

Right of Life

respect to the need in certain instances for terminating pregnancy. I seriously doubt that any well-intentioned individual could disagree with the destruction of a foetus if, in the opinion of qualified members of the medical profession, the pregnancy actually endangers the life of the mother and could even bring about her immediate death. This brings us to our current dilemma of attempting to frame legislation which adequately addresses the complex concerns involved while sympathetically considering the views of both the pro-life and the pro-choice advocates.

Both the content and application of the abortion reform law have been actively criticized since its inception. On the one hand those advocating the discrimination of therapeutic abortions believe that the rules are too awkward and confining. They feel that in the final analysis the present provisions restrict the rights and freedoms of women. Instead of a committee of three doctors deciding her fate, they contend that the decision should be left up to the individual concerned and her personal physician. Conversely, those who maintain the need to protect the foetus believe that the criterion of health as a justification for therapeutic abortion is too vague and does not adequately control against abortion on demand. They suggest that the condition of health should be eliminated or at least narrowly defined, restricting it to strictly physical health or by omitting socio-economic circumstances of the individual in assessing mental health or competence, for example.

The obvious difficulties involved in the various interpretations given the abortion law actually forced the Government in 1975 to establish a committee headed by Robin F. Badgley to investigate the legitimate concerns which had arisen as a result of the abortion reform law. The Badgley committee conducted exhaustive examinations in hospitals across Canada and determined that women did not have equal access to therapeutic abortion for various reasons, including a myriad of provincial rules and regulations governing the creation of therapeutic abortion clinics and hospitals, and the conflicting attitudes of members of the medical profession as well as hospital boards of directors. The most disturbing element of the Badgley committee's findings is that the problems identified in the report are just as prominent now as they have ever been.

The Hon. Member for Grey—Simcoe has given us a possible avenue to pursue in our desire to create an effective policy on abortion. When he last raised this issue during Private Members' hour in November, 1986, a number of legitimate concerns were raised. For instance, some warned he was being too rash considering the fact that polls revealed Canadians are evenly divided on the issue. Others suggested that the constitutional approach and the amending procedure is too complicated to be efficiently handled in Private Members' Business. All of the difficulties mentioned by Hon. Members are important, to be sure. However, they still do not bring us any closer to resolving the problems I outlined earlier.

In conclusion, I support the motion proposed by my hon. colleague to include unborn human persons in Section 7 of the

Charter of Rights and Freedoms. It is improper and indeed I consider it to be immoral to deny children the right to life and the right not to be deprived of life save in accordance with principles of fundamental justice. However, having said that, I would like to emphasize that we cannot give rights to children at the expense of women. To do so would be to replace one injustice with another. For that reason I would like to close my remarks with an amendment which needs to be made for clarification and at the request of the mover of the original motion. Therefore I move, seconded by the Hon. Member for Cape Breton Highlands—Canso (Mr. O'Neil):

That the motion be amended in the paragraph numbered 7 in the English version by adding immediately after the word "unborn" the word "human".

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): On division? It is debatable.

Mr. Cassidy: Point of order. I seriously question whether the House should be asked to vote on this point right now. The amendment is debatable and during the course of that debate Members will be able to comment on the general resolution as well. Therefore I suggest that it not be voted on at this time but be left open for debate.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The Hon. Member for Saint-Denis (Mr. Prud'homme) on a point of order.

Mr. Prud'homme: Your ruling is a very easy one. We are now debating the amendment. You need not put the question immediately and, eventually, if we get to that point, we can vote on the amendment and the motion. There is no problem.

[*English*]

Mr. Keeper: Madam Speaker, I wonder if you might consider whether or not such an amendment is in order. The resolution is presented to us in the projected order of business so that we can have an opportunity to read it before debating it in the House. I suggest that if we allow amendments to Private Members' motions like this during the debate we then lose the opportunity to be forewarned about the nature of the resolution. It could even lead to a situation in which the committee with the responsibility for choosing what kinds of resolutions will come before us would be undercut because we could have an amendment which could change the meaning of such resolutions in a significant way.

[*Translation*]

Mr. Gérin: Madam Speaker, with regard to this amendment, on the contrary I believe it is possible to introduce amendments. However, in this event, all Hon. Members—eight or nine, I believe—who have already spoken have the