

Honourable senators, I rise today to speak in support of Bill S-210, An Act to amend the Immigration and Refugee Protection Act, the Civil Marriage Act and the Criminal Code and to make consequential amendments to other Acts. Introduced by Senator Jaffer, this is a bill to amend the short title of Bill S-7 from the last Parliament. That short title was the “zero tolerance for barbaric cultural practices act.”

That bill provided the legal requirements to dissolve a forced marriage and made clear the need for free and enlightened consent to marriage. It provided for a minimum age of 16 years for marriage. It made polygamy a ground for refusing entry to Canada. It restricted the use of provocation as a criminal defence, of particular importance in so-called honour killings.

Let me be clear, I supported Bill S-7 at the time and I support it today. I believe strongly that Parliament should, through legislation, protect the vulnerable from violence and promote Canadian values such as equality.

In my view, Bill S-7 was aimed at furthering those goals. But even if we accept that the acts targeted by Bill S-7 were of particular concern in some communities — and I acknowledge that proposition is a matter of some debate — I do not believe the short title of the bill was helpful; in fact, it was divisive. It set up an us-versus-them split that was harmful when discussing this important social problem. It worked against the very goals we were trying to achieve because it prevented, or at least impeded, the dialogue we need to build with all Canadians.

Further, as Senator Jaffer has argued, by implying that these acts are inherent to a particular culture, the short title unintentionally removed responsibility from the individual and placed it on a cultural group. Violence against women and children is abhorrent and, yes, barbaric. It is pervasive, but it is certainly not confined to a particular cultural group.

My thinking evolved on this issue during the Human Rights Committee’s study of Bill S-7 during the last Parliament, when I think it is fair to say that the overwhelming view of witnesses was that the short title was stigmatizing to minority communities. These weren’t opponents of the legislation; they were witnesses who strongly supported the bill. But they did not like the short title. In fact, they were sometimes passionate in their condemnation of it.

I came to the realization that solving the very serious problems identified in Bill S-7 requires buy-in from all Canadians, and that perhaps an overly provocative short title was not the best way to start going about that.

Bill S-210 is strictly symbolic, but symbols matter, too. I commend Senator Jaffer for introducing this bill, and I encourage all senators to support it. Thank you.