

*Criminal Code*

will be asked to pronounce on human life, to decide whether that child, a human being, is to be allowed to stay alive or to have its life removed. They will be asked to decide whether that child shall be allowed to come into the world and become a person or be checked at the beginning of life. That is a decision which is social, moral, legal and humane. It cannot be divorced from the human and spiritual aspects in which it is clothed.

I ask, will it not in most cases be easier to allow abortion than to force a woman to have a child she does not want? Do we not by the provisions of this bill open the door to unrestricted abortion in fact and in practice? It is hard to reconcile the government's thinking on human life. It says on the one hand, "We cannot take the life of a convicted murderer" and on the other hand, "But we can take the life of an unborn child."

One hesitates to use the argument about the rights of the unborn child, not because it is not a powerful and valid argument but because those who have introduced this bill and support it have already made up their minds that those rights either do not exist or are inconsequential. Are we to take a view on this matter that is purely materialistic, hedonistic or scientific? The view that says the unborn child has no rights and is not to be treated as possessing human life with a claim to personality is neither scientific nor just. Is there any question that if an unborn child, a foetus, were the heir to a fortune or crown the destruction of that foetus for motives either pecuniary or political would be murder? One would have to agree it would be murder. Has not the yet to be born child as great a right to life as, for example, the convicted murderer? The murderer has the right to live, and this government has said so. But according to the legislation before us the child who has harmed no one has no right to be born if his birth will be a cause of mental or physical injury, inconvenience or embarrassment. That is what the question will resolve itself into.

Wherever abortion has been permitted in the past, as in Greece or in Rome, it has contributed to the decline and downfall of that society. In Japan abortion is now practically unrestricted. One asks, how wide are we to open the doors in this permissive society? Taken in context with other adjustments having the effect of weakening a social fibre painfully built up over the centuries—I am speaking of relaxation in divorce, homosexuality, drug addiction, obscenity, and similar

[Mr. Nielsen.]

provisions in the law—there is a distinct possibility that we have gone a long way toward writing off the future in building a permissive society. The experience of the past has been that certain areas of human conduct hold the keys to destruction and decay. Antisocial practices such as homosexuality, drug addiction, abortion, easy divorce and the toleration of obscenity have led inevitably to the destruction of the society in which they were unleashed. Experience has framed our laws so as not to permit the progressive corruption which such modes of conduct entailed in the past. Practices and activities which if carried out and accepted universally would make organized society impossible to maintain are by their nature antisocial. These are the practices we are today being asked to look upon with tolerance, if not with favour.

There should be no penalty against an unwed mother or her child. Where such children cannot be looked after they should be taken care of by the state, with no contumely attached. Instead of being concerned with the type of legislation before us the government might consider the plight of unwed mothers and their children. If the nation wants to fill a gap in social legislation, in that area there is huge room for improvement. In the handling of children without parents, our society leaves a great deal to be desired. It is an area with regard to which the federal government should sit down with the provinces and work out a program so that across this nation, without discrimination, without fear and without prejudice, the same standards can be applied in the handling of all children who through no fault of their own have been deprived of the love and care of their natural parents, either married or otherwise. Surely it is the children who must be our chief concern.

● (2:30 p.m.)

When I visit some of the hovels and tents in the north I see children of native Indians living in the most abject squalor. It is beyond the imagination. One wonders why the federal government does not meet with the provincial and territorial governments and attempt to solve these problems instead of concerning itself with homosexuality. Surely children in this advanced, modern, enlightened nation, in this space and electronic age, have the right to decent, reasonable treatment across this country regardless of the circumstances in which they enter this world.

Rather than removing the life of an unborn child, is it not more progressive in this of all