. They tended to reinforce what my other research had demonstrated.

UNICEF officials oppose a ban on child labour because they have learned through experience how devastating the results of that can be. For example, just the threat of such a ban in the U.S. led to mass dismissals of children from garment factories in countries like Bangladesh. That is documented. They showed me the figures. They said this is proof and went on with a lot of other proof.

One official said the schools could not absorb them and every one of them ended up in more exploitive, more dangerous and less remunerative work. Some of these poor children were even forced into the sex trade because of the loss of their garment factory jobs.

This is not what Motion No. 189 seeks to achieve but it could be an unintentional byproduct. As a result I cannot support the motion as it is but I would suggest something further that might come up with a solution. I repeat, we all abhor the exploitation of children but we must have a back-up. We must have something else to offer.

Private Members' Business

Going back to the UNICEF study on this issue, those people surveyed over 2,000 garment factories that employ around 12,000 children. They found that almost 90 per cent of the children were from single parent households and homes where there had been a death or a disability. More than 50 per cent of the children were the sole supporters for those particular families.

In addition, often the children were girls who accompanied their mothers to the garment factory, and it was found that it was safer for them to be working alongside their mothers than if they were left home alone.

I also draw on some of my personal experience. I think back to a visit to Nepal where I had the opportunity to visit with a number of Tibetan children who were making rugs. I thought I would be there for 10 minutes but I ended up there for a couple of hours. The amazing part was that those kids they knew five languages. These were 12, 13 or 14-year old kids. They had gained that experience from talking to tourists, from selling their rugs. I asked them about what they were doing. The dedication they felt in producing those rugs, in selling those rugs, in raising that money for their families and for the refugees who were coming from Tibet was quite amazing.

I thought they would have been unhappy, angry about the situation, but it was quite different. I have been lucky to talk to kids in factories in Egypt, India and Rwanda, and it is the same sort of thing. I am not saying we should condone that. I am saying that before we put them out of a job, we need an alternative.

What might that be? Clearly the problem of child labour is complex. There is not an easy fix for it. A longer term solution which takes into account the needs of the children and their families is what we really need to do.

If the government would like to pursue such a solution through Canada's development aid program, perhaps to start off we could take a look at it in the foreign affairs committee, of which I am a member.

● (1850)

I do not think there would be anything more rewarding for that committee than to take on a project like this. We would be able to say instead of doing some of the meaningless work we do, let us talk about this child labour situation. Let us examine the facts. Let us come up with a solution. Maybe there is a better way.

Through the co-operation of the NGOs, and I know they would love us to get involved in a project like that, maybe we could collectively come up with an answer where our aid program, instead of going off to a government somewhere, could actually go to change lives.

If nothing else, we would give those kids the money it would take to go school, maybe at night at first. Maybe they would work

during the day with their parents and then go to school at night. Maybe that is a possibility. However, we would help to better those kids.

I do not have all the answers. All I know is there is a problem here. We all agree there is a problem. I have heard all the speakers here agree. Maybe this is something that would be really meaningful that we as parliamentarians could put our stamp on and say we collectively, as Canadians, did this for those impoverished kids.

While I support the whole concept, I cannot support this motion. I know the member for Winnipeg Transcona has moved it with the best of intentions. That is why I would like to see the government take a long term, comprehensive approach to the problem of child labour.

I also suggest the foreign affairs committee would be an appropriate forum for holding these meetings on this topic, interview witnesses, make recommendations to government and hopefully come with a solution to this serious problem.

Mr. George Proud (Parliamentary Secretary to Minister of Labour, Lib.): Mr. Speaker, as I listened to the speakers this evening in this debate I can say this is one of the rarer moments in this place where I have no doubt there is unanimous agreement about the spirit of the motion among all members here.

The economic exploitation of children is a violation of basic human rights. It is a violation that certainly outrages the sense of fairness and decency shared by virtually all Canadians.

I know very well that if we held a vote calling on nations to abolish child labour, all members of this assembly, regardless of their political affiliation, would be on their feet to support such a motion.

The hon. member for Winnipeg Transcona, who brought this motion forward, believes its passage would be a significant step by Canada in that direction. Regrettably it is rather more complex than that. Sweeping condemnation of all child labour assumes all children who work are being exploited. However, in many countries, including Canada, part time work is a fact of life for many children and it is neither exploitative nor detrimental to a child's development. It can help young people acquire skills and build confidence.

I know the hon. member will say he is not addressing part time jobs of people working at restaurants, McDonald's or delivering newspapers after school, and I understand that. However, to effectively combat exploitive child labour we must distinguish between work that helps a child grow into a responsible adult and work that is clearly detrimental to their well-being. That is the approach of the Government of Canada.

Oppressive child labour is rooted in poverty but it is also influenced by culture and traditional social values. Its eradication will not be easy. Simply putting children out of work is not the

Private Members' Business

answer. We need alternatives that ensure their education, their care and, equally important, substantial incomes for their families.

With reference to the hon. member's call for the government to prohibit imported goods made by child labour, as defined under the International Labour Organization conventions, let me point out that Canada is a member of the governing body of the ILO secretariat. We are represented by officials of labour programs from Human Resources Development Canada.

• (1855)

That enables us to play a proactive role within the ILO. I am sure the hon. member for Winnipeg—Transcona is aware the ILO has taken a number of initiatives regarding child labour. An agency of the United Nations with 173 member states in 1973, it adopted convention 138 which addresses the minimum age for admission to employment.

There is considerable compliance in Canada with the underlying principles of convention 138. For instance, all jurisdictions in Canada have protective legislation specifying conditions under which children under the school leaving age can be employed. The employment of children under the school leaving age is generally prohibited during school hours. In terms of work outside school hours, jurisdictions generally prohibit work for young people under specified ages in specific occupations and situations which are likely to be injurious to their life, health, education or welfare.

Nevertheless, there are some divergences between the convention's requirement and the Canadian situation. No jurisdiction in Canada prohibits all work, including light work, for children under age 13. The general approach in Canada is that light work outside school hours can be a valuable a learning and socializing experience.

For these reasons, ratification of convention 138 is still under consideration. The agreement of all jurisdictions would be necessary to both ratification and implementation of the convention.

Canada is also supporting the global effort by the ILO to eliminate child poverty through the international program for the elimination of child labour, commonly known as IPEC. Last February the Minister of Foreign Affairs, in co-operation with the Minister for International Co-operation and the Minister of Labour, announced that Canada is contributing some \$700,000 to assist in this program

Canada's contribution to the IPEC will enable the program to carry out its work, an endeavour that encourages governments to conform to international minimum age requirements for workers. This investment will help move us closer to the ending of the exploitation of nearly 200 million child workers around the world.

The hon. member is no doubt aware that the ILO is holding its annual conference in June. Child labour is expected to be on the agenda of the formal tripartite meeting at the ministerial level. The Minister of Labour will head the Canadian delegation which will seek the support of other delegations to have the ILO member states address the most abusive forms of child labour.

Besides the measures I have mentioned, in 1991 the Government of Canada ratified the UN Convention on the Rights of the Child. The convention required signatories to protect children from economic exploitation and to protect them from work likely to interfere with their education or cause harm to their health or well-being.

Support for children is an important aspect of Canada's development aid program. My colleague from Dartmouth said a few minutes ago that about a million dollars a day from CIDA's budget is devoted to programs that address the needs of children.

As a member of NAFTA, Canada is a partner in the North American agreement on labour co-operation which also includes the principle of labour protection for children and youth.

Furthermore, we are not relying solely on measures now in place. The government is currently working with the ILO to build an international consensus. This consensus, which will be discussed at the 1998 ILO conference, will explore the establishment of a new legal instrument to strengthen international action against the worst forms of child labour. We believe our principal focus should address the main abuses suffered by working children.

The hon. member's motion calls for the government to take unilateral action to prohibit the import of goods made by child labour. My colleague from Dartmouth has already spoken on that matter. There is also a risk of driving the problem underground which would force working children into even more dangerous situations.

It is important to stress the government's unequivocal position that trade and human rights objectives are not in competition with each other. They are mutually reinforcing. They enable us to express our basic values. They enable us to work for clear and open rules to govern trade. In this way we reinforce our values and move closer to achieving our trade and human rights objectives. Besides working with the business community, the government is prepared to consult with trade unions, anti-poverty and child advocacy NGOs in the academic community.

• (1900)

In closing, I say to the hon. member for Winnipeg Transcona that I share his frustration. I share his anger that exploitative child labour exists. However, I honestly believe the government has a more effective approach which will contribute to long term solutions. For that reason I regret that I am unable to support the hon. member's request for unanimous consent to have this motion made votable.

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, in the two minutes which are remaining it is possible to say that the hon. member for Winnipeg Transcona has once again come forward with an excellent initiative.

We have all heard various viewpoints. It is an initiative which requires political will and the unanimous, full voice of Parliament. It is not one of those issues where we can say, "Yes, but—", with a long list of qualifications which would have to be met before action is taken. It is one of those issues on which a political decision is made by way of the unanimous consent of the House, which would send a political signal to the government.

The hon. member for Red Deer elaborated at length on all the qualifications which would be required for him to support the motion. Every *i* would have to be dotted, every *t* would have to be crossed. The hon. member for Winnipeg Transcona met most of the items which were mentioned in the intervention of the hon. member for Red Deer.

The matter before us has moved and touched the Canadian people profoundly as a result of what they saw on television a few months ago.

Obviously, parallel initiatives will have to be taken. However, first and foremost the international community must send a strong signal, not simply in Geneva at the ILO, but also in this and other Parliaments, to let the world know what we think of child labour and the remedial action that must be taken. In that respect I am sure that most members of the House would fully support the hon. member for Winnipeg Transcona.

The Acting Speaker (Mr. Kilger): The time provided for the consideration of Private Members' Business has now expired and the order is dropped from the Order Paper.

ADJOURNMENT PROCEEDINGS

[English]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

THE ENVIRONMENT

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, tonight the topic for discussion is whether the Minister of Fisheries and Oceans will keep the 1993-94 budget levels for the Freshwater Institute in Winnipeg and the Canadian Centre for Inland Waters in Burlington. Both of these institutions are internationally renowned freshwater research institutes. They study and monitor the quality of Canada's lakes and rivers.

Adjournment Debate

During the 1970s and 1980s policies were developed to control acid rain and to regulate the use of phosphates in detergents. Those policies were due, in good part, to the groundbreaking science developed at the Freshwater Institute.

Another achievement came recently when researchers at the Freshwater Institute proved that the banned insecticide toxaphene travels by air from as far away as Asia and Central America and contaminates some of our lakes.

These studies warn us and help us to understand the ecology of our country. They also tell us when toxins are entering our food chain. Thus we are able to monitor their effect on the long term health of Canadians and the environment.

Freshwater is the resource of the future. Unfortunately, we are cutting back on the research budgets at the Freshwater Institute and the Centre for Inland Waters. I am told that in 1993-94 the budget for freshwater science was \$10.5 million and that this amount will be reduced by up to 70 per cent. This spells virtually the end of important work of many Canadian scientists at the Freshwater Institute and their leading research as well. The protection of our freshwater resources for the benefit of future generations requires continuous funding of research.

To conclude, tonight I ask the minister through his parliamentary secretary whether he will commit to maintaining the budget for freshwater science in Canada at the 1993-94 levels.

Mr. Ted McWhinney (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I am happy to respond to the hon. member for Davenport who has distinguished himself in national and international environmental protection action.

As part of the contribution of the Department of Fisheries and Oceans to the federal government's program to manage the deficit, the department's budget will be reduced by approximately 40 per cent over five years. To meet its budget reduction target, the department has reviewed all its programs using the following four strategies: reduction, elimination, privatization and cost recovery.

This program review has required some difficult decisions to be made regarding all departmental activities, including science programs. For example, the department will be divesting its responsibilities for over 800 recreational harbours. Research programs in parasitology and freshwater aquaculture will be eliminated and the department's major oceanographic research vessel *MV Hudson* will be decommissioned as part of its program review reductions.

There is no question that the department's Freshwater Institute in Winnipeg and the Great Lakes Laboratory for Fisheries and Aquatic Sciences in Burlington have made valuable contributions to the field of freshwater ecology. It has been impossible to insulate the budgets of these two centres in light of the substantial budget cuts facing the department.

Adjournment Debate

Despite the reductions to its science programs across the country, the department is committed to maintaining a freshwater science program at both the Freshwater Institute and the Great Lakes Laboratory for Fisheries and Aquatic Sciences. Research priorities for the freshwater science program at the Freshwater Institute include focus on the experimental lakes area, ELA, fish health diagnostics and maintenance of expertise to support the department's fish habitat management responsibilities as well as expertise on growth and reproduction of fish.

In addition to the department's core funding for the ELA, the department is continuing to seek partnerships that will provide long term funding stability for the ELA program.

In the Great Lakes, the department will focus on habitat restoration in areas of concern in the lower lakes, research on accidentally introduced species and the measurement of toxic contaminants in fish.

Government-wide, it is important to note that there are a number of agencies, particularly Environment Canada, that have freshwater research programs. Environment Canada operates such major facilities as the National Water Research Institute and the National Hydrology Research Institute.

The budget for Environment Canada's programs in freshwater is much larger than that of the Department of Fisheries and Oceans. The reduction in the department cannot be downplayed, but the government is and will continue to be an active and major force in issues affecting the freshwater environment.

The Acting Speaker (Mr. Kilger): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24.

(The House adjourned at 7.08 p.m.)

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