

*Criminal Code*

I believe the law must protect human, individual rights, and particularly defenceless and innocent human life. I believe that if this house does not protect all human life then all human life will necessarily cease to have any secure foundation in law. I believe that any broadening of the abortion laws must have serious and deep-seated consequences for future generations. I believe that this house should not alter the abortion laws at the expense of unprotected human life.

We have heard, read and considered the arguments, the theories presented by doctors, theologians, philosophers, sociologists and just plain parents or prospective parents. The presentations made on behalf of both sides on this vexing question now before us were made with conviction and with the ultimate welfare of the people of this nation kept foremost in mind.

My opposition to this amendment stems from my conviction as a practitioner of the law that if the parliament of this land fails to protect the most basic right of man, the right of life itself, then any and all rights or ultimate welfare are sham and meaningless. The argument that a woman has a right over her own body misses the point involved here completely. She may have a right over her own body but she does not have the power of life and death over another distinct and separate life, that of her own child, even if it is unborn. Medical science recognizes a separate life; everyone does or we would not need this legislation. If it is not life then it is just a tumour or some other growth and no section of the Criminal Code is needed to remove a tumour. We know it is life. The reasons put forward for the taking of that life are not good enough. So let us hear no more of the argument that a woman has rights over her own body. Certainly she has, but she does not have the power of life or death over her child who has a separate life from hers.

I should like to read a letter by a professor of sociology of McMaster University which was written to the editor of the *Hamilton Spectator* and published on January 10, 1969. It is in answer to a letter from a woman who wrote to the same paper stating that abortion should be a woman's own choice. It is a short letter and reads as follows:

● (12:30 p.m.)

In an article (December 28), Myra MacPherson states that "a theory is evolving that abortion should be a woman's choice and that there should be no restrictive laws". Actually this is basically a very old theory. In ancient Rome, for example,

a parent (in this case the father) had the absolute power of life and death over an unborn child.

The father continued to hold such power over his children after their birth. When a boy left his father's household he was more or less free of this domination, but in the case of a daughter, her father transferred his authority to her husband.

The head of a Roman household also held the power of life or death over his slaves. The Romans were very consistent: children, wives, slaves were regarded as property and the master could kill them if he wished—there were "no restrictive laws".

Since that time we have generally come to regard women, children, people of other races and countries not as property but as individuals possessed of full human rights. If this is progress, then we will clearly be taking a step backward by repealing that legislation that supports the human rights of the unborn child over the property rights of the mother.

It is signed by Franklin J. Henry, Associate Professor of Sociology, McMaster University.

I have read with great interest the minutes of proceedings and evidence taken before the Standing Committee on Health and Welfare and the many briefs that were filed before that committee. I am sure that every concerned member of this house has taken the time to do likewise. The discussions and cross-examinations that were permitted by the chairman ranged far and wide. There were differences of opinion that were basic and there was a good deal of hairsplitting which at one stage got to the point of whether or not there was life until five days after conception.

Through my reading of the proceedings and evidence including the briefs and other material it seemed to me that there was an inescapable conclusion that life began at conception. In other words, from the moment of conception a chain of activity was set up which when allowed to proceed would result in the birth approximately nine months later of a child. Opinions were expressed that for some length of time this living organism was perhaps only a potential child, that is, that this living organism did not implant itself on the side of the womb for five days, four days or six days. There was a great deal of hairsplitting concerning when the particular person who was giving evidence felt there was what he called life. The most reliable medical evidence—in fact nearly all the medical evidence—was to the effect that in the opinion of the doctors there was life at conception.

It is obvious that this life is innocent and unprotected. The amendments proposed ask hon. members of this house, therefore, to set a price on the taking of life. It is quite true it is life that we cannot see; but let us not be