

Abortion

I will give copies of this to Members in order that they can read it for themselves. He says:

Only one Judge expressly holds that Parliament cannot place any restrictions on abortions performed in the first trimester of pregnancy, except possibly that the woman's decision be taken after consultation with her physician. The two dissenting Judges base their dissent on their conclusion that the Charter does not protect the woman's right to terminate pregnancy at will. A standard, therefore, permitting abortions on request in the first trimester would in all likelihood be subject to constitutional challenge on the basis of Parliament's failure to balance the competing interests of the pregnant woman and the foetus. The Court has not ruled on this.

Therefore, I contend that the motion before us submitted as a basis for debate will not withstand a Charter challenge, if for no other reason than it is ultimately very arbitrary. What, in the name of common sense, could lead us to conclude that a woman who is pregnant and seeks an abortion at the sixteenth week is not committing a criminal offence, but if she goes into the seventeenth week she is a criminal? What could be more arbitrary than that? Putting it the other way, how could we make a law which says that a child is safe during the seventeenth week of pregnancy but not in the sixteenth? What could we be more arbitrary than that? The Supreme Court, in its judgment said over and over again that if the law is going to be fair it cannot be arbitrary, it must be applied throughout Canada in the same way, it must be applied to all people in the same way, and it cannot be arbitrary.

I resist that motion on the basis of its arbitrariness whereas the motion standing in the name of the Member for Kitchener deals with the arbitrariness of the law. I support that motion, second, because it preserves the values important to our society.

I have already mentioned the value of life. I come from a province in which there are four live births for each one abortion, a ratio of four to one. That says something about our attitude toward life and our attitude toward society. Do we want to be judged by future generations on such an expression?

I want to leave Members with an observation by the eminent French historian sociologist Jacques Ellul who made some very perceptive observations about life. In a book entitled *The Betrayal of the West* he said:

Reason combined with control leads to coherence. When the individual wins his freedom from the social body and wants to be free in the face of . . . others, he runs the great risk of incoherence. . . . If a relationship is to be authentic, the other must be able to rely on the continuity of my behaviour, for instance, and know that he can expect certain kinds of words of help or refusals from me. Without such continuity a relationship becomes impossible. . . .

Coherence enables me to regard my commitments to others as durable. Marriage or a contract are not mere external formalities; they are meant to be declarations of intentions that are firm and fully accepted.

Only then will I succeed in not becoming the inconstant prey of circumstances. Inconstancy in relations between the sexes is surely not an advance in freedom, but a withdrawal from true personhood, for it indicates the inability to resist circumstances and the impulse of the moment. Just think of the countless novels since *Madame Bovary* that have justified adultery and a way of life contrary to "bourgeois marriage". What do we find in them? Everything is the outcome of circumstances; a delightful evening, a ball etc., etc., throw people into one another's arms, people who want the marvelous

experience of "free" love, unhindered by the conventions of the kind of marriage society will accept. But such free love is in fact no better than the marriage it rejects—

The point is that we all have contracts with each other. When two people engage in a sexual union there is a contract between those two people. Witness the pithy, terrible jokes about life: "Will you love me tomorrow?" Everyone hates to be jilted. There is a contract between two people. When that sexual union creates another person, there is another contract between the two people and a new individual. That new person is depending on the fulfilment of that contract for life. Society recognizes that.

As Mother Theresa said in Vancouver, when a woman has an abortion she commits murder twice, first she kills a child then she kills her conscience. Even Paul Anka recognized the contract in that song which was popular two years ago, *Having My Baby*. He said: "You could have swept it from you but you didn't do it". You see, there was a contract between two people.

If our society is going to maintain any kind of coherence, if people are to be able to depend on relationships in which there is a contract between two people, we have to depend on it in a sexual union and in a pregnancy contract because we depend on one another.

● (2000)

Third, I support that motion because it is the most compassionate. There is no doubt that we tend to be very flippant about this. But we need to enter into the world of the people who see themselves "in trouble". We need to walk alongside that teenage girl who is unexpectedly pregnant and is in distress because society might reject her, her parents might reject her or her boyfriend might reject her. We, as individuals, and our society need to learn to walk alongside those people and embrace them, care for them, provide for them support mechanisms that will allow them to enter into an enduring relationship with a life they are creating. We are thankfully beginning to do that.

Is it not significant that yesterday we celebrated the tenth anniversary of Louise Brown, the first test tube baby. I recall the outpouring of hunger for parenthood that took place the day after she was born. The day after Louise Brown was born, around the world there were 60,000 applications for *in vitro* fertilization.

Think of that hunger for parenthood. Why is it necessary to abort when there are countless thousands of couples across Canada who are saying: "We want to be loving and caring parents".

I think it is significant that the Minister of National Health and Welfare (Mr. Epp) yesterday tabled provisions that would create in our society new levels of child care that would allow people who are facing an unwanted or unexpected pregnancy another avenue of help. It may not be the answer for everyone because I think all of us believe that children grow up best and