

*Criminal Code*

14, which is absolutely unacceptable to any sensible man. Indeed, Mr. Speaker, that section would make him guilty of murder who would cause to a child before or during its birth injuries likely to bring about his death, once he has become a human being; in other words, under the provisions of subsection 1 of the bill, once he has come out alive of his mother's womb.

Mr. Speaker, I find that clause most repugnant. It is absolutely unacceptable for many reasons. First of all, it is untrue to claim that a child is a human being only once he is born, as the law pretends it to be, for the premature baby who is born for example after four, five or six months of pregnancy can surely be "rescued", as the saying goes, thanks to incubators and other medical means which are now sufficiently developed to permit such an achievement.

Therefore, Mr. Speaker, the abortionist who would cause injuries to a five-month old foetus would actually kill, I think, a human being for were the child born prematurely, he would be recognized as a human being. It can thus be said that whoever brings about an abortion deliberately, by whatever means, from the moment when according to scientists life exists, commits murder.

Secondly, that clause is unacceptable because it is presumed that the abortionist, whether or not an expert—for in this area many illegal acts are committed which are not provided for in the law, even if the latter is more lenient concerning abortion—cannot afford to fail in connection with abortions, which I think is a sadistic attitude. In fact, if for one reason or another the child were to be born just the same, after suffering injuries, that abortionist could be prosecuted for murder, if the child dies after birth.

This compels the abortionist, or the doctor, to use methods that are absolutely sure, effective and drastic to kill the foetus while it is in the mother's womb, because, according to the new sections in this bill, it would not be a criminal offence to kill a foetus in the mother's womb as long as it is there. According to this bill, there would be homicide only if death occurred during birth or following the abortion. Mr. Speaker, I know hundreds of doctors who, in a general way, are opposed to this section and to this bill. Finally, there is another problem, the moral one and it is the most serious of all. Indeed

Mr. Speaker, section 195(1) of the Criminal Code reads as follows:

—a child becomes a human being within the meaning of this Act when it has completely proceeded, in a living state, from the body of its mother.

But, all Christians know that there is life long before the child is born. Experts who are atheists believe this also.

We should therefore expurgate from the Criminal Code a definition to the effect that birth is the beginning of life. It is well known, Mr. Speaker, that birth is not the beginning of life but a stage in life's progress and that life has begun long before the confinement.

I suggest that the Criminal Code cannot, unless it be expressly and criminally, state that life begins when the child has completely proceeded, in a living state, from the body of its mother, since most biologists agree that the birth of the child does not mark the beginning of its life but is rather indeed a stage in the progress of life.

In this regard, section 14 of the amending bill does not go far enough since it is necessary at all costs to define what we mean by a human being on the basis of modern concepts and modern knowledge available to us at the present time.

Therefore, it is not reasonable, Mr. Speaker, to keep in the Criminal Code if it is our intention to make it more human—and this is my wish—such a definition of life because birth would become the beginning of life while it is only a stage. At that rate, Mr. Speaker, all murders are permitted.

It is for these reasons that I strongly object to that amending clause which, in fact will solve nothing, which will not put an end to back street abortions but which will only increase them by encouraging the abortionist not to miss the mark for fear of being charged for murder. Is there anything more stupid, Mr. Speaker, more inconsistent and more inhuman than that? Under this new legislation we would accuse someone of murder if he had improperly killed, that is if he had missed the mark. It is horrible. It is immoral, it is inhuman and it is degrading that such a bill be put before us in 1969 when our medical, biological and other forms of knowledge are most highly developed. Mr. Speaker, this is totally unacceptable.

In my remarks now I shall deal with clause 7, on page 24 of this bill concerning homosexuality that is the exceptions regarding acts in