



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, April 11, 2000**

**Speaker: The Honourable Gilbert Parent**

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# HOUSE OF COMMONS

Tuesday, April 11, 2000

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

• (1005)

[*English*]

### ORDER IN COUNCIL APPOINTMENTS

**Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I am pleased to table, in both official languages, a number of order in council appointments recently made by the government.

Pursuant to the provisions of Standing Order 110(1) these are deemed referred to the appropriate standing committees, a list of which is attached.

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### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table in both official languages the government's response to 16 petitions.

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### COMMITTEES OF THE HOUSE

#### INDUSTRY

**Ms. Susan Whelan (Essex, Lib.):** Mr. Speaker, I have the honour to present in both official languages the fourth report of the Standing Committee on Industry entitled "Productivity and Innovation: A Competitive and Prosperous Canada".

The Standing Committee on Industry met with over 70 witnesses to discuss productivity, innovation and competitiveness. I would like to thank everyone who participated in our extensive hearings

and for sharing their insights with us. I am confident that the public will agree that this report reflects both their concerns and common Canadian values and priorities in our ever evolving and productive economy.

On behalf of the committee I would also like to thank our clerk Richard Rumas, our researchers Daniel Shaw and Daniel Brassard and the interpreters and parliamentary staff for their assistance.

**Mr. Charlie Penson (Peace River, Canadian Alliance):** Mr. Speaker, I welcome the opportunity to comment on the standing committee's report on productivity and innovation.

I suggest that the committee did a good job in providing a 30 year history of the decline in productivity and documenting our current situation in terms of our productivity fall. However it failed to identify the underlying reasons for Canada's deteriorating productivity.

The official opposition believes that the role played by public policy during this period is a significant factor that needed to be examined. We suggest that the fundamental shift in government policy in the late 1960s and 1970s created the conditions that led to Canada's decline in productivity and therefore we offered a dissenting opinion to that effect.

\* \* \*

### SPECIES AT RISK ACT

**Hon. David Anderson (Minister of the Environment, Lib.)** moved for leave to introduce Bill C-33, an act respecting the protection of wildlife species at risk in Canada.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

### INCOME TAX ACT

**Mr. Inky Mark (Dauphin—Swan River, Canadian Alliance)** moved for leave to introduce Bill C-474, an act to amend the Income Tax Act (percentage of gifts that may be deducted from tax).

He said: Mr. Speaker, it is an honour to introduce in the House today my private member's bill to amend the Income Tax Act. It pertains specifically to the percentage of gifts that may be deducted from tax.

In federal law registered charities do not receive equal treatment with federal political parties. The majority of Canadians contribute

*Routine Proceedings*

an average of \$239 annually. If those dollars go to charities, the donors receive a reduced rate of tax credit compared to federal political parties. This bill is about taking away political advantage for political donations.

To date I have received over 30,000 signatures in support of this and a strong contingent of support from thousands of charitable organizations across Canada. I urge all members to consider supporting this very worthy piece of legislation.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

● (1010)

**ENDANGERED SPECIES SANCTUARIES ACT**

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance)** moved for leave to introduce Bill C-475, an act respecting the creation of sanctuaries for endangered species of wildlife.

He said: Mr. Speaker, the situation right now with respect to endangered species in Canada is deplorable. More than 300 endangered species exist in our country but there has been a decline in habitat which is critically important for the existence of these species for future generations.

This bill provides for the species to be defined by a scientific group under the auspices of COSEWIC. It provides for habitat protection by obligating the federal government to engage in negotiations with private land owners and provinces. In the case that negotiations are unable to proceed further, the land can be taken over as a sanctuary, as long as the groups are compensated for the land at fair market value. Finally, it provides that people who own lands that contain sensitive habitats for species can receive benefits under the Income Tax Act.

This bill will go a long way in protecting our endangered species for future generations to enjoy.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

**PETITIONS****CHILD POVERTY**

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, I am pleased to table in the House today a petition signed by approximately 700 Canadians, most of them from my riding but some from other parts of the country.

The petitioners remind the government of its commitment to work with all parliamentarians to eliminate child poverty by the year 2000. They express great concern about the dramatic and alarming increase in child poverty and call upon the government to fulfil that promise by introducing a multi-year plan to eliminate child poverty in the country.

## BILL C-23

**Mr. Leon E. Benoit (Lakeland, Canadian Alliance):** Mr. Speaker, I am pleased to present a petition which like other petitions is on behalf of thousands and thousands of Canadians.

The petitioners indicate that there has been empirical evidence of the value of marriage as a cornerstone of public policy which produces tangible public benefits and that parliament has reaffirmed that marriage is and should remain the union of one man and one woman to the exclusion of all others. However, the government has brought forth Bill C-23 which extends marriage-like benefits to same sex couples. Therefore the petitioners pray that parliament withdraw Bill C-23 before it is passed today.

## RIGHTS OF THE UNBORN

**Mr. John O'Reilly (Haliburton—Victoria—Brock, Lib.):** Mr. Speaker, pursuant to Standing Order 36, I have the pleasure to present a petition from people of Haliburton—Victoria—Brock. The petitioners pray that parliament act immediately to extend protection to the unborn child by amending the criminal code to extend the same protection enjoyed by born human beings to unborn human beings.

[Translation]

## GENETICALLY MODIFIED ORGANISMS

**Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ):** Mr. Speaker, pursuant to Standing Order 36, it is my pleasure to table a petition bearing 128 signatures. The petitioners call upon parliament to move quickly to pass legislation requiring the labelling of all foods that are genetically modified, in whole or in part.

[English]

## HUMAN RESOURCES DEVELOPMENT

**Mr. Peter Goldring (Edmonton East, Canadian Alliance):** Mr. Speaker, I am pleased to present a petition from over 400 Canadians mostly from the province of Alberta.

The petitioners are asking and demanding that the Prime Minister keep his promise regarding ministerial accountability. They are demanding the resignation of the Minister of Human Resources Development and are asking the auditor general to oversee a full and independent inquiry into HRDC management and accounting practices.

● (1015)

## BILL C-23

**Mr. Eric Lowther (Calgary Centre, Canadian Alliance):** Mr. Speaker, I also wish to present a petition. These petitioners are joining with about 4,000 petitioners as of a week ago. We have had petitions every day on this particular topic.

They call upon parliament to withdraw Bill C-23 to affirm the opposite sex definition of marriage in legislation and to ensure that marriage is recognized as a unique institution.

**Mr. Rick Casson (Lethbridge, Canadian Alliance):** Mr. Speaker, I have two petitions to present today on two different subjects. The first petition is three separate ones.

The petitioners, who are my constituents, are calling for parliament to withdraw Bill C-23. They say that a bill which fails to define marriage in legislation as a union of one man and woman, a definition which was affirmed by the House on June 8, 1999, is an inappropriate intrusion into the personal lives of Canadians and extends benefits only to a relationship of a sexual nature. They would like the bill withdrawn.

#### HUMAN RESOURCES DEVELOPMENT

**Mr. Rick Casson (Lethbridge, Canadian Alliance):** Mr. Speaker, I wish to present the another petition, pursuant to Standing Order 36.

These petitioners feel that Canadians are overtaxed. They are demanding that the federal government account for the gross mismanagement of their tax dollars in the HRDC department. They are also requesting the immediate resignation of the HRDC minister and that the auditor general conduct a full and independent inquiry into HRDC management and accounting practices.

#### BILL C-23

**Mr. Reed Elley (Nanaimo—Cowichan, Canadian Alliance):** Mr. Speaker, I am pleased today to rise in parliament to present a petition signed by hundreds of Canadians from New Brunswick, Quebec, Ontario, Manitoba and Alberta.

Once again they join with thousands of other Canadians across the country in asking that the government withdraw Bill C-23, affirm the opposite sex definition of marriage in legislation and ensure that marriage is recognized as a unique institution.

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, I too have the privilege of standing in the House today to present a petition.

This one is interesting because in this one package we have petitioners from New Brunswick, Quebec, the Ottawa region, Manitoba and Calgary. They are from right across the country.

These petitioners, as some of the others who have already presented petitions, are asking and urging parliament to withdraw Bill C-23. It goes against everything they believe in.

**Mr. Jason Kenney (Calgary Southeast, Canadian Alliance):** Mr. Speaker, I rise as well to table about 100 signatures from

#### Government Orders

Alberta and Ontario objecting to Bill C-23, adding to the tens of thousands of others that have been tabled which ask that the government withdraw the legislation and protect the institution of marriage.

\* \* \*

#### QUESTIONS ON THE ORDER PAPER

**Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** I ask, Mr. Speaker, that all questions be allowed to stand.

**The Deputy Speaker:** Is that agreed?

**Some hon. members:** Agreed.

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## GOVERNMENT ORDERS

[English]

#### MODERNIZATION OF BENEFITS AND OBLIGATIONS ACT

**Hon. Hedy Fry (for the Minister of Justice and Attorney General of Canada, Lib.)** moved that Bill C-23, an act to modernize the Statutes of Canada in relation to benefits and obligations, be read the third time and passed.

**Mr. John Maloney (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, it is my pleasure to be here today to speak to Bill C-23, the modernization of benefits and obligations act.

First let me thank my colleagues, the members of the Standing Committee on Justice and Human Rights, for their excellent work. I would also like to thank all the witnesses, the individuals and organizations that took the time to thoughtfully consider the bill and to either appear before the committee or to send in a brief on Bill C-23. Their work is very important in this process and I want to thank them for their time and helpful contributions.

Bill C-23 will amend 68 statutes to ensure that committed common law couples of the opposite sex and the same sex receive equal treatment under the law with regard to benefits and obligations. As the Minister of Justice has repeatedly said, the legislation is about tolerance and fairness.

● (1020)

Through the bill we are achieving respect for the fundamental values inherent in our Canadian Charter of Rights and Freedoms. The government and the majority of Canadians believe that all

*Government Orders*

common law couples in committed relationships should be treated in the same way. Bill C-23 reflects this reality.

Let me take a minute to review some of the more complex issues and misinformation that have arisen surrounding Bill C-23. Some members of the House and some witnesses before the standing committee have suggested that Bill C-23 does not go far enough and that the benefits and obligations should be extended not to just same sex couples but to all people in relationships of dependency. I would stress, however, that Bill C-23 does not preclude discussion which has already started on whether or how to acknowledge the nature and reality of the many types of dependent relationships.

The government agrees that this is an important issue which deserves further attention. It is for this reason that the Minister of Justice has already announced that the issue will be referred to a parliamentary subcommittee.

The mandate of the parliamentary subcommittee will be to examine four broad categories of questions. First, should the Government of Canada reconsider the basis on which benefits and obligations are determined at present? Second, what overall policy objectives for Canadian society should benefits and obligations support? Third, if either economic dependency or economic emotional interdependency is the most appropriate basis on which to distribute benefits and impose obligations on Canadian society, how would it be defined and measured? Fourth, should all benefits and obligations be distributed on this basis or only some where appropriate?

These questions are highly conceptual and represent the first stage of this study which will set the framework and principles on which further study of the issue of dependency will be based.

As was mentioned in the committee hearings, the Law Commission of Canada has been studying the issue of dependency and interdependency for some time and expects to release a public issues paper on these questions in the early summer of this year. Work on these broader, important questions is real and is progressing.

The broader issue of dependency is complex and separate from the issue dealt with in Bill C-23. I realize that many are frustrated with what they see as further delay on this related but separate question. However the government firmly believes that it is premature and irresponsible to extend benefits and, more particularly, to impose obligations on these broader dependent relationships without careful consideration of all the implications for society.

Although some federal statutes already extend benefits and obligations to people in dependent relationships, we need to know more. We need to know about the financial cost, any possible downsides for elderly and disabled individuals and whether Canadians would even be prepared to take on legal obligations for their

relatives and others before we could determine whether it would be appropriate to include such relationships in all laws.

A number of adult Canadians currently reside with elderly parents, siblings or other relatives. Extending benefits and obligations to people involved in all these forms of relationships would have far-reaching consequences for individuals and society as a whole. While benefits which reflect dependency would likely be welcomed, it is unclear whether the accompanying legal obligations should be imposed on individuals or those relatives with whom they reside.

For example, eligibility for the guaranteed income supplement under the Old Age Security Act is determined on the basis of combining the income of both persons, which might result in reducing benefits for some elderly persons who live with adult children or other relatives. As another example, if an adult lives with his or her elderly parent for many years and then leaves to marry, this extension might result in a situation where the Canada pension plan credit would be split between the parent and the child as it would now following a divorce.

Premature changes may have unexpected results. Government must be careful and responsible with any changes so that the system encourages rather than discourages people taking care of each other. We must be careful to ensure that any legal changes would not impose obligations which accidentally act as barriers to people supporting each other.

While the more complex issues surrounding the broader questions of dependent relationships need to be worked out, this work cannot be allowed to delay further the issues dealt with in Bill C-23. The Law Commission of Canada stated before the committee:

However much we believe the need for parliament ultimately to strive for its legislative "best", we also believe that there are times, and this is one of them, when it should proceed to enact what is, constitutionally, a legislative "good".

● (1025 )

Members opposite have also claimed that Bill C-23 will destroy the institution of marriage or result in adoption by same sex couples. The Minister of Justice has repeatedly stated that the bill is not about marriage. It is about equal treatment under federal law for all common law couples, whether of the opposite sex or the same sex.

Nevertheless, the government has been responsive to the concerns of many Canadians, including some in my riding who needed reassurance that the fundamental institution of marriage would not be altered in any way by the bill. I proposed an amendment at committee stage to give this reassurance to Canadians. Subclause 1.1 of Bill C-23 now states:

For greater certainty, the amendments made by this act do not affect the meaning of the word marriage, that is, the lawful union of one man and one woman to the exclusion of all others.

*Government Orders*

This answers the many questions which have been presented here today in the petitions. Although some have claimed this does not have any legal effect, I and others on this side disagree. The amendment to the bill is a clear statement of the intention of the government that the legal meaning of marriage remain the same as it always has been in the history of Canada.

With regard to the claims that the bill will result in adoption by same sex partners, I wish to point out again that adoption is decided under the laws of the provinces. It is provincial law. The references to adoption in Bill C-23 are there to ensure that children adopted in accordance with provincial law will be included in federal law.

This is one aspect of Bill C-23 which has not received much attention in the debates but which I believe is important. Bill C-23 amends several federal statutes to ensure that children are not discriminated against, both by including references to adopted children in those few statutes which do not already do so and by removing the last remaining reference to illegitimacy to ensure that all children are included in the federal law.

There has also been a series of conflicting remarks from the other side: first, that the government is only putting the bill forward because the courts have forced the government's hand over the objections of Canadians and, second, that the bill is unnecessary as it goes beyond what the Supreme Court of Canada has required. Let me respond by saying that the government brought forward the bill at this time because it is the right thing to do.

Governments have a duty to represent the interests of all its citizens whether they belong to the mainstream or, perhaps even more important, when they represent a minority group. I am pleased to represent a political party which believes as one of its central policies that governments have a duty to safeguard the interests of both the majority and the minorities which make up the face of Canada.

In May 1999 the Supreme Court of Canada in its ruling in *M. v. H.* said that governments could not continue to discriminate against same sex common law couples by denying them the benefits and obligations granted to opposite sex common law couples. All unmarried common law couples, both opposite sex and same sex, must have access to the same benefits and obligations.

However, although the decision of the supreme court set out the road map by identifying that same sex common law couples must be included, which is its proper role under the constitution, it remains up to parliament to decide how the law must be changed to provide that equal treatment. That is why the approach in Bill C-23 is both a responsible and a balanced one which deliberately maintains a clear legal distinction between married and common law relationships.

What the courts have told us and what the bill addresses is that common law relationships should be given equal treatment in the

law, whether they are opposite sex common law couples or same sex common law couples. The bill uses clear language to maintain the term spouse for married couples and to introduce the new term common law partner for both opposite sex and same sex unmarried relationships. By doing so it preserves the legal distinction between married relationships and unmarried conjugal relationships.

In the absence of a legislative action such as the bill the courts will continue to address cases in a piecemeal fashion, focusing on the very narrow issues brought before them. The status quo is not an option. It promises confusion, unfairness, and continuing and costly litigation. Equally important, it runs the unacceptable risk of making the courts the arbiters of social policy.

I have on final issue. The proposed amendments to the Judges Act contained in Bill C-23 were referred to the Judicial Compensation and Benefits Commission for consideration and recommendation pursuant to the Judges Act. I am pleased to advise that this independent and constitutionally mandated commission has now informed the government that it supports the Judges Act amendments which are consistent with the amendments to the other statutes included in the bill.

- (1030)

In its reporting letter, which was tabled in the House on March 30, the commission observed that the proposed amendments to the Judges Act represent an appropriate response to the issues surrounding survivor annuity benefits. It is noted in particular that the apportionment rules provide a satisfactory basis for resolving any conflicts in those few instances where there may be more than one survivor, a legally married separated spouse and subsequent common law partner.

Perhaps most significant is the commission's observation that the proposed amendments are important and timely to ensure compliance with the Canadian Charter of Rights and Freedoms and its recommendations that the amendments be passed without delay. We are grateful to the commission for its careful consideration of these issues and for the timely delivery of its report.

In conclusion, the bill is about equality and respect. Bill C-23 provides a responsible and balanced approach to correct longstanding discrimination against same sex couples and to ensure equal treatment for common law couples of the same sex and opposite sex while preserving the fundamental importance of marriage.

**Mr. Eric Lowther (Calgary Centre, Canadian Alliance):** Mr. Speaker, I rise today to join in the debate on third reading of Bill C-23.

I have had the opportunity, as the bill has moved through the House and through committee, to speak to the bill four times. I do not think it would serve the House or yourself, Mr. Speaker, to go over too much of the ground that has already been covered at some length.

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Yesterday's *Hansard* shows in some detail the 10 very strong reasons why the official opposition felt, and made strong arguments in fact, that Bill C-23 should be withdrawn. We laid that out for the House and we put forward amendments to improve the bill. Unfortunately last night, with the exception of a few on the other side, those amendments to improve the bill were jettisoned.

I noticed that the member opposite talked about the definition of marriage that is in Bill C-23 which has been added due to public pressure by the justice minister. Yes, we are thankful that that amendment was put in there.

What troubles us is that the definition of common law partners, which this bill now defines as any two people, same sex or otherwise, who live together for one year in a conjugal relationship, is continually defined in every statute throughout Bill C-23 repeatedly. Yet, to place a definition of marriage and spouse in those same statutes is something the Liberals have refused to do. They put it at the front end of a bill where it will not appear in any statute anywhere. When someone pulls the Income Tax Act off the shelf or the Pension Beneficiaries Act or any of these acts, there is no definition of marriage there, but there definitely is a definition of common law partners.

In our amendments we asked that the government actually make this definition of marriage substantive and have legal effect because there are court cases coming that will challenge the definition of marriage. It is our position that if we are going to put it in law, let us put it in law. That was our argument, to put it right in the statutes.

Unfortunately, the Liberals have elected to leave it out of the statutes and put it in a place whereby, in the expert legal opinion of Mr. David Brown, a lawyer from Toronto with the firm of Stikeman Elliott who reviewed legal precedents and textbooks on this very matter, the way the government did it would have little to no legal effect when these cases come forward as opposed to the approach that the Canadian Alliance put forward, which would substantively place the definition of marriage in Canadian law.

Why is that so important? It is important because it would send a clear signal to the courts on behalf of the Canadian people that marriage should remain the union of a man and a woman to the exclusion of all other definitions.

• (1035)

It is troubling that the government would put forward an amendment to appease the concerns of Canadians. We have heard here in this House from the petitions, thousands of them now, probably over the 10,000 mark that have come forward in a short period of time on this bill. It is of concern to us that the government would attempt to appease those concerned Canadians with an amendment to Bill C-23 that really is for show only. As the member for Scarborough East referred to it, the Liberal member in

fact, it is a ghost amendment, a ghost bill which is going to float out there but will not have any real effect. Canadians are thinking that it will, but they have been misled by this Liberal government.

It would have been more sincere for the government to actually have adopted the amendments that the Canadian Alliance put forward to have the definition of marriage put in the statutes. It is troubling that it has misled the Canadian people and those petitioners to think that something substantive has been done when in fact it has not.

There is a number of significant problems with this bill that are going to cause it to be very troublesome in its implementation and to which I have made reference before. One of the key areas is this term that the government has added in the definition of common law partners. In fact, it is the criterion for qualifying for all these benefits that we currently apply to marriage and family. The single criterion for same sex couples now is that they live in a conjugal relationship.

Well, it is a term. There are all kinds of terms in legislation but, normally, when that occurs, there is some definition of the term so that it is made clear to those looking at the statutes or the legislation passed by this House who qualifies or who does not.

We have repeatedly asked for a definition to be included in Bill C-23. The government has refused to do that. In committee and otherwise, it has answered by saying the courts know what a conjugal relationship is. What kind of answer is that? That answer says that the courtroom is going to be the determining place for people to get a ruling whether or not they actually are in a relationship that qualifies for all these benefits.

Just think how inappropriate that is. Here we have two individuals who are living together, assuming they are in a conjugal relationship and later finding out that they are not or vice versa, assuming they are not and later finding out that they are. The confusion, the court cases, the challenges, what happens to the benefits, the obligations upon death, all these questions are left unclear by this piece of legislation.

What troubles me the most is that members opposite, good members, members that have children of their own and families, or that are married, know that this is a fundamental flaw in this bill. They know it. Yet, last night we saw that on the report stage amendments, in spite of knowing that there are these fundamental weaknesses with this bill, the members are going to follow the edict of the Prime Minister and the cabinet and vote for a bill that is so tragically flawed. That is what troubles me more, that good men and women would not stand up for what they know is right, stand against what they know is wrong and fulfill the obligations they made to their constituents a few years ago when they were elected to this House.

It is not the first time we have seen the Liberal government move in a direction that is directed to them by either the courts or lobby

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groups. There has been a litany of decisions that have been made by this Liberal government that have impacted the Canadian family in a detrimental way. I cannot use any other word, except that the policies of the Liberal government are actually working against the Canadian family.

Let me review some of those. I think it is in keeping with Bill C-23 because it points out that there is a trend here that is consistent in this current Liberal government.

● (1040)

Let us take, for example, a statement made in the House a year or so ago by the Parliamentary Secretary to the Minister of Finance that parents who stay at home do not work as hard as those in the workplace. That caused a big kerfuffle across the nation. Families from across the nation and those who care for children at home spoke out. There were retractions resulting in all kinds of activity, and then questions about that.

In fact, because of the public pressure and because of motions that were brought forward by the Canadian Alliance that addressed the inequity and the tax treatment of stay at home parents or single income families, the finance minister was forced to launch a special committee to look at tax fairness.

The special committee sat for a number of months, had witnesses appear, as is the normal committee process, and produced a report that said there were some fundamental inequities in the way that tax treatment is applied to families that actually made it more difficult for parents to spend time with their children. It actually provided incentives for just the opposite, for parents to put their children in institutionalized care and enter into the workplace. It made recommendations that that should change.

A few weeks ago we saw the budget. The recommendations in that report were not included. We went through the whole report process. We went through recommendations from the special committee to address the anti-family tax policies of the Liberals. There were some good recommendations, but nothing was implemented.

Let us talk about another situation. This issue is by far the number one issue for petitions that the House has seen in the whole 36th Parliament, far greater than any other issue that has hit the floor of the House. Many people who have never been involved in the political process were motivated to get involved on the one issue. We are approaching over half a million signatures. I think we may see one million on this before it is over. Petitions are still coming in to my office in stacks. People listening may recognize the fact that this was the grievous ruling of a court in B.C. that struck down the illegality of possession of child pornography. Just the term turns your stomach. Petitioners across the country are crying out to have this reversed and the law upheld to make it illegal to possess this material.

The Canadian Alliance brought a motion to the floor of the House which was initially supported by some 70 members opposite. It asked the government to use the notwithstanding clause to uphold the law and not let the court strike down a law that protected children and made this kind of grievous material illegal. Unfortunately, only four of the members opposite stuck to their convictions. The rest reneged on their commitment and voted with the whip vote pressured on them by the Prime Minister. The motion we put forward to uphold the law to protect children was struck down again by the Liberals. They deferred it and said "Let us leave this to the courts. We will appeal it. It will all be solved in a month or two".

Do members know how long ago that was? It is almost a year and a half since the court struck down the law that made the possession of child pornography illegal in B.C. What has happened in that time? Cases have been delayed. Prosecutions have not proceeded. The B.C. case is being referenced in other provinces and has impacted prosecutions on this issue. It is a year and a half later and still nothing has been resolved.

We had the tool in the House to resolve that. We had the tool in the notwithstanding clause. It is part of the charter, not separate. It is there to be used. But, rather than use a tool that they had, a legal, legislative, charter tool, they chose not to do it, to defer to the courts, to put children at risk and make this grievous material legal.

That is not the end. Bill C-23 is part of a consistent trend we see from the Liberal government. Here is another one.

● (1045)

I sat on a joint Senate and Commons committee that was struck after great public pressure and concern about the issue of family law, the divorce act and custody and access because the approach taken by the courts and the guidelines put in place by the Liberal government are not working. They are not working for people when it comes to issues of custody, access and support when there is marital breakdown.

Largely through the pressure of one senator in particular the committee was launched and I had the privilege of sitting on it. The government spent about \$600,000 to finance the committee.

We travelled the country and heard from Canadians from coast to coast. They shared painful stories about how their relationships had broken down and they had been driven into the courtrooms. Sometimes it seemed as if the legal profession had actually made the situation worse. Both sides in some disputes were spending all their money and going into debt trying to resolve their family conflicts. Children were caught in the middle. Sometimes the testimony was painful. A couple of times the interpreters who

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travelled with us had to leave the interpretation booth because they were in tears. They could not interpret any more.

Lots of money was spent and lots of testimony was heard. It was a year of hard work by a large committee. The final result was a report with some good and implementable recommendations, many with which the official opposition agreed. Our dissenting report was very short.

What was the response of the Liberal government when it got the report? Was it going to implement the report? Was it a priority for the government? The response of the justice minister of the day was to say the government wanted to look at it further and it would probably take another three years before any action was taken. That tells Canadians it is not a priority to solve that issue.

With Bill C-23 what is the government communicating to Canadians as its number one priority? Bill C-23 has seen closure at second reading after four hours of debate. It had three and a half days in committee and many people who wanted to appear before the committee were excluded. There is closure at third reading now. The bill is being rushed through the House and it affects 68 statutes and fundamentally changes some of our social norms and structures.

The government did not act on the custody and access report and it still has not. I still get letters from people who are concerned about when they will see family law reform that was recommended in the report generated by the joint Senate and Commons committee on custody and access. What can I tell them? I tell them to continue to write to the justice minister and let her know their concerns.

Ultimately I do not hold out much hope because the party opposite gives lip service to children. Once in a while it mentions the word family. There was a lot of reference to family and children in the throne speech but when it comes to implementing things that help families retain the money they earn, to protect children, that help marriages succeed, the government is not there. It does not deliver.

On justice issues, there is the Young Offenders Act. Who has been the voice pressuring for changes to the YOA? The official opposition. A member of our party from B.C. brought forward a number of significant amendments and pressured the government to move. Finally we see some movement although there is some concern that again a lot of it is window dressing and substantive changes are not there.

We see cases where the government allows parole to be given to known sex offenders. They are being released into our communities. Families and communities are not aware of the potential danger on their streets.

• (1050)

I can continue with more items from my list but the message I want to get across to the House is that there is a litany of—

**Mr. Lou Sekora:** Mr. Speaker, I rise on a point of order. I have been listening to the member and he seems to be drifting off the issue that is before us. He is drifting all over the map and I hope that he will get to the issue that is before us.

**The Deputy Speaker:** I know that the hon. member for Calgary Centre is working his way to the bill that is before the House. He apparently is of the view that there are issues surrounding the bill and government action on a number of fronts that are important and connected with the bill. I think he is making that point. I know he is soon going to be discussing the provisions of Bill C-23.

**Mr. Eric Lowther:** Mr. Speaker, you are exactly correct as usual. I am tying together all the examples I have presented in the House and I could present more. In deference to the member opposite who is concerned that I may be straying, I will limit myself and not go on with the many examples that I could show of the anti-family approach of the Liberal government.

Consistent with what Mr. Speaker said, I am trying to get through to the member opposite that his party has an approach in taxation, in protecting children, in law reform and in family law that consistently undermines the strength of the Canadian family. I am asking the member to consider that these policies need to be reversed.

The Government of Canada should promote policies that send a message of the important work that parents do. They are raising the next generation. They are instilling values, character and integrity in the lives of the future citizens of this country, the next generation. Public policy must send them a message that they are doing the most important work in the nation. The most important work in the nation is parenting the next generation. Unfortunately the anti-family approach of the Liberal government is undermining that. The official opposition repeatedly has brought forward policy initiatives that are intended exactly to reverse that approach.

That is one of the reasons we are concerned about Bill C-23. Apparently the number one priority of the Liberal government is to extend benefits to same sex couples, even in light of the concern about fair family taxation that has been presented to the House. We have received petition after petition not just with Bill C-23, but prior to Bill C-23. For years people across Canada have been asking the government and the House to define marriage in legal statute, not leave it subject to the common law whims of the courts, but to define it clearly in statute, not like it has done in Bill C-23 as a ghost law, but right in the actual statutes.

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Canadians have petitioned the House about child pornography, family law reform and so on. The official opposition has asked for a shared parenting approach in custody and access. We have asked for the use of the notwithstanding clause of the charter to protect children. We even brought forward improvements to the Young Offenders Act to protect children from violent young offenders and to put the non-violent offenders into good remedial treatment, to get them back on the street with appropriate reforms put in place.

We have consistently said to leave the dollars and the choices in the pockets of the parents when it comes to child rearing instead of taking them away. I sit on another committee of the House that deals with children and youth at risk. That committee is proposing a \$7.8 billion national daycare program. Whose money is funding that national daycare program? It is the dollars earned by mothers and fathers trying to rear their families. They may not want to have access to a national daycare program, but they are going to pay for it anyway with the Liberal government.

• (1055)

Why not just leave that money with the parents? If they choose to use daycare for their situation, fine. If they choose to have a loving relation, grandma, grandpa, aunt, uncle, that is their option. If they choose to stay at home and make do with perhaps a little less income, that is okay too.

Right now the Liberal government says it is going to tax a single income family making \$50,000 a year 100% more than a dual income family, 100% more. It is forcing families for financial need to spend less time with their children.

Bill C-23 does deal with marriage. The union of a man and a woman is the foundation for the family. There are six million marriages in Canada today. We talk about the high divorce rate. Of the six million marriages, every year only about 2% of them divorce and 98% say it is working pretty well for them and they are going to stay together for another year. Seventy-five per cent of all children are currently being raised in Canada within those marriages. It is an institution that works and it is an institution that Canadians do not really want to see changed.

Our concern with the bill as I said at the beginning is that number one, marriage should be defined clearly in the statutes. The government refuses to do that. It has put it in a ghost location in the bill where it really will not have any effect even in spite of all the petitions. Number two, the government has set it up with a definition of conjugal that is undefined in the legislation and fundamentally will drive people into the courts to have the state intrude into assessing whether a private relationship qualifies or not.

Those are two big flaws in the bill. There are others but those are the key ones that have us concerned that it will not work. Ultimately this will not work. It will be a windfall for lawyers and

judges in driving people into the courts, but it is not really going to achieve the government's objective.

Beyond all that, those people who may have an economic dependency or may be caring for one another in some way but would never dream of having a conjugal relationship, if that means some sort of physical intimacy or a sexual relationship, are excluded. There is all this rhetoric about addressing discrimination, yet the government excludes people who have all kinds of dependencies and close personal but not physical relations. They are excluded. If that is not discriminatory, I do not know what is. We play word games sometimes in the House. We all know it. That is one of the big problems we have with Bill C-23.

There are some other things I need to bring forward on Bill C-23. Of all the concerns I have presented about the litany of anti-family policies that have been brought forward by the Liberal government on all fronts including Bill C-23, and in all the pro-family initiatives we have brought forward on taxation and protecting children and so on, this is what is troubling most of all.

Some members opposite are aware that we have brought forward legitimate concerns. They agree with some of the things we have brought forward. They have told me privately, "I agree with you, but what can I do?" They know that some of the things they are being told they must vote for are wrong. I see them working hard to rationalize and find some to appease their conscience and say that what they are voting for is actually okay. They twist and turn and look for any kind of rhetoric from the legal bureaucracy to give them reasons for taking the position they do. Ultimately they know what they are voting for is wrong. They know it does not work for families. They know it will not strengthen the Canadian family. A lot of these initiatives and policies will actually work against the Canadian family in the long run. What troubles me is that they know it but they will not stand up and do the right thing.

• (1100)

It also troubles a lot of Canadians right across the country. This is the reason why Canadians are frustrated with politicians. I have seen surveys that have asked Canadians which profession they trust the most. These professions included lawyers, doctors and other types of professions. Do members know which profession has the lowest rating of public trust? Politicians are down near the bottom.

We can joke and laugh about that and say it is funny but what is this all about? We are here to serve the Canadian people. We should be the people exhibiting integrity and character as an example to our children. We should exemplify the values that inspire the youth of our nation but that is not what is happening.

When we make fun of or mock the role of elected office, whether it is the prime minister's office or the leader of the opposition's office, it is like tearing down our own house. It does not strengthen our nation. It actually undermines the respect that we have for the institutions that are in place across the country.

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I encourage the members opposite to think about all the anti-family policies they have brought forward and the message they are sending with these policies that work against the strengthening of the Canadian family. They have an obligation to send a message to Canadians that certain things are important. There are verifiable facts and empirical data that show that marriage works for kids. It is not too much more complicated than that.

The Liberal government has forced closure on this bill. I think this is the 62nd time that closure has been invoked by the Liberals to limit debate. Tragically, 68 statutes will be affected by this bill and we will only have one day of debate at third reading. When they vote on this bill tonight, which gives every benefit and obligation to same sex partners, which is currently reserved for marriage and family, I hope they think about whether this is a number one priority and whether this is the message they want to send to the young people of Canada, the next generation.

In surveys and studies that I have seen reported in the press, 90% of young people say that their number one priority is family and the development of family relationships. When members opposite vote tonight will they be sending the right message? Are we sending them the message that we agree with them when we vote on the bill tonight?

I do not think that voting for Bill C-23 sends the right message at all. It sends a very confusing message. I invite every member of the House to think about the obligations they have taken on and the commitments they have made to their constituents who put them here. I invite them to think about the bill and the message they will send to Canadian youth.

• (1105 )

In light of what I have said here today, I feel compelled to close my talk this morning by moving an amendment to give all members of the House another chance. I move, seconded by the hon. member for Elk Island, the following amendment:

That Bill C-23, an act to modernize the Statutes of Canada in relation to benefits and obligations, be not now read a third time but be referred back to the Standing Committee on Justice and Human Rights for the purpose of examining the feasibility of adding a definition of marriage to all relevant clauses of the bill so as to have the effect of adding the definition to each act being amended by the bill such that the definition will carry significant legal force and effect.

**Mr. Ken Epp:** Mr. Speaker, I rise on a point of order. The hon. member for Calgary Centre's voice trailed down a bit when he was reading the motion that I seconded. I want to make sure that the official record shows that the words are "be not now read a third time".

**The Deputy Speaker:** The hon. member is correct. Those are the words of the amendment. The question is on the amendment.

[*Translation*]

**Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ):** Mr. Speaker, I am extremely pleased to rise to speak on this bill on a day that I have no hesitation in calling historic. This is, in fact, a long-awaited day, one which will allow us to enjoy full equality with all other workers.

Before addressing the substance of the bill, what I believe the lawyers call positive law—my colleague, the hon. member for Chambly, will correct me if that is not the correct term—I would like to begin by thanking, by name, the public servants who assisted us in committee: Michelle Gosselin, Stan Farber, Lisa Hitch, Sharon Colbert, Janet McIntyre, who was always there for us and whose help was greatly appreciated, and Valérie Lasher.

As hon. members are aware, it is not commonplace for the opposition to express thanks to the government, but I believe that it is appropriate, given the significance of this bill, as we will never stop saying. This is a restorative bill, one which will remedy decades of injustice toward the homosexual community, and we must rise above partisan differences to thank the government for having had the courage to introduce it.

As well, Bill C-23 is a yardstick by which to measure our society's progress along the path of tolerance. Not very long ago, in 1994 when I was a new MP, full of energy, enthusiasm, and idealism, which incidentally I have never lost, I introduced a very similar bill.

• (1110)

That bill likewise proposed to amend all federal laws containing a heterosexual definition of spouse to include a homosexual one.

At the time in 1994 only 52 members supported the bill and only a single member of cabinet, the then Minister of the Environment and Deputy Prime Minister, the hon. member for Hamilton East, did so.

Today, things have changed considerably. There was considerable dialogue between parliamentarians and the gay community, as well as all those who believe in equality. I would also mention the extremely important role played by the Canadian Human Rights Commission, which, since 1979, has signalled discrimination against members of the gay community.

I take this opportunity to thank the various spokespersons of gay associations, such as EGALE, and its executive director, John Fisher. This national group has for many years actively supported equality for gays and lesbians. It is associated with various cases that have come before the supreme court or lower courts, such as

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the Rosenberg and the Egan-Nesbit cases and, closer to home, the matter of M and H.

I want to thank the people of Quebec, whose voice was extremely important in the debate. I am thinking naturally of Laurent McCutcheon and the coalition he heads so well. This coalition combines unions, such as the CEQ, and community groups. I also want to thank the people in Quebec City, including Claudine Ouellet, who appeared before the parliamentary committee and very eloquently made the case for the need for such a bill.

I also want to thank my colleagues in the Bloc Québécois, who, on a number of occasions in caucus, permitted me to make presentations and were always most patient. We know that in politics we do not all start from the same point. We have to be prepared to convince people.

The wager we made as parliamentarians, in the Bloc Québécois and in the other parties, is that we will not constrain, but convince. We made it because we know that words, ideas and values are important in democracy.

I give myself credit for being patient and having worked on this for a long time. This evening, I believe that we will not be disappointed and that a very large number of parliamentarians will work for full equality. When the Speaker rises and puts the question, many members will support the government's initiative on Bill C-23.

I wish to thank the member for Burnaby—Douglas, who is, as members know, one of my friends. In a way, he was a forerunner and paved the way. He too has shown considerable perseverance. I believe that for this evening's results we will owe him a debt of gratitude not just for persevering but for being extremely present in all the debates on the equality of rights of gays and lesbians.

On that note of thanks, let us move to the heart of the debate.

First of all, we must recall that the bill before us is one that is eminently respectful of earlier court rulings. I will, if I may, give a brief background of the gay and lesbian community's quest for the equality that the present government proposes to grant.

• (1115)

It was in 1979 that the Canadian Human Rights Commission first mentioned that sexual orientation should be included in the Canadian Human Rights Act as a prohibited ground of discrimination.

Recognition of same sex couples means recognition of the emotional relationships openly engaged in by homosexuals. First, we had to stop discriminating on an individual basis. That is why the first court challenge involved including sexual orientation in

the Canadian Human Rights Act as a prohibited ground of discrimination.

I want those people to clearly understand that the Canadian Human Rights Act is different from the charter. The charter is part of the Constitution; it is the supreme law of the land. It was adopted in 1982 under conditions that we all know and that today's day of celebration prevent me from describing.

By contrast, the Canadian Human Rights Act is an act of parliament. It protects those who receive federal services or who work in a jurisdiction that comes under the federal government. I am thinking of course about banks, telecommunications, postal services and all the other federal jurisdictions.

In 1992, in *Haig v Canada*, the Ontario court of appeal ruled that it was discriminatory and contrary to section 15 of the charter to not recognize sexual orientation as a prohibited ground of discrimination. At the time, a decision which could have been binding in Ontario alone was extended to the whole country. Thanks to Kim Campbell, the then Minister of Justice—whom we remember with fondness—that ruling was made binding across Canada.

Then came Bill C-33. I was here when parliament passed it in 1993. The then Minister of Justice, the hon. Allan Rock, introduced a bill to amend the Canadian Human Rights Act, so as to comply with the ruling issued by the Ontario court of appeal.

Following that, a long series of cases were heard by various courts. There were administrative tribunals, judicial tribunals, which declared that it was discriminatory for the workplace not to recognize same sex partners in collective agreements.

Another extremely important case is the 1995 case, initiated in 1993, of *Nesbit-Egan v Canada*. This one needs particular attention because the supreme court judgment in this case is what has led to our now needing to read section 15 of the Canadian Charter of Rights and Freedoms as including sexual orientation among the prohibited grounds for discrimination.

I will give a quick overview of the case that was brought before the supreme court. Jim Egan and John Nesbit had lived together for more than 40 years. Public opinion is sometimes prejudiced. People think that homosexuals who enter into couple relationships are not always stable people capable of long term relationships.

I am not familiar with your personal life, Mr. Speaker, but just think, here we are dealing with two people who have shared each others' lives for more than 40 years. That is nothing to be sneezed at.

I regret to inform my colleagues that one of them died about a month ago, and his loss was a heavy blow to the gay community.

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• (1120)

Mr. Nesbit sought a spousal allowance under the Old Age Security Act. This allowance is usually provided under the law when the partner of the pensioner is between 60 and 65 years old and the couple's total income is less than a given amount, which is adjusted annually. The government denied Mr. Nesbit this allowance on the pretext that the definition of spouse in the law applied only to couples of persons of the opposite sex.

The Nesbit-Egan couple therefore applied to the federal court to have it declare the definition of spouse appearing in the Old Age Security Act discriminatory on the basis of sexual preferences and an infringement of the right to equality guaranteed by section 15. Their application was denied by the trial level court. The decision was appealed to the federal court, and the application was again denied. In legal annals, one must really persevere.

The reason for the denial was that the definition of spouse was not discriminatory under section 15. That is what the federal court said. The court said it denied the spousal allowance because there was no conjugal relationship rather than because of their sexual orientation. The court ruled that the distinction between conjugal and non-conjugal relationships flowing from the definition was not the kind of distinction that went beyond the limits and constituted discrimination.

The case went to the supreme court and, in an extremely tight decision, it replied to three questions. The important thing about this decision is that it ruled that section 15 of the Canadian Charter of Rights and Freedoms should be read to include sexual orientation.

This is interesting because, already in 1982—the year the Constitution was patriated and certain aspects of the Constitution were rewritten, not always fairly with respect to Quebec, but that is another matter—people wanted sexual orientation included as a prohibited ground. Who was the Minister of Justice at the time? It was the current Prime Minister, who dismissed this entirely legitimate concern. Those who believed that this kind of discrimination would not be tolerated by the courts turned out to be right.

There was the Rosenberg case, where the Public Service Alliance of Canada challenged the provisions of the Income Tax Act, which did not allow same sex spouses to register retirement savings plans in each other's name or to receive survivor's pensions and allowances. That was discriminatory treatment.

Once again, the courts were extremely receptive and struck down the provisions of the act which did not allow this recognition. The government was asked to change the law, and this led to Bill C-78. The Rosenberg case triggered an important change in the Income Tax Act.

However, the bill now before us is in direct response to the supreme court. This is why I cannot agree with Canadian Alliance members. Generally speaking, and I say this in all friendship, I tend to make a point of not agreeing with them. Canadian Alliance members are not too open-minded when it comes to human rights. We will recall that they voted against Bill C-33, which amended the Canadian Human Rights Act. They also voted against my private member's bill.

• (1125)

They opposed Bill C-68, specifically with respect to the recognition of surviving spouse's pension. Today, they are opposing Bill C-23. It should be known that the type of society that the Canadian Alliance is advocating is one where homosexuals would not be recognized.

These people openly wish to maintain discrimination. They are hypocrites. They talk out of both sides of their mouths. Let us be clear: there are people on the Canadian Alliance side who are homophobic. Whenever they had the opportunity to trample or reject the rights of homosexuals, they did so as a monolithic block, with a single voice and guided by intolerance, by unanimously voting against the widely recognized interests of the gay community.

Of course, in a democracy, we have to accept the fact that such people get elected. They get elected by their respective groups of voters, and this is why I respect them. But the Bloc Québécois and myself will never endorse the type of society that the Canadian Alliance hopes to build.

Some day we will live in a sovereign Quebec. I hope for the rest of Canada that it is never led by the Canadian Alliance. Imagine what Canada would be, with or without Quebec, if, some day, the Canadian Alliance were to form the government. What guarantees could we, all those who believe in individual equality, have with respect to equality of treatment?

Based on my knowledge of the rest of Canada, I believe Canadians outside Quebec are far too generous, far too open, far too sensible to trust the members of the Canadian Alliance.

As I said, this bill before us is directly dictated by a supreme court decision that was brought down on May 20, 1999, eight to one. Anyone familiar with the supreme court knows very well that this is an extremely solid decision, and an extremely significant one. An eight-to-one Supreme Court decision is rather exceptional.

M. v H. was about two lesbians who had lived together for a few years. Before they separated, they had built up a business together and acquired business capital. Under section 29 of the Family Law Act, one of the women demanded support. This support payment

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was not allowed, because the wording of the act called for support to be paid to a partner of the opposite sex. A whole process of court challenges then ensued, beginning with the Ontario court of first instance and ending with the Supreme Court of Canada. In my opinion, the finding in *M. v H.* is the most significant as far as human rights are concerned.

What was its finding? It found that Common law relationships are conjugal relationships, which must be considered as such regardless of whether the couple concerned is homosexual or heterosexual.

The supreme court first of all was giving recognition to common law relationships, and furthermore recognized the absolute equality there must be between partners in a common law relationship, whether they are homosexual or heterosexual in orientation.

• (1130)

I would like to continue by citing two rather long paragraphs I feel constitute the quintessence, the very structure, the main thrust of the supreme court judgment. Out of respect for our interpreters, I shall read them very slowly so that they do not miss anything.

The supreme court made the following statement in defining spouses as set out in section 29 of the Family Law Act.

Essentially, the definition...extends the obligation to provide spousal support...beyond married persons to include individuals in conjugal opposite-sex relationships of some permanence...Same-sex relationships are capable of being both conjugal and lengthy, but individuals in such relationships are nonetheless denied access to the court-enforced system of support provided by the FLA. This differential treatment is on the basis of a personal characteristic, namely sexual orientation, that, in previous jurisprudence, has been found to be analogous to those characteristics specifically enumerated in s. 15(1).

The court is referring here specifically to the decision in *Nesbit*. I continue:

The crux of the issue is that this differential treatment discriminates in a substantive sense by violating the human dignity of individuals—

I hope that our colleagues in the Canadian Alliance understand clearly that the supreme court is talking about something called human dignity. I do not see how, as lawmakers, we can oppose something called human dignity. I continue:

—in same-sex relationships...The nature of the interest affected is fundamental, namely the ability to meet basic financial needs following the breakdown of a relationship characterized by intimacy and economic dependence. The exclusion of same-sex partners from the benefits of the spousal support scheme implies that they are judged to be incapable of forming intimate relationships of economic interdependence, without regard to their actual circumstances. Taking these factors into account, it is clear that the human dignity of individuals in same-sex relationships is violated by the definition of “spouse” in s. 29 of the FLA.

Indeed, it is desirable. It is possible for a man to love another man, it is desirable and the fact should be fully recognized by the

lawmaker. It is possible for a woman to love another woman, it is desirable, it is noble, and it should be given the same recognition by the lawmaker.

No amount of prejudice will prevent the attainment of the equality to which same sex couples are entitled to aspire. We have seen this in the court decisions. We see it in political courage. I am sure that, this evening, many of us here will wish to vote in favour of equality.

We must ask ourselves this question: Why is it important that we show strong support for a bill such as this?

Hours could be spent exploring the cause of homosexuality. As I have often said, I have five siblings, I have extremely normal and wonderful parents, and my mother stayed at home while my father worked. I wanted for neither affection nor love.

• (1135)

There is nothing about how I grew up to suggest any dysfunction in my family, and yet I am homosexual. I am very happy to be so. I am happy, I love life, I love my work, I have friends, I have love in my life, and I want for nothing in that regard.

Let us ask ourselves what it would mean if lawmakers continued to send the message that same sex couples are second class citizens, that, despite the fact that, in many cases, they are taxpayers, they are not entitled to full recognition.

I hope that Canadian Alliance members will reflect on what I am about to say. Mr. Speaker, you were 13, 14 or 15 at one time; you might argue this was some time ago. Whether they live in Alberta, Saskatchewan, Montreal or Charlottetown, PEI, when at age 13, 14 or 15, young people discover that they are different from the others in their sexual attraction, because they are attracted to people of the same sex, it is important that they feel they are full-fledged citizens, and to know that, in their lives, regardless of profession and aspirations, lawmakers will provide full recognition and discrimination will be tolerated neither in Quebec nor in Canada.

This is what Bill C-23 proposes to do. What is so threatening about it? Could someone from the Canadian Alliance tell me how the fact that a person chooses to live as a homosexual in society, to engage in an emotional relationship, which the supreme court said ought to be considered as a conjugal relationship, poses a threat to the heterosexual community? What makes Canadian Alliance members view Bill C-23 as a threat to traditional families?

I come from a traditional family. My twin brother has a traditional family. My sister Lorraine has a traditional family with her husband Jean-Pierre and their son Francis. Yet, I do not believe

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that I, as an individual, threaten the choice they made to form a traditional family.

I believe the hon. members of the Canada Alliance need to review their position. They need to support this bill. Doing so will, in my opinion, enhance their status as a parliamentary group.

What this bill does not change, and it is important to say so, is the definition of marriage. The definition of marriage is not included in this bill. It is part of common law. Nothing in the 300 or so clauses of Bill C-23 changes the definition of marriage.

Those tempted to vote against this bill because they claim it threatens the institution of marriage according to the conventionally held view are, quite simply, wrong.

This bill does not change the definition of cohabitation as it exists in federal statutes, which refer to a period of one year of life together. This bill does not change the consequences and legal facts surrounding separation. According to federal law, common law relationships terminate at the time of a separation. There is nothing in this bill that changes this.

There is no change to section 18 of the Criminal Code, which refers to the fact that offences committed in the presence of one's spouse are not to be presumed to have been committed under compulsion. Not only is that section not changed, neither is section 278, nor 155 on incest, 290 on bigamy, nor 293 on polygamy. Of course, the bill does not make any change to the Marriage (Prohibited Degrees) Act or the Divorce Act.

• (1140)

What the bill provides is that the expression conjugal relationship should be associated and used closely with common law partner.

What criteria are established by the term conjugal relationship, what do we mean when we talk of a conjugal relationship? In Canadian law, since the lower courts examined the term conjugal relationship, we have a fairly clear idea what it means. It means sharing a roof, personal and sexual relations, the presence of services and of social activities, financial support, the image the couple gives of itself in the community. There are of course times when all these elements are present, at other times only some of them may be present.

I would like to give my opinion right off on a very important element of the debate that took place in parliamentary committee and elsewhere. I think that the government was well advised not to recognize in the bill other relationships of interdependence. They do exist in our society: a son caring for his mother, someone else looking after a niece, one co-tenant attending to another, who is perhaps disabled. But these types of interdependence do not constitute conjugal relations.

It is to their great credit that people in our society look after others. We need only think that, in a few years, seniors in Canada and Quebec will represent over a third of our society. Indeed, we as a society must think about how we will support those who are financially dependent on others and those who take care of other people. However, that reflection cannot take place in a debate on same sex spouses or unmarried opposite sex couples.

This debate has been going on for ten years in Canada. The first case dealing with same sex spouses was heard by the courts in 1990. Now, in the year 2000, we have a bill before us. The homosexual community and all the democrats who support it have been patient, since the debate lasted ten years.

I do hope that we have an extremely informed debate on the various forms of interdependence that exist in our society. I know that some of my colleagues, including the hon. member for Saint-Bruno—Saint-Hubert, hope that this debate can take place. So do other Bloc Québécois members, but the fact that such a debate has not taken place is no reason to vote against Bill C-23.

Bill C-23 is the result of a very clear understanding of the situation by decision makers, first because the courts have issued rulings and, second, because the Minister of Finance evaluated the costs of recognizing same sex spouses. We are well aware—and I will get back to this later on—that these costs are minimal.

However, the debate on the other forms of interdependency has not yet taken place. The law reform commission of Canada is just beginning to look at the issue. I know that the government is proposing to set up a joint parliamentary committee with Human Resources, Justice and Finance, so that all the departments involved in possible recognition of other forms of interdependency can use their expertise, and so that we, as parliamentarians and decision makers, can have access to as much information as possible.

• (1145)

I urge all my colleagues to vote in favour of the bill and to work towards equality and democracy for the following six reasons.

First, this is a bill that recognizes one of the most fundamental values in our society. Whether we are sovereignists or federalists, men or women, young or old, rich or poor, we all believe in equal treatment. That is what this bill is about.

Second, the courts of law, the supreme court in particular, have ruled that we, as lawmakers, could not continue to discriminate against same sex couples. That is why this bill is restorative.

Third, let us be clear, the government introduced an amendment in the Standing Committee on Justice and Human Rights. I was not in favour of the amendment, but it at least has the merit of removing any possible ambiguity. This bill in no way, shape or form has anything to do with marriage. Marriage according to the

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conventional, common law definition will continue to exist, and that is a very good thing.

Of course, I cannot guarantee that 10 or 15 years from now a court of law will not rule that it is discriminatory to limit the institution of marriage to the heterosexual community. I do not know, but what I do know is that, if a court of law rules that marriage is unconstitutional because it is limited to the heterosexual community, it will not be because of this bill. It will be because of section 15 of the Canadian Charter of Rights and Freedoms.

Fourth, according to the Department of Finance in the Rosenberg decision, this bill involves no substantial cost to the treasury.

Fifth, 70% of Canadians would like us to end the discrimination to which homosexuals are subject.

Sixth, last June, at the end of the session, the National Assembly, in the sort of unanimous gesture of which the house of the people is capable in the great moments of the community, passed Bill 32, which amended 28 statutes and recognized same sex couples.

This evening, for all these reasons, individually and collectively, if democracy is to mean anything and if we are to take pride in representing those who have put their faith in us, all members must rise and support Bill C-23 when the Speaker puts the question.

[*English*]

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I will be sharing my time with the member for Winnipeg Centre.

I thank my colleague for Burnaby—Douglas, who has been a champion of same sex equality, not only in the House of Commons and parliament, but also in the broader society. I recognize the incredible work that the member for Burnaby—Douglas has done, not just in the New Democratic Party, but in the political life of the country, in standing to ensure that gays and lesbians are not discriminated against and in defending equality for all the people of the country.

As we are debating the final reading of Bill C-23, I am proud to say that members of the New Democratic Party fully support the bill. Our party has had a long history of standing for equality and defending minority rights, and we will continue to do that.

I would like to speak to what the bill is about. As with other issues before the House, there has been much misinformation and propaganda put forward and I think it is important to state the case of what this bill is about. In my mind, and for anyone who cares to look at the bill, it is about equality. It is about dealing with the legal issues that resulted from the May 1999 supreme court ruling in *M. v H.*, which made it quite clear, legitimately, that governments cannot limit benefits or obligations by discriminating against same

sex common law relationships. That ruling made it very clear that denying equal treatment before the law to same sex common law partners is contrary not only to the charter of rights and freedoms, but also the Canadian Human Rights Act.

• (1150)

Since that historic case in the supreme court a number of provinces and other jurisdictions have gone back to examine their statutes to see whether discrimination exists. For example, since 1997 the province that I am from, British Columbia, has amended numerous statutes, including six core statutes, to ensure that there is no discrimination against same sex benefits.

In June 1999 Quebec amended 28 statutes and 11 regulations. In Ontario we have seen 67 statutes amended. As well, in a large majority of Canadian cities, in private sector companies, in municipalities, in hospitals, in libraries and in various social service institutions across Canada we have seen the same kind of change begin to take effect.

I have to say, and I think many people in this country would say, that this is long overdue. It has been a long, costly and arduous role for many people in this country who have faced discrimination before the law, but also in terms of discrimination in public attitude, in government legislation and in services. Today we should take pride in saying that Bill C-23 is the right thing to do to uphold equality in our country.

Having said that, I want to say that it is also with a note of dismay that we have to challenge the misinformation that has been put forward by the former Reform Party. In fact, listening to the debate in the House over the last few weeks, I have really been quite appalled at the level of debate, the cheap shots that have been taken and the hateful comments that have been made by members of the former Reform Party.

Former Reform Party members have done the same thing they did with the Nisga'a final agreement. They have tried to portray this as a debate not about equality, but somehow that parliament will be conferring special rights on a special interest group. Nothing could be further from the truth. This is not about special rights. It is not about special rules or considerations. This is about ending discrimination toward gay and lesbian couples in common law relationships and saying that the law must apply equally and fairly to all Canadians.

I have also heard former Reform members say that the legislation will hurt children and that children will suffer. I have also heard—

**Mr. Ken Epp:** Mr. Speaker, I rise on a point of order. I regret interrupting this speech because I enjoy listening to what the member has to say, but the Speaker has ruled, and it has subsequently been upheld about four or five times, that the name of our

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party is the Canadian Alliance. It has been ruled and I would ask this member simply to adhere to the ruling of the Speaker.

**Ms. Libby Davies:** Mr. Speaker, I think I used the term the former Reform Party. The term alliance is an interesting one because alliance to me implies that there is a partnership taking place, and I have been curious to see who is really banging down the door to form this alliance.

We have the Canadian Alliance, the former Reform Party, the opposition members, but the point is what they say in the House and the way they have taken on this bill. They have held up a smokescreen, trying to fool people or give people the illusion that it is about special rights. That is completely unfounded and nothing could be further from the truth.

I have been particularly offended by the remarks of members opposite that the bill will hurt children and families. In fact, just yesterday a member of the opposition in his debate said "I suggest that this government has given in once again to the tyranny of the minority. We cannot legislate equality any more than we can legislate morality".

We do legislate equality. That is what the charter of rights and freedoms is about. That is what our constitution is about. That is what the Canadian Human Rights Act is about. We do legislate equality and every member of the House should stand to defend the right of equality.

• (1155)

Those members are trying to legislate morality in the House. Let us be very clear about that. When they do so we have to understand that not only are they attacking gay and lesbians or same sex couples who are in a common law relationship, they have gone further than that. They are now attacking the rights of people, whether they be gay, straight or whatever, in common law relationships.

Yesterday some of the amendments that we dealt with were specific amendments to remove the term common law relationship from the Old Age Security Act and the Income Tax Act. That would take us back to the dark ages. I thought we had entered the new millennium. The members of the opposition party, the former Reform Party, are stuck in an age where their moralistic views, their narrow, hateful views of what Canadians are about, are not shared by the majority of Canadians.

I ask members of the opposition who have opposed this bill why they consider it to be such a threat to heterosexual families. They seem to think that Bill C-23 will somehow undermine their own families or what they perceive to be traditional marriages. Why is there only one definition of marriage in their minds?

I have heard Reform members say that the bill will diminish marital relationships. I have to question and challenge why they are

so threatened, so weak and so hateful that in order to impose their moralistic view they are determined to deny equality to other Canadians who happen to be in same sex relationships. Why are they willing to do that?

One of the unfortunate consequences of their argument is that by voicing their biases and their prejudices against people they actually give permission to other people in society to stir up hatred and division. We saw that during the Nisga'a debate when Reformers made remarks that were then taken up by racists and by people who harbour huge feelings of homophobia. This is what the former Reform Party members are allowing to happen by their very hurtful comments. They make comments which divide our society.

We in the New Democratic Party are absolutely appalled by that stand. We think it is outrageous. We have the courage to stand in this place to defend equality and to stand in support and in defence of same sex relationships. All people should be given the same treatment under the law.

At the end of the day this bill is important because we have seen incredibly lengthy court battles. I know of couples who have dealt with the system, who have been forced to go through humiliation and discrimination because of the law and have had to pay money to lawyers. We have seen some of the very expensive legal challenges that have taken place. It is important for us as legislators to say that we have a clear ruling. This is about equality. It is about doing the right thing. We should stop this very expensive process of forcing people to go through litigation. We should be changing these laws. That is another reason Bill C-23 should be adopted unanimously by the House tonight, and it will be supported by New Democrats.

**Mr. Eric Lowther (Calgary Centre, Canadian Alliance):** Mr. Speaker, I noted that the hon. member referred to the Canadian Alliance members as hateful probably a dozen times in her speech. It does not serve anybody's interests to revert to name-calling. I notice that when people disagree in the House, particularly members of the NDP, they go on the attack and make accusations of this kind rather than substantive debate, which is unfortunate.

One of the things the member has missed in our comments, which we have continually repeated and which I would like her to address, is the fact that our core themes on this bill have been that if marriage is going to be put at the front of the bill, does the member have a problem with putting marriage right into the statutes, where legal opinion says it will actually have substantive legal effect? Legal opinion is that, the way the justice minister has done it, marriage will be left out.

• (1200)

Second, she said that we did not want to put people in the courtrooms and cause them to incur legal costs. Yet with the undefined definition of a conjugal relationship in the statute,

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people will probably be driven into the courtrooms to have their relationships assessed by the state. We have consistently said that is probably inappropriate, that it would be better to define it in the statute. I would ask her to speak to those two issues.

**Ms. Libby Davies:** Mr. Speaker, I did use the word hateful a number of times. I stand by it because I believe the arguments from opposition members were hateful of other people in society. For example, when they attack people who are in common law relationships I wonder where is their morality in terms of imposing their views on other Canadians.

I find that incredibly divisive. I find it incredibly biased and I find it hateful. Basically it is singling out people for the fact that they do not uphold the member's particular view of marriage even though people in same sex relationships may have all the attributes and the characteristics of what the member would characterize as a traditional marriage. I think that is hateful.

In terms of the other question I say very clearly that I did not support the preamble, the definition of marriage contained in the bill. Nor do I think it should be applied to the other statutes, simply because the bill is about benefits and obligations. That was the original intent of the bill. In fact it is a great shame that the government caved in at the last minute and put in that preamble an attempt to win the support of some of its backbenchers, which obviously did not work.

The original intent of the bill in terms of benefits and obligations was correct. To put in that preamble, and to put it into every other statute where there is not a definition of marriage currently, incites an inflammatory kind of environment which allows opposition members, the Canadian Alliance, the former Reform Party, to carry out its agenda of dividing people. I simply do not agree with that.

**Mr. Eric Lowther:** Mr. Speaker, I noticed that the hon. member made reference to treating people fairly. I could not help but be reminded that a few nights ago in a private member's bill by one of the members of our party the member for Wild Rose asked for an ombudsman to be put in place to hear the issues of the native people on reserves so that they could be treated fairly. Her party voted against the grassroots native people having an independent ombudsman to hear their concerns.

It seemed to me to be a very reasonable private member's bill. It focused on the needs of grassroots people so that they would have a fair hearing. Yet strangely enough every member of her party voted against an ombudsman for native people. It seems inconsistent with her concern for—

**The Acting Speaker (Mr. McClelland):** I am sorry, but we have to go to the response.

**Ms. Libby Davies:** Mr. Speaker, that is a very easy question to answer. We in the NDP believe in the self-determination of

aboriginal people. We believe that aboriginal communities, first nations, have the ability and the capacity to put in place any procedures they want in terms of an ombudsperson.

For the Reform Party to impose that, we see through its agenda. When we look at the debates that have taken place in the House over aboriginal rights, the Reform Party has opposed every one. Then all of a sudden it comes up with the idea of an ombudsperson. Methinks it doth protest too much. Its agenda is very clear, but from our point of view it is something that should come from within the aboriginal community.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I am very pleased to take part in the debate surrounding Bill C-23, an act to modernize the statutes of Canada in relation to benefits and obligations.

I ask hon. members to keep the title of the bill in mind during my remarks. It is important that we focus on what the bill really is and what it really means and not let the debate get out of proportion. It is a very practical and pragmatic piece of legislation which simply seeks to modernize the way we treat benefits in employment situations or in hereditary issues.

• (1205 )

I would like to honour the member for Burnaby—Douglas who on behalf of the NDP caucus has been championing this issue for his entire adult life. It must be very gratifying for him to see the bill finally being debated in this way today. Some 21 years ago when the member was first elected to the House of Commons we would have been light years away from actually having a debate on same sex benefits.

Progress has been made very slowly and at a very frustrating pace, I am sure, for the many activists who have dedicated their lives to it. As we have often said, it is like steering a supertanker one degree at a time. Slowly but surely, with dedicated people like the member for Burnaby—Douglas, we are making social progress on the issue, and I recognize him today.

Gay rights are the last great civil rights movement of our time. It is one issue we have failed to deal with during the last century with the emancipation of black people and their moving forward on social issues in the United States. That was a genuine civil rights movement. The aboriginal people in this country in recent years have finally been put at the forefront of social justice issues. That was a civil rights movement. The one remaining movement about which we have been negligent and to which we have failed to give enough attention is the very real discrimination that still exists in our dealings with gay and lesbian people.

I am always frustrated and saddened by the reaction in some of the speeches I have heard from the right wing extremist parties.

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The extremists always find it easier to promote hatred than to stamp it out. It is much easier to get attention by a divisive argument than by an argument which actually unites and moves society forward. More than angered, I am saddened by some of the tone and content of the debate we have heard from the right wing extremist party.

It saddens me in that it is a little frightening to think that those Canadians can be that retarded in their development on social issues. That is the only term I can use. Somehow they have been held back. The rest of us have moved forward and they have not. They have either failed to listen or refused to listen or failed to understand what the rest of the country is telling them.

The Liberal Party should not be any more proud in one sense. It moved an amendment which catered to the musings of right wing extremists in that an 1880 definition of marriage is now entrenched in Bill C-23 by amendment by the Liberal Party to appease and placate right wing extremists who simply could not tolerate the idea of the bill going forward and threatening what they believe to be the sanctity of marriage.

When the definition of marriage was put forward in the 1880s in Britain's common law other things were typical about marriage as well. For instance, two races were not allowed to marry. At that time interracial marriages were illegal. We have gone beyond that. We have matured and developed to realize that was silly, and so we chucked it out. At that time it was legal to beat one's wife as long as one did not use a rod thicker than one's thumb. That was silly. That was obsolete and had to be dealt with, so we modernized the institution of marriage to toss out those anachronisms. There is another one we have yet to toss out, the barrier which so horrifies right wing extremist parties today, same sex unions and same sex marriages.

I am very proud that my children grew up in a neighbourhood where they recognized that families could take all kinds of shapes, that there was no one definition of the perfect nuclear family. The reality is that I have neighbours where there are a mom, a dad and two children, and that is a family. There is a single mom with children, and that is a family. There are two moms with children, and that is a family too. My kids have grown up with that realization and they are not frightened by it. There is nothing to fear by extending the same rights to other groups that we ourselves enjoy.

• (1210)

Right wing extremists always seem to feel that by extending rights to one group somehow diminishes the rights others enjoy. Nothing could be further from the truth. It augments and accentuates the rights we all enjoy. When we all move forward together that is the only time society truly moves forward together. If we leave any one significant group behind, we are not doing our job in terms of equal rights and equal opportunities.

Some of the arguments of members of the Reform Party or the right wing extremist party are nothing short of ludicrous. One criticism is that the bill will lead to "benefits for sex" and abuses of who will be entitled to benefits. They are saying that heterosexual men will claim to be gay so they can get dental benefits or something. They are groping for ways to criticize the bill. That is absolutely absurd, but we have heard them put forward such arguments.

Reformers have consistently voted against every measure to promote equality on this issue. We have seen it all through their comments since I have been here in 1997. In 1996 Reform critic Sharon Hayes, during the debate on changes to the human rights act, said the Reform Party had taken the position that it rejected the inclusion of sexual orientation in the Canadian Human Rights Act as both unnecessary and inadvisable, recommending the exclusion of significant numbers of our population from coverage under the human rights act.

I wonder sometimes if members opposite think about what they are doing and what they are saying. I honestly wonder if they have given the matter any serious thought, or if they just react in a knee-jerk way, driven by emotion but certainly not by any kind of principles with which we would agree.

At the start of my remarks I asked members to remember that this is an act to modernize the statutes of Canada in relation to benefits and obligations. It is nothing more. It seeks to grant benefits to those working persons who may seek to share their benefits with someone other than the conventional definition of spouse.

This is something that has already been amended in most collective bargaining agreements and in many provincial statutes. It is really bringing the federal statutes into line with what is already the norm. There is nothing radical or revolutionary about the idea. It is simply institutionalizing what society has already agreed should be the norm.

We believe the bill is a long overdue reaction by the government to the rulings of the supreme court. If we need guidance on its origins or the moral authority, we can look at cases such as *M v H*. It was about payments after the breakdown of a same sex relationship. Sooner or later we knew we would have to deal with the issue. This very high profile case helped the country finally come to grips once and for all with what happens in a same sex relationship when the relationship fails and whether it should be treated in the same way as a more conventional union.

It was useful for the country to finally wrestle with the issue. We have all benefited from having the debate of recent days. I look forward to the passage of Bill C-23 because I firmly believe it is one of the last great civil rights issues of our time. I am very proud that I am lucky enough to have been elected in a period where I was able to play some role in bringing it about.

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**Mr. Peter Goldring (Edmonton East, Canadian Alliance):** Mr. Speaker, in 1996 when Bill C-33 was being debated it was claimed that there was absolutely no future intent to bring in same sex benefits. Four years later and here we are.

Is Bill C-23 not just a pit stop along the way to having further amendments made to the entire institution of marriage or to the definition of marriage? Could the member give me his viewpoint on the matter of whether there should be any further amendment to the definition of marriage that he would like to see?

• (1215)

**Mr. Pat Martin:** Mr. Speaker, I ask people to recognize that the name of this bill is simply to modernize the statutes in relation to benefits and so on. That is what we ask people to keep in mind. It is sort of a paranoid idea to think this is the slippery slope toward what could be considered to be some kind of a dangerous movement toward anything else. Do not give it more attributes than it has. It seeks to modernize the payment of benefits and obligations in relation to many acts where there is reference to that kind of shared thing.

As to whether the definition of marriage should be modernized as well, I believe it should. I believe the definition of marriage that we are currently using, as I said, is from 1880s British common law. Many things have had to be changed to reflect social morals and so on. I think it is wrong to even try to legislate morality. That has been made in argument before. If we read Oliver Wendell Holmes at that same period of time in the 1880s, he was saying, "You can't legislate morality. The state has no business trying to legislate morality". We can legislate equality, as the hon. member for Vancouver East pointed out quite correctly, but we cannot legislate morality.

I would say the right wing extremist party in this country has things completely reversed. Stop trying to legislate morality and admit that it is necessary to legislate equality.

**Mr. Eric Lowther (Calgary Centre, Canadian Alliance):** Mr. Speaker, again I think it is regrettable that the hon. member of the NDP continues to use terms that take away from the debate: extremist and hateful. Those are labels which I think undermine the credibility of the House. I appreciate there are different opinions on issues. Our party has a policy that says that we feel that marriage should be between a man and a woman. It is right in our policy document.

I notice that we had a motion on the floor last June to the effect that this House affirm that marriage remain the union of a man and a woman in law and that the House do everything possible to keep it that way. A majority of members, perhaps even all the members who were there that day in the NDP party, voted against that motion

to keep marriage defined as a man and a woman. I can respect that they have a different opinion.

I guess I want clarity from the member. Is that the official position of the NDP party, that we should not have marriage defined as a union of a man and a woman? Do they want to have in statute same sex marriage?

**Mr. Pat Martin:** Mr. Speaker, nothing is stopping the organizations that the hon. member belongs to from having a definition of marriage different from what exists in statute. What exists in law and what might exist in the hon. member's church are two different things. Nothing is stopping the hon. member from passing a by-law in his church or in the moral majority right wing evangelical movement that that particular church will not honour a union other than a single man and a single woman, which would be fine.

However in fact in statute, in law where we need a legal definition for really a contractual relationship to be partners, we can be more flexible and we can be more generous.

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Mr. Speaker, I am pleased to take part in this debate, a debate that has been filled with a great deal of information, a great deal of emotion and I think is generally reflective of the range of emotions that people across the country certainly feel when approaching this subject matter.

Bill C-23, modernization of benefits and obligations, is appropriately named. There is obviously an element of modernization and certainly one of obligation that will stem from the omnibus type of legislation that amends 68 statutes in federal jurisdiction.

Mr. Speaker, you have heard and other speakers before you have heard a great deal of consternation and oftentimes heated debate on this subject matter. Members of parliament individually have been receiving I am sure a great deal of correspondence and a great deal of feedback, both positive and negative, about this subject matter, this bill. Whenever it appears, whenever issues of sexual orientation or anything that might be perceived as infringing upon traditional views, values, definitions, there is bound to be a reaction that is often motivated by fear, misunderstanding and raw emotion.

• (1220)

We should be rather temperate and understanding and do our utmost to not fan the flames in this instance, as we have seen in other instances.

I am not drawing a direct correlation, but there is a situation currently on the east coast of Canada where we had a decision handed down by the supreme court that has spurned a great deal of debate about native and aboriginal fishing rights in our fisheries. Once again we saw a tremendous outpouring of reaction and

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emotion that bordered on violence and in fact led to some instances of violence. It is incumbent upon us as members not to add fuel to an already volatile situation. We border on doing that in the midst of this debate.

These issues, no doubt, will not go away even in the wake of this legislation passing. Whatever decision is made in the final analysis when this bill in fact does pass, if it does pass, the issue itself is not going to dissipate or disappear.

With that said, I have had the opportunity personally to meet with members of my constituency, individuals who are watching this debate and following it very closely. I met quite recently with Ernie Curry of Antigonish who is the president of the Catholic Civil Rights League in the Antigonish area. On April 3 I met with Mr. Curry and his group and we had a very productive meeting, in my view, with respect to the contents of Bill C-23.

Although at the end of our lengthy meeting we may not have agreed entirely on every point, the fact remains that both sides were heard. It was a very open and frank discussion where information and points of view were exchanged. I would hope at the end of the day that is the process that we are embarking on here. This is the type of analysis that can bear fruit and can give individuals an opportunity to at least understand all the signs.

As I said of that meeting, we may not have agreed on every point but we certainly came to a greater appreciation of the points of view that do exist. I was very appreciative of the opportunity to hear from him, and certainly to hear from him on the efforts, dedication and good work that is done by him and his organization.

Mr. Speaker, Bill C-23, as you would know as an individual who has followed and participated in this debate previously as an individual member of parliament for Kingston and the Islands, this bill does not intend, nor was it intended to change in a legal sense the definition of marriage or spouse for that matter. Bill C-23, in fact, may now include a definition because of the eleventh hour insertion of that amendment. However, it remains clear that the intent is not to change, deviate, revamp or somehow diminish any definition of marriage, or certainly not to attack the institution of marriage.

Many definitions have been put forward in the House, most notably by members of the Reform Party. These amendments were brought forward in good faith as an attempt to bring greater clarity and definition to what we perceive as the traditional view of marriage.

This happened as well at the justice committee. It was moved by the parliamentary secretary that we now include this definition of marriage. That was one which the Conservative Party supported. I can say personally as a member of that justice committee that we were in support of that definition.

On March 22 the government brought forward this amendment and it was adopted at the committee that the definition of one man and one woman as defining the traditional view of marriage would be entrenched in the bill. This does not affect what others have decided upon as being their view of marriage. The Conservative Party does not want to partake in any attack or any frontal assault on what is viewed as a traditional understanding of what a marriage is.

As a member of the committee, although I supported this amendment, in many instances it is not necessary. It is perhaps better left unsaid that marriage is a person's view of what that union means to them spiritually, religiously, from their background and from their upbringing.

• (1225 )

I fear that there are occasions when we become so caught up in Cartesian thinking that we have to write everything down. I would suggest this stems from the early eighties when we contemplated bringing back the constitution, repatriating it and putting in place a charter of rights that writes down every obligation and every right in the country.

By doing so, inevitably the fear is that we will leave something out. There has always been a common law notion that there are certain things that are accepted and certain things that people have come to view as practice, a normal evolution if you will, of how the law acts and how people react and interact with one another in society.

More and more we are seeing the country faced with a situation where the government is becoming very intrusive, writing everything down and reminding people of what they do and cannot do, and essentially putting it all before them. It is like layers of shingles on a roof. There is no point in time, it appears, that government is prepared to maybe take some of those shingles away before we put another layer on top of it. More and more we are seeing bureaucracy become more intrusive, more involved and more active in people's everyday existence.

I fear that this trend has to be somehow stopped or stemmed. We should be re-examining what we are doing. A perfect example is the legislation with respect to gun registration. We know that the legislation came about as a reaction to a horrible incident in the country where women were murdered in Montreal. Yet, rather than try to deal with the root causes or with the problem itself, the knee-jerk reaction of the government of the day, the current government, was to put in place a registry system that is cumbersome, bureaucratic, intrusive and does not in fact affect the criminal element at all. It focuses on individuals who are already participating in a very lawful and personally relevant activity, perhaps skeet shooting, hunting or recreational use of firearms.

Whether anyone personally engages in that, some individuals choose to do so and that is their right, and yet the government has

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targeted those persons as being a group that will be legislated and almost vilified by virtue of this type of legislation.

There are numerous examples that could be cited. It is not surprising in a way that the government in this regard chose to include the definition of marriage with respect to this legislation. The government, of course, many would suggest and I might be one of them, is becoming rather complacent, devoid of ideas, very moderate and mundane in its approach to the future of the country.

It is very obvious that in the context of this legislation when people reacted, and perhaps reacted in a negative way much like we saw with the idea that we might be subsidizing the NHL, the government, like a windsock and the party that likes to lead the parade in progress, reacted by inserting at the last minute a definition of marriage. Perhaps it should have done so at the earliest instance but it is a government that obviously is completely led around by the nose by public opinion polls.

The Minister of Justice decided, and for weeks and weeks building up to the introduction of the bill, that it was not necessary and that it was not about marriage. She went to great efforts and pain to remind Canadians that this was not at all about marriage, and yet this is what we see when the government is backed into a corner.

With that, and as I have indicated, we do support the idea of having this definition in the interpretation act although, Mr. Speaker, as you will know as a person with a legal background, this will not in fact have any real legal implications on things such as the Family Maintenance Act or the Divorce Act. These types of bills will not be affected in essence by this insertion in the interpretation of Bill C-23.

I know that there has been a motion put on the floor by the Reform Party that attempts to broaden the definition and insert essentially this new entrenched version of what marriage is. I applaud the motivation for doing so, but I do not necessarily follow the thinking or why it is they have chosen to go about this task.

• (1230)

I will be supporting many of the amendments put forward by the member for Calgary Centre which focus in on the definition of marriage and spouse in the various statutes that will be affected by Bill C-23. As I have indicated, this will not have a drastic effect on the current operation of family courts around the country.

I reiterate that Bill C-23, which is omnibus legislation, extends benefits and obligations to same sex couples and opposite sex couples with respect to the fiscal obligations and benefits that can accrue and flow. There is still a criterion or a hurdle that a person would have to get over to benefit or become eligible for that entitlement.

This legislation has been referred to by many as being driven by the judiciary and, in particular, the supreme court ruling in *M. v. H.* The government cannot, by virtue of this decision, limit benefits or obligations by discriminating against same sex common law relationships. Denying equal treatment before the law to same sex couples is contrary to the principles of equity enshrined in the Canadian Charter of Rights and Freedoms, as well as our Canadian Human Rights Act.

A very simple principle was set out by that decision. It was a very straightforward statement by the courts saying that same sex couples cannot be treated differently on a fiscal level. This was not a moral judgment. This was not an attempt by the courts to tread into that sacred ground of marriage. This was simply a legal recognition that there was a fiscal standard that had to be applied when looking at human relations.

The previous speaker made a very eloquent speech about the need to recognize that this is about humanity and about treating human beings with the same level of fairness, the same judicious, equitable standard that is applied around this great country. He and others have referred to the fact that things like the civil rights movement would not have occurred unless we had a vision of how we should interact with one another, irrespective of race, sex, cultural background or language. All of these stigmas that can sadly become attached to individuals in our society must be viewed with an even hand.

Justice is supposed to be blind. We have seen the symbols of justice: the woman who is blindfolded and holds a sword and the scales. This is how the law is suppose to weigh how we treat individuals in society. This is the same as more recent vintages; the way we have treated women in this country. They were only given the vote as early as 1940 and only allowed to own property in the last century. That came about at a time when it was very volatile. There was often fragmented and angry debate but the country's moral fabric did not tear apart. The country has not been reduced to shambles and burning embers. The country has survived.

To somehow suggest that we will be thrown into chaos and that the country will completely break down if we begin to extend equitable treatment and fiscal fairness to same sex partners is inflammatory.

This legislation is about equity and fairness of obligations and rights as it accrues to individuals who have paid into a fund. This is often about a person having the ability to receive a return on a fund that he or she has legally paid into and now wishes to benefit from.

This legislation maintains a clear definition between married and unmarried relationships. Even though the legislation refers to marriage, it does not go into the area of what is a spouse. It makes no attempt to define marriage as being inclusive or exclusive of individuals who have chosen to live a certain lifestyle. It protects

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and recognizes the merit and the obvious view that marriage is a beautiful thing.

● (1235)

The Progressive Conservative Party was the first to stand up and say that there was absolutely nothing wrong with recognizing the value and the importance of that choice. One is not exclusive of the other. A person's view and a person's personal attachment to what their concept of marriage is has to be respected, and that is fine.

This legislation does not undermine marriage. It does not take the pins out from under the people who have chosen to practice their life in a certain way and engage in a certain lifestyle and marriage. Marriage is but one choice that people have to make in their lives in choosing how they interact with same sex and opposite sex individuals.

It has been suggested that because the legislation recognizes fiscal benefits and obligations, which already exists in our society today, for same sex couples, that it will somehow denigrate those who chose a different lifestyle, a lifestyle that some would view as more traditional and some would view as being the majority. However, those of us in the majority have to be respectful of those in the minority. It is one of the fundamental principles upon which this country was based. That is where the tie-in exists between previous minority groups that have been discriminated against. We have had very historic debates in this Chamber on aboriginal rights, the rights of women, the rights of blacks and the civil rights movement. There is a correlation when it comes to oppression that has to be remedied.

The major change in this bill, which proposes to encompass same sex and opposite sex couples in common law relationships for one year, is that both benefits and obligations will be recognized for these types of relationships.

A lot has been said about the issue of conjugality, which has been described by some as simply sexual relations. That is factually incorrect. Some MPs have expressed a great deal of concern about the definition. Let me refer to the *M. v H.* case at pages 59 and 60 where the supreme court approved the criteria for conjugal relationships. This was enunciated in the case of *Molodowich v Penttinen*, which is a 1980 case found at 17 R.F.L., second edition, 376. This was an Ontario District Court decision.

The supreme court held that it

—sets out the generally accepted characteristics of a conjugal relationship. They include shared shelter, sexual and personal behaviour, services, social activities, economic support and children, as well as the societal perception of the couple. However, it was recognized that these elements may be present in varying degrees and not all are necessary for the relationship to be found to be conjugal.

That is crystal clear as to how conjugal relations should not be boxed into a very strict definition.

I appreciate the numerous interventions that other members have made on this bill. I appreciate the considerable correspondence I have received from members of my constituency of Pictou—Antigonish—Guysborough in Nova Scotia and from around the country. The Progressive Conservative Party of Canada has the utmost respect for the views of others on this bill. We have chosen to allow members of our party to vote with their conscience and to partake in a free vote, which is something I do not believe other members of the House have chosen to do.

I appreciate the opportunity to have put my humble remarks on the record with respect to Bill C-23.

**Mr. Peter Goldring (Edmonton East, Canadian Alliance):** Mr. Speaker, the hon. member has said that we are putting too much down on paper about this issue. It seems to me that the courts now have some difficulty in interpreting the written law because a lot of the laws are not that clear.

● (1240)

Is the member suggesting that our laws be written in a vague and ambiguous fashion? Would it not be preferable to have our laws very clear, very well defined and as specific as possible?

**Mr. Peter MacKay:** Mr. Speaker, it is because there are two lines of thought. There was a time in this country, particularly when we adhered perhaps more to the British model of common law, where there was an acceptance of certain things that existed. There was an acceptance that we did not infringe upon our neighbour's house or trespass. I suppose that has all evolved over time and we are now at the point where we write everything down. The difficulty with writing everything down is that inevitably things are sometimes left out.

If we embark on a system where we must anticipate everything that will happen, it will be impossible. We will never be in such a situation where we will be able to anticipate every twist and turn that might occur in the law or every human dynamic. Humans are far too complex for us to somehow foresee every change that will occur. By giving narrow definitions to everything or, to use the hon. member's words, specific definitions in every instance, my fear is that on occasion we will make laws that will be restrictive and exclusive of some groups.

However, I do understand that there is certainly time and merit in having clear definitions.

**Mr. Eric Lowther (Calgary Centre, Canadian Alliance):** Mr. Speaker, the hon. member from the Progressive Conservative Party is consistent in being vague and evasive on taking any kind of firm position. As usual, he talks about how important he thinks various

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aspect of this are and how much he appreciates opinions but every time I listen to him I wonder where he stands on the issue. It is always hard to sift it out.

When we were in committee I recall that the member voted against actually defining what marriage was. When the justice minister put forward her motion in committee he wanted to terminate it. When the justice minister's motion went on to define marriage as a union of a man and a woman, he wanted to exclude that part. He voted in favour, as I recall, to exclude the definition of marriage.

The member's party was split on this back in June 1999 when we had a motion on the floor of the House of Commons. The motion asked whether we agreed that marriage should be the union of a man and a woman to the exclusion of all others. It passed four to one, but his party was split. Almost half of his caucus were not sure whether a marriage should be the union of a man and a woman. This seems to be consistent with his actions at the justice committee when the justice minister put forward her motion on the definition of marriage.

It almost seems like members of that party want to say how important marriage is but they do not want to define it. It is frustrating for me, and I think for a lot of Canadians, who would like to see this party take a stand on something and not be wishy-washy. Maybe he can explain that. Maybe I have misinterpreted his actions.

**Mr. Peter MacKay:** Mr. Speaker, the reality is that the hon. member for Calgary Centre has misinterpreted my actions. If he was paying close attention he would realize that was not the case.

We are at a point where we have come to expect that we should not let the reform party ever have truth get in the way of reality. I know I am not supposed to use that type of language in the Chamber, but it is very misleading for a member to get up and misstate the position of a party or a person, and I take great exception to it.

With respect to what Conservatives are, there are many members in the reform party who feel somehow that one cannot be tolerant if one is a Conservative, one cannot have an open mind and look at things from all angles if one is Conservative. One has to somehow lay down the law and hammer out a position that is extreme, and that is not the case.

• (1245)

That is not the view many in this country have of what it means to be a Conservative. They tried and tried again to somehow paint the Right Hon. Joe Clark and members of this party similarly as not being Conservative. They referred to him as yesterday's man. Maybe he is and this is why. He was doing things yesterday that people are thinking about doing today. If that is the definition of yesterday's man, that is a darn good definition for the Right Hon.

Joe Clark. He is a very forward thinking individual who has contributed greatly to the growth and development of the country. He is a very strong Conservative in the definition that I feel very comfortable with.

I want to thank the hon. member for putting forward what was a completely fallacious position on the Progressive Conservative Party. We are very comfortable with the position we have taken and I think the majority of Canadians are as well, not the 10% of extremists who try to identify themselves as living and breathing within the Reform Party of Canada.

**Mr. Jim Pankiw (Saskatoon—Humboldt, Canadian Alliance):** Mr. Speaker, I could not help but listen to the member describe Joe Clark and it merits examining the facts. Joe Clark was the most senior and influential member of cabinet in the nine years of Brian Mulroney's government. There were 71 tax increases and it more than doubled our national debt, \$300 billion. That is extremism.

That is why our country is now in desperate straits. We are the highest taxed nation in the industrialized world and are almost \$600 billion in debt which will take decades to pay off. We have an obligation to our children to not sewer the economy any further than what the Conservatives did partially under the leadership of Joe Clark. I am here on behalf of my children and all the children of the country to turn the country around and set it back on a straighter track.

I resent the member saying anything positive about Joe Clark because he and Brian Mulroney were the most negative and destructive forces the country has ever seen.

**Mr. Peter MacKay:** Mr. Speaker, heaven forbid that members of parliament say anything positive in this place. The hon. member would not know that if it hit him in the face because the opposition repeatedly digs up negativity and perpetrates mistruths about individuals, parties and records.

To suggest somehow that one party is responsible for the entire debt is almost Liberal-like in its magnitude of mistruth. What we have seen is an individual who has taken this argument completely to outer space in terms of relevance. It went from homophobia to tax phobia. It is absolutely ludicrous but that is the type and level of debate we have come to expect from the Reform Party of western Canada.

**Mr. Eric Lowther:** Mr. Speaker, I would like to point out that the member from the Progressive Conservative Party said it was an extreme view. He said we were extremists in that we would like to see marriage in Canada remain as a union of a man and a woman.

**Mr. Peter MacKay:** That is not what I said at all. That is a mistruth.

**Mr. Eric Lowther:** Mr. Speaker, that was what we heard in the House. He stood up and said we were extremists and that we were

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trying to exclude people from something when really all we are saying is that marriage should remain the union of a man and a woman. That is our party policy. That is what the House endorsed nine months ago. The question I am trying to get the member to answer is if that is the position of his party. Would he stand up on that?

**Mr. Peter MacKay:** Mr. Speaker, I will say it very slowly so the hon. member can understand.

I personally endorse the idea that marriage is defined as between a man and a woman. In the Progressive Conservative Party, that great national entity the member and his cohorts are trying to kill, we have chosen to have a free vote which acknowledges that different members of the party may have different views. That is freedom, a concept which the Reform Party is not familiar with. There are big lashes on its members when they step off side. They are relegated to the backbench, tossed out of the party or asked to leave politics if they have a different view.

We may not be conformists of that type but what we have decided to do is respect individual members and respect the various views that Canadians have on this very at times emotional and divisive issue.

• (1250)

[*Translation*]

**Hon. Hedy Fry (Secretary of State (Multiculturalism) (Status of Women), Lib.):** Mr. Speaker, I am pleased to have the opportunity to speak today on Bill C-23, the modernization of benefits and obligations act.

[*English*]

I will be sharing my time with one of my colleagues.

I want the House to know why I am proud to stand and speak to this bill. I have listened to various members speak, such as the member for Pictou—Antigonish—Guysborough and the member for Vancouver East. They have spoken, as national parties do, about human rights.

I heard a member of the Bloc speak to the member for Burnaby—Douglas when he said that the member has been a gay member of parliament for a long time and has had the courage to stand and speak about these issues at a time when it was not popular. I salute the hon. member.

However it also takes a government with a political will when it is in power to move the agenda forward. This government since 1993 has taken steps progressively, certainly and steadily starting with Bill C-33, and Bill C-41, and the treasury board bill which dealt with the issues of benefits and pensions and moving on to the bill before us today. This is the culmination of a long series of progressive steps getting us to the point where we now have seen the last bastion of legislated discrimination in this country fall by the wayside. I am proud to belong to a government and a party which has had the courage to do this.

What concerns me more than anything is that I have sat in the House and listened to what I consider to be the spreading of hate and hateful messages by the alliance party.

This is not only about the issue of marriage. This bill, as the hon. justice minister has said many times before, is not about marriage. It is about human rights, civil rights and political rights of a group in Canada who have been barred from those rights for a long time.

What I heard from the alliance party were suggestions that concern me a great deal because it not only stereotypes but creates dangerous stereotyping. People who listen to that kind of stereotyping may actually feel there are many reasons to dislike, fear and deny that particular group, gays, lesbians and bisexual persons, their human rights.

It bothers me that the hon. member for Nanaimo—Cowichan and the hon. member for Calgary Centre have given statements that they make sound like scientific fact. There are a couple of very important pieces of stereotyping which are dangerous.

The hon. member for Nanaimo—Cowichan talked about feminism creating gays and lesbians. The hon. member talked about the fact that single parent families and divorce create gays and lesbians in this country. I would like to quote what the hon. member for Nanaimo—Cowichan said. While it does not bear repeating, it must be repeated because it shows the extremism of that party. The hon. member said:

A gradual blurring of the sexes occurred that gave young men growing up in many female dominated, single parent homes an identity crisis. This led to a rise in militant homosexuality, a coming out of the closet of gay men and women who also demanded equality. The things that had been considered improper went looking for a desperate legitimacy.

When pressed, the hon. member was unable to explain why he believes that single mother families encourage militant homosexuality. When pressed he also said that he did not know the answer to why homosexuals who grew up with both their father and mother in the home would be less militant.

• (1255)

That spreads hateful messages about other people. It is about a party so set in its own need to poison people against each other that it will say anything, no matter whether it is the truth or not.

My father came from a single parent family led by his mother. My father and mother have been married for about 60 years. My father and mother brought me up in a home in which there was love and commitment. I also learned from my parents that every single individual in the world has human rights for which I must continue to fight and that is what I am doing.

As a physician I have had many gay, lesbian and bisexual patients. Despite what the hon. member for Calgary Centre would

have us believe, there is not a single piece of psychological research that demonstrates that lesbians and gay men function differently as individuals from other women and men.

Since 1974 the American Psychiatric Association has been on record in holding that homosexuality is not an illness and is not curable. The American Psychological Association agrees that homosexuality per se implies no impairment in judgment, stability, reliability or general social and vocational capabilities.

In July 1997 based on research and evidence the Ontario Psychological Association issued a statement supporting the general principle that all individuals in relationships should be treated equally under the law without regard to sexual orientation.

It is the kind of statements made by the hon. members for Calgary Centre and Nanaimo—Cowichan that are so disconcerting for many of us.

As a physician, a parent and a member of parliament, I am extremely concerned about the damage being done to young gays and lesbians who are beginning to understand their sexuality. The suicide rate among gay and lesbian youth is extremely high, beginning at the age of 15 when young people are beginning to understand their sexuality. Those young people are wondering if they may or may not be gay or lesbian. They are worried about whether or not they will be accepted.

They are now being further marginalized by the members of the Canadian Alliance, the former Reform Party. I cannot keep up with the name changes in that party. Those young people are being further marginalized. In a place to which a lot of Canadians look for truth and honesty, they are being told openly that they are sick. They are being told that they are some sort of abnormal creature on the face of the earth.

What does that do to the sense of self-worth of those young people? What does it do to increase the suicide rate for young people who are afraid and concerned that they will be rejected by the rest of society? It is increasing the risk for them. This is what concerns me so much about the irresponsible statements coming from the Canadian Alliance, or whatever it is that party calls itself.

Other bits of misinformation keep being circulated around here. One is that the vast majority of pedophiles are gay. Some 96% or more of acts of sexual abuse toward children are committed by heterosexual individuals.

As a physician I have not just read the newspaper from which members of the Canadian Alliance seem to get all their information but I have also read scientific information, data and research which has clearly said that homosexuality is not a disease which needs to be cured. I know very clearly the damage that is being done to homosexual youth when they are afraid and are further marginalized. They are committing suicide.

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I want to make one final point. I recall the days when common law relationships were frowned upon. I recall the days when relationships between people of different religions were frowned upon. I recall the days when conjugal relationships between people of different colour were frowned upon. I am glad to see we have finally removed one other barrier that has existed for so long.

• (1300 )

Gay and lesbian families are strong families. Gays and lesbians are parents. Gays and lesbians are children. They are sisters and brothers. They are grandparents. I am proud to stand here with my government to put forward a bill that I believe will probably be the single most important bill to come forward in this House in the 21st century.

**Hon. Ronald J. Duhamel (Secretary of State (Western Economic Diversification)(Francophonie), Lib.):** Mr. Speaker, I want to ask my colleague a couple of questions.

I wonder if she would be kind enough to define feminism for the House. There appears to be a number of meanings. I think we might profit from that definition. There seems to be a feeling that feminism exists only among women. I would like to be corrected if I am wrong.

Second, does the secretary of state know whether there are any churches or groups of people who belong to traditional churches who support this legislation? I think that too might be useful to those who are watching and listening.

**Hon. Hedy Fry:** Mr. Speaker, I would be pleased to answer my colleague's questions.

The first question had to do with whether feminism exists only among women. My father was the greatest feminist I know. He taught me to believe in myself. He taught me that women could be equal to men in intelligence and in their ability to do anything they choose. That is really what feminism is about. It is about instilling in women the belief that they are equal and that they are capable.

Second, the hon. member asked me if I knew of any churches that were in agreement with the content and the intent of this bill. I have heard from many members of the United Church and many leaders of the United Church who feel that this is an important human rights bill which has been brought forward by this government.

**Hon. Jim Peterson (Secretary of State (International Financial Institutions), Lib.):** Mr. Speaker, this debate has engendered intense emotions, not only in the House but throughout the country.

I believe there has been a great deal of misunderstanding about what this bill will do. To me it is very simple. In the recent supreme court case of *M. v H.*, the highest court in this land ruled that under

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Canada's constitution common law same sex couples must be given the same equal treatment as common law opposite sex couples. This is a question of equality. This is a question of fairness. Since that decision came down a number of other actions have begun.

I do not often have a great deal of good to say about our Conservative colleagues in Ontario, but the Government of Ontario—which is not a wild and woolly, let us be inventive, let us do things differently for the sake of being different government—acted very quickly, as all governments have an obligation to do, to respect the laws of Canada. It brought in a bill recognizing what the supreme court had brought down. It introduced equal rights for common law same sex couples. Within five days of that bill being brought forward it was passed into law, without even a vote, with agreement from all three parties.

The course in this legislature has not been as expeditious. Nevertheless, we have brought in this law and it will be passed.

My office and those of many other members here have received calls expressing the concern that this bill deals with a new definition of marriage. It does not. It has never been about marriage. That has been made abundantly clear. It is only about the rights and obligations of certain people who are living together.

• (1305)

To make it even more clear that this bill is not about marriage an amendment was made. There were many in the House who felt the amendment was not necessary. It states:

For greater certainty, the amendments made by this Act do not affect the meaning of the word "marriage", that is, the lawful union of one man and one woman to the exclusion of all others.

It is a bogeyman to say that this bill changes the definition or the concept of marriage, if that was a major concern in life.

Another issue brought out in this debate by many thoughtful members of parliament is that it should not just deal with same sex relationships where there is a dependency, it should deal with all relationships involving a dependency. I have to commend members, such as the member for Scarborough East, who have brought this forward as an alternative to the relationships we are talking about here.

It makes a lot of sense, where there are relationships of dependency, that these rights and obligations should go forward and be respected through the law. After all, we are a caring society and one of our objectives is to ensure that individuals assume a role of responsibility in looking after those with whom they have a relationship. This could be a relationship of children and parents or brothers and sisters. It could be friends, of any sex.

There are problems, however, because we are not only dealing with rights when it will be to someone's benefit to be able to achieve, say, the pension benefits or the health and dental benefits of another person.

The obligation to look after certain people has been recognized in law. We have recently seen how parents have been able to sue children for support. Because a legal relationship, respected in law and based on dependency, is not always a one-way street, we have had to rethink this particular issue. I will give an example using old age security.

If we have two seniors living together, when they are married then their joint income is used as the basis for determining old age security benefits. If they are not married, but in a relationship of dependency, using the joint income approach could lead to a diminution in the old age security going to one individual.

Another example is where an adult lives with an elderly parent and then leaves, for example, to be married. The Canada pension plan credits would have to be allocated to the elderly parent the same as if there were a divorce of a married couple.

These are a couple of examples where the issue of creating these obligations based on dependency, a relationship of dependency between two individuals or two or more individuals, has difficulties attached to it because it is not a one-way street. It is not just benefits flowing.

This is why the Law Commission of Canada has been looking at the issue, because it does deserve further study. That is the reason I am pleased the minister has announced that this issue of benefits and obligations being extended by virtue of Bill C-23 will not be the end of the road, that a parliamentary subcommittee will be appointed to look at the particular issue of where these benefits and obligations should lie in other relationships based on dependency. I think that is the way to go.

• (1310)

Meanwhile, we have the clear dictate of the Supreme Court of Canada that, based on equality and fairness, these rights should be extended and must be extended by our legislature.

This is a question of fairness. It is a question of equality. It is a question of what is right.

**Mr. Eric Lowther (Calgary Centre, Canadian Alliance):** Mr. Speaker, I find it interesting that the hon. member would say that this is about equality and fairness. I would like to remind him that the government moved closure on this bill at second reading, at report stage and now at third reading. It limited committee study to three and a half days. Many people were not allowed to voice concerns about this bill. It seems to me that is not in the spirit of the bill, if it is about fairness.

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The member made the point that the issue of economic dependency would be addressed sometime down the road and that this particular bill is addressing something else.

We have often asked if the requirement for a conjugal relationship is the criterion for receiving benefits under this bill. These are benefits which have previously been given to married couples and families. Now two people of the same gender in a conjugal relationship will have access to these benefits. I would like to ask a question of the member opposite, who I know is a member of cabinet and an esteemed member of the Liberal Party. I asked the Secretary of State for Multiculturalism, who spoke before him, if, in order to fulfil the requirements of a conjugal relationship, people would be required to have a physical or sexual relationship to qualify under Bill C-23. She said no, not necessarily. When the justice minister announced the bill, she said that benefits and obligations to individuals in other relationships, such as economic and emotional interdependence, were not included in the bill.

It seems on the one hand that we have the justice minister saying if it is economic dependency, it is not included. On the other hand, when I asked the secretary of state exactly "Would two people who do not have a physical relationship qualify under Bill C-23, yes or no?", her answer was, if they fulfilled the other requirements of a conjugal relationship, yes. I hear conflicting positions.

It seems to me, if it is not about economic dependency and it is about conjugality, are we not saying that we are extending benefits to people based on private physical intimacies about which a lot of people have concerns?

**Hon. Jim Peterson:** Mr. Speaker, let me say two things. I think the member implied that he agreed this bill was about fairness because he said that if this bill was about fairness, then we need fairness in the procedure by which we implement it. He did not like the idea that we had brought in closure on this bill.

This issue has been before the House for a very long time. I would simply remind him that the Tory Government of Ontario, indeed the Tory Party of Ontario, with which his party wants to form a union, had this before the legislature for a total of five days. This has been before the House for a much longer time.

Let us look at what has happened in terms of the evolution of the law.

• (1315)

It was not long ago that there were rights and obligations attached only to marriage, but then they were extended by virtue of the law to common law relationships. Heaven forbid, but it was progress. What is happening here is that those rights are being extended to same sex couples.

I understand that this takes on the aura of something beyond the moral code of so very many, but the role of government is not necessarily to recognize simply the moral code of some people. The constitution says that our role is to go beyond that to extending equality and fairness to as broad a section of Canadians as possible. Therefore the question of dependency will be a further evolution of this law as we move forward.

**Mr. Rick Casson (Lethbridge, Canadian Alliance):** Mr. Speaker, it is important that we be here today to debate this issue. I am here to speak for hundreds of my constituents who have phoned, faxed and e-mailed me. Hundreds more have filled out petitions which I have tabled in the House. They contained thousands of signatures asking the government to repeal the bill.

I want to approach the issue in two separate ways. The proposed bill has not received wide public debate. I think a bill of this importance should be subjected to that. A number of questions have been raised and I would like to get to some of the ones people have asked. Then I will get into the record of the Liberal government on family issues and its lack of support for families. I will also deal with some of the things it has put in place, and some it has not, which affect families and undermine their importance.

The first issue is the fiscal impact of the bill. The Liberals have not put out any dollar figures as to what it might cost the Canadian taxpayer. The finance minister when referring to the bill and some of the amendments said that the fiscal impact of these amendments would be minimal if anything at all and that it was not a cost issue.

It is a cost issue. We should know how many people will be affected. We should know the cost it will have on the treasury, on the taxpayers of the country. We do not know that. Bill C-23 purports to give benefits to people who have never received them, which will be an additional cost.

The whole idea of conjugality has been the subject of much debate and many questions. Bill C-23 defines in statute that a common law partner is any individual person who is cohabiting with another individual in a conjugal relationship for a minimum of one year. Who defines a conjugal relationship? The dictionary says that it is of or relating to the married state or to married persons in the relationships.

Does this mean that we are equating a conjugal relationship with a married relationship? Is that what we are saying? Is that what the bill means? Does it mean that these relationships will be forced to incur the same responsibilities as married couples? Is there that aspect of responsibility? Or, does it mean that these relationships have a societal contribution equal to a marriage relationship? How will the government prove the conjugality of a relationship? I suppose the real question has been how we will prove conjugality. As a previous Liberal prime minister said, I agree that the government does not have any place in the bedrooms of the nation.

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Why has the government refused to clearly define it in the legislation? Where is the definition? Will there be any methods to stop people from abusing the bill by saying they are in a relationship when they are not? How are we ever going to pull that out?

• (1320)

The bill should clearly define a conjugal relationship but it does not. It should outline the rights and responsibilities associated with that definition. Are there additional responsibilities if one falls under the bill? What change will that have for society as a whole? I want to mention that I will be sharing my time with the member for Dewdney—Alouette.

Let us look at the relationships that are not included, the other dependent relationships that exist in society. We all know of such relationships. It could be a daughter taking care of an elderly mom, or a couple of elderly brothers who live together to help each other out. Whatever the situation, these situations are not addressed because they are not based on conjugality.

There is a lack of public input. Time and time again people have said the issue is of such importance that they need a debate on the national stage. It has to go across the country to give everybody an opportunity to debate both sides of the issue in a very broad manner. We have not seen that happen. As a matter of fact closure has been brought in on a number of occasions in parliament and certainly on this bill.

We talk about marriage. Is the bill about marriage? Is it about the definition of marriage? People have said that the definition of marriage needs to be reaffirmed. We did that last June in the House. A motion was put forward and passed that the definition of marriage is and should remain the union of one man and one woman to the exclusion of all others, and that parliament would take all necessary steps within the jurisdiction of the Parliament of Canada to preserve this definition of marriage in Canada. It is simple. The motion passed. The people have spoken.

However, the bill was brought forward without a definition of marriage. The justice minister made an attempt to include a definition but only in a way that legal advice has told us could be struck down. The definition of marriage needs to be implanted in all of the 68 statutes affected by the bill; it should be embedded right in the text.

One key issue people have brought to my attention is that the definition is important to them. They would like to see it embedded in the bill, as witnessed by the thousands and thousands of signatures tabled in the House asking for the definition of marriage to be included in the bill and, if not, for the bill to be pulled in its entirety. Yesterday we put forward some amendments to do so but they were voted down. We have tried to include that definition through amendments to the bill, but the House chose to vote them down.

I want to speak a bit about the family as a whole in society and some of the things we have seen which are detrimental to strong families. One is the tax system which is unfair to families where one parent chooses to stay at home. We think tax breaks and lower taxes are essential in helping to create stronger families.

Another is the child pornography issue. The notwithstanding clause was not implemented to protect our children from people who use, sell and collect child pornography. In the B.C. case we asked members of the government to use the notwithstanding clause to keep that law in effect while the challenge went through the courts. It chose not to do so. It has been going on for a year and a half to two years now and it is still in abeyance.

The whole child pornography issue has affected my work as well. I brought forward private member's Bill C-321 to amend the criminal code to allow equipment used in the production of child pornography to be seized by the courts and taken away from the people who use it. In many cases in the criminal code this is allowed to happen and in the case of the production of child pornography it is not. Hopefully one day that bill will be drawn and debated. In the meantime I am pursuing the justice minister to have that change made in the laws.

• (1325)

Another issue we deal with on a daily basis when we watch the erosion of families is that of sex offenders. We wanted to have a registry of sex offenders. If we add up all the issues, it comes back to what we think. We need a definition of marriage in the act. We need a definition of conjugality. We need support for families. We need to strengthen families.

We do not need attack after attack on the family unit to try to take away its authority. Members of all parties have gone to world conferences where there has been an attack on families. We as a country should recognize the importance of families and do things to strengthen them, not to undermine them.

**Hon. Hedy Fry (Secretary of State (Multiculturalism)(Status of Women), Lib.):** Mr. Speaker, I wanted to make a comment and to ask a question.

I find it very interesting that a question was asked of the hon. Secretary of State for Financial Institutions when the question could easily have been asked of me. It was a question about something I was reputed to have said, but the hon. member for Calgary Centre did not see fit to ask me when I was here. I would like to comment on it a bit.

The concept of conjugality, which the hon. member for Calgary Centre either cannot understand or refuses to understand, was also elaborated by the hon. member for Pictou—Antigonish—Guysborough. It is a series of criteria that has been in existence for over 40 years.

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We have never had a problem applying the definition of conjugality to married couples or heterosexual common law couples. Why do we seem to have this problem of applying it to same sex common law couples? Do we need to find out if people have sex?

This is not the only part of a conjugal relationship. In fact there are many marriages, heterosexual common law relationships and others, that enjoy great relationships in which they may not have frequent sex or may have stopped having sex for a long time.

We hear about the erosion of the family. The gay and lesbian youth who have a high incidence of suicide, do they belong to families? I would like to know if their families do not count. The families of committed same sex couples who have children, do their families count? Or, are we to think that their families do not count, their children should not be seen to be children?

The issue of the family keeps being brought up. The family is important, but what these members do not do or refuse to understand is that same sex couples have children, same sex couples are parents, same sex couples are grandparents and same sex couples are children of and brothers and sisters of families. Are we only going to cherry-pick what we mean as a family? I would like to ask the hon. member that question.

**Mr. Rick Casson:** Mr. Speaker, I appreciate the opportunity to respond. The member just said that families were important, but. Families are very important. The problem is that there have just been too many buts, too many howevers and too many what ifs.

In order to clarify conjugality the member for Calgary Centre asked the Secretary of State for Multiculturalism at a round table at CPAC if she was saying that two people who did not have a physical relationship would qualify under Bill C-23; yes or no. The minister responded by saying that if they fulfilled the other requirements of the conjugal relationship, yes.

What does that mean? What are the other requirements? Where is the definition of conjugality?

• (1330)

The minister says it is not about that. We are getting so many mixed messages from the government that people are confused as to what it means, why the definition is put in there. The government should clarify it, take all the indecision away, put the minds of people who are questioning it at ease and put the definition of conjugality and the definition of marriage in the bill, wherever it needs to be.

**Mr. Julian Reed (Halton, Lib.):** Mr. Speaker, the hon. member for Lethbridge early in his speech raised the cost issue. He said that one of the issues involved in this bill was cost.

I wonder how he squares that with the fact that everyone in Canada is a taxpayer, whether or not they live in a same sex relationship, an opposite sex relationship, whether they live alone or whatever.

How does he square that with the fact that people who are being addressed in this bill are taxpayers? Why would he continue to want to discriminate against them?

**Mr. Rick Casson:** Mr. Speaker, while it is reassuring that the member opposite admits that everyone in this country is a taxpayer, or will be a taxpayer, and this is important, he is missing the point.

The point is that Canadian taxpayers are concerned. Certainly when a bill comes before the House they have the right to know what component it is, how much their taxes are going to rise to support that initiative, whether it is this initiative or whatever ministry it comes from. They have a right to know what the cost is going to be to them through the tax system.

I think he missed the point. Canadians have a right to know what this is going to cost.

**Mr. Grant McNally (Dewdney—Alouette, Canadian Alliance):** Mr. Speaker, it is a pleasure to speak once again on Bill C-23. This is the third opportunity I have had to speak on this very important piece of legislation.

I would like to begin by summarizing some of the points I made earlier. They are points that I have not heard refuted or rebutted at all in the House by government members. I would invite the minister or the secretary of state for multiculturalism to listen for herself and hear the facts.

Here are the facts. The outline of my argument at the beginning of debate was that this was an "A equals B equals C" logical arrangement being put in place by the government. What it is really doing is equating common law partnerships to same sex unions and equating those to married relationships, in fact, in the eyes of the law, making all three the same.

I have not heard that refuted by the government. The only thing I have heard is from the Minister of Justice who said that people who are married are able to divorce and that the Divorce Act applies in their case, but the Divorce Act does not apply in the case of common law partnerships as the new terminology would have it in this bill. That is the only difference highlighted by the minister, so in fact she is agreeing that what the bill does is put marriage on the same footing as common law partnerships, both heterosexual and same sex. That is what she is saying.

The minister of multiculturalism questions her own comprehension as I hear her muttering under her breath. It is quite clear that

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she does not understand the argument she and the government are putting forward.

What they are saying in effect with this bill is that they believe in sexual egalitarianism, that anyone can choose whatever arrangements they like and the state will treat such arrangements in exactly the same way through public policy. That is the net effect of Bill C-23.

The hon. member is a minister of the crown. Certainly she must be able to follow the logic of her own argument and the logic of the government bringing in this bill. She seems to be unaware of this fact. That is baffling and it should highlight for Canadians that the ground the government is standing on is very weak.

• (1335)

Its defence has been a few arguments, one of which I will call the name game that I referred to earlier, that is that anybody who would stand and oppose this bill on the logical grounds that the bill simply does not make sense is called names. We know the whole host of names that has been spouted out by members of the government. In fact, that is an argument and a tactic used to shut down debate. That is what we call intellectual bullyism. That is exactly what the minister and members of her government participate in. When there is no strong argument based on logic, then hurl names at other people and those people will not stand in their places to poke holes in your weak and flimsy arguments. That is a tactic employed by this government. It is a tactic that I saw many times used in my previous life as a teacher on the schoolyard. It is the same tactic that is being used here.

The minister has to understand that there are people, not only in this House, members of the Canadian Alliance, but across the country who will stand up for what they believe to be true even in the face of being called names by those who assume that they are in the right.

Another part of my argument which I explained earlier is the notion of absolutism versus relativism. When a government rejects the notion of truth and that there is any such thing as right and wrong, it is on very weak ground. In fact, when it makes the argument that what it proposes is right, that argument implodes upon itself. How can one possibly say that what you choose to do is okay with you and what I choose to do is okay with me, but what I am choosing is actually what is right and what you are choosing is wrong? That whole argument of relativism upon which the government bases Bill C-23 is very weak and flimsy and does not hold water. It is like saying "What I believe to be true is right and everybody else should believe what I believe".

When one enters into that line of thinking as the government has done here, what one really is doing is imposing one's perspective on people. It is imposing one's moral perspective on people. The members say that this is nonsense but if they followed the logical conclusions of their own arguments, they would see that they are

basing Bill C-23 on a fallacy that does not hold water, that does not stand up to the rigours of intellectual debate. They are weak and flimsy arguments veiled with name calling. That is all they are.

The effect of this bill is to equate all relationships as being the same. The minister talked about discriminatory practices. She is a minister of the crown that discriminates against certain arrangements. Right now if a man chooses to marry two women, he is discriminated against. What if he is in an arrangement of three people? Let us call it a triad. The government discriminates against that. I do not see the minister standing up to argue that there should be an extension of benefits to this arrangement, yet she said that there should be an extension of benefits to another arrangement. This is the logical outgrowth of this kind of reasoning that says that we are basing the law on the concept of sexual egalitarianism.

In our society we have always said that marriage is a very important institution. In fact, our society is built on it. Because marriage is so important, we assign benefits and require obligations from those who enter into that arrangement because it is the arrangement that provides for the building of a society. Now what the minister and the government are doing is saying that they think marriage is a social invention, that it is not an institution that has any immutable characteristics of good in and of itself, but it is just some social arrangement that people decided was a good way to go and now we will go a different way. We will open the door to any set of groups of individuals who would choose to come before us and argue their case and receive like benefits as those who are married. That is a dangerous road to go down as a society. I do not think the minister understands the implications of what she is proposing in this bill.

• (1340)

It is very telling what the government has done in this place in voting down amendments that would put in the definition of marriage as the union of a single man and a single woman to the exclusion of all others. It voted against those amendments time and time again, about 100 times last night in this place. It is signalling with its actions that it is not willing to protect that definition of marriage. We have seen in this place what has happened in the past.

My colleague from Calgary Centre and I were in this place in 1997 and brought forward a debate on the Rosenberg decision in Ontario. We pleaded with the government when that court redefined spouse to include same sex. It went way beyond the boundaries of what was intended by parliament. We asked the government to appeal that case because it would set a precedent that would later on be used in other court cases to redefine marriage.

We know that there are those who are pushing this bill who want to see that, the redefinition of marriage to include same sex individuals. What was the government's action? It did not even put up a defence in 1997 when spouse was redefined.

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How can Canadians trust this group when the challenge comes because there are those who are committed to challenging the definition of marriage? How can Canadians trust this group here who did not even defend the definition of spouse to defend marriage? A group must be judged on its actions. Empty words and rhetoric do not hold water.

In closing, I would implore Canadians to examine the actions of the government and what it is doing in proceeding on this path with Bill C-23 and building it on the notion of sexual egalitarianism. It is signalling to Canadians that it no longer holds the institution of marriage as a sacred institution in the building block of society. The Canadian Alliance thinks that is wrong and we will stand up against this kind of move from the government.

**Hon. Hedy Fry (Secretary of State (Multiculturalism)(Status of Women), Lib.):** Mr. Speaker, I have a question for the hon. member. It is a very simple one. It is that the hon. member speaks about marriage and the fact that marriage is really the only viable institution that we should discuss. Is the hon. member then suggesting that common law relationships on a heterosexual basis that have existed now in the law for over 40 years, that have given benefits and obligations to heterosexual common law couples, are therefore to be cancelled?

**Mr. Grant McNally:** Mr. Speaker, I certainly did not indicate that in my speech. That relationship which the law has interpreted as being equivalent to marriage, heterosexual common law relationships, provide much the same function as those within a marriage; that is that they are able to live together for an extended period of time and to procreate and to have children, which is the building block of society. I think that is the intention of what happened when the government extended the envelope to include common law couples because they serve in very much the same way as a building block to our society.

What the minister is saying is that she wants to extend that envelope to include individuals who by the very nature of their relationship do not have that function and ability of procreation. That is the envelope that this minister is pushing and it opens the door to other possibilities and arrangements.

That is what happens when the minister throws the notion of what marriage is about and the inherent good within that relationship of marriage and leads Canadians down this path. The minister continues not to realize that. That is quite surprising.

**Mr. Lynn Myers (Waterloo—Wellington, Lib.):** Mr. Speaker, I listened with some interest to the member opposite. It struck me that he is talking about outrageous triads. He should think about the Reform Party, the CCRAP party and the Alliance party in that order. There is a triad from which we certainly want to keep our distance.

• (1345)

Having said that, I want to say that the minister knows full well what she is doing, and so do we on the government side of this great parliament in terms of Bill C-23.

What I find objectionable are the myths and falsehoods that the member opposite and people of his ilk try to perpetuate and, in doing so, try to pit region against region in this great country, and people against people. Ours is not as they would have it, the politics of destruction, grievance, hatred and pitting people against people. Ours, rather, is the politics of hope—

**Mr. Lee Morrison:** Mr. Speaker, I rise on a point of order. That is a little over the top. Is this a debate or a barroom brawl?

**The Deputy Speaker:** We hope it is not a barroom brawl. I know the hon. member for Waterloo—Wellington will put his question directly.

**Mr. Lynn Myers:** As I was saying, Mr. Speaker, ours is the politics of hope and reconciliation.

**Some hon. members:** Oh, oh.

**Mr. Lynn Myers:** Listen to them laugh. I remind those members opposite: Stockwell Day, go away; anti-choice, anti-gay: Stockwell Day, make my day; right wing bigot, go away.

That is who those people are. That is exactly who they are. That is what Ontarians think about those people.

Why is it that the very party which talks about free votes all the time last night voted in a block? They are the very people who talk about grassroots support and what it means to have a free vote. Why did they vote in a block?

**Mr. Grant McNally:** Mr. Speaker, the member talks about being the party of hope. The only hope for all Canadians is that the Liberals will be defeated as soon as possible and the Canadian Alliance will bring forward some positive ideas about how to govern the country.

We have seen the member use the tactic—and he mentioned that he was here for my speech, but obviously he was not—of name-calling when he simply has nothing good to say—

**Mr. Lynn Myers:** Mr. Speaker, I rise on a point of order. We cannot refer to a member's absence or attendance in this House. However, for the record, I was here, and I listened with some—

**The Deputy Speaker:** I think that is a point of debate and not a point of order.

**Mr. Grant McNally:** Mr. Speaker, I would conclude by saying that what the government voted against yesterday was a definition

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of marriage in the bill, over a hundred times. What the member says is outrageous. What the member says is an instrument of destruction and hatred, and that what people of my ilk do is put forward a definition of marriage in legislation. That is the very offensive act that we were participants in last night and I plead guilty. I will plead guilty every day that I stand for marriage and stand against the Liberal government.

**Mr. John Bryden (Wentworth—Burlington, Lib.):** Mr. Speaker, I would like to take this debate in another direction, in a direction that I hope members oppose, indeed all members, will be interested to hear.

I begin by saying that I support this bill. I support this bill because it does what needs to be done, and what needs to be done and why this bill exists in the first place is that it defines same sex relationships as outside marriage and it defines marriage as the lawful union of one man and one woman. I support it. It is there.

The question I bring forward is that while the opposition, obviously being the opposition it must oppose the bill, this is right and proper and it has to find all the means to oppose the bill, I would like to concentrate my remarks on the fact that 19 members of my own party voted against the report stage motion yesterday. There is a good chance those same 19 Liberals—maybe more, maybe less—will vote against this legislation when it comes before the House tonight.

• (1350)

I have great respect for my colleagues. I think it may be of great interest to you, Mr. Speaker, to comprehend why some of us who share exactly the same values, the same Liberal values if you will, the same values about family, and the same concerns about protecting the traditional definition of marriage and so on and so forth, would vote against this legislation, which I believe is very good legislation, and some would vote for it on this side exclusively.

We have to go back a bit to understand where this bill comes from. I am one of the ones who promoted it originally. The reason I promoted it was because it was becoming very clear that unless parliament acted the courts were going to define marriage and spouse as a same sex relationship. It was coming. It was occurring at the Ontario Court of Appeal level and in various other court cases. This has been a fear of mine for a very long time.

The first time I voted against my own government was when I voted against Bill C-33 when it came up in 1995. I voted against my government because it failed in that legislation to define marriage and to define a same sex relationship in the context of a legally married relationship. I voted against that legislation precisely because it left it to the courts. Finally, this bill produces the definitions.

Incidentally, Mr. Speaker, I will be splitting my time with a colleague.

Let me examine what happened yesterday. The 19 Liberals who voted against the government voted on Motion No. 5, moved by the member for Scarborough Southwest. The member's motion, which was echoed by other motions from the opposition, would have had the definition of marriage as the lawful union of one man and one woman, which is in the bill, repeated in every piece of legislation that the bill affects. In other words, this is an omnibus bill and it affects 68 other statutes. It defines in those statutes that same sex partnerships, for the purposes of benefits or anything else, are to be seen in the same sense as a common law partnership. That should have been sufficient, but the member for Scarborough Southwest felt that this should be repeated in every bit of legislation.

I take the position that to have marriage defined in law when it was only defined in common law is a huge step forward. In fact, by all analyses, that should be sufficient to guarantee that marriage legally is only a heterosexual relationship. So why did the member for Scarborough Southwest feel it was so important to repeat this in every statute affected by Bill C-23?

I submit to you, Mr. Speaker, he did it because he does not trust the courts to interpret or to see this definition of marriage that exists in Bill C-23. He does not trust the courts in future arbitrations that will involve the definition of marriage to pay due attention to the piece of legislation that we have passed.

Why does he take that position? This is the bad news, and it is very unfortunate. I hope the justice minister and all Canadians are listening. The reality is that members on this side of the House no longer trust our own justice department. The problem is that on this side of the House there is a sense that people in the justice department are resisting common sense measures to define issues like this because they have some kind of secret agenda. I can assure you, Mr. Speaker, that I have heard time and time again on this side of the House, on all kinds of legislation, the observation that we cannot trust the impartiality of justice department officials.

• (1355)

I really hesitate to say that because a great many of the justice department officials are very competent and very sincere in what they do. But there is no question that an element of suspicion has been created among parliamentarians and the justice department.

There are many examples. It goes back to the original gun control bill. It was one thing to have legislation creating a scheme for controlling firearms, but what we found on this side of the House was that it was very difficult to get even the most common sense amendments to that legislation. Then, there are countless other examples since I have been a parliamentarian since 1993.

There was a bill on electronic monitoring that would have enabled the authorities to affix a transmitter to a person who was

never even charged with a crime. There were bills that limited the rights of the accused to get the documents of his accusers when it was a case of a sexual assault charge.

Even in this very same bill that we have before us, in my original speech at second reading I suggested that we change the word “conjugal” to “sexual intimacy”, because “conjugal” was used by error in the wrong sense by a judge who did not know language sufficiently well. Yet the justice department, which could have made the change and could have made everyone feel better, opted to carry on with the word “conjugal”, which in fact implies a heterosexual relationship.

The unfortunate thing that we have before us is legislation that is good. It does do what needs to be done. It does define marriage and it does give benefits to same sex couples in a way that does not conflict with traditional values. But we have this feeling on this side of the House that this bill is not as perfect, is not as complete, is not as polished and as well aimed as it could be because we believe, or some believe on this side of the House, that there is some kind of hidden agenda which means that later on the justice department may take this to court. Because the justice department creates laws in the House, it also defends them.

So we have this very uneasy situation that worries a lot of us around here, that we are not entirely certain that the people who produce the legislation for the government, who advise the government on its legislation, are indeed as impartial as they should be.

I hope that the justice minister thinks about this, and that the justice department officials themselves think about this, because this criticism is long overdue. I am sorry it has to appear on a piece of legislation that, in my mind, is excellent legislation. It brings back to parliament the definition of marriage and the definition of same sex relationships. It is exactly what parliament should have done long ago, but unfortunately the optics are not what they should be because perhaps the legislation is not as thoroughly aimed as it could have been. In that sense, the 19 members on this side of the House who are not willing to support this legislation do have a point, and I regret that is the situation.

**The Speaker:** There will be five minutes for questions and comments, and I propose to do that after Oral Question Period so there will not be an interruption.

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## REPORT OF THE AUDITOR GENERAL

**The Speaker:** I have the honour to lay upon the table the report of the Auditor General of Canada to the House of Commons, Volume 1, dated April 2000.

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[Translation]

Under the provisions of Standing Order 108(3)(e), this document is deemed to have been permanently referred to the Standing Committee on Public Accounts.

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## STATEMENTS BY MEMBERS

[English]

### FIREFIGHTERS

**Mr. Gurbax Singh Malhi (Bramalea—Gore—Malton—Springdale, Lib.):** Mr. Speaker, the members of the International Association of Fire Fighters across Canada work hard and risk their lives every day.

Retirement at the age of 55 is accepted as a standard that is in the best interests of firefighters and the communities they serve. However, in part because they experience shorter lifespans, firefighters are prevented from enjoying pension plans to which they have contributed while employed.

Due to an inequity under Income Tax Act regulations, firefighters argue that a regulatory change is needed and would be an important first step in pension fairness.

• (1400)

I encourage all members of the House to consider this proposed regulatory change in the name of fairness for Canada’s professional firefighters.

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### HEALTH CARE

**Mr. Gary Lunn (Saanich—Gulf Islands, Canadian Alliance):** Mr. Speaker, I rise today to voice my concern about the state of Canada’s health care system.

In British Columbia there are only two level two ICU pediatric centres, one in Vancouver and one in Victoria. The level two ICU centre for children in Victoria is about to close, leaving only one. This decision is based solely on reduced funding.

On March 20 the opposition called on the Minister of Finance to increase health and social transfers by \$1.5 billion and forgo the \$1.5 billion increase to federal grants and contributions. We have all heard of the billion dollar boondoggle. That is the amount we are trying to shift to health care. The Liberal majority in the House voted the motion down.

I suggest the preservation of health care across the country is more important than handing out grants to buy votes. Canadians deserve better.

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### NATIONAL ORGAN DONOR REGISTRY

**Mr. Lou Sekora (Port Moody—Coquitlam—Port Coquitlam, Lib.):** Mr. Speaker, National Organ and Tissue Donor Awareness Week begins April 16 and ends April 23. My private member's bill, Bill C-420, recognizes the need for a national organ donor registry in an effort to save lives.

To all members of parliament and Canadians I say let us do the right thing and save some lives.

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[Translation]

### CANADA CUSTOMS

**Ms. Raymonde Folco (Laval West, Lib.):** Mr. Speaker, on April 7, the Canadian government announced its plan to streamline customs control processes at borders and airports over the next four years.

It will do so by automating services and providing travellers with special permits. Pre-approved travellers will be able to use biometric technology (hand readers) for identification purposes and automated kiosks for paying duties.

Essentially, this more flexible approach will improve service to the clientele. Travellers and corporate clients will be able to obtain a "Canpass" that will allow them to cross the border quickly. Customs officers will, however, continue to carry out spot checks.

The two overall priorities for Canada Customs in coming years will be greater flexibility at Canada's borders and effective surveillance.

Let us hope that the Canadian public will appreciate these new measures, which have been implemented for their benefit.

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[English]

### EDUCATION

**Ms. Aileen Carroll (Barrie—Simcoe—Bradford, Lib.):** Mr. Speaker, the Government of Ontario's fixation on the need for higher education to be dominated by acquiring high tech skills is out of step with business leaders.

While the high tech sector is expanding rapidly and generating half of all new jobs, what is not true is the notion that workers in this field do not need an education in the liberal arts and humanities. An article in the *National Post* quoted CEOs of 30 top companies, ranging from Jean Monty at BCE to Kevin Francis at Xerox as saying:

Funding of higher education in this country need not be an either-or proposition between technology or liberal arts and sciences. It is critical that all universities in

Canada receive sufficient funding to ensure a well-educated workforce and a new generation of leadership.

The Harris government's policy to focus on technology programs for funding betrays its own low level of cultural and civic literacy.

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### PRIME MINISTER OF CANADA

**Mr. Gurmant Grewal (Surrey Central, Canadian Alliance):** Mr. Speaker, prior to the Prime Minister's departure for the Middle East he promised not to create controversy, but he failed again.

First he upset the Palestinians by refusing to meet with them in east Jerusalem. Then the Prime Minister did not know where he was, in east, west or north Jerusalem. He then upset the Israelis by giving bizarre advice to Arafat to use a unilateral declaration for independence as a bargaining chip in negotiations. Then he did not know what he said. This is not new.

In 1994 the Prime Minister said in France that he would have been happier if Canada had not been conquered in the past by the English and if this part of North America had remained French. In 1997 he bad mouthed the Americans to other G-7 leaders, not knowing that his microphone was on. He had lame excuses when he chose to go skiing in Whistler rather than represent Canada at King Hussein's funeral.

• (1405)

The Prime Minister should be vaccinated for foot in mouth disease along with his usual flu shots before he is allowed to visit the remaining countries on his trip.

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### HONDA INSIGHT

**Mr. Paul Bonwick (Simcoe—Grey, Lib.):** Mr. Speaker, good news. It is indeed a pleasure to announce today that Honda will be introducing the first Canadian made hybrid gasoline-electric vehicle into the market this year.

This technological revolution is called the all new Honda Insight. The Insight is powered by Honda's advanced integrated motor assist system. Combined with its lightweight aluminum shape, the Insight goes an astonishing 100 kilometres on 3.2 litres of gas. As well, the Insight is designed to meet ultra-low emission standards.

On May 9 Honda officials will be showcasing this vehicle on Parliament Hill. I encourage all my colleagues in the House to visit the display and see this incredible vehicle and maybe even take it for a test drive.

I am sure that this exciting new Insight will be well received by Canadian consumers.

Congratulations to Honda and its entire team. Well done, Honda.

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### A VISION FOR CANADA

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, everyone has their own views as to what makes a healthy country.

For me, more important than more money in my pocket I want to build a society based on sound values. I want my family to feel safe and secure and to feel that they have the opportunity to be as good as they can be. I want to know that every Canadian has a roof over their head, food to keep them nourished, a health care system to care for their medical needs and an education system that allows everyone the opportunity to learn and to grow.

These I believe are the first priorities of a healthy society. They would provide all Canadians with the tools they need to pursue their dreams and to be contributing members of society.

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### TAXPAYERS' RIGHTS

**Mr. Rick Casson (Lethbridge, Canadian Alliance):** Mr. Speaker, on January 30, 1994, Deborah Starr-Stephan, a mother of 10 and beloved wife of Tony Stephan, took her life. In 1993 her husband, after exhausting all other options, was forced to declare bankruptcy. From that point forward his family was unceasingly harassed by overzealous Canada customs and revenue agents. With her family driven into extreme hardship, unable to cope with the immense stress she was under, Deborah Stephan committed suicide. This should never have happened.

In the fall of 1997 the official opposition proposed a taxpayers' bill of rights and an office for the taxpayers' protection. The government needs to adopt this proposal so Canadians such as the Stephan family are protected from the summary treatment and abusive actions of CCRA agents.

Without enacting a strong taxpayers' bill of rights, the CCRA could be plagued with the same accountability problems that makes the IRS the most hated agency in the United States.

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### CANADA BOOK DAY

**Ms. Carolyn Parrish (Mississauga Centre, Lib.):** Mr. Speaker, I am pleased to inform the House that on April 27 we will be celebrating Canada Book Day. Canada Book Day is an initiative of the Writers Trust of Canada in support of World Book Day. It has taken place annually since 1995. Canada Book Day is the largest single day celebration of reading and book buying in Canada.

This year Public Works and Government Services Canada is playing a major role in supporting this event. A quarter of a million items have been distributed to Canadians through our department's active network of over 700 bookstores. Today there is a promote a book table in the rotunda of Centre Block to display

key government publications and to distribute additional promotional items.

I encourage all members to take time out of their busy day to visit the display in the rotunda.

\* \* \*

### SAYISI DENE

**Ms. Bev Desjarlais (Churchill, NDP):** Mr. Speaker, poetry preserves the memory of our society. More than just a historical record, poetry preserves the feelings of those who live through historical events.

From the 1950s to the 1970s the Sayisi Dene of northern Manitoba were the victims of shameful treatment at the hands of the department of Indian affairs. Fully one-third of their people died from their forced relocation, an entire generation lost.

The poetry of Ila Bussidor captures the pain and loss of the Dene but also the strength and hope for healing. Today Ila Bussidor is the chief of the Sayisi Dene. She is leading her people in their fight for compensation. Her poetry speaks of night spirits, the spirits of those who died.

I dream of an eagle  
Forever coming to me with messages of strength  
Always in friendship and kindness.  
I touch the great sacred bird of spirit.  
He cares for me, each time I vision him.  
He lets me carry him.  
He gives me his sacred feathers.  
He walks with me.  
I am not afraid of him.  
I believe he is my guardian.  
The spirits of my father and mother  
Beside me in my times of pain.

\* \* \*

[*Translation*]

### AÉROPORTS DE MONTRÉAL

**Mr. Paul Mercier (Terrebonne—Blainville, BQ):** Mr. Speaker, for a number of weeks now, the papers have been full of revelations on the inadequate management practices of Aéroports de Montréal. These troubling revelations have led the Bloc Québécois to send for the chairperson of the board of directors, Ms. Pageau-Goyette, to have her appear before the Standing Committee on Transport. Problems of labour relations, lack of transparency and the appearance of conflict of interest have been raised.

● (1410)

The responses provided by ADM management have been, to say the least, unsatisfactory and perplexing. Crucial decisions on the development of Montreal were made by ADM, and major investments were announced in a context that shook public confidence considerably.

*S. O. 31*

The Bloc Québécois does not intend to stop there. The airports of Montreal are public assets funded out of the public purse.

Management of ADM will have to review its practices in order to win back the confidence of the public and elected representatives. There will be no question of repeating the practices being followed at Department of Human Resources Development within an agency given the task of developing infrastructures so important to Quebec.

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[English]

**IRAN**

**Mr. Bill Graham (Toronto Centre—Rosedale, Lib.):** Mr. Speaker, Thursday of this week will see the beginning of a trial in Iran that those of us who value human rights and democracy will be closely watching.

Thirteen Jewish citizens of Iran stand accused of crimes against the state. Many foreign observers are of the view that these charges are unfounded and have been trumped up by Iran's conservative clergy as a part of their scheme to slow the opening of Iran.

Many of us watched with interest and hope during the recent elections in Iran which moved the country closer to being the open and democratic society that its citizens wish.

We are encouraged by some of the recent positive initiatives put forward by the Iranian government concerning the prosecution of the accused. Basic rights, such as the right to choose free and independent counsel, and certain bail provisions have been granted. However, the Iranian government must act to ensure that provisions of a fair trial are upheld throughout the course of the proceedings.

Many of us respect Iran for its rich history and its dynamic and educated population. However, our eyes will be on this trial and we expect that the accused will receive a fair verdict and that religious freedom will be protected in Iran.

\* \* \*

[Translation]

**PRIME MINISTER OF CANADA**

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, what better to bolster the Prime Minister of Canada's image, which is suffering from scandals, investigations and challenges to his leadership, than a nice little trip abroad, better yet to the Middle East where, with lots of coaching, he will be able to show what a statesman he is and how deft he is at international relations.

His advisers must be sorely disappointed. Instead of the hoped-for success, the Prime Minister is busily forgetting what he was told, getting his foot in it, and upsetting everyone.

“Personally, I think it better to keep the declaration of independence as a bargaining tool”, he told Yasser Arafat in French, while the *Jerusalem Post* had his advisers quoting him in English as saying the exact opposite.

It seems that the Prime Minister is inconsistent, whatever the time zone. Stay tuned tomorrow for what happened during the Prime Minister's trip to the Golan Heights.

\* \* \*

[English]

**EMPLOYMENT INSURANCE**

**Mr. Norman Doyle (St. John's East, PC):** Mr. Speaker, the Liberals' so-called reforms to the unemployment insurance system have been devastating to Canada's unemployed. These days only 36% of unemployed Canadians qualify for EI benefits, down from 87% in 1989.

In St. John's East the EI cuts are costing my constituency \$50 million annually. In neighbouring St. John's West, in byelection country, they are costing it \$56 million a year. The riding of Burin—St. George's is losing \$81.7 million annually and Humber—St. Barbe—Baie Verte is losing a further \$74.7 million. All told, the economy of Newfoundland and Labrador has lost over \$1 billion in EI revenues since the Liberals came to power in 1993.

What have the Liberals given back? They have increased EI maternity leave from six months to a year. However, given that only 31% of unemployed Canadian women actually qualify for benefits, that is very cold comfort.

\* \* \*

**VOLUNTEERS**

**Mr. John McKay (Scarborough East, Lib.):** Mr. Speaker, this is National Volunteer Week and it gives us an opportunity to look at some of the profiles of our volunteers.

In a report entitled “Religion, Volunteering and Charitable Giving” there is one very startling correlation. The more active one is religiously, the more active one is in making Canada a civil society.

Only 14% of Canadians describe themselves as active religiously, but they make up 43% of the volunteers and contribute over 50% of the overall time volunteered. In addition, they are responsible for over 65% of charitable giving.

If the religiously inactive contributed in the same manner, donations would double and volunteer time would increase by 60%.

*Oral Questions*

All members should congratulate those who are religiously active in their communities and who make our society more civil as a result of their faith and their commitments.

I would like to take this opportunity to encourage all of my constituents, religiously active or otherwise, to find time and moneys to truly make a difference.

\* \* \*

• (1415)

**IRAN**

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, this Thursday, 13 Jewish-Iranian men will be put on trial in Iran on false charges of espionage.

Even if one sets aside the critical issues of religious freedom raised by this case, what is clear is that these men have the right to a fair trial under Article 14 of the International Covenant on Civil and Political Rights.

That right includes access to legal representation of their own choosing and adequate time to prepare their defence in an open trial which international observers are free to attend and monitor. Unfortunately, at this point it appears that these men will be tried in a closed, Iranian revolutionary court without their chosen legal counsel.

The NDP joins the international community in demanding that these 13 Jewish-Iranians receive a fair trial. We call upon the Iranian government to ensure religious freedom for all its citizens, regardless of their faith.

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## ORAL QUESTION PERIOD

[English]

**REVENUE CANADA**

**Miss Deborah Grey (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, it is report card day today, and it ain't pretty.

The auditor general criticized mismanagement in immigration, Indian affairs, HRD and the solicitor general's office, but it was the revenue department which got first prize today.

Revenue hands out more than \$2 billion, mainly to large corporations. That generates \$20 million to \$55 million of benefit to the Canadian economy. It is another massive boondoggle. It is hardly a deal.

Does the revenue minister think that taxpayers really enjoy having their money wasted by the very department which collects it?

[Translation]

**Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.):** Mr. Speaker, let me be clear from the outset. Canadian Alliance members would have people believe that there were problems and that funds under the responsibility of the Department of Human Resources Development disappeared. They are once again trying to suggest that funds have disappeared.

I simply want to say that there is no mention of money having been lost in any department. It must also be understood that what the auditor general's report refers to goes back to 1994 and even long before that. But in 1994, a decision was made to set deadlines for claiming tax credits for research and development, resulting in 16,000 claims being submitted at the same time, all within a four month period.

[English]

**Miss Deborah Grey (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, maybe it is not about the loss of money. It is about the massive mismanagement of money in every single department.

According to the auditor general, revenue plays favourites with who gets access to that cash. In fact, less than 10% of companies who apply get 85% of the money.

In one case the department spent nearly 10,000 hours trying to figure out how one guy could even qualify for the cash. He ended up getting twice as much as he asked for. Now, there is a real deal.

Why is it that every time anyone in the government sees a pot of taxpayers' cash, they just cannot resist the temptation to dish it out?

[Translation]

**Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.):** Mr. Speaker, they obviously have no idea of what economic development is about, let alone tax credits for research and development.

What I explained, and this is important, is that, in 1994, for reasons of good management, it was announced in the budget that tax credits for research and development had to be claimed in the 18 months following the year in which the money had been spent.

The result was that all the claims, some of them dating back to 1985, were submitted at the same time. As a result, 16,000 additional requests were submitted within a four month period. I feel that the department did a good job and that the auditor general's report tabled today will be a good tool to ensure that our program can be improved.

*Oral Questions**[English]*

**Miss Deborah Grey (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, only a Liberal could brag about that and think that it is just a terrific report.

They should be calling their department "Expenditure Canada". Collect more in taxes this year? Well, quick, spend it as quickly as possible before the public finds out.

One applicant got a half million dollars more than he even asked for. He was told, "Do not worry about it. It is okay. It will not happen again, we promise". Then they were told, "Keep the cash".

That is unbelievable from the government. Why does every single day see another government boondoggle?

*[Translation]*

**Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.):** Mr. Speaker, there are mechanisms within the agency to ensure that all tax credit requests for research and development are reviewed.

Discussions and appeal procedures were also used. Again, at the risk of repeating myself, the official opposition obviously cannot and will not understand. If the Canadian Alliance members were in government, there would be no business sector and no economic development in Canada. It is impossible to discuss program management with them. They cannot understand what it is about. As early as 1994, we began to deal with the 16,000 additional requests, and I am proud of the work the agency has done.

- (1420)

*[English]*

**Mr. John Williams (St. Albert, Canadian Alliance):** Mr. Speaker, try this one on for size.

The tax auditor approves a scientific tax credit for tens of millions of dollars. The auditor sends it upstairs to head office for approval, and what do they do? They say, "Not tens of millions of dollars surely. Let's double that".

My question for the Minister of National Revenue is simple. Why did his senior bureaucrats double the tax credit that was authorized by the auditor without any additional information?

*[Translation]*

**Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.):** Mr. Speaker, within the space of four months in 1994, the agency received 16,000 requests. Nevertheless, the agency was able to handle them all, through a process of analysis, consultation, discussion and appeal.

I must point out that, looking at all of the auditor general's recommendations in his report, it is important to note that we in the agency recognized the need to improve tax credit management, and the report will be of great use in that connection.

Today, however, it is being brought up in the House in order to score some cheap points. Where were they when we were working on improving the system?

*[English]*

**Mr. John Williams (St. Albert, Canadian Alliance):** We certainly agree that they need improvement, Mr. Speaker.

Let us continue on. Would you believe in this same situation that they had already paid the subcontractor tens of millions of dollars for this particular work. When they sold it to the bigger company, they got the same credit all over again and the head office of Revenue Canada multiplied it by two. They were paid three times. The taxpayers paid three times for the same work.

The question is quite simple. Why is it when this government gets into a huge boondoggle it has to multiply it by three?

*[Translation]*

**Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.):** Mr. Speaker, I get the impression that I need to say again several times: 16,000 applications in four months. I am proud of the work that was done by the agency staff in very challenging circumstances.

Moreover, the auditor general describes the situation as an administrative nightmare. It was very difficult.

However, I would like to ask the official opposition where they were when an action plan was put forth to try to improve the system? Where were they when a conference was organized in Vancouver to consult the business community? Where were they when meetings were held with the business community in Montreal?

\* \* \*

**MIDDLE EAST**

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, it is certainly an honour for Canada to chair the Security Council of the United Nations.

But, how can we reconcile Canada's important responsibilities on the security council with the series of errors committed by the Prime Minister in the Middle East, where political equilibrium is so fragile?

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, Canada was elected a member of the security council, and it has

*Oral Questions*

been recognized that, as a member of this council, Canada is governed by the current Prime Minister, who is in a position to provide good leadership for this country in world councils.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, we can see how skilled he is in counsel at the moment in Israel. We wonder how well the Prime Minister was prepared for this trip.

Does the Deputy Prime Minister not think that the Prime Minister, far from continuing the Pearson tradition, is significantly tarnishing Canada's diplomatic reputation internationally?

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, I think the current Prime Minister walks along the same path as the late Prime Minister Pearson. He is working so that a region in the Middle East—and the world—can be at peace, and I think he is doing a very good job of it.

• (1425)

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, should the Prime Minister not realize that, with his comments on Jerusalem and Palestine's unilateral declaration of independence, he has succeeded in upsetting both the Israelis and the Palestinians, doing nothing to improve the climate for the pursuit of peace negotiations, and all in less than 24 hours?

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, I in no way accept the premise of the hon. member's question.

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, this is an extremely important matter, because that part of the world has suffered too much for someone to jeopardize the slim hope of peace.

How can the Canadian government hope to play a useful role in future negotiations in the Middle East when its Prime Minister seems so oblivious to the impact of his statements?

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, the Prime Minister and Canada are continuing to work in support of the cause of peace in the Middle East and throughout the world.

\* \* \*

[English]

**HEALTH**

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, I received a letter from Agatha Corcoran of Mt. Pearl, Newfoundland.

Dear Alexa:

I have been waiting for an MRI since December 1999. I have constant pain and spasms in my neck. I'm off work, have run out of benefits and can do very little. An MRI will determine what is causing the problem but it's not scheduled until July.

Meanwhile, she is staying at home with ice, trying to cope.

I ask the health minister, why must Agatha Corcoran and thousands of Canadians like her wait in pain while this government withholds desperately needed resources?

**Hon. Allan Rock (Minister of Health, Lib.):** Mr. Speaker, the hon. member knows full well that over the course of the last 14 months the government has increased by \$14 billion the amount of transfers to provinces available for health, that just in the last 14 months the cash portion of the transfer has gone from \$12.5 billion to \$15.5 billion a year. As the Prime Minister has said, we are prepared to sign on to even more funding long term if there is a sensible plan to address the kinds of difficulties the member has just referred to.

I suggest that governments working together can achieve it.

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, yet again the health minister admits that more money is needed but Agatha Corcoran and others will just have to wait—wait, and go on suffering.

Let me ask about another patient who wrote from St. John's. Jody Ann O'Brien was referred to a specialist seven months ago for debilitating arthritis. She still has not seen a specialist despite the best efforts by her family doctor.

Would the minister please explain why his government is spending money on advertisements instead of helping patients like Jody Ann O'Brien?

**Hon. Allan Rock (Minister of Health, Lib.):** Mr. Speaker, Canadians spend \$90 billion a year on health care. Money is part of the issue, but a large part of the issue is also how that money is spent and the kind of changes we need to provide services to the people she has referred to.

No less a public personage than Bob Rae, former NDP Premier of Ontario, said that this government has it right: money yes, but connected with a plan to help solve these problems. The NDP Government of British Columbia takes the same position.

Will not the member work with us to make sure that if we spend more money, we spend it to solve problems and not simply to score political points?

\* \* \*

**MIDDLE EAST**

**Mr. André Bachand (Richmond—Arthabaska, PC):** Mr. Speaker, it is obvious that the Prime Minister will not receive any Nobel Peace Prize for help in building peace in the Middle East. Instead of supporting the creation of a new Palestinian state within the peace process, the Prime Minister endangers the peace process by saying that he will recognize a UDI by Palestinians.

These comments were improper and show dramatic change in Canadian foreign policy. Is it not time for parliament to call the

*Oral Questions*

Prime Minister back to Canada before he further jeopardizes Canada's international reputation with respect to foreign policy in the Middle East?

• (1430)

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, the position of the Prime Minister in the Middle East and at home is to urge the parties to strive in good faith to reach a negotiated solution.

That is his position at home. That is his position in the Middle East. Surely that is something all should not object to, instead of being like the Conservatives and trying to make political capital out of efforts to reach a just solution in the Middle East.

[*Translation*]

**Mr. André Bachand (Richmond—Arthabaska, PC):** Mr. Speaker, the Deputy Prime Minister should explain the Canadian position to the Prime Minister.

The Prime Minister claims to like clarity, but he generates confusion. After having always condemned the threat of a unilateral declaration of independence by Quebec, he would now give his blessing to such a declaration by Palestine.

There is no doubt that Palestine's situation may be different from that of Quebec but, according to the Prime Minister, there are similarities. In the case of Palestine, the Prime Minister says that if negotiations are no longer conducted in good faith by Israel, Canada would be prepared to recognize a unilateral declaration of independence, just as France seems to be prepared to do.

In the case of Quebec, paragraph 155 provides that if Canada refuses to negotiate in good faith, a declaration of independence by Quebec could be recognized, including by the international community. Is this a policy change?

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, here in Canada, there is no occupied region. There is no colony, and our situation is totally different from that of Middle East regions. I wonder why the hon. Progressive Conservative member fails to see the difference.

\* \* \*

[*English*]

**AUDITOR GENERAL'S REPORT**

**Mr. Monte Solberg (Medicine Hat, Canadian Alliance):** Mr. Speaker, the new auditor general's report is out and it looks like the government is trying to outdo *Rocky* for bad sequels. This time it is the Department of Finance and the revenue agency that are starring in boondoggle four, revenge of the bureaucrats.

His report points out that \$2 billion have been mismanaged by those two departments in the application of the scientific research and experimental development tax credit program. Why does the government think a \$1 return for every \$40 invested is a good return on taxpayer money?

**Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.):** Mr. Speaker, I guess I will have to repeat over and over. First, there is no boondoggle in human resources and there is no boondoggle in the revenue agency.

Second, if they would take the time and opportunity to properly read the auditor general's report, they would see that back in 1994 a decision was taken to fix the 18 month delay in the production of SR&ED claims. At that time we received over 16,000 demands in four months.

The auditor general said that we were stuck with a political and administrative nightmare, and we—

**The Speaker:** The hon. member for Medicine Hat.

**Mr. Monte Solberg (Medicine Hat, Canadian Alliance):** Mr. Speaker, that nightmare has become the taxpayers' nightmare under this government. Obviously HRDC was not an isolated incident. It was the template for the massive abuse of taxpayer dollars by the government.

Two billion dollars were mismanaged by finance and revenue. How many more of these disasters do we have to discover before the government figures out, in the words of the finance minister, that government cannot pick winners but losers sure can pick government?

**Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.):** Mr. Speaker, I believe I have said it and I will keep saying it. The SR&ED program we have in Canada is one of the best tools in the world to help economic development in the centres and regions across the country. I stand by that.

Second, we have been facing an administrative nightmare. When I hear what they say on the other side of the House, I know that we would not have such a tool. It would be a political nightmare to have the Reform Party in government.

\* \* \*

[*Translation*]

**YOUNG OFFENDERS**

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, stakeholders from all regions of Quebec came to condemn Bill C-3, to repeal the Young Offenders Act.

*Oral Questions*

• (1435)

It is thanks to these people if Quebec has the lowest juvenile crime rate in North America. Following their representations, the Minister of Justice moved amendments to Bill C-3 last Tuesday.

Are we to understand that these amendments are the minister's response to the opposition expressed by these stakeholders before the committee?

[*English*]

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, we believe that our new youth justice legislation provides a flexible framework within which jurisdictions can implement the legislation in light of their local needs and preferences.

As the hon. member knows, I have asked him to identify any existing policies or programs in Quebec that could not continue under the new legislation. So far I have not heard from him.

[*Translation*]

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, does the minister realize that her amendments do not at all meet the concerns raised by Quebec stakeholders—and there is a clear consensus on this issue—and that the only way to meet these concerns is to allow Quebec, by an amendment to Bill C-3, to continue to implement the Young Offenders Act in the same fashion?

This is what Quebec has been asking for a long time.

[*English*]

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I have indicated, Bill C-3 is a flexible piece of legislation that will permit Quebec to continue to do those things in the area of youth justice it is presently doing.

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#### AUDITOR GENERAL'S REPORT

**Mr. Mike Scott (Skeena, Canadian Alliance):** Mr. Speaker, the auditor general reporting on the state of aboriginal education says:

Indian and Northern Affairs Canada cannot demonstrate that it meets its stated objectives to assist aboriginal students living on reserves in achieving their educational needs. The situation is complex and urgent. At the current rate of progress, it will take over 20 years for aboriginal children to reach parity in academic achievement with other Canadians.

My question is for the Minister of Indian Affairs and Northern Development. How can he look aboriginal children in the eye in the face of such failure?

**Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, I agree with the auditor

general that in fact we are going too slow. That is why in 1998 we brought in reforms called Gathering Strength to reform the education system.

In the next few years when we bring all these changes into the House I hope that member votes for them, for a change.

**Mr. Mike Scott (Skeena, Canadian Alliance):** Mr. Speaker, the minister and the government are responsible for the education of aboriginal children. They have spent over \$1 billion a year and yet this is the scathing indictment we have after that kind of expenditure.

In 20 years the government has had 22 separate studies done yet there is no progress made. Why should we believe that Gathering Strength will make any difference? The auditor general has said so himself. How can the minister possibly defend this kind of shameful record?

**Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, what the auditor general says is that in fact the most appropriate way to achieve our goals of having the kind of education we want for first nations students is to give them control in their own communities. I hope the member will vote for that when we bring it into the House.

\* \* \*

[*Translation*]

#### GENETICALLY MODIFIED ORGANISMS

**Ms. Hélène Alarie (Louis-Hébert, BQ):** Mr. Speaker, whatever the Minister of Agriculture and Agri-Food has to say about it, we learned yesterday that labelling of GMOs will now be mandatory in Europe.

These regulations will likely have significant consequences exports of our agri-food products.

Can the minister tell us what he intends to do to avoid negative consequences for our exports?

[*English*]

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, there has been no ill effect on our exports of individual products into the European Union.

As I reminded the House and the member yesterday, even though the European Union has put some legislation in place it has become very clear to it that it does not have a criterion or a method of testing the level of content of anything that is genetically modified. It has put legislation in place which is not meaningful, which is not credible and which is not enforceable.

That is not the way we are going to go. We are going to meet that challenge before we—

**The Speaker:** The hon. member for Louis-Hébert.

*Oral Questions*

• (1440)

[Translation]

**Ms. Hélène Alarie (Louis-Hébert, BQ):** Mr. Speaker, I think the minister is badly informed.

Since we already have the technology in Canada to detect GMOs, what is he waiting for to make labelling mandatory?

[English]

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, the European Union has admitted and demonstrated that the level of content of genetically modified products or commodities within a product is not detectable. It does not have a method of doing that, and that is why it is not able to enforce its legislation.

\* \* \*

#### AUDITOR GENERAL'S REPORT

**Mr. Leon E. Benoit (Lakeland, Canadian Alliance):** Mr. Speaker, the auditor general in his report today slams the government for bungling the management of the immigration department. This mismanagement has opened the doors to organized crime which threatens the security of our nation.

This report is almost a carbon copy of the 1990 report. The minister and her government have had seven years to fix the problem. Why should Canadians believe that she will fix the problem now?

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, the health and security of Canadians is my number one priority.

**Some hon. members:** Oh, oh.

**Some hon. members:** Hear, hear.

**The Speaker:** Order, please. We will hear the minister.

**Hon. Elinor Caplan:** We are aware of the AG's concerns. I want the hon. member and all members in the House to know that we are moving forward with very significant administrative changes.

We received additional funding in the recent budget and the legislative package. I am hoping that the member and his party will support Bill C-31 so we can implement the legislative changes that the auditor general recommends.

**Mr. Leon E. Benoit (Lakeland, Canadian Alliance):** Mr. Speaker, the auditor general says that more money will not fix the problem and new legislation will not fix the problem. Better management, better training and better auditing will.

The common theme here is the mismanagement of the government. Her government has had seven years to fix the mess from the

last auditor general's report and it has not. How can we believe that she will fix the problem now?

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, the auditor general says that the immigration department needs additional resources. We have received those resources in the existing budget. Those resources will be used to update the technology that we need and for additional controls and additional training that we need.

The new legislation I just tabled will also go a long way to responding to the concerns of the auditor general, and I hope the member and his party will support that legislation.

\* \* \*

[Translation]

#### IMMIGRATION

**Mr. Benoît Sauvageau (Repentigny, BQ):** Mr. Speaker, today, once more, the auditor general is criticizing serious shortcomings at Immigration Canada, including inadequate security of visas and data banks. Even more worrisome is the fact that medical screening for entry into Canada has remained unchanged for the past 40 years.

How does the Minister of Citizenship and Immigration explain that in 2000 her department is carrying out the same medical exams as it did 40 years ago?

[English]

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, let me repeat again that public health and security concerns are number one priorities for my department and for the government.

The auditor general says that we need to improve our security screening, and we are doing that. The auditor general says that we need to improve our medical screening, and we are doing that.

When we table the new regulations, for the first time we will have a definition of medical inadmissibility that has been agreed to in a consensus by all provinces. That should go a long way toward responding to those needs.

I want the members to know that at ports of entry every immigration officer who has a medical concern about anyone entering Canada can require and actually demand a medical examination.

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#### TAXATION

**Mr. Alex Shepherd (Durham, Lib.):** Mr. Speaker, my question is for the Minister of Finance. There are only 19 days left for Canadians to file their 1999 income tax returns. Many low and middle income earners know that as their incomes approach the

thresholds of new tax brackets they often pay marginal rates of taxes as high as 50%.

This discourages people from working and reduces productivity, lowering the potential wealth for all Canadians. What is the minister doing to eradicate this disparity?

• (1445)

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, the question from the member for Durham is significant because we have in fact reduced the middle tax rate from 26% to eventually 23%; significant because we are increasing the threshold from \$29,000 to \$35,000 and from \$59,000 to \$70,000 respectively; significant because we have reindexed the entire tax system; significant because it is evident from question period over the last couple of months that it is only Liberal members of parliament who want to reduce taxes for Canadians.

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#### SOLICITOR GENERAL

**Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance):** Mr. Speaker, let us talk about mismanagement in the solicitor general's department where it does not just cost money but in fact costs people their lives.

The auditor general points to the infamous Bernardo disaster where DNA samples delayed by two years allowed him to commit four more rapes and two more murders.

How dare this government tell Canadians that it is serious about protecting law-abiding citizens. Its policies give licence for Bernardo and other predators to go after law-abiding citizens.

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, we do take the auditor general's report very seriously. As far as DNA, they have improved dramatically over the last number of months and by September 30 all priority cases will be completed within 30 days.

**Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance):** Mr. Speaker, how can we believe that? Let us take a look at another example in the auditor general's report. There was a 227 day delay in getting DNA samples processed in the case of a sexual assault of a child.

The auditor is very clear: The issue is not resources, the issue is mismanagement on the part of this government.

When will the solicitor general get serious about protecting law-abiding Canadians?

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, this is of course a serious issue. It is too bad my hon. colleague does not do a little research before asking his question.

#### Oral Questions

In his first question concerning the lab for the DNA test, it was the Ontario lab, not the federal lab. You should get your facts straight.

**The Speaker:** Order, please. I would remind members to please address their remarks always to the Chair.

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#### IMMIGRATION

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, today the auditor general noted serious weaknesses in the economic component of the Canada immigration program. Not only do these shortcomings seriously limit Canada's ability to maximize the benefits of immigration, it gives ammunition to the enemies of immigration who would use any excuse to close the door and to keep people out of this country.

What steps does the minister of immigration intend to take to remedy these many criticisms, and will she concede that part of the problem is government cutbacks that have left immigration so starved for resources that it cannot possibly deliver a quality product?

• (1450)

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, the auditor general acknowledged the need for additional resources for my department. In fact, \$139 million has been allocated and, of that, \$49 million in the last budget specifically for security and health concerns.

The member opposite should know that it is the intention of the new legislation, which I just tabled, to address many of the other concerns. We want to close the back door to those who would criminally abuse our system so that we can open the front door wider to the people Canada needs to come and build this country to prosperity.

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#### ABORIGINAL AFFAIRS

**Ms. Bev Desjarlais (Churchill, NDP):** Mr. Speaker, the minister of Indian affairs must know that one of the greatest factors affecting the education of aboriginal students is the inadequate housing and infrastructure.

This year's federal budget did little to address the issue. The auditor general has indicated that if these shortfalls are not addressed within the system, it will take 23 years for on reserve populations to reach education parity with the overall Canadian rate for high school.

Is the minister satisfied with that rate? Is it okay that it will take 23 years for on reserve aboriginal populations to reach educational parity with the rest of Canadian students?

*Oral Questions*

**Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, as I said in my previous answer, no, I am not satisfied and we have every intention of changing it.

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**NATIONAL DEFENCE**

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, yesterday the Prime Minister made a personal commitment to send Canadian forces personnel to the Middle East if asked. The Middle East is a very dangerous theatre of operations, one that could become extremely volatile and dangerous for Canadian soldiers.

Did either the Minister of National Defence or the CDS personally know of and endorse the commitment before it was made?

**Hon. Arthur C. Eggleton (Minister of National Defence, Lib.):** Mr. Speaker, we have a proud record in terms of peacekeeping in the Middle East. In fact we have the command position at this point in time in the Golan Heights. It is because the United Nations knows that Canada is dependable and can do a good job in peacekeeping. That is what the Prime Minister was saying.

We have an interest in the Middle East and continue to have one. We want to be of help. If the UN puts a mission together we want to be there and be part of it, but of course we will do the usual checks, including risk assessment, to make sure it is an acceptable level.

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, in the wake of the Prime Minister's decision last year to send Canadian forces personnel to East Timor, both the minister and CDS indicated that the military's operational tempo was too high. Since then the government has been very cautious in making peacekeeping commitments.

Now that Prime Minister Barak has been promised Canadian forces peacekeepers, what changes will the Minister of National Defence have to make to keep the Prime Minister's promise?

**Hon. Arthur C. Eggleton (Minister of National Defence, Lib.):** Mr. Speaker, there are ongoing consultations which involve myself, the CDS, the Prime Minister and the Prime Minister's office. The notion of sending peacekeepers to the Middle East is one that I raised last fall when I was there.

We will continue to look at and assess this situation. We want to be of help, as we have traditionally been. We have less troops out there internationally now than we did a year ago. We have brought it down to a more reasonable level and we are ready to respond when the call comes.

**TREASURY BOARD**

**Mr. Rey D. Pagtakhan (Winnipeg North—St. Paul, Lib.):** Mr. Speaker, my question is for the President of the Treasury Board.

Today we are in the midst of National Volunteer Week. In the last throne speech, the Government of Canada expressed the commitment to establish a new creative partnership with the voluntary sector. What has the Government of Canada done to fulfill this commitment?

**Hon. Lucienne Robillard (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, the government is committed to renewing its relationship with the voluntary sector.

We intend to follow up on the recommendations made in the report entitled "Working Together". One of the report's recommendations was to establish a reference group of ministers. The Prime Minister has just set up that group of reference ministers. We had a meeting last night with the leaders of the sectors to decide our priorities. The government intends to answer in a national accord in the year 2001 with the voluntary sector laying a new foundation for an active partnership.

\* \* \*

• (1455)

**HUMAN RESOURCES DEVELOPMENT**

**Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance):** Mr. Speaker, today we learned about still another example of human resources development's lack of trustworthiness.

According to the auditor general, the department made a commitment to reduce waiting times for counter service and for payments under OAS and CPP. It turned out that this was not much of a commitment. HRDC did not even bother to check whether or not waiting times ever got shorter.

How can Canadians believe this minister's promises given her track record of failing to follow through?

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, on the contrary, I welcome the work of the auditor general. I met with him to discuss the details of the chapter that he presented today.

On balance, he talked very positively about the service delivery methods of the department. I will quote him. He stated that "HRDC has made considerable progress in addressing service quality."

[Translation]

### OPTION CANADA

**Mr. Pierre de Savoye (Portneuf, BQ):** Mr. Speaker, since the auditor general said so himself two years ago, the operations of Option Canada have yet to be clarified, and we still have no idea how the \$4.8 million was used.

Will the solicitor general give us the assurance that he will act on the letter I sent him today asking to set up a police investigation to discover where the \$4.8 million given Option Canada went?

[English]

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, I understand that my hon. colleague sent me a letter just before I left for question period. I have not had a chance to review the letter but I will review it in due course.

\* \* \*

### CANADA PENSION PLAN

**Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP):** Mr. Speaker, my question is for the Minister of Finance.

As the minister knows, there are about 100 firefighters on Parliament Hill today asking parliament to make changes to the Canada pension plan so that they can qualify for early retirement benefits at the age of 55 and full benefits at the age of 60, instead of the current ages of 60 and 65. The minister is also aware that the House of Commons finance committee made a similar recommendation last fall.

In light of that, will the minister now propose an amendment to the Canada pension plan so that firefighters can obtain benefits at an earlier age because of this essential and dangerous occupation?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, there is no doubt about the tremendous debt that all Canadians owe to firefighters right across the country.

**Some hon. members:** Hear, hear.

**Hon. Paul Martin:** This particular suggestion was made previously. We have undertaken to put it on the agenda for the next federal and provincial finance ministers' meeting where this kind of thing would be discussed.

\* \* \*

### IMMIGRATION

**Mr. David Price (Compton—Stanstead, PC):** Mr. Speaker, today the auditor general reported that after 10 years of discussion,

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the departments of Immigration and Health Canada cannot decide if applicants should be routinely tested for infectious diseases.

Can the Minister of Health tell the House how many more years Canadians must wait before tests are done routinely for infectious diseases?

**Hon. Elinor Caplan (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, the auditor general identified a need to improve medical screening and we are doing it.

As I said, a regulation has been developed as part of the new legislative package as a result of consensus achieved across the country. It will be tabled when we get into clause by clause.

Members should also know that health and safety are a priority and that is why immigration officers at the ports of entry in Canada can request a medical test of anyone entering Canada. It is important for everyone to know that we need to have a common definition of medical inadmissibility so we can ensure there is consistency in decision making.

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## GOVERNMENT ORDERS

• (1500)

[English]

### MODERNIZATION OF BENEFITS AND OBLIGATIONS ACT

The House resumed consideration of the motion that Bill C-23, an act to modernize the Statutes of Canada in relation to benefits and obligations, be read the third time and passed, and of the amendment.

**Mr. Eric Lowther (Calgary Centre, Canadian Alliance):** Mr. Speaker, I appreciated the comments of the member for Wentworth—Burlington.

He commented that Bill C-23 inappropriately used the term conjugal. I agree with him. We have made the comment a number of times in the House that not only is it inappropriate to use it in a same sex relationship, it is also probably irresponsible not to define it in a bill, particularly one which uses it so frequently.

I was concerned when I understood him to say that the real problems with the bill were generated primarily from the bureaucracy in the justice department; that it really was not the justice minister who was responsible for bringing forward the bill in the manner that it is and structured as it is, with all its inherent weaknesses which we have itemized several times, but that the

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problem was really in the justice department. I find that shocking. Is he implying, by his own volition, that the justice minister does not have control of her department, that she cannot call the shots over the people who work in the ministry? Certainly that was the tone of his comments.

**Mr. John Bryden:** Mr. Speaker, what I said was that there is a certain lack of confidence that the justice department officials will deal with these issues impartially.

In fact, what I said was that this is a very fine bill in the sense that it does define marriage and that it does define same sex relationships outside marriage. The unfortunate thing is that there is a school of feeling on my own side that the lawyers, and particularly the justice department, will not defend this clause defining marriage when it comes up in other legislation.

What I was trying to point out was that I think we have a problem where we have a justice department that creates the laws, advises the minister and then defends the laws. I think it is fair to say that it is generally felt, there is a general feeling on all sides of the House, that the justice department is not always acting on behalf of parliament, but acting more on behalf of its interpretation of the charter rather than the interpretation of the charter as represented by the representatives of the people.

**Mr. Eric Lowther:** Mr. Speaker, I appreciate that reply from the hon. member and I appreciate his candour. Certainly, it sounds to me like there are problems in that department and that the justice minister should be the one who is in charge. She is ultimately responsible for what comes out of her department and she should act on that.

• (1505)

I have noticed in Bill C-23 that the definition of common law partner, which includes two people of the same sex in a conjugal relationship, is repeated in every statute. In fact, it is repeated sometimes more than once in each of the statutes under Bill C-23. Yet the justice minister and the justice department have deemed it not appropriate to put the definition of marriage in every statute. It appears at the front of the bill, but it is not in the statutes.

We have a legal opinion which says it will have no legal weight when a court challenge comes. Therefore, is it not appropriate, in his mind, that our amendments which were voted down by the government yesterday should have been included? If we can include a definition of common law partner, why not a definition of marriage which we have been advocating all the way along?

**Mr. John Bryden:** I repeat, Mr. Speaker, my view is that once you get the definition of marriage in law and once you get the

definition of same sex couples as being outside marriage in law, that is enough.

The only reason the 19 on this side were not onside with the government and supported the member for Scarborough Southwest was because they are not confident that the lawyers and perhaps even the justice department will cite this clause in Bill C-23 when the issue of defining marriage or defining same sex partnerships comes up. It is sad. It is wrong. It is unfortunate because we should have confidence that the laws we pass will be applied and will be defended adequately in the courts.

I would argue that this is one of the problems we have with the supreme court interpreting the charter. It is not that the supreme court is not doing its job; the real question is whether the interests of parliament are being defended adequately before the supreme court. Unfortunately, Mr. Speaker, those who are defending the interests of parliament are the very people who wrote the laws in the first place and are the very ones who advised the justice minister in the first place.

What I am suggesting is that we have to re-examine the relationship of the justice department in the creation of the laws and the defence of the laws. I think we have to look at this whole issue and I suggest to members opposite that maybe it could be a motion for an opposition day. I cannot do it.

**Mr. Lynn Myers (Waterloo—Wellington, Lib.):** Mr. Speaker, it is a great honour to rise today to speak to Bill C-23. I think it is very important in terms of the kinds of measures that the government is taking in this very important area.

I want to begin by congratulating the Minister of Justice for putting together what I believe is a very fine piece of legislation and one which I think Canadians, for the most part, wherever they live in our great country, will not only respect but also welcome. I want to indicate at the outset that I think it is a good move and that Canadians, ultimately and historically, will applaud the fact that we are moving in this all important area.

I have listened to the debate on Bill C-23 over the last little while and I have to say that some members opposite, the reformed CRAP alliance party members, have in fact gone repeatedly—

**Mr. Ken Epp:** Mr. Speaker, I rise on a point of order. The Speaker ruled clearly several Mondays ago, and the ruling has been upheld repeatedly by the Speaker, that the name of our party is Canadian Alliance, and we should—

**Mr. Lynn Myers:** Mr. Speaker, you will recall that I said the reformed CRAP party, the alliance people. Now, having said that—

**Mr. Ken Epp:** Mr. Speaker, I rise again on a point of order.

*Government Orders*

**The Acting Speaker (Mr. McClelland):** We are not going to get into this. The hon. member for Waterloo—Wellington will go to the text of his dissertation, and I will look after it.

**Mr. Lynn Myers:** Mr. Speaker, you are fair and even-handed, as always.

What I found not so long ago was that in listening to members opposite I was quite astonished, to put it frankly and bluntly, at some of the misconceptions that they seem to want to perpetuate, and the myths too. For example, I listened prior to question period to the member for Dewdney—Alouette. I listened to the member for Cypress Hills—Grasslands who, when I was speaking, talked about a barroom brawl. Is that not interesting coming from members opposite, a barroom brawl. I would have thought that they could do better than to be hanging out in bars, never mind brawling.

• (1510)

The member for Nanaimo—Cowichan was quoted recently in the *Vancouver Sun*. He said “A gradual blurring of the sexes has occurred that gave young men growing up in many female dominated single parent homes an identity crisis”. This, according to him, has led to the rise in “militant homosexuality”.

He went on to state that he was unable, however, to explain why he believes that single mother families encouraged such homosexual militancy.

Compare that to the member for Yorkton—Melville, again one of those Alliance people with extremist views which are way out in left field, and other right wing nonsense. He was quoted as saying in a press release “In the 1950s buggery was a criminal offence. Now it is a requirement to receive benefits from the federal government”.

It was not so long ago that the party opposite made reference to gays and blacks, saying they should be relegated to the back of the bus. That is a direct quotation from those members. It is amazing that these people opposite keep perpetuating that kind of nonsense, that kind of hatred, discrimination and bigotry. I suppose we could say it is part and parcel of who they are and what they represent, but it is very sad that they would do that.

What I want to do, instead of focusing on the negative nonsense of the Alliance people, no matter what they call themselves, is to focus on the positive, which is that we on the government side defend tolerance, compassion and caring. Unlike those people who stand for and are representatives of the politics of extremism and bigotry, we represent the politics of hope and reconciliation.

That is what decent Canadians expect of their government: caring, compassion and tolerance. That is precisely what the

Minister of Justice and the government have proceeded to do in this very important area.

I could go on in terms of the kinds of myths that members opposite are perpetuating. In fact, I want to do that right now.

I have listened for the last couple of days to some of the speeches. I want to point out that Bill C-23 is not about marriage. In fact, on this side of the House last year we supported the motion which indicated that was not the case. To have them rise time and time again to say that it is about marriage is really outrageous. I do not know what kind of political spin or cheap political shots members opposite want to make in this area, but it really is quite unacceptable. Canadians see through their shenanigans, duplicity and hypocrisy.

The bill is not about marriage. It is certainly not about relationships, dependent or otherwise. It is not about sending in the sex police, as some members have alluded to in their convoluted way, suggesting that would occur. Rather, we on the government side, in a positive, upbeat fashion, are saying that into the 21st century we will define ourselves in a manner consistent with the values of Canadians, which are tolerance and compassion. That is why we are proceeding with Bill C-23.

It was reaffirmed by a motion of parliament last year that marriage is the union of one man and one woman to the exclusion of all others. We have repeated that in the bill to underscore the point. If there are Canadians across this great country who do not feel the way I and other members of the government do, but rather agree with those on the opposite side, they can take comfort from knowing that there will not be a change in this very important area.

The proposed legislation is an omnibus bill. I know that is well known. It takes action on a number of fronts. Bill C-23 eliminates discrimination so that benefits and obligations that currently apply to common law, opposite sex couples will be extended to same sex couples as well.

• (1515)

The bill goes on to modernize obsolete language. It repeals provisions of obsolete laws that are no longer needed and, where necessary, makes the kinds of modifications necessary in keeping with the kind of required omnibus legislation that we have before us. I believe Canadians ultimately respect this. In the process we are putting it into a contemporary context in keeping with who we are as Canadians as we move confidently into the 21st century.

Let me go into some detail with respect to these changes. There are 68 laws and statutes that will be affected and over 20 departments and agencies of the federal government. Let me highlight some of the more important changes because I think for the record we should note them.

The term “common law partner” is a new term to law but is used and understood by Canadians who have used the concept over time.

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In the French language its equivalent is *conjoint de fait*. Every day in publications and in other media across Canada, we have heard these terms either in French or in English. I think Canadians understand them for what they are.

Bill C-23 would standardize the definition of the term “common law partner” as unmarried, conjugal relationships of at least one year. Similarly, the word “spouse” after passage of the legislation before us, would be referred consistently then to married persons only. It should be noted that the one year cohabitation period to qualify for benefits and subject to obligations is not new and is not changed by Bill C-23.

Similarly, the term “conjugal” has been used in federal legislation for 40 years to describe common law, opposite sex relationships. The factors in determining a conjugal relationship will be the same then for opposite sex and same sex partners.

What we are doing is making sure that it fits into context in a modern, contemporary sense. We are making sure that it makes sense in all kinds of areas. I could point those out but I will not take the time now other than to say that things as far ranging as the Agriculture Marketing Programs Act to the War Veterans Allowance Act will be affected in this very important area. It goes without saying that things like the Canada pension plan, bankruptcy and insolvency act and many other acts and statutes will be affected in this all important area.

Where there are rights and responsibilities, there are also obligations. It is important to note that we on the government side have recognized these all important concepts. We have put them into perspective. We have weighed them out and we have thought thoroughly and clearly, hard and long about what it means not only for us in the House, but Canadians wherever they live in this great country of ours.

At the end of the day, we have been able to come up with a very workable bill. This is a bill that makes a great deal of sense. It accomplishes what the supreme court asked us to do. It accomplishes, in my view, what Canadians expect the government to do in this important area. In Ontario, Mr. Harris did the very same thing within 48 hours. Why did he do that? He did it because it made sense and it was also the right thing to do. He did it because he knew that the supreme court judgment had to stand.

We in this great Parliament of Canada need to follow suit. We need to modernize and update the very legislation that is important in this area. That is precisely what we are doing. I believe that ultimately Canadian people will judge us as having done the right thing.

**Mr. Grant McNally (Dewdney—Alouette, Canadian Alliance):** Mr. Speaker, I listened carefully to my colleague’s speech and he did make some very interesting references. In fact, I would like to point out that he really showed his true colours at the

beginning of his speech by not engaging in debate, but engaging in name calling, the lowest form of argument. When one has nothing better to say and no logical reasoned arguments to make, they can always resort to the lowest form of argument, name calling. That is exactly what this member has participated in here today and that is unfortunate.

• (1520)

I want to ask him two very specific questions. I will be brief.

The first one has to do with a comment made by his own House leader, the current House leader of the government, when he said “I object to any suggestion which would have homosexual couples treated in the same way as heterosexual couples” and he also went on to say “I do not believe homosexuals should be treated as families. My wife, MaryAnn, and I do not claim we are homosexual. Why should homosexuals pretend they form a family?” I would like to ask him if he agrees with that comment and I would also like to ask him why he was so opposed to including the definition of marriage in Bill C-23 which he voted against at report stage last night.

**Mr. Lynn Myers:** Mr. Speaker, thank you very much for the allowing me the opportunity to respond.

I listen day after day in this great House of Commons to the kind of thrust and parry that take place across the aisle and to the new leader of the Canadian Alliance, the member for Edmonton North. This member speaks of name calling. I watch the Leader of the Opposition very carefully and how she mocks the ministers and the Prime Minister, how she mocks language and speech and how she mocks and name calls. That is just one example of how the people opposite behave in this great House of Commons. It is unbelievable how they behave. But Canadians see through that. They see through the duplicity of those people who say one thing and do another. They see through the duplicity of people with their holier than thou attitudes who say something one way and then, quite frankly, answer from the opposite side of their mouths.

Let me get to the question that the hon. member asked. We on the government side, in recognition of the sanctity of marriage, moved along expeditiously with supporting a motion last year that underlined what we believe, which is that marriage is the sole union between a man and a woman. I do not know what it is about that the hon. member does not understand. I do not know what cheap political points he wants to score, but Canadians see through that nonsense. They see through it every time.

**Mr. Darrel Stinson (Okanagan—Shuswap, Canadian Alliance):** Mr. Speaker, I listened to the member on the other side and I have to admit he is more than one ingredient short of the recipe.

I would like to ask the member this question. What some of us who are opposed to this bill find difficult is to accept the lecturing that seems to go on and that those who are opposed to the bill are

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somehow opposed to democracy. I finally have had it with being called a racist or a bigot because I cannot accept the fact that a spouse is a member of the same sex. That is my right and, indeed, my responsibility. I reject any attempt to try to muzzle people, to try to intimidate us and to paint this as some kind of human rights issue. I do not see it in that light. That was said by the hon. member for Mississauga West, a Liberal. I will stand up and call him a racist and bigot.

**Mr. Lynn Myers:** Mr. Speaker, it really is hard to answer the member opposite when he gets up on his hind legs and behaves the way he does.

He talks about ingredients. What kind of ingredient does he have? Look, by the way, at his very thin skin and the fact that he raised issues like bigotry and racism. I did not do so, but he did. Methinks he doth protest too much.

It is really obvious who the people opposite are. Last night was a telling vote because they are the people who talk about grassroots participation. They are the people who talk about free votes. Yet if we look, to a person last night, they all voted, en masse, en bloc. Why? It was because they were all whipped into voting the way they did. They are the people who talk about grassroots. They are the people who talk about free votes. What duplicity. What hypocrisy.

• (1525)

[*Translation*]

**Mr. Daniel Turp (Beauharnois—Salaberry, BQ):** Mr. Speaker, I am pleased to follow my colleague from Hochelaga—Maison-neuve in this final part of the debate on Bill C-23, the Modernization of Benefits and Obligations Act.

I will remind the House that this bill was introduced on February 11, 2000 and that it is basically designed, for reasons of equity, to modernize certain benefits and obligations in order to guarantee that partners in a common law relationship, whether of the same or opposite sex, are treated equally under the law.

The changes proposed in this bill must guarantee, in keeping with the supreme court decision of May 1999 in *M v H*, that same sex couples in a common law relationship have the same advantages and the same obligations as opposite sex couples in a common law relationship, and the same access as other couples in Canada or Quebec to the benefits to which they have contributed.

I would like to point out that I am sharing my time with the hon. member for Laurier—Sainte-Marie, who will be speaking on behalf of the Bloc Québécois after me.

I would also like to point out that this bill is the culmination of multiple and long-standing efforts by people who have been long

engaged in the battle to eliminate discrimination based on sexual orientation. This is a battle in which Quebec has played a lead role, as it was the first to enact legislation incorporating sexual orientation among the illegal grounds for discrimination. It did so by amending its charter of rights and freedoms, back in 1977.

Bill C-23 is therefore the culmination of a lengthy battle by many members of society, regardless of their own opinions about sexual orientation or their personal choice of orientation. It is the culmination of numerous attempts to change federal or provincial legislation. It is also the culmination of successes at the provincial level, for several pieces of legislation have been passed to put an end to discrimination in various Canadian provinces where benefits were concerned.

I think that as the debate at third reading of Bill C-23 draws to a close it is important to remember how this legislative saga began and to put this bill into context. Like many members of my party, I hope it will be passed by the House of Commons.

I would remind the House that the Parliament of Canada had decriminalized homosexual acts between consenting adults more than 30 years ago, in 1969. Seven years later, in 1976, the Immigration Act removed homosexuals from the category of persons denied entry into Canada.

Until recently, there were hardly any other federal legislative initiatives with respect to the legal aspects of homosexuality. Numerous private member's bills to prohibit discrimination based on orientation were introduced in the House of Commons between 1980 and 1992, but none of them made it past first reading. Nor did the proposed amendments to other statutes with a view to eliminating certain forms of discrimination based on sexual orientation succeed either.

In December 1992, then Minister of Justice Kim Campbell introduced Bill C-108, which would have added sexual orientation to the prohibited grounds in the Canadian Human Rights Act and defined a married individual in strictly heterosexual terms.

• (1530)

The purpose of Bill S-15, introduced in the Senate by Senator Noel Kinsella, was to add sexual orientation to the prohibited grounds in the same Canadian Human Rights Act. This bill was passed in June 1993.

However, when parliament was dissolved in September 1993, after a general election was called, this bill, as well as Bill C-108, died on the order paper.

In 1995, parliament passed Bill C-41, an act to amend the criminal code. The bill provided that evidence establishing that a crime was motivated by hate or by bias based on a number of

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personal characteristics was an aggravating circumstance that should lead to the imposition of a harsher sentence.

The inclusion of sexual orientation in these personal characteristics generated a great deal of opposition. That was in part due to the opinion expressed by some that this would lead to the inclusion of the sexual orientation as a prohibited ground of discrimination under the Canadian Human Rights Act, or that it would otherwise lead to the erosion of traditional family values.

In spite of that opposition, Bill C-41 received royal assent in July 1995 and came into effect the following year, in September 1996.

In February of the same year, just a few months before the coming into effect of Bill C-41, Senator Noël Kinsella came back with Bill S-2, which was similar to Bill S-15 and which sought to add sexual orientation as a prohibited ground of discrimination under section 3 of the federal act, and under section 16, which deals with equal access or affirmative action. The bill was adopted by the Senate in April 1996.

I should also mention a private member's bill, Bill C-265, introduced by the member for Burnaby—Douglas, whom I salute for the personal fight that he has been leading on these issues—which did not go beyond first reading stage in this House.

On April 29, 1996, the Liberal government of the day, through the Minister of Justice at the time, introduced Bill C-33 to amend the Canadian Human Rights Act by adding sexual orientation to the list of illegal grounds of discrimination based on sexual orientation. This bill was finally passed by both the House of Commons and the Senate and received royal assent on June 20, 1996.

I must also not fail to mention the efforts of my colleague, the member for Hochelaga—Maisonneuve, or party's critic for these matters. He too introduced bills in November 1994, May 1996 and again in February 1998 and March 1999 to end this discrimination in federal legislation. These bills, like many private members' bills, came to nought.

Today we reach the final stage of the passage of this bill. Its passage follows on the unanimous adoption by the National Assembly of Quebec of a bill with similar goals amending various legislative provisions pertaining to common law spouses and putting an end to the discrimination on the basis of sexual orientation found in the laws of Quebec. Ontario has done the same thing.

It is therefore high time that the Parliament of Canada, and this House of Commons in particular, followed the path taken by other lawmakers, that is the path of equality, and gave real meaning to the concept of equality contained in our charters.

• (1535)

[English]

**Mr. Eric Lowther (Calgary Centre, Canadian Alliance):** Mr. Speaker, I appreciate the hon. member's comments. I understand that he is a man with considerable academic credentials.

I have presented petitions in the House from people in Quebec who have asked for the definition of marriage to be reaffirmed in statute. I also have in my hand a legal opinion from a senior counsel in Toronto who has basically said that the approach to define marriage as a union of a man and woman at the front end of an omnibus bill but not in the statute will not bring into force any legally binding definition of marriage.

Based on the petitions from Quebec and the attempts of the official opposition to put the definition of marriage in the statutes where it will have significant legal effect and express the will of the House, would the member condone this? If so, would he support the motion that this bill be referred back to the justice committee to consider including a meaningful definition of marriage in the statutes that the bill addresses?

[Translation]

**Mr. Daniel Turp:** Mr. Speaker, first of all, I would say to the member that it should be noted that in Quebec, as elsewhere in Canada and indeed in the world, there are various positions on the equality of persons with different sexual orientations, which are sometimes rooted in religious beliefs and sometimes in prejudices that a healthy upbringing could perhaps eliminate.

These differences must be noted, but the will of parliaments here and elsewhere in the world to end discrimination must not be thwarted.

I believe that this bill is the culmination of many efforts made by those with the most interest in these issues, those who have often been the victims of discrimination. This bill will finally give them true access to equality and the right to benefits they have been denied.

The question of marriage and its definition is touched on in this bill. The Liberal government has decided to include an interpretation clause that may be along the lines of recognizing that marriage is reserved for opposite sex couples. This debate will have to continue. It is one that the Canadian Alliance will perhaps, and quite legitimately, wish to pursue.

As for us, the fact that this question is not necessarily definitively resolved in this bill should not prevent us—at least not most of us—from being in favour of a restorative bill that will grant a too-long-denied equality on same sex couples.

*Government Orders*

[English]

**Ms. Marlene Catterall (Ottawa West—Nepean, Lib.):** Mr. Speaker, I realize that my colleague opposite comes from the civil code tradition but perhaps he could explain to our colleague from Calgary Centre that the definition of marriage already exists in common law, which has the full force and effect of legislation passed by the House. It was unanimously endorsed by the House of Commons and is being reaffirmed in the bill now before the House. Maybe he could explain that to our colleague from Calgary Centre.

• (1540)

[Translation]

**Mr. Daniel Turp:** Mr. Speaker, it is true that marriage is defined in both the Civil Code of Quebec and Canadian common law. This is a definition that can evolve, that has evolved in other national jurisdictions, that can do so here in Canada, and in Quebec.

I would like, however, to be able to believe that the whole issue of the definition of marriage, even if addressed in this bill, will continue to be debated. I believe that our societies are undergoing such changes that not only will common law unions be recognized but also that partnerships between persons of the same sex will be given more formal recognition.

In my opinion, this is debate that is not over. It ought not to be, because there are those who support a more formal recognition of common law unions between persons of the same sex. There are others who wish to see marriage reserved for people of opposite sexes.

The debate will progress as our society progresses. I trust that this change will take place within the context of respect for institutions and also of respect for convictions. I hope that it will, above all, take place with respect for the equality of men and of women.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, first of all, I would like to explain the nature and the purpose of this bill. There are those who would have us think it covers a much broader range of situations than is actually the case.

This bill has nothing to do with marriage or adoption. Basically, for reasons of fairness, it seeks to amend certain benefits or obligations so that couples living in common law relationships, whether those relationships are same sex or opposite sex, are treated equally before the law. That is the essential purpose of this bill.

All that the proposed amendments do is give effect to the May 1999 supreme court decision in *M and H*. The purpose of the bill is to amend 68 statutes so as to include same sex couples in the definition of common law couples.

In the past 20 years, most provincial governments in Canada have brought in legislation prohibiting discrimination on the basis of sexual orientation. The adoption of the Canadian Charter of Rights and Freedoms changed the legal framework with respect to the equality rights of homosexuals.

I wish to note that the Canadian Charter of Rights and Freedoms was based heavily on the Quebec charter, which preceded it. Already in 1977, that charter specifically prohibited discrimination on the basis of sexual orientation.

The legal aspects of sexual orientation have to do with two main principles: first, prohibiting discrimination in order to protect gays and lesbians against discriminatory actions; second, recognizing homosexual relationships, which implies granting the partners in these couples the benefits and guarantees enjoyed by unmarried heterosexual couples.

This bill is therefore not about the institution of marriage, even though an amendment was made to specify that the word “marriage” means the lawful union of one man and one woman. I do not see the point of that provision, but if it can reassure some people, fine.

It seeks to prohibit and eliminate the most pernicious forms of discrimination based on the individual characteristics of a group or an individual, including race, language, religion, but also sexual orientation.

The bill recognizes that society finds it unacceptable that certain groups not be treated fairly, including when it comes to social benefits and guarantees.

The fact that the bill includes sexual orientation as a prohibited ground of discrimination does not mean that homosexuality is either condoned or condemned, but rather that we are concerned about providing legal protection to individuals.

• (1545)

It should be noted that the proposed amendments are not all one sided. They will provide new benefits to same sex couples, while also imposing new obligations on them.

Here are a few examples. In the area of taxation, the total household income will be taken into account for the purposes of the child tax benefit, which was not the case before. The incomes of both spouses will also be taken into account to determine eligibility for the guaranteed income supplement.

Under the Bankruptcy and Insolvency Act, same sex couples will be subjected to the same restrictions regarding the transfer of properties or of their goods before declaring bankruptcy.

In the Canada Business Corporations Act, the prohibition against a shareholder, an associate or an administrator receiving financial assistance from a company will extend to same sex partners.

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In the Bank Act, with respect to conflict of interest, the partner of a director will be taken into account.

In the Canada Elections Act, a returning officer cannot appoint a partner as a deputy returning officer.

In the Trust and Loan Companies Act, same sex partners are included in connection with additional fines the court may impose on the partner of a person convicted of an offence under the act who has acquired any monetary benefit.

These are obligations that did not exist. There will be benefits, but obligations as well, so that these people will be treated as are all citizens of Canada.

There is nothing unique or revolutionary about this bill. I was saying that it arose out of many supreme court decisions. All of these cases were won by those who had brought them before the court. We are confronted to fact and law.

Since 1997, a number of provinces have acted, including British Columbia. They have amended their laws to include partners of the same sex. In June 1999, for example, Quebec amended 28 laws and 11 regulations to give same sex couples the benefits and obligations as opposite sex couples living in a common law partnership. In October 1999, Ontario, under Mike Harris, passed an omnibus bill amending 67 laws in accordance with a supreme court decision. I think this reflects a realistic attitude.

Seven provinces, the three territories and the federal government have passed legislation granting same sex survivor pensions to their employees. This is also the case for major Canadian cities in any region, British Columbia, the Prairies, Ontario, Quebec, the maritimes, for more than 200 Canadian companies in the private sector, hospitals, libraries, social service institutions and banks.

This is therefore a strong trend, if I can put it that way, aimed at adaptation to the modern world, to today's situation, to what we are experiencing today, to what we know exists even if some people want to hide its existence. This is a reality that cannot be made to disappear.

Polls confirm, moreover, that the public wants to see an end to discrimination based on sexual orientation. A 1998 Angus Reid poll reported 74% of respondents were in favour of federal benefits to same sex couples; 67% of respondents were of the opinion that same sex couples should receive the same benefits and also have the same obligations as common law spouses; 84% believed gays and lesbians should be protected from discrimination.

As these results show, this bill meets the expectations of the public, who feel that discrimination based on sexual orientation is inappropriate. This bill proposes some concrete measures that go beyond declarations of good intentions. Going beyond sexual

orientation, this legislation gives equal treatment to every citizen, regardless of sexual orientation.

I dealt with this situation some fifteen years ago when I was a union negotiator. In 1986, I believe I signed the first collective agreement, in Quebec anyway, giving same sex couples the same benefits as opposite sex couples. This trend has continued, with the result that in the hotel industry, the sector in which I was negotiating at the time, most owners of hotels in Quebec recognize this reality. And this did not entail huge costs because these people pay taxes just like you and I do.

• (1550)

Once again, this is not a bill about sexuality or marriage—it is a bill about equity. I understand that some people are hesitant because of some of their values, often rooted of course in religious beliefs, but the religious beliefs of some must not become the law governing others.

Religion is an individual affair for which I have the greatest respect, but it must not be imposed on others. On occasion, we must recognize values that we do not necessarily share but that are held by others who in no way interfere with or denounce our beliefs.

In this sense, I think that this bill corrects the injustices we are now experiencing and have experienced for a long time. I believe it is time that we brought our laws into line with reality and the readiness of Canadians and Quebecers to accept those whose orientation is different but who are making a contribution to our society, just as they, I and we all do.

[English]

**Mrs. Karen Redman (Kitchener Centre, Lib.):** Mr. Speaker, I am really pleased to have this opportunity today to contribute to the debate on Bill C-23, the modernization of benefits and obligations act.

This omnibus legislation is about fairness and about equality for all people in common law relationships, but since it still does not seem to be fair to some members of the House, I will take this opportunity to state what this bill is about and how we got to where we are now.

At its core, this bill is about ending discrimination. The courts have made it clear that benefits and obligations extended to common law opposite sex couples must be extended to common law same sex couples.

Recent court and tribunal cases under the Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act have found that federal policies and programs discriminate unfairly on the basis of sexual orientation.

On May 20, 1999, the Supreme Court of Canada ruled on the issue of spousal support in the case of *M. v. H.* The spousal support

provisions of the Ontario Family Law Act were found to be in violation of the charter and that they unfairly denied same sex unmarried couples legal treatment available to opposite sex unmarried couples.

After the *M. v H.* decision, the government of Ontario was given six months to amend its family law legislation. Following *M. v H.*, most of the other provincial jurisdictions also announced that they too would amend their laws to gain compliance.

The purpose of the bill before the House today is to ensure equal treatment in federal legislation for same sex and opposite sex common law couples, while preserving the clear legal distinction between unmarried couples and married persons.

The bill uses the term spouse or common law partner, in French un époux ou conjoint de fait, where no neutral term could be found, such as survivor. The terms common law partner and conjoint de fait are defined and include both opposite and same sex couples.

Bill C-23 amends 68 statutes to ensure they encompass common law opposite sex couples and extend benefits and obligations granted to common law opposite sex couples to same sex couples and their family members.

This omnibus bill is about benefits and obligations. The following are a few examples of some of the benefits and obligations. It is useful to remind people that this is the substantive part of this bill.

Under the Old Age Security Act, a low income married person or a common law opposite sex partner may claim a guaranteed income supplement which is determined on the combined income of both spouses or partners. Bill C-23 would provide that eligibility to GIS for a common law same sex partner, based again on the combined income of both partners.

Under the Canada Pension Plan, the surviving spouse in a marriage, or the surviving partner in a common law opposite sex relationship, may qualify for survivor benefits, based on his or her spouse's or partner's contributions to the plan. Bill C-23 will provide that in similar circumstances. The surviving partner in a common law same sex relationship would also qualify for survivor benefits based on his or her partner's contributions to the plan.

• (1555)

Under the Bankruptcy and Insolvency Act, there is a limit to the ability of married persons to transfer ownership of their home or property to their spouse prior to declaring bankruptcy. Bill C-23 will provide that that common law opposite sex and same sex partner will be subject to the same limitations on transferring ownership of their home or property to their partner prior to declaring bankruptcy.

Clearly Bill C-23 should be endorsed by all parties for it is a necessary piece of legislation. It has already been entrenched in

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provincial legislation and it is an end to discrimination and bringing fairness. That is something that all Canadians should support.

**Ms. Marlene Catterall (Ottawa West—Nepean, Lib.):** Mr. Speaker, I am pleased to have the chance to speak on this bill again. I have been listening with some interest to comments from the other side of the House about how this legislation is going to undermine marriage and families. Mr. Speaker, if you tried to book a church or a hotel in this city or in any city across Canada for a wedding in less than a year, I think you would know that the institution of marriage is alive and well and thriving in Canada.

Members opposite have made the argument that only people married should be entitled to benefits and that the purpose of benefits, pension plans, health plans and so on is to assist in supporting a family with children. I think that proposition would lead most people who contribute to benefits ineligible for those benefits. It would exclude any family, like mine, that has already had their children and no longer able to have children. It would exclude any married couple that does not wish to have children, does not plan to have children or is unable to have children. It would exclude anyone who does not fit the very narrow definition of the traditional family, that does not represent the majority of families in this country.

During the debate members opposite have stated that Bill C-23 is further evidence of this government's anti-family agenda. This kind of hyperbole may make good sound bytes and good headlines, but it does not make a lot of common sense.

Let us look at the provisions of Bill C-23. A member opposite made a reference this morning to "good families". This member's definition of a good family is a mother and father who are married and have children. Everyone else is excluded from what is a family.

I ask the hon. member, what about lone parent families? What about couples without children, families where the parents are common law partners, either opposite sex or same sex? Are these bad families by inference? I do not think so. I think most of them have the same commitments as those who happen to be married, to look after each other, to share with each other and to contribute to their community.

The government recognizes that there are many types of families in this country. This government's agenda supports families and does not make distinctions between what is a good or a bad family.

A significant number of the provisions of Bill C-23 have been drafted to allow common law partners, either same sex or opposite sex, to name each other as beneficiaries in their pension plans, pension plans I remind the members opposite, which they contribute to either as employees or as taxpayers. These provisions in Bill C-23 do not take away existing benefits from other couples from

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what would fit the opposition's definition of a good family. They will not take away pension provisions for children. In fact, these amendments will provide additional protection for children whose parents are in common law relationships.

• (1600)

Bill C-23 will encourage common law couples, both opposite sex and same sex, to plan for the financial future of their partners, reducing the burden on the state when people are left destitute. How can encouraging people in committed, caring relationships to look after each other be a threat to the family?

How is Bill C-23 anti-family when it repeals the last few remaining references in federal law to illegitimate children? What a horrendous reference. I give great credit to my colleague from Ottawa Centre for introducing a private members' bill on this subject, to remove that horrible term from all federal legislation. It is finally done in Bill C-23. It has finally put every child on the same footing in this society.

I do not see how Bill C-23 can be anti-family when it amends a provision in the Canadian Peacekeeping Service Medal Act that will allow common law partners to be included in the list of next of kin who may receive a medal on behalf of a partner who is awarded a medal posthumously. How is amending that provision anti-family?

How is Bill C-23 anti-family when it removes from the Bills of Exchange Act antiquated reference to "his wife, his clerk or his servant" or the obsolete reference to the "father, son or brother of a master" which currently appears in the section from the Trade Unions Act which is being repealed in this bill?

How is Bill C-23 anti-family by amending the Bridges Act to clarify that common law partners may also be included in the list of persons who can establish a claim in the event of an injury or death of a partner on a bridge? How is it anti-family when it amends the Carriage By Air Act by adding common law partners to the list of persons who can sue an air carrier for damages when there is a death of a passenger?

These are only a few of the examples of the provisions in Bill C-23. Where is the threat to Canadian society when we encourage people in this legislation to have a mutual relationship of care and interdependence? I think that strengthens society.

The bill does not take away from society or families; rather it encourages people to look after each other by extending both benefits and obligations. It is about fairness and tolerance. Anybody who thinks this bill is anti-family either has not read the legislation or chooses to misunderstand and misrepresent it.

During the course of this debate we have heard comments that are both hurtful and hateful. I regret that very much because I do

not think those kinds of comments toward anybody who is not married represent the views of most Canadians or of most members of the House of Commons.

We have before us legislation that further extends fairness and equality of treatment in our society. That is an advance for society and for families. It is not a retrograde step.

**Mr. Eric Lowther (Calgary Centre, Canadian Alliance):** Mr. Speaker, I listened to the hon. member's comments with great interest. She made some valid points.

There is one I would like her to address. Many people consider and certainly many have petitioned the House and written letters to all of us that in many ways marriage is the initial foundation for families. Empirically the government's own report, the longitudinal study on children and family, showed that children do best when they are raised in a marriage between a man and a woman.

It is interesting that this bill does include a definition of marriage at the front end. Unfortunately because of where it is placed, according to expert legal opinion, it will not have any force or effect. Therefore the official opposition, the Canadian Alliance party, brought in a number of amendments to enact the definition of marriage for each of the particular acts referred to in the bill.

• (1605)

Parliament would be giving a clear indication of its intention to the courts and to the public at large. It would change this bill from being mute or saying nothing on the definition of marriage to the courts when the challenges come to redefine marriage. In fact there are some cases in the court system already that will be before the supreme court before long. By putting the definition of marriage right into the statutes, which is what we wanted, we would actually be sending a clear message that we have a positive position on what the proven best foundation for family is, and that is marriage.

I would ask the hon. member that if it is good enough to put in the preamble, why is it not good enough to put in the statutes?

**Ms. Marlene Catterall:** Mr. Speaker, the member made two points and I would like to reply to him on both.

The law is quite clear and has existed for 150 years in common law. It is exactly what marriage is and the House reaffirmed that definition within the last year. It is merely being emphasized, and not changed, by being put in the preamble of the current legislation. As a good legislator I do not like to be redundant. If we already have law, we do not have to have more law that says the same thing.

The hon. member also referred to the study on children. It is important to note that we have children in our society in all kinds of family situations who have problems. We put far too much

emphasis, and the party opposite is the worst for doing it in my view, on punishing children when they get into trouble with the law rather than supporting and helping children whatever their family situations.

We have to pay a lot more attention to young children in our communities. As communities we have to be far more supportive of the development of children and of the families that raise them, and perhaps particularly of lone parent families who have extra stresses on them. One parent may be trying very hard with an inadequate income to raise children and deal on his or her own with all the pressures of parenthood. They are not getting enough support from their society.

Perhaps the party opposite with its new name would want to take a new approach to children who do get into trouble that deals with helping and supporting them, rather than punishing them when it has gone too far. Denying them benefits as children within whatever kind of family does not contribute to help those children grow up well.

**Mr. Chuck Strahl (Fraser Valley, Canadian Alliance):** Mr. Speaker, it is a pleasure to speak Bill C-23, the modernization of benefits. I would like to share my time with the hon. member for Elk Island which means that I have only 10 minutes to put together what I think is a strong argument for sending this bill back to committee for further study and input. I would like to quickly go through that.

First, this bill is an example of a very lousy way to develop public policy. Imagine a bill as broad as this one which affects 68 or 69 different statutes and debate has been limited both here in the House and in committee. That is not a good way to develop public policy.

Second, limiting the number of witnesses who could appear before committee is a very poor way to develop a policy initiative that is going to have broad ramifications for years to come. It is a poor way to develop policy and it was done with this bill by the Liberals. It will be to the detriment of this bill in the long run for not having heard from people from all walks of life.

It is interesting that when the government wants to trot out the finance minister's prebudget tour, it sets aside \$500,000 and all kinds of time in the House and on the road to talk about whatever the finance minister may want to talk about. However, when it comes to substantive policy initiatives, such as this one, the committee is told to stay here and not to hear from the people who may want to make presentations. The government is going to ram the bill through and Canadians are going to have to live with it.

• (1610)

Third, there is a refusal to acknowledge provincial interests in the bill. The government would not even listen to provincial

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ministers who had interests in the bill. It would not even consider their concerns on the implications that this would have on provincial interests. It is always a mistake to ram legislation through that does not take provincial interests into account.

Finally, this is a big issue. A bill that will impact on society as much as this one will should have been preceded by a broad public policy debate and initiative to discuss the roles of the government, the private sector, individuals, the family, the charitable sector and other sectors in the society to come. When we talk about 21st century society, these things should have been discussed as a preamble or philosophical underpinning on any future policy debates with as much impact as this one. None of that broad policy debate took place. Instead, we were handed this as a done deal and told we would have to live with it.

It is interesting that most of Canada's public policy initiatives came after the second world war, such as the Canada pension plan, our health system, maternity benefits and a whole realm of social benefits. If we think about it, the 1940s was a different era in Canadian and world history. I am talking about where public policy initiatives should go in the next century. However we are talking about an old system based on the 1940s and the government wants to add another category or two and continue on with the same old set of benefits, and they are old.

The public policy initiatives and interests in this type of a bill should be debated. I am very disappointed the government chose not to have that discussion. We could have settled a lot of issues about who should and who should not get benefits based on public interest in this bill and in many others.

This is such a poorly crafted bill that it should be rejected. It is interesting that throughout this debate the government has failed to adequately define terms, such as conjugal relationship. The courts will decide one day, as they have so often been forced to do because of poorly defined terms, poorly drafted legislation and frankly, the lack of political will on the Liberal side to take a definite position and give it to the courts. Instead the Liberals say that it is a toughie so they will hide behind the courts.

I do not blame the courts. They will have to rule on this, as they should. They will come back and say that because it is so poorly defined they will put the definitions in place. What a poor way to craft legislation that will affect all Canadians for years to come. The Liberals throw up their hands and say that the courts are better qualified than the House of Commons. That is a shame. Lawyers are going to have a heyday. Mark my words, there will be case after case in the courts for years to come.

Evidence that it is a poorly drafted bill is the last minute attempt to define marriage in the preamble of Bill C-23. The minister came to committee, tossed in the definition and said "How about this definition, what do you think of it?" The definition is fine enough and one which the Reform Party now the Canadian Alliance,

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supports. However, it was strictly a public relations exercise. It does not affect any of the 68 or 69 statutes that are going to be amended. What it does is it allows the government to stick out its chest and say that it has made a small change.

As far as the actual statutes are concerned, there is no change. There is no emphasis on marriage in those statutes. In years to come when we open any of the some 60 statutes, we will not be able to find a single reference to marriage. That is a serious error. It is okay to have it in an omnibus bill but when the courts, the lawyers and departments get involved no one will find those words defining marriage in any of those statutes. That is a huge failure and another sign of a poorly drafted bill.

• (1615)

Finally, there is the refusal to include amendments of substance. My colleague who has been shepherding the bill through the House asked if it was good enough for the preamble of the bill why was it not put in the statutes. Instead of an answer from over there we get absolutely nothing from the government. The truth is that it does not want to put it in because it does not want to give it substance. That is a shame.

The government is going to ask the courts to decide. It is going to ask some bureaucrats to try and fish the information out of somewhere, I guess out of a black hole. The truth is that it refused our amendments and amendments from its own members because it did not want those amendments to see the light of day.

How does a bill that has been so poorly developed, that has had such little debate and has had such a low priority with Canadians, receive such a high priority with the government? That is a question we should ask today.

Would it not have been better to introduce a whole package of measures for which Canadian families have been clamouring? This bill was not in the Liberals red book. It was not on the campaign trail. It was not in any of their literature. It just came out of nowhere.

Instead of addressing the concerns of Canadians, for some reason the bill is big enough and of high enough importance that the Liberals had to get it through the House. They had to push it through using every procedural trickery they could get away with.

What is going on? Why did they not make the tax regime fair so that families and not the taxman make decisions about their children and how they should be raised? Why did they not do that? They did not.

It is interesting that every significant issue related to family and marriage has been brought forward by the opposition as a supply day motion in the House, and nothing has come from the Liberals. A motion which said that the federal tax system should be reformed

to end discrimination against single income families with children was defeated by the Liberals.

We managed to get the definition of marriage through, but imagine all the crying and complaining on that side about how it was a divisive and terrible thing to be debating. We brought that forward. We were proud to bring it forward because it ended up being the definition the minister used in her own amendment. We had to bring it forward.

We had to say that health care should take priority over government grants. That was this spring. They defeated it. They want more government grants and less health care. It does not matter what are the issues. It could be the Sharpe case or protecting our children. They would not do it even though their own backbenchers asked them to do it.

The opposition side, which will be the government one day, said that we should be dealing with it and the government said no thanks. I have been here for seven years and the Young Offenders Act is still in committee. We still are not protecting children. The drunk driving bill is still lost in the black hole. The consecutive sentencing issue was never brought forward by the government. It was brought forward by a backbencher.

Conditional release, victims rights, at every stage when we are looking after the family and trying to give families priority from this side of the House, it is opposed by that side.

Why is that? Where are the priorities of government members coming from? I do not understand. They are running scared, it seems, not just from the courts but from Canadian public opinion, not wanting to deal with the issues which Canadians hold close to their hearts.

**Mr. Leon E. Benoit (Lakeland, Canadian Alliance):** Mr. Speaker, I have heard members on the government's side and from other parties talk about the different kinds of situations in which people raise children today.

I think that is reality. I am the first to congratulate parents who raise their children in all these various types of situations, from a single parent to any other imaginable situation. I congratulate them for raising their children under what is often less than ideal circumstances.

When members opposite comment on this, do they believe that the ideal situation in which to raise children is to have them in a home where there is one male and one female parent? If they believe that is the ideal, is it not at least a laudable goal of government to try to accommodate that ideal? I am not saying to try to promote that ideal. I am just saying to try to accommodate it at least in law. That is a question I would appreciate all members on the government side who speak on the bill to answer.

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• (1620)

Does the member for Fraser Valley East believe that the bill helps accommodate what I believe is an ideal situation? Others may feel differently about the mom, dad and kids scenario, but has the government tried to accommodate the situation I see as ideal in the tax laws? It is certainly not the only acceptable situation, not reality in many cases, but the ideal. Has the government through the various legislation the member has seen come before the House tried to accommodate that ideal?

**Mr. Chuck Strahl:** Mr. Speaker, I will try to answer that question. In our caucus we analyze every bill that comes before us. One question we ask is how it will affect the family. It is not the only question we ask. We also ask how it will affect the economy and how will it affect the environment. We ask a series of questions as we do our analyses.

One of the questions we feel is proper to ask is how it affects the family. Does it somehow strengthen the family? A family is anyone related by blood, marriage or adoption. We are not trying to have a restrictive definition of a family, but we are saying that there is a role in government to enhance families.

When we analyze the bill we do not see how it is strengthening families. We have not been able to analyze how it will do that. As I said earlier it is worthy of broad debate, which I think should have preceded the bill, on what is the public policy interest in the bill or in any other social service bill and whether we can demonstrate that it will be of benefit to society.

As the member for Lakeland already mentioned, there is a demonstrable benefit to giving parents the maximum freedom to raise their children in the way they see fit. For example, why are single income families making \$60,000 a year penalized under the current tax system, discriminated against and told that if they put their children in registered day care they will get a tax break? However, if they choose to use Aunt Bessy or grandma or someone to look after their kids, they do not get any help. There is no tax benefit for them because they have made a choice. The taxman tells them whether or not they will get a benefit. It is not up to them to look after their kids the way they want. If they are put in registered day care they are given a tax break, but if they are looked after within the family unit they do not get any help. What kind of a law is that?

Surely parents have the best interest of their children in mind. They base their decision on many circumstances. Their desire to go to work, their necessity to go to work, the closeness of their family, the closeness of day care services, and all kinds of other factors are taken into account. Based on those factors they decide to raise their kids whatever way they choose. They may choose to look after them at home.

However, under the Liberal regime the taxman says that it is not up to families to make that decision. It is up to the taxman to make

that decision, who makes it impossible for them to look after their kids in that way unless they choose the way they are told to raise their families. That is wrong. That is why the Canadian Alliance says it should be up to individuals and families to make the decision, not up to the revenue minister.

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, I am honoured to be able to participate in this debate. I am a dad. I am a grandpa. I have four wonderful grandchildren.

Today is a very special day for our family. April 11, 1935, was the date that my parents pledged to each other to live together for as long as they lived. They are today celebrating their 65th wedding anniversary.

**Some hon. members:** Hear, hear.

• (1625)

**Mr. Ken Epp:** It is 65 years of wedded bliss, according to my dad. I am just kidding.

**An hon. member:** It seems like much longer.

**Mr. Ken Epp:** Yes, it seems like longer. Anyway, I want to take a few seconds to thank my parents. When I think of the family in which I grew up, we had parents who loved each other, who loved us, and we knew it.

I have related in the House before the story of the day when I was guilty of a serious transgression, having gone with some of my older cousins to an abandoned house and broken all the windows. I cannot believe I did it but there I was, a little nine or ten year old.

My father, and I just love him for it, took the time to take me to the man who owned that house and to hold me accountable. I had to ask that man to forgive me for what I had done. Dad also required that for the next three or four years all the money I earned went to pay for the damage. He held me accountable and I thank him for that.

We saw the love that our parents demonstrated to each other and to us, the level of discipline that requires, and the level of very loving discipline they gave their children. It would have been almost impossible for my brother and I to have grown up to be criminals. It would have been impossible because we just saw the opposite so richly modelled.

I remember, again just thinking of my parents on their anniversary today, how often they reached out to help other people in need. We were always participants in it. I do not have the time today to talk about the details, but we had a tremendous example in our home.

For about the last 20 years my mother used to pray that she and my father would outlive my invalid sister. I have talked about her

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in the House too. When she passed away just a couple of weeks ago, it was a tremendously emotional time for our family. While we were saying goodbye to our sister whom we loved so dearly, we were also saying thanks to mom and dad for all those years of being faithful to the trust they had to make sure that she was looked after. It was my mother's heart that said "Lord, we want to outlive Marion so that we can make sure that she is looked after". The Lord granted that request, and for that my family is very grateful.

When I say that in preamble to my comments today, I am saying that strong families are indeed the backbone of a good and healthy society. I do not in any way apologize for that. I am not ashamed of the fact that the ideal is a mom and dad loving each other for life. They nurture and care for their children. They make sure that they are looked after physically and that they have a very strong upbringing. The children are taught to care for others, to love one another and to forgive one another when we err, as we all do. They have that strong foundation.

As some of my colleagues have mentioned, I would be much better pleased if the Government of Canada would just spend some real time making sure that government policy was supportive of that ideal instead of doing what it does.

As my colleague who just spoke indicated, often the decisions of the government are negative for families. We have families who are literally struggling financially. They cannot make ends meet. They both have to go to work to pay their taxes and to try to provide for their children. I cannot for the life of me figure out why the government cannot have as a tax policy a special break for families that are providing the absolute best, an ideal environment for the upbringing of their children.

● (1630)

I know that I and other members of my party have been subject to quite a bit of negative comment because of our stand. I would like to put that to rest.

There have been accusations of our hatred and many other terribly negative comments. Nothing could be further from the truth. I have to say that I have absolutely no interest whatsoever in showing any lack of support for people. That is what life is all about. It is about family. It is about friends. It is about life, and it is about love. I reject outright their accusations.

In saying that, I would also like to add that some of the things the Liberal members opposite have said about us have been hurtful. We are tempted to yell back and say "You are just not right". But because of the heavy emotional things which have gone on in my life in the last couple of months, and pardon me if my voice breaks a bit, I am really hurt by them. I do not care whether it hurts me, but that a member can look at another person and make an accusation

so flippantly about presumed attitudes or the presumed motivations of other people, without knowing the facts, is not good for us. I really wish that Liberal and other members would not do that.

Undoubtedly, I have concerns with this bill. That does not mean I do not want to reach out a helping hand to those who have genuine need. It is just the opposite. In fact, if I have one major criticism of this bill, it is that it is passed off as bringing equality when in fact it will not. All it will do, in true Liberal style, is bring in another group to be included in the circle, to the exclusion of all others. I reject that.

I know of a number of people who have cared for and lived with each other for years and years. There is nothing in this bill for them. There is nothing here about equality.

I am thinking about two of my friends, two sisters who never married. They lived together with their mother for many years, until their mother died, and then they kept on living together in their house. I assure the House that there was never any conjugal relationship between them. Does the government recognize their need for sharing their benefits? No. No, it picks out one group and says that this is all about equality. It is not. It is about the group it has chosen, and that group right now happens to be people living together in homosexual relationships. That is what this bill is all about.

I also have heard over and over that this bill has nothing to do with marriage. That is interesting. I wondered if it did, so I opened it and I was absolutely amazed to find that one of the very first words in the bill was "marriage". That was before the amendment.

The short title states:

This Act may be cited as the Modernization of Benefits and Obligations Act.

Clause 2 amends the Agricultural Marketing Programs Act. Subclause 2(1)(ii) states:

—marriage, in the sense that one is married to the other or to a person who is—

It goes on from there. The government says it is not about marriage. The very first word is "marriage". In fact, it is about marriage. It is about a relationship. The government is referring to two people living together in a relationship which is similar to marriage. That is what it is doing, in effect.

I can assure the House that neither my parents' marriage nor my marriage will be threatened by this bill. Absolutely not. But in a way it does change the meaning of marriage when couples living in relationships which are not marriages are treated exactly the same. Then, indeed, the practising definition of marriage will change.

I regret that my time is up, because I could have gone on.

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• (1635)

**Ms. Marlene Catterall (Ottawa West—Nepean, Lib.):** Mr. Speaker, I have to comment because the member for Elk Island referred to what we are doing as bringing another group of people into the circle.

When the circle is Canadian society and we are talking about people who have for too long lived in the shadows and on the fringes of society, does the member not believe that bringing more people into the light and into the circle of Canadian society would be positive, not negative? Does he not think that bringing people into the circle of the Canadian family would strengthen society, strengthen Canada, and would allow people to live full and complete lives as accepted members of society, rather than being seen as pariah and somehow outside the mainstream?

**Mr. Ken Epp:** Mr. Speaker, I have indeed thought about this question over the last six years since I became a member of parliament. I remember often discussing this topic. It seems to me that it comes up every time the Liberals are in some sort of public relations fiasco. They come up with another bill on same sex benefits and they keep talking about equality, widening the circle and so on.

In every case the Liberals have added to the list. That is not what spells equality. To me, the list is not complete until everyone is on it. I do not know why they insist on simply adding to the list. Why do they not come up with a policy that looks at needs?

There are many examples. One example is the case of the natives in this country. We try to accommodate the way in which they have been mistreated and mishandled for so many years by giving them special benefits based on their race.

Would we not be better off if we looked at the needs and provided for people based on need, as opposed to race, colour or other characteristics?

The list will not be complete until everyone is on it. I might also add, parenthetically, even fat people.

**Mr. Chuck Strahl (Fraser Valley, Canadian Alliance):** Mr. Speaker, I enjoyed the speech of the member for Elk Island. As always, he brings a personal touch to it. He jokes a bit about his big size, but I think everybody knows that he has a big heart and he wears it on his sleeve.

As we debate this subject it is interesting to note that tomorrow is my 25th wedding anniversary. I do not claim any expertise. In fact, I think that 25 years should qualify a person for a novice badge, realizing how little we know about the institution. That being said, marriage has been a wonderful institution for me. I have a wonderful relationship with my wife, Deb, which I treasure. I

work very hard on maintaining a good relationship and I look forward to another 25 years.

The member for Elk Island talks about the groups that have been added and, specifically, homosexuals. Does he think there are other types of relationships, not necessarily having to do with marriage, which are important? If the relationship does not have to do with marriage, does it still count? He mentioned relationships involving two sisters living together. Would those other relationships, though not marriage, be important?

**Mr. Ken Epp:** Mr. Speaker, absolutely. I could think of hundreds of them.

I think of my own friendships before I was a married man. I used to joke that a single man does not know what true love is until he is married, and then it is too late. Of course that was in jest.

• (1640)

Both of our sons were well on in years before they were married. In fact one of them is not yet married. They have very close friends. They live together, they share costs and expenses. They have a relationship which I do not think should qualify under this bill. The problem I have is that when the government attempts to come up with a list of everybody who is entitled to this or that, or whatever, the list never ends. That is the flaw of this legislation.

[*Translation*]

**The Acting Speaker (Mr. McClelland):** It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Halifax West, National Defence; the hon. member for Toronto Centre—Rosedale, Iran; and the hon. member for Québec, Parental Leave.

[*English*]

**Mr. Mac Harb (Ottawa Centre, Lib.):** Mr. Speaker, I want to congratulate the Minister of Justice for taking a bold approach, for her leadership and for finally putting into law what has been a long awaited response to an injustice.

I want to speak about one aspect of the bill, which is the element that deals with children. This is an omnibus bill which will amend a number of acts. As part of the bill there is an element which is dear to the hearts of many of my colleagues on both sides of the issue, that is, children. Whether people are in married relationships, common law relationships, whether they are single mothers or fathers, children are very important to all of us.

To that extent I would say that I am exceptionally happy that the minister is implementing an initiative which I introduced in parliament quite a few months ago, which deals with the removal of any reference to illegitimacy in Canadian law. When I ap-

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proached the minister and her officials on the issue the answer was yes, without any debate whatsoever. It was only that it would be a matter of time to implement it. I was given the assurance that at the most opportune time it would be done.

I cannot say how happy I was when this bill was first introduced and the minister and her officials indicated to me that the amendment to the bill was in place and that from here on we would treat all children across Canada on an equal basis, without reference to whether a child was born within a marriage, a common law relationship or out of wedlock. We will look at children as children and treat them as such, and in whatever we do we will always look to the best interests of the child in every decision we make as a society.

With that element alone we have moved another step toward ensuring that justice will be done for all.

The bill is another step toward ensuring that we respect the UN Convention on the Rights of the Child and that we are in compliance with that convention, which clearly states that governments at all levels have to review their laws to ensure that they are in compliance with the UN convention and that they respect the best interests of the child and ensure that the child's interests are always paramount in everything we do.

• (1645)

The bill has taken another step toward ensuring that we respect the charter of rights and freedoms that treats all Canadians equally regardless of age, sex, place of origin, religion or their abilities or disabilities.

This is a flowery day, as it is for my colleague from Alberta whose parents are celebrating their 65th anniversary. It is also a rosy day for a lot of children across the country, in excess of two million children, some of whom are sitting on both sides of the House of Commons. They came up to me after I introduced a bill last year to thank me for doing something about it because they did not know that under Canadian laws they were considered to be illegitimate.

As hon. members know, everyone here in the House is a legitimate individual who has the right and has earned the right to be here and to speak out. I would say it is a happy day for all of them.

At the same time, it is a happy day for all of those moms and dads who will be able to look back and say that they corrected an injustice that existed in our laws. It took this minister and this government to show leadership and take the bold approach to do something about it.

Everyone will now be equal under the law and our children will be equal under the law. Whether a child is born to a married couple or an unmarried couple will not longer matter. When some of my

colleagues stand up in the House of Commons and give lectures about the importance of family, what about the importance of the child? Why would we not stand up in the House and make that priority number one? Notwithstanding the background or the economic condition of the family, why would we not stand up and ask what is in the best interests of the child?

What the government has done is in the best interests of the child. It is not right for us to turn around and say that only in a family situation where the mother and the father are married will we have a happy situation. That is not always the case. Many children do live in families where there is abuse or they are not receiving the proper attention and care that they deserve. If it was up to me, I would rather see a child without a family than living in a situation where the family is abusive to the child.

To that extent, it is hunky-dory for some of my colleagues to stand up and give us lectures about the fact that it is important to ensure the family unit without taking into consideration the importance of ensuring the best interests of the child in that family unit. Never mind whether it is same sex, opposite sex, single sex, double sex, quadruple sex, the bottom line here is that we have to do what is right.

With this legislation, the government has done what is right. We had a decision by a court. I am embarrassed that we had to wait until a decision was made by the court for us to do what we should have done a long time ago, which is to bring justice to the floor of the House and to society.

• (1650)

Mr. Speaker, there is a gentleman, we both know very well, who said something exceptionally good and respectful. It was Pierre Elliot Trudeau, my idol. What he said continues to ring in my ears every time this debate surfaces inside or outside the House of Commons. He said that the government has no business in the bedrooms of the nation.

For my colleagues over there to stand up with their homophobic attitude and lecture us about what is and is not civil and what is or is not morale constitutes an immoral intrusion into the bedrooms of the nation. They have no business trying to tell people how to live their lives.

We were elected to enact legislation and laws that provide equality for all citizens regardless of their relations, backgrounds, religions and physical or colour differences. It is our responsibility to ensure that we have laws that treat everybody equally. The legislation that was introduced by the minister does just that.

My colleagues should not concern themselves about the possibility of two people of the same sex, whether they be two males or two females, lying about about having conjugal relationships because the law is quite clear on that. It constitutes a fraud under Canadian law and they could be prosecuted.

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We already have legislation in place that governs people in common law relationships. To turn around and start twisting the whole issue from what it is, an issue of fairness, into a question of an offence on the institution of marriage, is total rubbish. Frankly, that is skirting the debate in the wrong direction. It takes it from one end of the spectrum and puts it in the bush where it does not belong.

We must continue to focus on what is before us. The institution of marriage is not affected. If members opposite want to define a marriage between a single man and a single woman, great, but our society today is different from our society of 100 or 200 years ago. Our society is a modern society that tolerates differences and takes into consideration the needs of the people. Our government has to reflect the needs of society.

If we move ahead with some of the suggestions by my colleagues we will be a troubled society. We must move forward and in order to do that we must be the mirror of society and respond to the needs of the people.

This bill is great news for two million children across the land who will be waking up tomorrow with a smile on their faces knowing that justice has finally been done.

• (1655)

I am honoured to have been given the opportunity to speak in support of this legislation. It is my hope that when it goes to the Senate it will pass quickly.

I have received a number of letters from across the country referring to this whole notion of differentiating between children, those born out of wedlock and those born of a single man and a single woman. Some of them felt terrible. Some are national journalists, politicians and prominent business people. Some of are members of the House in very prominent positions. These are good people and we have to treat them with dignity and respect. We have to do what is right for them.

I am quite honoured to be the member of parliament who introduced the bill, but I am more honoured to be associated with a minister who finally had the guts to stand up and correct the injustices that existed for such a very long time.

**Mr. John Bryden (Wentworth—Burlington, Lib.):** Mr. Speaker, I congratulate my colleague for bringing children into this debate because I, too, feel very strongly that this legislation has an enormous impact on children. Indeed, this is one of the reasons why I support it.

It finally defines same sex relationships as being outside marriage and because it defines, at last, marriage as being a lawful union of a man and woman, it creates a situation where, all things being equal, a child has the right to have heterosexual parents rather than same sex parents.

The difficulty in my view was that the courts were poised, up until this legislation, to define marriage as a same sex relationship. Had they done that, they would have extinguished the rights of a child, all things being equal, between a same sex couple as parents and an opposite sex couple being parents, to have heterosexual parents as the choice.

What happens now with this legislation is that it does not exclude same sex partners from adopting children. What it does, though, is it makes sure that the authorities have the discretion to make the choice between same sex parents or opposite sex parents.

I have never been one who was prepared, in the interests of expanding the rights of one group, to extinguish the rights of another, especially children.

It is true that this legislation is imperfect. I agree to some degree with the opposition that what it really ought to be about should be dependent partners. Sex should in no way be involved in this legislation. However, we had to move for the children because the courts were poised to determine that a marriage or a spouse would be an opposite sex relationship. If they had done that, then the right of a child to have heterosexual parents over same sex parents would have been extinguished.

This is not to say that same sex parents cannot be good parents. However, we do not know yet if heterosexual parents are absolutely equal to same sex parents. It does appear to us far more natural to have opposite sex parents. I should say far more normal because, whatever we are, we are all creations of nature or creations of God. I do not accept that it is unnatural to be homosexual. We are what we are, but it is certainly, shall we say, not normal as parents to be a man and a man or a woman and a woman, which is what this legislation addresses. It makes sure that, all things being equal, that children have the right to be adopted first and foremost by heterosexual parents as opposed to homosexual parents.

I would appreciate it if my colleague would comment on those remarks.

• (1700)

**Mr. Mac Harb:** Mr. Speaker, let me just go back to what this bill is all about. This bill is about implementing a decision that was rendered by a court. Plain and simple, the court over and over again looked at this issue and has sent over and over again the same signal to the government that what we have to do is ensure that there is no discrimination.

To a large extent the institution of marriage is not affected at all. In fact, my colleague the minister has taken the extra step in order to make an unequivocal statement in the bill to say that for greater clarity, a marriage is between a male and a female.

I would say for any of my colleagues to try to take the debate from what it is into a new territory is not doing justice any good. Simply put, the bottom line is that the court is telling us, "You have

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been discriminating against people who are living in a conjugal relationship who are of the same sex". We have a charter that clearly states unequivocally that we cannot discriminate against people based on their sexual orientation.

To that extent, as a parliamentarian I have to respect the law of the land. We have to implement what the law is telling us to implement.

I want to say to some of my colleagues that we have to get out of our shelters, go out in society and speak to our friends, speak to our families, speak to people we know in our constituencies and smell the roses. Societies have changed. I have no business trying to impose my beliefs on someone else. With regard to a person's sexual orientation, it is not my business to tell them how to live. It is not my business at all. The law tells me that it is discrimination for me as a parliamentarian to impose my personal beliefs on others.

To that extent I think shifting the debate from where it belongs to something else is not right, it is not fair and it is not appropriate. We need to get the facts straight. It is no longer acceptable in our society to discriminate against people based on their sexual orientation, their beliefs, their lifestyle, or on their background. We have to treat everyone fairly without any exception.

I do not understand why every few seconds my colleagues stand up on the other side of the House to try to lecture us on what is moral, rather than telling us really and truly what is their problem. Why can they not just realize that society nowadays is different than society was 500 years ago? Why do we have to continue to live in the dark ages of the 1200s? Why do we not move into the new century and do what is right?

In some cases I understand that it may not be popular for some of my colleagues to stand up and support what is right, but do you know what, Mr. Speaker? If I were in the shoes of any one of my colleagues, I would stand up and I would vote for this bill because that is the right thing to do.

**Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.):** Mr. Speaker, let me congratulate my colleague from Ottawa Centre. He made a very fine presentation to the House.

He touched on one point that I would like him to expand on. He mentioned children. It is society's attitude toward those children and how we must show that we can be accepting of them and not be discriminatory toward them and some of the struggles they are going through in a society which is all too often homophobic.

• (1705)

**Mr. Mac Harb:** Mr. Speaker, there is absolutely no doubt in my mind that what we as a society have to do is move to the next step and really start looking at the issue, as one of my colleague always says, with a holistic approach, which is to look at every element of

the law, whether provincial, federal or municipal, and always ask how this legislation or law will help the children and how this law is going to serve the interests of the child.

Unfortunately, at other levels of government, that is what is lacking. At this level of government in the House, what the government has been doing every single time legislation has come before parliament, whether very recently in the Department of Industry or the Department of Justice right now or the Department of Transport before that or the treasury board, every one of these ministries has introduced legislation in the House and we always find something in their bills dealing with children.

To that extent I would tell my colleague that he is quite right. Everything we do must first have the interests of the child at heart.

**Mr. Werner Schmidt (Kelowna, Canadian Alliance):** Mr. Speaker, the hon. member who just spoke asked why we have to take things back to the dark ages. What I want to do is bring this to the 21st century.

I wish I knew who wrote this but apparently it is anonymous. For the record, I want to indicate that there are four classes of people. There are those who do not know and do not know that they do not know. They are foolish. There are those who do not know and know that they do not know. They are simple and should be instructed. There are those who know but do not know that they know. They are asleep, and we should wake them. The fourth are those who know and know that they know. They are wise and we should listen to them.

There are many Canadians who fall into the fourth class. They know that they know. It has to do with marriage. They know what the institution of marriage is and they know that they know that. They also know what the definition of marriage is: the lawful union of one man and one woman to the exclusion of all others. They have told us that in thousands of letters, thousands of faxes, thousands of phone calls and thousands of e-mails. That is why the minister brought in an amendment to the bill.

We need clarity on this bill. Why do we need it? The way the government will vote on this particular bill will determine whether it really believes in democracy or whether it simply wants to promote its particular agenda.

Is it the people that the government will listen to, or will it ignore the representations which have been made and pursue an agenda it has set for itself in the interest of a particular position it wants to advance?

There are three points I want to make in the time left to me. The first is the need for clarity in legislation. The second is the need for a clear expression of the intent of parliamentarians as to what they want the courts to interpret in terms of law. The third is the need to recognize the significance of the message we send to society. It is for our children that we send this message.

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The importance of the meaning of a word reminds me of a passage from *Alice in Wonderland*: “When you use a word it means what we choose it to mean, neither more nor less. It is simply a question of who is the master, that is all”.

The other side of that coin is that whoever determines the meaning of a word is the master. That suggests then that the master in Canada is the court, which decided what marriage should mean.

What it ought to be is that we as parliamentarians better define what that meaning is if we want to be the master of the intent of what is meant and how we want the courts to rule. We had better decide, not the courts and not the judges.

• (1710)

As a parliament, we need to clearly express what we intend marriage to mean. I have already indicated what various people in Canada have told us what it ought to be.

I want to move on to the next point which is for our children. I notice there are five hon. members from the government side of the House listening. I congratulate them for being here. I want to register the point about the message parliament is sending to people. That is do we really want to look at what the people have told us they want marriage to mean or are we going to put it somewhere else? We need to be careful in this matter because it will establish the truth of what we believe. Are we a democratic institution or are not?

**Mr. John Bryden:** Yes, yes.

**Mr. Werner Schmidt:** I am so glad the hon. member over there said yes, yes. I expect him to vote according to the way his constituents want him to, not the way the agenda has told him to.

It matters what history has told us. Our custom has been very clear, that marriage shall be the lawful union of one man and one woman to the exclusion of all others. That has been our history and tradition. Much has been said that that is what the definition is and it will continue to be. Parliament put that on record last June by passing Motion 216-55. It was very clear that parliament should do every thing it could. If the minister had really wanted to make the definition of marriage in her amendment legally binding, she could have.

According to David Brown, a constitutional expert and litigation lawyer in one of the reputable firms in Toronto, if she really wanted to do that, there were three things she could have done. She could have done something to amend the Marriage Act to include a specific definition of marriage. Or, she could have amended the bill to include an enacting section which provides that “for the purposes of all federal legislation, the word ‘marriage’ means the lawful union of one man and one woman to the exclusion of all others”. Or, she could have amended the bill to include amend-

ments to each affected act enacting in each such act a specific definition of the word marriage. She did none of those three.

In fact, what she did was put it into the interpretation section. What was the amendment? She said “For greater certainty, the amendments made by this act do not affect the meaning of the word marriage, that is the lawful union of one man and one woman to the exclusion of all others”. If that is what she really meant, she should have put it in an enacting section in the law. It would have meant something. The way it is written now does not have that impact.

We have hon. members opposite who are in the legal profession and who know jolly good and well that this is the case. The Minister of Justice knows this is the case. There is absolutely nothing new in what I am telling the hon. minister. She knows better. So do certain other ministers who are sitting across the way.

The time has come for us to tell the truth and to recognize that the people of Canada do want marriage to be defined as the lawful union of one man and one woman to the exclusion of all others. They want that in the law of Canada. That is what they have told us. If these government people are going to honestly reflect that, they are going to vote that way. It would be incorrect for them not to vote that way and vote the way the whip tells them. I would suggest that it is an abuse of the power of the whip to force each one of them to vote a particular way. They should vote according to the way the people have told them to.

If they do not do that we then have to be very clear that that group of people over there is anti-family and not in favour of marriage. We have to be absolutely clear what this is about. It is time that we determine what we are. Are we democratic? Do we really mean that marriage is one man and one woman lawfully united? Is that the issue or is it something else?

• (1715)

[*Translation*]

**The Acting Speaker (Mr. McClelland):** It being 5.15 p.m., pursuant to order made Monday, April 10, 2000, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of third reading stage of the bill now before the House.

Is the House ready for the question?

**Some hon. members:** Question.

**The Acting Speaker (Mr. McClelland):** The question is on the amendment. Is it the pleasure of the House to adopt the amendment?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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**The Acting Speaker (Mr. McClelland):** All those in favour of the amendment will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. McClelland):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the nays have it.

*And more than five members having risen:*

**The Speaker:** Call in the members.

• (1750)

[English]

(The House divided on the amendment, which was negated on the following division:)

*(Division No. 1276)***YEAS**

## Members

Abbott	Ablonczy
Anders	Bachand (Richmond—Arthabaska)
Bailey	Benoit
Bernier (Tobique—Mactaquac)	Borotsik
Breitkreuz (Yellowhead)	Breitkreuz (Yorkton—Melville)
Cadman	Calder
Casey	Casson
Chatters	Cummins
Doyle	Elley
Epp	Forseth
Goldring	Gouk
Grewal	Grey (Edmonton North)
Hanger	Harris
Hart	Harvey
Hill (Macleod)	Hill (Prince George—Peace River)
Hilstrom	Hoeppner
Hubbard	Jaffer
Johnston	Karygiannis
Keddy (South Shore)	Kenney (Calgary Southeast)
Konrad	Lowther
Lunn	MacKay (Pictou—Antigonish—Guysborough)
Mark	Mayfield
McNally	McTeague
Meredith	Mills (Red Deer)
Morrison	Muise
O'Brien (London—Fanshawe)	O'Reilly
Ohrai	Pankiw
Penson	Peric
Price	Ramsay
Ritz	Schmidt
Scott (Skeena)	Solberg
Steckle	Stinson
Strahl	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Vellacott
Wappel	Wayne
White (Langley—Abbotsford)	Williams —72

**NAYS**

## Members

Adams	Alarie
Alcock	Anderson
Asselin	Augustine
Bachand (Saint-Jean)	Baker
Bakopanos	Barnes
Beaumier	Bélair
Bélanger	Bellehumeur

Bellemare	Bergeron
Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok)	Bevilacqua
Bertrand	Blaikie
Bigras	Bonwick
Blondin-Andrew	Bradshaw
Boudria	Brison
Brien	Bryden
Brown	Byrne
Bulte	Caplan
Caccia	Catterall
Carroll	Chamberlain
Cauchon	Coderre
Clouthier	Cullen
Crête	Davies
Dalphon-DuGiral	Desjarlais
de Savoye	DeVillers
Desrochers	Dion
Dhaliwal	Dromisky
Discepolo	Dubé (Lévis-et-Chutes-de-la-Chaudière)
Drouin	Duhamel
Duceppe	Earle
Dumas	Eggleton
Easter	Folco
Finlay	Fry
Fontana	Gagnon
Gagliano	Gauthier
Galloway	Godfrey
Girard-Bujold	Godin (Châteauguay)
Godin (Acadie—Bathurst)	Graham
Goodale	Gruending
Grose	Guay
Guarnieri	Harb
Guimond	Ianno
Harvard	Jennings
Jackson	Keyes
Jordan	Knutson
Kilger (Stormont—Dundas—Charlottenburgh)	Laliberte
Kraft Sloan	Lastewka
Lalonde	Lefebvre
Lee	Lill
Leung	Lincoln
Limoges	MacAulay
Loubier	Malhi
Mahoney	Mancini
Maloney	Marceau
Manley	Marleau
Marchand	Martin (Winnipeg Centre)
Martin (LaSalle—Énard)	McCormick
Matthews	McGuire
McDonough	McLellan (Edmonton West)
McKay (Scarborough East)	Ménard
McWhinney	Milliken
Mifflin	Minna
Mills (Broadview—Greenwood)	Murray
Mitchell	Nault
Myers	Nystrom
Normand	Pagtakhan
O'Brien (Labrador)	Parrish
Paradis	Peterson
Patry	Phinney
Pettigrew	Plamondon
Pickard (Chatham—Kent Essex)	Proud
Pratt	Redman
Proulx	Richardson
Reed	Robillard
Riis	Saada
Rock	Scott (Fredericton)
Sauvageau	Shepherd
Sgro	St-Hilaire
St. Denis	St-Julien
St-Jacques	Stewart (Northumberland)
Stewart (Brant)	Szabo
Stoffer	Thibeault
Telegdi	Tremblay (Lac-Saint-Jean)
Torsney	Turp
Tremblay (Rimouski—Mitis)	Valerief
Valeri	Wasylcia-Leis
Volpe	Wood —171
Whelan	

## PAIRED MEMBERS

Coppes

Nunziata

**The Speaker:** I declare the amendment lost.

The next question is on the main motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the yeas have it.

*And more than five members having risen:*

• (1800)

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 1277)*

## YEAS

## Members

Adams  
Alcock  
Asselin  
Bachand (Richmond—Arthabaska)  
Baker  
Barnes  
Bélaïr  
Bellehumeur  
Bergeron  
Îles-de-la-Madeleine—Pabok  
Bevilacqua  
Blaikie  
Bonwick  
Boudria  
Brien  
Brown  
Bulte  
Caccia  
Carroll  
Catterall  
Chamberlain  
Coderre  
Cullen  
Davies  
Desjarlais  
DeVillers  
Dion  
Dromisky  
Dubé (Lévis-et-Chutes-de-la-Chaudière)  
Duhamel  
Earle  
Eggleton  
Folco  
Fry  
Gagnon  
Gauthier  
Godfrey  
Godin (Châteauguay)  
Graham  
Gruending  
Guay  
Harb  
Harvey  
Jackson  
Jordan  
Keyes  
Knutson

Alarie  
Anderson  
Augustine  
Bachand (Saint-Jean)  
Bakopanos  
Beaumier  
Bélangier  
Bellemare  
Bernier (Bonaventure—Gaspé—  
Bertrand  
Bigras  
Blondin-Andrew  
Borotsik  
Bradshaw  
Brison  
Bryden  
Byrne  
Caplan  
Casey  
Cauchon  
Clouthier  
Crête  
Dalphond-Guiral  
de Savoye  
Desrochers  
Dhaliwal  
Discepola  
Drouin  
Duceppe  
Dumas  
Easter  
Finlay  
Fontana  
Gagliano  
Galloway  
Girard-Bujold  
Godin (Acadie—Bathurst)  
Goodale  
Grose  
Guarnieri  
Guimond  
Harvard  
Ianno  
Jennings  
Keddy (South Shore)  
Kilger (Stormont—Dundas—Charlottenburgh)

Kraft Sloan  
Lalonde  
Lee  
Leung  
Limoges  
MacAulay  
Mahoney  
Maloney  
Manley  
Marchand  
Martin (LaSalle—Émard)  
Matthews  
McDonough  
McLellan (Edmonton West)  
Ménard  
Milliken  
Minna  
Muisse  
Myers  
Normand  
O'Brien (Labrador)  
Paradis  
Patry  
Pettigrew  
Pickard (Chatham—Kent Essex)  
Pratt  
Proud  
Redman  
Richardson  
Robillard  
Saada  
Scott (Fredericton)  
Shepherd  
St-Hilaire  
St-Julien  
Stewart (Northumberland)  
Szabo  
Thibeault  
Tremblay (Lac-Saint-Jean)  
Turp  
Vanclief  
Whelan

## Government Orders

Laliberte  
Lastewka  
Lefebvre  
Lill  
Loubier  
MacKay (Pictou—Antigonish—Guysborough)  
Malhi  
Mancini  
Marceau  
Marleau  
Martin (Winnipeg Centre)  
McCormick  
McGuire  
McWhinney  
Miffin  
Mills (Broadview—Greenwood)  
Mitchell  
Murray  
Nault  
Nyström  
Pagtakhan  
Parrish  
Peterson  
Phinney  
Plamondon  
Price  
Proulx  
Reed  
Riis  
Rock  
Sauvageau  
Sgro  
St. Denis  
St-Jacques  
Stewart (Brant)  
Stoffer  
Telegdi  
Torsney  
Tremblay (Rimouski—Mitis)  
Valeri  
Wasylcia-Leis  
Wood—176

## NAYS

## Members

Abbott  
Anders  
Benoit  
Bonin  
Breitkreuz (Yorkton—Melville)  
Calder  
Casson  
Cummins  
Elley  
Forseth  
Gouk  
Grey (Edmonton North)  
Harris  
Hill (Macleod)  
Hilstrom  
Hubbard  
Jaffer  
Karygiannis  
Konrad  
Longfield  
Lunn  
Mayfield  
McTeague  
Mills (Red Deer)  
O'Brien (London—Fanshawe)  
Obhrai  
Penson  
Provenzano  
Ritz  
Scott (Skeena)  
Steckle  
Strahl  
Ablonczy  
Bailey  
Bernier (Tobique—Mactaquac)  
Breitkreuz (Yellowhead)  
Cadman  
Cannis  
Chatters  
Doyle  
Epp  
Goldring  
Grewal  
Hanger  
Hart  
Hill (Prince George—Peace River)  
Hoeppner  
Itody  
Johnston  
Kenney (Calgary Southeast)  
Lincoln  
Lowther  
Mark  
McNally  
Meredith  
Morrison  
O'Reilly  
Pankiw  
Peric  
Ramsay  
Schmidt  
Solberg  
Stinson  
Thompson (New Brunswick Southwest)

*Private Members' Business*

Thompson (Wild Rose)  
Vellacott  
Wappel  
White (Langley—Abbotsford)

Ur  
Volpe  
Wayne  
Williams—72

## PAIRED MEMBERS

Coppes

Nunziata

**The Speaker:** I declare the motion carried.

(Bill read the third time and passed)

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**ROUTINE PROCEEDINGS**

[English]

**COMMITTEES OF THE HOUSE**

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

**Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, on a matter involving the travel of the Standing Committee on Foreign Affairs and International Trade, there have been consultations among the parties and I think you would find unanimous consent for the adoption of the following motion. I move:

That Group "A", composed of members of the Standing Committee on Foreign Affairs and International Trade, be authorized to travel to Ankara (Turkey), Istanbul (Turkey), Baku (Azerbaijan), Tbilisi (Georgia), Yerevan (Armenia) from May 6 to 16, 2000, and Group "B", composed of members of the Standing Committee on Foreign Affairs and International Trade, be authorized to travel to Almaty (Kazakhstan), Tashkent (Uzbekistan), Astana (Kazakhstan), Bishkek (Kyrgyzstan) from May 6 to 16, 2000, in order to examine Canada's foreign policy interests in the South Caucasus and Central Asia, and that the necessary staff do accompany the committee.

• (1805)

**The Acting Speaker (Mr. McClelland):** Does the hon. parliamentary secretary have unanimous consent of the House to introduce the motion?

**Some hon. members:** Agreed.

**The Acting Speaker (Mr. McClelland):** Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to)

**The Acting Speaker (Mr. McClelland):** It being 6.06 p.m., the House will now proceed to the consideration of Private Members' Business, as listed on today's order paper.

**PRIVATE MEMBERS' BUSINESS**

[English]

**INTERNATIONAL CIRCUMPOLAR COMMUNITY**

The House resumed from November 15, 1999, consideration of the motion.

**The Acting Speaker (Mr. McClelland):** When debate was suspended the hon. member for Churchill had five minutes remaining.

**Ms. Bev Desjarlais (Churchill, NDP):** Mr. Speaker, once again I thank my colleague from Churchill River, Saskatchewan for bringing forth Motion No. 237.

Since it has been a while since the motion was last before the House, I would like to read it again. It reads:

That, in the opinion of this House, the government should recognize the 55th parallel as the identified Canadian boundary for participation in the international circumpolar community.

The 55th parallel is very important to me. I have lived in Thompson, Manitoba for about 27 years. We recognize ourselves as being north of the 55th. We identify with northerners throughout the other provinces in Canada and throughout the world.

We have had the opportunity to meet with people and we deal with a lot of the same issues, the same problems. In a lot of cases our peoples are the same in those northern areas.

We find it somewhat interesting that within Canada we do not recognize the 55th parallel as being the boundary which should enable us to belong to the circumpolar group represented throughout the world.

This motion would certainly give us that opportunity. It would give the peoples of those northern communities the opportunity to meet with the peoples of the circumpolar regions of the world on a regular basis, and to discuss more formally how they could address the problems they may be having and the issues they may be dealing with.

I would suggest that at this crucial time in our history, with global warming, now more than ever it is important that the peoples of these regions come together to identify the problems which are resulting from global warming.

In the region of Churchill, Manitoba there is documented evidence that polar bears are not able to sustain their lives the way they have in the past because of global warming. The ice is not staying in long enough, so they cannot get out to eat enough seals to keep their weight on to get them through those long cold winters in northern Manitoba.

*Private Members' Business*

Now more than ever it is a crucial time to recognize that Canada, and those regions of Canada which are north of the 55th, should be part of that global family which is recognized as the circumpolar region.

The different peoples involved in these regions are similar throughout the world. Indigenous peoples in the Arctic areas have concerns about the effects on wildlife and themselves of the long range transport to the north of contaminants. Again, this would provide an opportunity for them to come together to address those concerns.

Motion No. 237 asks that the House, by adopting this motion, recognize that northern impacts are not limited to the 60th parallel box. That is the area which Canada recognizes as belonging to the circumpolar group.

It is Canada itself which is recognizing this, so we as parliamentarians have the opportunity to change that. I would hope that my colleagues would consider that. It is important to the northern region of Manitoba, my region, but I am sure it would be important as well to the other provinces of Canada.

• (1810)

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, I am pleased to join the debate on this motion, as it is a motion in which I am most interested.

Like my colleague who spoke previously, I have spent a good deal of my life at 55 degrees north in two different situations. I lived in the north of England in the British Isles, and I lived for three years in Schefferville, which, like Churchill, is about 55 degrees north in northern Quebec. It is interesting that I have lived at both of those locations, at 55 degrees north, and both of them are very different.

I also spent well over a year of my life at 80 degrees north, which is pretty far north. I do not think there would be any debate about that.

It is interesting to note that three of the great cities of the world, St. Petersburg, Helsinki and Stockholm, are all very large communities and are located at 60 degrees north. Again, they are located at very different locations from Churchill, Yukon, northern Quebec and the British Isles. Those great cities are located in Scandinavia and Russia.

The member uses the argument of global warming. When we lived in Schefferville, in northern Quebec, we argued that Schefferville was in the north, not because it was warm or getting warmer, but because it was very cold. Because of the wind, the snow and the storms, it was even colder than average conditions would suggest.

If we start at Labrador and northern Quebec and move through northern Ontario, across Manitoba, Saskatchewan and Alberta, into

B.C. and Yukon, using average conditions, they get better. I would argue that the town of Schefferville is as far north as one could possibly get in terms of the severity of weather conditions and the lack of comfort.

What I like about the member's motion is that it is a way of raising awareness in Canada of the north and of the importance of the north. It is true that we are a great northern nation, but we lack awareness of that fact.

The other countries I have mentioned, even the British Isles, have a strong sense of the north in some parts, and yet by our standards in Canada we do not think of them as being northern at all. Here in Canada, with our very high Arctic territory, more than any other country, there is a very low awareness of that fact.

The member's motion I think is excellent and draws attention to the people and the conditions of the middle north. He is doing us all a great service by bringing forward his motion.

The government has done a remarkable amount of work with respect to the circumpolar community. It was Canada which really brought together the Arctic Council, which represented the eight polar nations and three great, different, indigenous peoples' organizations.

The Arctic Council came into being after the Soviet Union disappeared. Canada persuaded the United States, through Alaska, that it should be part of a council which would have an overview of the circumpolar community.

The Arctic Council has been very active. It was the Liberal government which appointed, for the first time, an ambassador of circumpolar affairs, Mary Simon. It is interesting to note that Mary Simon was the elected president of the Inuit Circumpolar Conference, the great international organization of Inuit from Greenland to Siberia. It was the Inuit Circumpolar Conference which brought forward the idea of the Arctic environmental protection strategy, which is a self-explanatory strategy instrument, which has been taken over by the Arctic Council. The council now represents all circumpolar nations and is being used as the basis for the protection of the environment in the entire circumpolar north.

• (1815)

The Arctic Council and the ambassador for circumpolar affairs are both examples of something which the government has done to bring attention to things northern, as the hon. member is doing here very effectively.

With respect to the people at 55° north or anywhere else on the globe, I point to the establishment of the University of the Arctic by the Arctic Council. The University of the Arctic now exists in form. It is not yet offering courses. I believe its secretariat is based in northern Finland at the moment, but it will be a moving

*Private Members' Business*

secretariat. The University of the Arctic will offer courses through the Internet which will be available all over the world, but which in fact will be particularly valuable to residents of the middle north, the near north and the high Arctic. I see the University of the Arctic as a positive outcome of the Arctic Council which was established by Canada.

Since the Arctic Council was established, I note that the government has continued with activity which has stimulated interest in the north across Canada, as the hon. member is trying to do, and stimulated interest in circumpolar affairs, in which the hon. member has mentioned he is equally interested.

I point out a 1997 review of northern interests entitled "Canada and the Circumpolar World: Meeting the Challenges of Co-operation into the Twenty-First Century". That was followed in 1998 by the Sustainable Development in the Arctic: Lessons Learned and the Way Ahead conference which was held in Whitehorse. It involved the federal government, the territorial governments of both the Yukon and, as it was in those days, the Northwest Territories government. Now of course it would include Nunavut. Those conferences were designed to gather information about the north from the people of the north and also to stimulate interest in the north across the whole country.

The minister commissioned a consultation paper to order northern foreign policy for Canada. Through it, the ambassador for circumpolar affairs, Mary Simon, whom I just mentioned, conducted hearings not only in various northern locations, but also in southern Canada, including in my own community of Peterborough. Like the hon. member's motion, that activity stimulated interest in Canada in both our north and the circumpolar north, and it stimulated interest in what Canada is doing and what Canadians are doing in their own north.

I am pleased the hon. member is putting this motion forward. I commend him for it. I am not personally sure of the practicalities of shifting to 55° north for the reasons I have mentioned. Of the other circumpolar nations, I suspect those that have capitals and major cities at 60° might well have some concerns about bringing in latitudes as far south as the British Isles, such as Ireland, for example. However, I strongly support his motivation in raising awareness of the people of Canada's north, including my daughter who was born at 55°, and the people who live farther north in Canada.

[*Translation*]

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, I too wish to congratulate the hon. member for Churchill River, for giving the House this opportunity for discussion and no doubt to go further.

I have many reasons to wish to speak to this motion. I was not on the foreign affairs committee when it carried out its study proposing the addition of the entire circumpolar aspect to Canada's

foreign policy, but I can say that I have already been the Parti Québécois adviser on this program, and as such proposed the addition of a component for the north.

• (1820)

We cannot look at a map, know the history or be interested in international relations, or know society—I am speaking of Quebec—and not know that the north is inhabited by native peoples, nations, totally original societies, that developed mores and, in terms of the environment, for example, are inheriting problems generated in the south. They do not always have the means to resolve these problems.

I was also aware of the need for the various societies in the north to talk to each other. I am pleased as well to hear the member point to the major contribution by a geographer, an anthropologist, Louis Hamelin, a historian as well, who really contributed to giving the north, northern societies and northern Quebecers, their letters patent of nobility. I think he really pushed us to expand our interest in the north, but he also pushed for organization of the people in the north.

All these reasons heighten our interest, because we have to learn from others and must get organized. The member for Churchill will not, however, be surprised to hear me raise a question, which in Quebec and no doubt in the other provinces, if it applies, is of interest: it is the question of the translation. For the expression "frontière canadienne", in English, instead of saying Canadian border, they say boundary. I have had some research done, and this is confirmed by international research. The word *frontière* is closer to the English term border, while boundary is a better equivalent of *limite* or "*limite territoriale*".

The definition that I found reads as follows: "Border: noun, edge of a road, etc.". The second meaning is that of a "dividing line between two countries". This is not what the motion of the hon. member for Churchill River is about. On the other hand, the definition of boundary says "noun, border, anything marking a limit" and adds "between countries", "frontier". So, I urge this assembly to allow us to continue the debate on the member's objective by accepting the following amendment.

I move:

That the motion be amended by replacing, in the French version, the word "*frontière*" with the following: "*limite territoriale*".

Members will realize, and I am sure the hon. member does, that we completely change the meaning of his motion if we change the border of the provinces.

I am sure this is not at all what he intended. His intention is to define a boundary within borders, but a boundary beyond which people recognize themselves and are defined as being from the north, as being nordic people and as being part of the circumpolar circle.

• (1825)

Other members wondered whether the 55th parallel should be debated. I think we could discuss it, but not if the word “frontière” is kept instead of “limite”. I have not spoken with Mr. Hamelin, but I think he would agree with the word “limite” instead of “frontière”.

I wanted to move this amendment because, otherwise, we are no longer talking about the same thing. We are talking about redefining borders and I do not think that the member for Churchill River intended, by his proposal, to create societies completely detached from the province to which they belong. I believe he wants people living in northern regions to be able to form groups, with the approval of the provinces and NGOs, in order to define goals, bring pressure to bear, run programs or take part with parliamentarians in the proceedings of the Arctic Council.

Once again, I congratulate the member on raising this issue in the House and I urge him to take into consideration the reasons for my amendment.

**The Acting Speaker (Mr. McClelland):** The amendment is in order, but I wish to know whether it applies to the French text only.

**Mrs. Francine Lalonde:** Yes, Mr. Speaker. In English, the word used is not border but boundary. The purpose of my amendment is so that the word used in French is what I consider the best translation of the word boundary.

**The Acting Speaker (Mr. McClelland):** Fine. The amendment is therefore in order.

[*English*]

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, I think by my rising and speaking in the English language the interpreters who are interpreting from French to English must be heaving a huge sigh of relief after your work.

**The Acting Speaker (Mr. McClelland):** I take that as a compliment.

**Mr. Ken Epp:** I did not mean it to have any derogatory sense at all, Mr. Speaker.

I would like to take a few minutes to debate Motion No. M-237, which is interesting. What the amendment has done is put into French what we were understanding. Had the hon. member for Churchill proposed to change the boundaries of the provinces, there would have been quite a bit more discussion on this. He would have found himself in many interviews with the press and many other exciting events had he actually proposed that we move the boundaries of all of the provinces down in order to accommodate this motion.

### *Private Members' Business*

I would like to speak to the motion as given:

That, in the opinion of this House, the government should recognize the 55th parallel as the identified Canadian boundary for participation in the international circumpolar community.

As I understand it, he is not changing any borders. All he wants to do, when it comes to negotiations and participation with other countries involving the circumpolar region, is include all of those people who are north of the 55th parallel. I wish he would look at me and nod so that I understand the motion. He is nodding yes. Thank you.

• (1830)

I do not know how many people here are aware of an interesting fact about Canada. I happen to live just outside of Edmonton, Alberta. Edmonton is at 53 degrees. This suggestion means that we would be taking a line approximately 220 kilometres north of Edmonton, everything north of that would then be considered to be in the circumpolar region if this motion were to pass. Another way of putting it is that we are moving the boundary south approximately 560 kilometres from the present 60th parallel.

An interesting fact about Edmonton and about Canada is that Edmonton is farther from the equator than any land mass in the southern hemisphere is from the equator, other than the Antarctic. In other words, if you went to the very southernmost point of South America, Africa or Australia, you would still be nearer the equator than we are in Edmonton. We have a lot of people who live north of the 55th parallel. We are indeed a hardy population in Canada. We believe in sticking our faces into the wind and the snow and carrying on.

The motion has to do with the inclusion of people who are living between the 55th and the 60th parallel for the purposes of these international debates and discussions.

It goes without saying that living in the northern climate is a challenge. It is a harsh climate. It is one that demands a lot of respect for the people who for centuries have lived in that region, have survived there and have done very well. They are a hardy people. We ought to congratulate and admire them for that.

It also makes a great deal of sense that, when we deal with the question of how to survive in such a harsh climate, we work with other countries that have similar situations so that anything we discover or invent that will help us to live comfortably in that part of the world we would then share that with people of other countries who are also in this circumpolar region.

Second, this part of the country is very rich in resources. A lot of people are not aware of that. We tend to think that life begins in Toronto, stretches over to Montreal and ends in Ottawa. A lot of this country that is outside of that Bermuda Triangle that I have just mentioned.

*Private Members' Business*

North of the 55th and 60th parallels, there are many resources. We are talking about huge mineral and mining resources, such as oil, gas, and all the natural resources which exist up there. As well, it is a part of the world that is very rich in animal life and vegetation. There are many different forms of life.

This brings challenges to all of us who live in that kind of a climate. I cannot but encourage us to work together with other countries that are developing their resources in similar climates, to share our resources and, hence, improve the quality of life of more people than just our own.

I have some serious questions on this subject. I am always a great one for asking questions and then allowing other people to try to find the answers. I have some serious questions about our work with other countries in this particular regard.

It seems to me that Canada very quickly tends to help form or join any and every organization that comes up. We see our Prime Minister going overseas. Part of this country's foreign policy seems to be developed as information goes from the Prime Minister's brain to his mouth. It is not fully formulated when it leaves his brain but, by the time it gets to his mouth, we have some pronouncements. We have heard that in the last couple of days.

• (1835)

How effective is the Arctic Council? When we deal with other countries through it, are we getting a kick for our dollar? I wonder if there are better ways in which this can be accomplished. Can the finance minister tell us what studies have been done to show that this is a wise investment and that it is worthy for us to be participating in these organizations with other countries in this way?

What often happens is that these organizations tend to grow as soon as government resources are put into them. It is not only from Canada but other countries as well. It is not necessarily a corollary that a larger organization gives more benefits to the taxpayers in whatever country, including Canada. However, I think Canada is particularly vulnerable to joining and spending money without being really cognizant of tangible and measurable benefits.

I suppose we could maybe just put it under the auspices of HRDC and see what happens. It could not be much worse than what we already have. I am being facetious so I had better say that. I do not think *Hansard* records the sound of sarcasm. Now I have it on the record.

The other question I have concerns the relationship between the provinces and the federal government. We already have a lot of tension between the provinces and the federal government in the areas of health care and others. If this boundary were moved down then a portion of each province would once again have to work, I think, through the federal government in foreign policy in order to deal with foreign countries.

I do not think we will say to these organizations that are dealing north of the 55th that they have carte blanche, that they can do whatever they want. It invariably has to be in consonance with federal foreign policy, which is, of course, controlled by the federal government.

To have another organization in parallel to what we already have instead of working within that is questionable in my view and would need more answers.

At any rate, I congratulate the hon. member for Churchill River for again showing us genuine, legitimate concerns about the north and how the people of that part of the country are working together.

**Mr. Ted McWhinney (Vancouver Quadra, Lib.):** Mr. Speaker, the member for Churchill River has introduced an interesting concept into the House debates. It is worth reminding ourselves that the concept of territorial frontiers is a relatively modern conception, and it is of course a European conception.

We were reminded by the brilliant Algerian jurist, Mohammed Bedjaoui, who later became president of the world court, in the western Sahara case, that it really did not have much meaning for non-European people until the Europeans arrived without invitation on non-European shores.

I looked very carefully at this and I sympathize with the motivation behind it. One point to bear in mind, however, is that a unilateral declaration by the Canadian parliament on recognition of membership status in any organization is not something that one can impose on others. It may be a King Canute type declaration that nobody else accepts.

Every recognized official international organization has its own credential committees, its own criteria for membership and the status of membership. This is a rather distinct group of organizations that we are dealing with here. I note the comments of the Minister of Foreign Affairs.

• (1840)

[Translation]

He highlighted the many and interesting new partnerships that are on the horizon, particularly with Russia and the Baltic States. He cited existing partnerships such as the Arctic Council, the Barents Euro-Arctic Council of the European Union and the Council of Baltic Sea States. The Euro-Arctic Council created committees to serve as forums for co-operation. I am talking of a collection of international organizations without legal status or decision making powers.

[English]

We are dealing with voluntary organizations like the Commonwealth and, to some extent, La Francophonie that are created but do

not have decision making powers. Therefore, the strict rules that we apply to the United Nations, or it applies to itself and its subsidiary organizations do not apply.

The valuable aspect of this suggestion is to take note of the formula that Paul Martin, Sr., the minister of external affairs in 1965, and the then premier of Quebec developed for federal-provincial co-operation and for the federal government, without sacrificing its autonomy as a federal government, voluntarily to include representatives of the provinces in Canadian delegations to international conferences, including those within official United Nations organizations.

If the motion by the member for Churchill River could be interpreted as being an invitation to the Canadian government to recognize the artificiality of the distinction between the 60th and 55th parallels and the many elements of the Canadian community, then I would endorse it. The Metis are a perfect example, as are the Indian communities much further south in Canada. If it is an invitation to the Canadian government to consider naming these people as part of the Canadian delegations, then I think it is a recommendation that I would endorse and favourably recommend to the government. I think the government could accept it.

It is certainly within the spirit of these larger northern organizations that we recognize a common ethnic link between the peoples of Russian Siberia, northern Finland, northern Sweden, northern Norway, Iceland and our Indian peoples, aboriginal peoples and the Metis people. Why not take advantage of that? One of the powerful instruments of Canadian foreign policy is to profit from the plurality of our peoples and our cultures.

In that light, I would suggest that the government can and should take notice of this suggestion. The hon. member for Mercier is a very thoughtful member.

[*Translation*]

The member for Mercier has moved an amendment about the distinction between boundaries and borders. English legal language does not, in my opinion, afford any legal significance to this distinction, but, in French, I certainly accept her suggestion. It seems to me the best English translation would be to substitute a concept such as "the southern limit", or something like it.

In that spirit, I can certainly accept the suggestion, which seems quite valuable. It also indicates the plurality of our thought on this issue, and it is in this spirit that I willingly accept the proposal by the member for Churchill River.

[*English*]

He has reminded us that this is a plural country. He has reminded us that Canada is more than just the European descended peoples and the concept of territorial limit based on the 55th parallel has an

*Private Members' Business*

artificiality that is certainly Eurocentric in its origins. Therefore, in the future, Canadian delegations will take advantage of our peoples who are linked by ties of consanguinity to the northern-most people above the 60th boundaries and will be an extra richness for our delegations.

• (1845)

[*Translation*]

**Mr. Mark Muise (West Nova, PC):** Mr. Speaker, my colleague for Richmond—Arthabaska has already spoken to Motion M-237, introduced by the hon. member for Churchill River. However, I would like to add a few more points.

[*English*]

A lot of things can be said in reference to the bill, but indeed the cornerstone of the bill is where does the north start? Does it matter that the border is placed at the 55th parallel or the 60th parallel? And what are the consequences of this change? What is the purpose of it? What are we trying to accomplish here?

It is true that we do not think enough of the north and I think this is a shame as the north is full of natural resources. We are all aware that our Canadian economy is primarily based on the export of natural resources. Indeed, we should pay better attention to the northern people as well.

I believe that my colleague from Churchill River has attempted to catch our attention through this motion, and for that I congratulate him.

A question that I think we should ask is will modifying the circumpolar boundary have such significance or is there not another way to increase the strength of the people from the north? Of course, by setting the border at the 55th parallel we would increase the political weight of the north within Canada as we would be including more people.

In order to deal with such a motion, we have to study the impact of the changes within Canada. For instance, what will happen to the provinces? How will they react to this? What about certain governmental departments like natural resources, Indian affairs and others?

[*Translation*]

Certain provinces, then, might have to comply with new obligations because of this change. If part of the territory of certain provinces were to become part of the Canadian north, this would have an inevitable impact on the provinces. But are they in a position to respond to that impact?

It would be important for the provinces to be consulted on this matter, because their boundaries will be affected if the parallel change is made.

*Private Members' Business**[English]*

Even though the purpose of the motion presented by my colleague from Churchill River is good, the Progressive Conservative Party could not support the motion because of the way it is presented. We feel that a great number of elements are missing and that it could create more damage than good if the motion were passed as it is now.

The Canadian north is one of our best kept secrets. It is true that measures should be taken in order to develop its tremendous potential and that we should collaborate with the people who live there, but the PC Party just does not believe that changing the boundary will achieve that. Maybe it would give the people of the north more political weight inside Canada, but still, I do not think this is the real solution to developing the north.

*[Translation]*

High technology is often referred to in connection with the world economy. We have only to look at the investments here in this region, in Silicon Valley North, and in other regions of Canada in the areas of pharmaceuticals, telecommunications and high tech.

These are fields that are in rapid expansion, and they represent a real economic force. The north, however, is going to take on more and more importance as well.

*[English]*

Indeed, let us not forget that even though high tech is the future, Canada's economy still relies primarily on its natural resources and that most of them are located within the north. Instead of changing the boundary, should we not focus on developing northern Canada? The PC party believes that if efforts are being carefully directed, the Canadian economy could even grow stronger through proper development of our natural resources in the north and high tech in the south.

- (1850)

Our party supports better development and a stronger economy for all regions of Canada, including the north.

**Mr. Dennis Gruending (Saskatoon—Rosetown—Biggar, NDP):** Mr. Speaker, it is a pleasure indeed to rise in support of the motion put forward by my friend and colleague from Churchill River.

I want in the beginning simply to indicate as he has speaking at a previous time that what we are talking about here is not changing the borders and boundaries of provinces and having some new definition here that would create a whole rearrangement in the way government is done, at least in terms of borders and territories. What my colleague has said is that the circumpolar world uses the 55th parallel as its definition.

If we look at it on a map from the top of the world, so to speak, from the Arctic looking down, we see that that parallel would take in entire countries such as Finland, Sweden and vast swaths of Russia, but in Canada the way it works now is that the border is set at the border of the Northwest Territories. When these people get together to talk about common issues and concerns, and certainly there are common issues and concerns no matter what country they happen to fall into, in Canadian terms there are vast and large reaches of what we consider to be the north which are not included.

What my colleague I think is saying is that we are not talking about changing political borders. We are talking about changing borders perhaps in the way that we think and perceive. I will give a few examples of this based on my own experience growing up in the southern area of the province of Saskatchewan, whereas my colleague grew up in the northern area. There are vast differences in history, in geography and many other aspects.

I will describe the river systems in Saskatchewan. The South and North Saskatchewan Rivers which arise in the Rockies and go on through Saskatchewan up into Manitoba and empty into Hudson Bay drain an area which is very different than the northern area. In fact the 55th parallel falls between the Saskatchewan River systems and the Churchill River to the north, not to mention the Peace-Athabasca system which runs out of Lake Athabasca one way and ends up on the coast and the Mackenzie River system ends up going straight north.

There have been in history, the fur trade for example, very keen and perceived differences between these areas, the area drained by the Saskatchewan River system and the areas drained further north.

To use one example, I have read significantly fur trade literature. A great writer and map maker named David Thompson spent many years first in the area of what is called the Saskatchewan River system and later on in further points north. In very descriptive writing he talks about the significant differences between the Cree and the Chipewyan people which he described extremely eloquently, not to mention the Dene and Inuit people.

There are differences among those people but they pale in comparison to the differences historically in many other ways between those people and the Europeans who came to settle the more southerly areas of our province.

I do know from the time I have spent in my own home province of Saskatchewan as a resident and a journalist that there have been attempts and recognitions by our provincial government, a belated one I might add, but in the early 1970s there was a recognition that the way in which southern Saskatchewan was governed was not working to the benefit of what we consider to be northern Saskatchewan and again the line would come pretty close to the 55th parallel as described by my colleague from Churchill River.

*Private Members' Business*

The government of the day, the government of Premier Allan Blakeney, observed that things were not working in the north and that there had to be some new efforts made. The department of northern Saskatchewan was created. There were attempts to have new ways of governing take place.

• (1855)

These attempts were not entirely successful but they were indeed a recognition between the vast differences between what we consider to be the south and the north.

I might add that one of the considerations given was that there should be some form of revenue sharing for resources extracted from the north because, as we know, unfortunately we have tended to extract resources in northern areas inhabited by aboriginal peoples and take the benefits and the riches south. That is common not only in the province in which I was raised, but also in the other provinces.

What my colleague, the member for Churchill River, is saying is that we must recognize that the situation I am describing in Saskatchewan historically is one which could be said to have existed in all of the provinces and that Canada's way of dealing with the people in northern territories has been similar. We exploit the resource but the people who live there are often disadvantaged by the ways in which we exploit the resource that has an environmental component and also by the loss of wealth to the region which they inhabit.

It is that kind of stepping out of the box that my colleague and friend from Churchill River is asking us to do. He is saying that the international community has identified the 55th parallel as its recognized boundary for circumpolar participation. He is not saying that we should change the boundaries of our country in any political way.

There are eight member states in the Arctic Council. They are Canada, Denmark, Greenland, Finland, Iceland, Norway, Russia and the United States, because of the state of Alaska. These people do get together and they have many important things in common to discuss. I believe that is why this motion is important. It is to extend membership or at least the possibility of representation to people living further south.

My friend and colleague, the member for Churchill River, has talked about the fact that people in these northern areas are environmentally disadvantaged, if I may put it that way, from pollution which they did not create but with which they have to live. I remember reading not long ago in a newspaper front page story about an aboriginal woman in Churchill whose son had developed what we would call sunburn. That has to do with the thinning of the ozone layer, particularly in northern Canada. We have heard recently, and this is a cause for great concern, that the

ozone hole there is depleted by about 60%. The woman's young child had developed a rash on the back of his neck and she, in her language, did not have a word to describe sunburn. That is the kind of thing that is happening to people in the north.

My colleague from Churchill River is not saying that somehow we should split that part of the country off from the other in any politically identifiable boundary sense. He is saying that these people also have a concern. They also share in the fate which may befall them, much to their chagrin, if things keep going along the way they are environmentally. He is saying that people in a place like Churchill have much more in common with people further north than they might have with people in Winnipeg or Saskatoon or Thunder Bay and they have a common way of looking at the world and some common problems that we do not quite share.

He is asking, at the very least, when these international conferences occur which do look at the world from a certain point of view that is very valid and very grounded in the life they have lived for thousands and thousands of years, that the people in northern Canada, the part of Canada between the 55th and 60th parallel, be given the opportunity to participate and extend this world view and explain it to the rest of us so that we might begin to look at that part of the world a little differently.

He is certainly talking about governments. He has talked about how the Canadian government has taken a very colonial mentality toward those areas. He is saying that we have to change. This motion is only a motion, it is not a bill. The world will not change overnight if we pass it, which I certainly hope we do. I recommend to other members that they support it.

He is simply saying let these people participate in this organization and some other organizations which have a similar intent. He feels that there will be an advantage if this occurs. I certainly agree with him.

• (1900)

I would urge members not to be too picky in saying what dastardly things would result from this, because no dastardly things would result, other than perhaps a change of mindset, and that would not be so dastardly at all.

**Mr. Denis Paradis (Parliamentary Secretary to Minister of Foreign Affairs, Lib.):** Mr. Speaker, it is a pleasure to rise to speak to this motion.

I would like to thank the member for Churchill River for giving the government an opportunity to speak to our ongoing recognition and support of the many challenges and opportunities facing Canadians in northern communities.

To respond adequately to my colleague from Churchill River I feel that I should first say something about the government's vision and agenda for the north.

*Adjournment Debate**[Translation]*

In the widest sense our long term objectives for the north parallel the goals we have for other parts of Canada and reflect the broad themes of "Gathering Strength—Canada's Aboriginal Action Plan". These are as follows. First, democratic, effective, and accountable governments give their citizens input into the decisions that most directly affect them.

Second, individuals and communities, whose fundamental rights are protected, under the Charter of Rights and Freedoms for example, receive services and programs comparable to those received by Canadians elsewhere, but their diversity as northerners is safeguarded and encouraged.

Third, prosperous local economies develop in a dynamic and sustainable way, strengthened by the knowledge and research needed for success over the long term.

Fourth, fiscal relationships provide governments with the resources and stability needed to act effectively in the present and to plan for the future.

This government's vision includes ensuring the protection of aboriginal rights and that market-based economies with conventional regulatory structures are adapted in the north. Real progress is being made. Aboriginal and non-aboriginal groups are communicating better and with the settlement of claims and agreements on self-government the groundwork is being laid for even more progress and co-operative institution-building in the future.

On the international front, our previous preoccupation with asserting sovereignty over the north has been replaced by a more productive and positive focus on encouraging circumpolar co-operation.

Concrete steps have been taken toward these goals with indigenous participation in international forums such as the Arctic Council and the work of the Canadian Polar Commission.

Since 1991, the Canadian Polar Commission has played a critical role with respect to monitoring, promoting and disseminating knowledge of the polar regions; contributing to public awareness of the importance of polar science to Canada; enhancing Canada's international profile as a circumpolar nation; and recommending polar science policy direction to the government.

The commission's commitment to promoting the development and dissemination of knowledge of polar regions has been evident through the commission's participation in the interdepartmental committee for the Northern Science and Technology Strategy, and through the efforts to foster the advancement of traditional knowledge.

Furthermore, the commission's work with respect to enhancing Canada's profile as a Circumpolar Nation through its involvement with the International Arctic Science Committee and the Scientific Committee for Antarctic Research has, indeed, been invaluable. The point of all this is to highlight the fact that we have an excellent vision and agenda for the north that is producing real benefits for northerners and for the country as a whole.

At the core of my hon. colleague's motion today is his assertion that the government rigidly defines the north as only that territory which lies north of the 60th parallel. Let me be perfectly clear from the start. We, in fact, do not have one singular, inclusive definition of the north. I believe that I can best illustrate the government's position on this question with a few examples.

• (1905)

One of this government's programs administered to the north, for example, is the food mail program. This program is designed to make nutritious, perishable food more affordable in isolated communities.

In conclusion, for 1999-2000, the program's budget is \$15.6 million. The program provides funding to Canada Post for transporting nutritious, perishable foods to isolated communities by air. This funding helps keep the cost of food down.

**The Acting Speaker (Mr. McClelland):** I am sorry to interrupt the hon. parliamentary secretary. He will have another five minutes remaining when the bill next comes up for consideration before the House.

*[English]*

The time provided for the consideration of Private Members' Business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

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## ADJOURNMENT PROCEEDINGS

*[English]*

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

NATIONAL DEFENCE

**Mr. Gordon Earle (Halifax West, NDP):** Mr. Speaker, I am very concerned about how the government is dealing with our veterans suffering from the Gulf War syndrome and other post-traumatic stress disorders.

On many occasions I have raised the issue of the dangers posed by depleted uranium and its impact on our Canadian Forces,

civilians and citizens of other countries. My warnings about the dangers of depleted uranium seem to have fallen on deaf ears for the most part.

Depleted uranium was found in the body of Nova Scotia veteran Terry Riordan. There are others seeking testing and treatment for depleted uranium.

I wrote to the Ministers of National Defence and Veterans Affairs in March and I quote from my letter:

I am concerned that more recently troops may have been exposed to DU in Kosovo. Mr. Eggleton, as you know I raised this with you in the House of Commons numerous times starting back in April of last year.

On behalf of the entire federal NDP caucus, I call on you to: expand DU testing to include tissues and other samples necessary to detect presence of DU and its effects; ensure this testing is undertaken by an independent and respected laboratory; provide testing for immediate family members on request; have Canada take the lead in working toward an international treaty banning the use of DU in weapons.

Further, to ensure the health of our veterans and their families, I call on your government to do the right thing and initiate a full Public Inquiry on the medical effects of DU on our Forces, their families, and any Canadian civilians who may have been exposed to this substance.

Unlike the United States, Canada does not have legislation allowing it to pay compensation to Gulf War veterans who have been disabled by undiagnosed chronic illnesses. Since early 1995 the United States Veterans Administration has been providing compensation payments to chronically disabled Gulf War veterans with undiagnosed illnesses under the Persian Gulf War Veterans' Act. This benefit was expanded under an April 1997 regulation that essentially eliminated the date of initial manifestation of latent symptoms as a consideration in the adjudication through to the end of 2001. Under these regulations a disability is considered chronic if it has existed for at least six months.

It is appalling that Canada has chosen to treat veterans and others suffering from these disorders so poorly compared with our neighbours to the south.

I will mention, however, that I was very glad the minister recently met in Halifax with veterans suffering from these conditions. I attended part of these sessions and I believe the minister would like to treat our troops suffering from illness relating to their service with respect. But as we all know, good intent is not enough. Concrete, positive action is desperately needed in this case.

Of the approximately 750,000 troops deployed to the Persian Gulf, 4,500 of which were Canadian, approximately one-tenth are reporting a series of symptoms, the majority of which include fatigue, headache, muscle and joint pain, diarrhoea, skin rashes, shortness of breath and chest pains.

The famous epidemiologist, Dr. Rosalie Bertel, has the following to say about depleted uranium:

### *Adjournment Debate*

DU is highly toxic to humans, both chemically as a heavy metal and radiologically as an alpha particle emitter which is very dangerous when taken internally.

Upon impact, the DU bursts into flames. It produces a toxic and radioactive ceramic aerosol that is much lighter than uranium dust. It can travel in the air tens of kilometres from the point of release, or settle suspended in the air waiting to be stirred up in dust by human or animal movement.

It is very small and can be breathed by anyone, from babies and pregnant women to the elderly and the sick. This radioactive and toxic ceramic can stay in the lungs for years, irradiating the surrounding tissue with powerful alpha particles. It can affect the lungs, gastrointestinal system, liver, kidneys, bone, other tissues and renal system.

• (1910 )

In the response that we will now hear regarding my comments, I ask the Liberal government to give direct answers to the points I have raised. Will the government expand the new testing, as I have outlined, and ensure that testing is undertaken by independent and respected laboratories? Families of those people who are suffering from and have suffered from depleted uranium poisoning and other post-traumatic stress are waiting for a complete and positive response to these questions.

**Mr. Robert Bertrand (Parliamentary Secretary to Minister of National Defence, Lib.):** Mr. Speaker, I am sure that the hon. member will be quite pleased by my remarks this evening.

As the minister has said many times previously, he cares about the health and welfare of CF members. We must take care of anyone who was healthy when they were deployed but were sick when they came back. I urge anyone who thinks they may be ill to seek medical attention. Those who want depleted uranium testing should contact the Centre for Injured and Retired Members and Their Families at 1-800-883-6094 or their nearest CF medical facility.

After reviewing proposals from a number of laboratories, the department selected two different independent companies to do the testing. Results from the testing will be sent to a civilian consultant for independent interpretation. Arrangements are now in place to begin testing current and former Canadian forces members who have asked for the procedure.

We are offering depleted uranium testing as a way of answering any possible concerns of CF personnel. The vast majority of scientific evidence indicates that depleted uranium is not a hazard to Canadian forces personnel. Normally, the CF test personnel for depleted uranium if there is evidence they have been exposed to it. The Canadian forces has tested several personnel who had potentially been exposed to depleted uranium and the tests were negative. The total uranium radiation was below detectable limits.

*Adjournment Debate**[Translation]*

I must point out to the House that Canada does not use depleted uranium at the moment and that there is no plan to acquire depleted uranium ammunition for the Canadian armed forces.

The arsenal of some countries currently includes depleted uranium ammunition. For a ban to be viable and make sense, the countries in question would have to be convinced to do without their depleted uranium ammunition, something that seems unlikely in the near future.

*[English]*

## IRAN

**Mr. Bill Graham (Toronto Centre—Rosedale, Lib.):** Mr. Speaker, I am pleased to follow up on a question I recently asked the Minister of Foreign Affairs about the consequences of the elections in Iran.

About a year ago I had the great opportunity of visiting Iran and met a lot of the young people and the authorities. I was extremely impressed by the young dynamic population of that country. More than 50% of the population is under the age of 25. These young people want changes. That was obviously indicated in the consequences of the recent elections.

The president, Mr. Khatami, is a very positive individual. He wrote a book called "Dialogue of Civilizations". He is very interested in having a dialogue with other countries and has a very positive view of what Iran can do and the role it can play in the world today. We see a real change in attitude.

In the Standing Committee on Foreign Affairs and International Trade this morning, we had a group of responsible Canadian businessmen who are presently very active in this area. They told us that they could see real signs of change in Iran. There is co-operation between the Iranian and western authorities about controlling the drug trade with Afghanistan. There is a lot of effort on behalf of the Iranian authorities to collaborate with other countries.

On the other hand, there are very disturbing indications in that country. The army is still in control and in the hands of the supreme leader, the Ayatollah. The security apparatus is not in the hands of democratically elected officials. The courts consist of clerics who are not responsive to change and the police carry on rather arbitrary activities which threaten the lives of ordinary citizens. We see arbitrary actions of authority. We see things like the way in which tax laws are applied. I was told by a group of businessmen when I was there that the arbitrariness of the tax laws is such that it is very hard to get foreign investors in the country because they do not really know the nature of the regime they are going into. They do not have the juridical security they would like to have.

● (1915)

We now come to today's situation and we are looking at some months since the last elections. There is a parliamentary majority in favour of reform. I would like to follow up my earlier question by asking the parliamentary secretary if he could tell us a bit about the changes that are taking place.

We still read in the newspapers about how they are seized. The morality police are still harassing young people. There is a question as to the courts and how responsive they are. There is a concern which I raised in the House today about the trial of a group of Jewish citizens of Iran which is taking place on Thursday and the nature of the protection they will receive and the nature of religious freedom that is taking place in the country.

It looks as if this is a case of two steps forward and one step back. I suppose that is true in all political situations. I would like to know what we are doing about it. What are we doing to encourage change? How are we helping Iranians who want change to get change? What visits are MPs, ministers and trade officials making? It seems to me that now is the time to move. Now is the time to encourage those in authority in Iran to open their country.

I would like to suggest that we might be a bit more active. I would like to encourage the government to help and encourage the forces of change in Iran, and restrict the movement of those who wish to stop change, for the benefit of all Iranians.

*[Translation]*

**Mr. Denis Paradis (Parliamentary Secretary to Minister of Foreign Affairs, Lib.):** Mr. Speaker, the February 18 legislative elections in Iran profoundly changed the balance of political power in the country. The reformers of President Khatami won a majority of the seats. Canada congratulates the people of Iran for honouring the democratic spirit of the elections and voting in such large numbers.

We think the electoral process was open and fair and that it truly reflected the democratic will of the Iranian people. Results indicate that Iran is turning toward a more democratic system based on the rule of law and far removed from the ideological inflexibility of the past. With the presidential elections and the municipal elections in March 1999, this makes three times there has been a heavy pro-reform vote by the people of Iran.

Canada hopes that the path the Iranian people has chosen will make it possible to renew connections with Teheran and to ensure the ongoing reintegration of Iran into the international community. The government of President Khatami has done a great deal to improve its relations with its Arab neighbours and has turned to the West in hopes of expanding its relationships still further.

*Adjournment Debate*

Canada has adopted a policy of limited engagement toward Iran, which restricts official visits between the two countries to the deputy ministerial level. The reason for the policy was Canada's concerns with Iran's human rights position, as well as its support of international terrorism, its opposition to the Middle East peace process and its support to groups that reject that process, and its search for weapons of massive destruction.

Although we are greatly encouraged by the outcome of these elections, we are now waiting to see improvements in these strategic areas of concern. We have seen some progress as far as human rights are concerned; the Baha'i are now allowed to register their marriages, thus improving the status of their children. The government has, moreover, declared that it will hold a public trial for the 13 Iranian Jews and others who were arrested a year ago and charged with spying for Israel and the United States.

Canada has made it clear to the Iranian government that the suffering of these individuals is still of considerable concern to it, and that it did not see its way clear to normalize relations between the two countries as long as Iran had not resolved the situation to Canada's satisfaction.

[English]

**The Acting Speaker (Mr. McClelland):** The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24(1).

(The House adjourned at 7.18 p.m.)

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