

251 violates a woman's right to liberty by deciding for her something that she has the right to decide for herself.

What have we gotten from the Government? I understand that this resolution has been put forward as a middle position. A pro-life position would lie to one side and a pro-choice position would lie to the other. However, this resolution in itself can only be translated into legislation if a notwithstanding clause is introduced. That makes this resolution unacceptable to those of us who agreed with the Minister of Justice six months ago when he said that it was important that we not put aside the Canadian Charter of Rights and Freedoms for the sake of this abortion issue.

I have other difficulties with the resolution as well.

An Hon. Member: What would you suggest?

Mr. Kaplan: I will make a suggestion. The first thing I would suggest is that if we want to put forward a middle position which I personally would support, it would be a position in which a woman's rights as enunciated by the Supreme Court of Canada are recognized in the early period of a pregnancy and the rights of the foetus are given recognition in balance with the woman's rights in the later portion of a pregnancy. That should be put forward in a resolution that purports to be in the middle of the two extremes.

• (1550)

The Minister rejoiced and claimed credit for having brought forward a resolution that both the pro-life and pro-choice people, as he put it, rejected. I have news for him. He has a resolution which not only the two extremes but the people in the middle as well reject because it does not respect the Canadian Charter of Rights and Freedoms as interpreted by the highest court of the land, the Supreme Court of Canada, in its decision.

The resolution has many other problems, and I want to go over some of them. I mentioned earlier the difficulty with the expression "life and health" under Section 251. This resolution has the same difficult expressions. It talks about the physical or mental well-being of a woman. What is meant by that? What type of precision will be attached to that? Later it talks about the woman's life or health, again the same words that appear in the discredited Section 251. What is that supposed to mean? I submit that the Government owes the Canadian people and this Parliament more than a resolution as ambiguous, difficult, and self-contradictory as that.

I predict, as I said a moment ago, that there will be a lot of conflicting amendments. We wish the Speaker well in trying to put them in order and will co-operate with him. More will be rejected than will be accepted. I predict, although it is not my intention, that the resolution will be defeated. I am hoping that there will be some kind of resolution for which I can vote. It will be up to the Government to bring in legislation.

We are now in the fourth year of the mandate of a very discredited Government and it will be very difficult for the

Abortion

Government to bring forward legislation which will be taken seriously and addressed by this House. However, from what the Government has said about the subject of abortion and about this resolution I predict that nothing will be done.

I am very critical of a government decision and an undoubted government policy which will lead to having no abortion law in effect in Canada at all. Public opinion will be extremely polarized, and in the coming election, abortion, which is not a partisan issue, may, in the result, have far more attention than some of the other issues in which there is a partisan aspect involved and on which it is very important that Canadians speak and express themselves in choosing the next government.

I will not be introducing any amendments myself. I have indicated the areas with which I am dissatisfied, but I do not want to add to the very low credibility of this resolution by suggesting that merely amending it will make it okay.

I want to talk for a moment about the Canadian Charter of Rights and Freedoms. Sometimes people think of the Canadian Charter of Rights and Freedoms, which, after all, is only six or seven years old, as a fringe or frill produced by a country which lived for 100 years without it. It is thought of as sort of a fringe benefit of having been here and having been governed by the rule of law for such a long time.

I want to emphasize how important I think the Canadian Charter of Rights and Freedoms is, particularly in the context of a country which has evolved tremendously over the last 100 years and has become far more complex than anyone might have realized in the mix we have achieved. The Canadian Charter of Rights and Freedoms, in its short life, is becoming a road map for how Canadian society is going to hold together, how a multicultural, pluralistic society with very diverse values is going to be able to survive and become ever stronger.

It is a trite observation that a multicultural and pluralistic society presents to the Canadian people a variety of customs and values. It is a part of Canadian political life to recognize this essential fabric of Canada and, indeed, to celebrate our variety and diversity. It is enriching to experience variety in life. Very often in the great variety of Canadian life differing values fit together and we tend to enjoy and celebrate the fact that within our great diversity there is a tremendous amount of positive similarity and compatibility. We do this by noting that in all the human societies and cultures which make up Canada there are basic shared values, even in our variety.

From the point of view of the members of any particular cultural group there is a great deal of satisfaction in bringing their values into the larger Canadian society. We have watched multiculturalism as a policy evolve. We encouraged groups to express and develop within their groups, their cultures and their values and have moved to the point where the greatest pleasure of a minority cultural community in our country comes from presenting its values to the whole of Canadian society and seeing the values of the group resonating, finding favour, being understood, and being appreciated by fellow Canadians.