

*Abortion*

More and more we try to develop opportunities for taking the values of particular groups to the larger Canadian community. We think of each of these efforts as a contribution by a cultural community to Canada as a whole. This applies to a food which a cultural community brings into Canada which Canadians enjoy and buy, as well as to a moral precept which comes from a community such as respect for plant life and animal life, greater respect for the aged, methods of raising children, or different ideas for relationships between spouses. These are all enriching Canada, and individual communities enjoy bringing these ideas forward and sharing them.

I do not think I trivialize the debate by putting this as the context within which I want to talk about the very fundamental values on which our ideas about life, death, and abortion are based. I think I am justified in talking about those important values in the same context as the pluralistic other values that exist in the diverse Canadian society.

Abortion is one of the fundamental issues that exist in the diverse Canadian society. Abortion is one of the fundamental issues that relates to the meaning and value of human life. Merely saying this does not make it clear how the criminal law should treat it.

Some religions offer a categorical approach. The Catholic view, as I understand it, is that life begins at the moment of conception and that abortions are morally wrong and should not be condoned. I can say, as a Canadian of the Jewish faith, that that is also the view of orthodox Judaism.

It is the moral responsibility of believers in these religions to carry their message, not only to members of their community but to members of the world. If we have a way in our community, whether Catholic, Jewish or whatever, of looking at the world, it is part of an understanding of Canadian life and also a religious commitment to bring that value forward, to explain it to people, to try to earn respect for it, to try to have our ideas and values adopted and spread.

It is the moral responsibility of believers to carry their message to the world. However, if this debate on abortion, which has been raging for six months and even longer, shows anything it is that that view of abortion is not a consensus view. It is a view held by many Canadians, but not a view totally shared across Canadian society. That reminds us of all the views of Canadian communities which are not always compatible. Conflicts develop among values. While we prefer in Canada to emphasize the positive, we must also deal with the fact of values in our society which are not compatible.

● (1600)

I want to suggest in all seriousness that it does not strengthen a pluralistic society to entrench or enshrine one group's morality in the law of the country, unless it has the broadest possible consensus. To take a value of a group, however large, or of a number of groups, however numerous those groups are, and insert it in the criminal law of our country is not a way of strengthening a pluralistic society.

In my opinion, this is where the Canadian Charter of Rights and Freedoms comes in. The Canadian Charter of Rights and Freedoms takes a very fundamental view about the individual in Canadian society and that view, which is part of our law, settles at a fundamental level the issues on which our laws and practices can be founded.

At the highest level of our judicial system, the right of a woman to determine her own priorities and aspirations in relation to a pregnancy in the early period has been recognized, not by one judge, but in one way and another by a majority of judges who spoke. In the later stages of a pregnancy the responsibility of society is recognized to legislate in the interests of the foetus.

I want to call on the Government to bring in legislation that reflects this decision based on the Charter of Rights. It has failed the Charter and it has failed the Canadian people in not doing so.

As I indicated, the only way in which the resolution before us could be validated, or in which more onerous pre-obligations on a woman's right as recognized by the Supreme Court of Canada could be validated, would be to use the notwithstanding clause which is enabled by Section 33 of the Constitution and thereby put aside Charter guarantees.

For all the reasons I have given about the viability of a pluralistic society, about the need and our interest in strengthening our pluralistic society, I would urge those who oppose this fundamental freedom not to seek to impose their view through legislation. Certainly, their ideas should be put forward. Certainly, their ideas should be explained. They should seek to convince Canadians of their point of view, but to enshrine a position in legislation in my submission is to diminish the viability of the pluralistic society which is Canada.

A parliamentary debate on abortion in a multicultural society should not be an argument about which conception of life is right, about when life really begins, and about what the consequences should be of that determination. Such a debate would be important and valuable, but it would be theological or philosophical. We would not be debating an issue which could be settled by the will of the majority. That is the kind of issue that we debate in Parliament. They are issues that can be settled by the will of a majority.

When we want to talk about a theological or philosophical issue, we must recognize that truth does not depend for its validity on the number of people who proclaim it. Therefore, the truth of the question of life is not an issue to be settled by parliamentary debate. We are not here to determine the truth by relying on the will of the majority. What we are here to settle is how we should live together as Canadians with an issue on which there is no broad consensus, on which there are those whose morality opposes abortion on one side of the debate but others whose morality opposes compelling a woman under any circumstances to carry and bear an unwanted or