

Criminal Code

embryonic stage, within the ovule and the spermatozoon when they met, and combined to create the outstanding features of the new human being.

I shall illustrate this by a very simple example. Let us suppose that the hon. member for Chambly is thirty years old—this must certainly flatter him—that he is trying to remember what happened in his life, ten years ago. He will be able to remember certain things. Ten years seems a very long and a very short span of time. We feel that if we can remember what happened ten or twenty years ago, we can also remember what we were doing at the age of three, four or five. Anybody can.

These memories are vague and remote though at the same time precise. Nevertheless, the most fantastic and extraordinary thing, is that we feel we have not really changed from the time we were five years old.

No hon. member could rise and say that evolution stopped abruptly between the time he was five years old and today. Everybody realizes that there is so much continuity that the individual does not feel he has changed.

In other words Mr. Speaker, the foetus in the womb of his mother is a potential human being. It is just as clear if we follow this reasoning that birth, as I said yesterday, is not the beginning of life as the Minister of Justice would have us believe, but a stage in this life which took a nine-month long preparation and scientific "alignment"; the mother fed the embryo for nine months. She took care of him. He is entirely dependent at that time both of the mother and the father.

He is totally dependent and right from the moment of his birth, his mother is giving him all he needed to become a human being.

In other words, Mr. Speaker, the fact of performing abortion without any serious reason is, in my view, a homicide.

And I say again, Mr. Speaker that I simply cannot believe the Minister of Justice dares to suggest, together with his colleagues, that life is absent from the foetus in the mother's womb.

And if he admits that life is indeed present, he must also admit that it is a crime to kill this foetus.

Mr. Turner (Ottawa-Carleton): Mr. Speaker, I give on a point of order.

The Acting Speaker (Mr. Béchard): Order. The Minister of Justice on a point of order.

Mr. Turner (Ottawa-Carleton): I never said life was absent from the foetus and therefore the remark of the hon. member has nothing to do with my argument. I said nothing at all because, to defeat the amendment, it was not necessary.

Mr. Fortin: Mr. Speaker, the Minister of Justice so far, did not tell us whether life was present or not in the foetus. He says he never said it, but he never said the contrary. I would like him to be more specific about facts. The point is to have a bill that become law would allow a committee of qualified doctors to jeopardize the normal development of the foetus after implantation.

It is therefore important to know if the surgical operation will be performed on a human being or just on a cluster of cells. There is a difference. If one considers the foetus just as a cluster of cells, there is no problem; we are wasting our time discussing it, since bringing about abortion would not be a homicide but simply eliminating a cluster of cells.

But if it is definitely not a cluster of cells, every scientific conclusion leads us to believe it is a foetus.

Let us go further. Let us suppose that we are not quite sure whether it is a cluster of cells or a foetus, whether it can live or not. In the light of those considerations, are we authorized, from the legal as well as the human point of view, to legalize abortion when there is some doubt?

If we have doubts whether we are dealing with a viable foetus, it is impossible to legislate as clearly as the minister would have us, because abortion is dangerous, since the doctor himself cannot determine whether or not he is interfering with the normal development of the foetus.

Since some risk is involved, the wisest attitude would be to abstain from doing so until science has dissipated all doubts and abortion can be allowed because, then, it will not entail moral consequences.

But, if we are sure to be dealing with a viable foetus, we do not have the right to interfere by the artificial means that therapeutic abortion constitutes: there would then be homicide.

Mr. Speaker, to my mind it is extremely important that we should clear up this matter. The minister does not tell us whether he considers the foetus as a human being or as a group of cells but, really, that is the question.

If we are dealing with a mass of cells, there is no problem; but if we are dealing