

*Abortion*

the most tricky period that it will go through is in trying to avoid the hands of the abortionist. At the present time there is one chance in six that that infant will be wiped out before it leaves the womb of its mother. That is what we are dealing with in this debate. That is what was being permitted prior to the Supreme Court of Canada's decision. One in six pregnancies ends in abortion.

Let me put that another way. If from the point of conception through to death is the most difficult period, what happens if a child is lucky enough to be born? He's away to the races. If he is a male his life expectancy is 73 years of age. If she is a female her life expectancy is 80 years of age. I ask Hon. Members to think of how critical this debate is. What we are really talking about is will we preserve a system wherein up to the point of birth a person can be killed but upon birth their life expectancy is from 73 years of age to 80 years of age. If anything happens to them, if there is a murder or other type of mortality, the person responsible will pay with a very severe criminal sentence. That is what we are talking about. I would hope that, when we weigh the pros and cons on this question, we come down on the side of the unborn.

● (1910)

In giving my reasons why I cannot support the motion before us, I have said that I do so partly because I feel the onus should be on those who want to perpetuate the abortion system to put the case through Parliament to the Government that we stand for the unborn and we want the unborn protected. I say that because when Cabinet considers whatever draft legislation may be forthcoming there will not be any unborn able to speak at that Cabinet session. It is up to this House to make it loud and clear that we feel there must be a presumption in favour of the unborn. To do that, let me come to a second reason.

I said that I disagreed with the motion because it did not use the Section 33 notwithstanding clause of the Charter of Rights and Freedoms. Any meaningful abortion legislation that may be decided upon by the Government must include that notwithstanding clause to be meaningful in the context of the Supreme Court of Canada's decision. I see nothing wrong with suggesting that that clause should be utilized first. Why was it put in if it was never to be utilized? If it was put in to deliberately ensure that there is that escape valve, when would one want to use it when it is a question of life or death? In commenting at that time concerning the notwithstanding clause in the Charter of Rights, Mr. Alan Borovoy, legal counsel to the Canadian Civil Liberties Association, is reported in the Canadian Press to have stated:

Canada at the moment is a parliamentary democracy in which the will of Parliament is supreme. If there were no notwithstandings in the proposed Constitution, this supremacy would shift to the judges who would decide whether or not a law offended the Constitution.

By making it legally possible but politically difficult to override the Charter, they have married the two notions . . . The result is a strong Charter with an escape valve for the legislatures.

That is counsel to the Canadian Civil Liberties Association's comment on the justification of the notwithstanding clause. I

am suggesting that it is now time for we politicians to take the difficult course of saying that this is an instance when that notwithstanding clause must be invoked to ensure that the lives of future children are not snuffed out even before they are born.

Let me touch on another question. What is the mood in the country? I can tell you that I would not be making the remarks that I am tonight without consulting. I feel in my capacity as representative for York—Peel I must particularly consult with my constituents. In a poll of those responding with an opinion, 69 per cent say that they believe there should be restrictions on abortion. Eighty-one per cent say that those restrictions should apply if the life of the mother is endangered physically by the continuation of the pregnancy. This is one reason why I have included in my suggested draft that that be a ground for abortion.

I would also like to point out in dealing with the question of the Charter of Rights that 53 per cent of those responding to the question stated that they felt the Charter of Rights must protect the unborn, and I read that that they believe the notwithstanding clause that I am suggesting be used in this motion should indeed be used. It has already been commented on. Certain religious groups have made comments concerning this matter. I have received, as many Members have, undoubtedly, representations from religious groups. Some are pro-choice and some are pro-life. One of the most meaningful representations I received was from the Salvation Army. In a letter from Commissioner Will Pratt he stated:

The century-old experience of The Salvation Army through its Women's Social Services has been that abortion is not the panacea imagined by a woman regretting a pregnancy.

Usually the long-term effects on the mind and spirit of a woman who does abort are harmful. It is not unusual for a girl deliberately to become pregnant again after abortion through experiencing guilt at having "murdered my baby". Carrying the fetus to term is almost always in the best interests of the mother, her family, and society as a whole. However, where rape or incest occurred, the mental health of the mother could be a determining factor, and we believe such exceptions are covered by the clause—

—to which they have referred. That is why I included that provision, Mr. Speaker.

Finally, perhaps the most disturbing aspects of what we are discussing are not only that the total number of abortions in this country has risen from 11,000 in 1970 to a current 60,000 per year, but we find the startling fact that persons having an abortion after one abortion has now doubled. The ratio of those who are having two abortions has doubled since 1975; and most alarmingly those who are having two, three, four, and five abortions has gone up fourfold since 1975. Surely when we are experiencing that type of situation it is time that we send, through this motion, a clear message to our Government that we want a pro-life, a sympathetic piece of legislation for the unborn. That is what the House has in my suggested amendment.

**Mr. Ross Belsher (Fraser Valley East):** Mr. Speaker, it is a sad day when we have to resort to debate on an issue as