

the side of the life of the unborn. From the very first day after conception the unborn child is a complex and rapidly growing organism with its own unique genetic endowment. By the end of the first month the child completes the period of relatively greatest size increase and the greatest physical change of a lifetime.

As early as the seventh week we can observe a well-proportioned baby that bears the familiar external features and all the internal organs of an adult. The brain already sends out impulses that co-ordinate the functions of the other organs. At eight weeks it is possible to record individual electroencephalogram readings of brain activity. Today, the absence of signs of brain activity is taken as evidence of death. Why then do we not also consider signs of brain activity in the developing child as evidence that human life is present?

Keeping pace with scientific knowledge of development within the womb, the law has increasingly recognized the rights of the unborn without attempting to draw lines at any particular stage of its development. For example, within tort law it is now clearly recognized that the unborn child in the path of an automobile is as much a person in the street as is the mother. It has even been held that constitutional rights of the parents in the free exercise of religion must give way to the unborn's need for a blood transfusion. The property rights of the unborn are well established.

Finally, when the West German Supreme Court was asked by its equivalent to our House of Commons when does the foetus gain the civil rights to life, I think its answer is highly instructive. It said:

Life, in the sense of historical existence of a human individual, exists according to definite biological-physiological knowledge, in any case, from the 14th day after conception (nidation, individuation).

In other words, from conception to the fourteenth day, the fertilized egg could divide, leading to a multiple birth; but after the fourteenth day, it is purely a question of growth. So, at the very least, we have life from the fourteenth day after conception. That is even before a woman knows she is pregnant!

• (1710)

Surely the medical, scientific and legal facts unanimously move in the direction of life and not mere tissue. I respectfully submit that our actions had better start catching up with the facts. We need to begin to do what our laws surely must do, that being to protect every life, particularly the defenceless within our society, and we can do so by having our Criminal Code reflect these facts.

It is my hope that as Members debate this issue, they will deal with the question of whether or not we are dealing with a life. If in fact we are dealing with a life, it should be protected; if we are not, abortion should be removed from the Criminal Code.

I urge Hon. Members to avoid bringing into the debate all of the other nonsense. If we focus on the issue of whether or

not we are dealing with a life, we will have a good debate. If we focus on other aspects, we will have the debate we usually do on abortion in this House.

I commend to you, Mr. Speaker, the second reading of the Bill and its referral to committee.

[Translation]

Mrs. Lise Bourgault (Argenteuil—Papineau): Madam Speaker, Bill C-216, presented by the Hon. Member for Kitchener (Mr. Reimer), concerns a very important and indeed very sensitive issue. As you know, I have some very definite views on the subject of abortion. Like so many Canadians, recent events such as the Morgentaler case have made me think about abortion. However, I do not want to use the time of this House to discuss the principle behind a Bill that seeks to amend the provisions in the Criminal Code concerning abortion. We are all very much aware it is an important issue and one that has aroused considerable interest. I am convinced that the Hon. Member's initiative arises from the conviction that such amendments are necessary.

Madam Speaker, I would like to repeat in today's debate what I said on June 2 of this year, in the course of a debate on Motion M-37, and I quote:

Our time should be spent developing a true family policy, a policy concerned with the prevention and support that the State should be bringing to families or women pregnant with an unwanted child, in order to help those women, through adequate action keep their child until he or she is born instead of having an abortion.

Madam Speaker, the Hon. Member for Kitchener is proposing to amend the Criminal Code which reads, and I quote:

Every one who, with intent to procure the miscarriage of a female person, whether or not she is pregnant, uses any means for the purpose of carrying out his intention is guilty of an indictable offence and is liable to imprisonment for life.

Madam Speaker, here again, the onus is on the woman, and the man who contributed to this unwanted pregnancy, unwanted since the woman wants an abortion, what kind of sentence should he get, since after all, he made his contribution one night, perhaps with his partner's consent, but it is clear neither partner wanted a child, after all! So if the Hon. Member's motion to deal with the consequences of that sexual act were accepted, it would be the woman who would face a criminal charge. And that is a serious matter.

I would like to take the next few minutes to discuss two aspects of the abortion issue. First, the attitude of Canadians to this question and second, the manner in which the provisions of the Criminal Code on therapeutic abortion are applied across Canada.

To get a thorough understanding of the situation with respect to abortion, we should first take a broader look at the reaction of Canadian men and women on this question. In the past few years, the Canadian way of life has undergone several major changes which have had an impact on the basic standards of the population. Those changes dealt with the