

Criminal Code

is also appropriate for me to object to a motion even when it happens to contain ideas to which I take exception.

I believe that the amendment now before the house is leading us into a somewhat frivolous debate, is irregular and should be ruled out of order. We ought not to debate it any further. As to my right to raise this point of order at this time, I rely on citation 70(2) of Beauchesne's fourth edition. I will not take the time of the house to read that citation, as I doubt that there is any argument as to my right to raise this point of order at this stage.

The basis of my argument against the admissibility of the amendment is to be found in citation 203(1) of Beauchesne's fourth edition. The important sentence reads as follows:

Every amendment proposed to be made either to a question or to a proposed amendment should be so framed that if agreed to by the house the question or amendment as amended would be intelligible and consistent with itself.

I contend that if the amendment of the hon. member for Abitibi were adopted we would have as a result an amended section of the Criminal Code which would not be intelligible or consistent with itself. That is the first of two main reasons I wish to put forward to support my argument that the amendment is not admissible.

My hon. friend from Abitibi seeks to move a motion to amend clause 18 of Bill C-150, which refers to abortions of female persons.

Some hon. Members: Hear, hear.

Mr. Knowles (Winnipeg North Centre): The laughter I hear demonstrates my point. We are having a frivolous debate and we ought not to consume the time of the house with it.

Some hon. Members: Hear, hear.

Mr. Knowles (Winnipeg North Centre): May I say that I indicated to my hon. friends next to us that I would be raising this point of order this afternoon, so they would be ready to reply. The hon. member for Abitibi wishes to remove the word "female" wherever it appears in clause 18 of Bill C-150. He wishes the language of the amendment to refer only to a person, not to a female person.

I listened last night to the arguments that were advanced. My friends said that a person is a person, whether male or female, and that in the case of an abortion the reference would obviously be to a female person. Nevertheless, I suggest that if this amendment were passed there would be an inconsistency in the amended section and, second, the amended

[Mr. Knowles (Winnipeg North Centre).]

section would not be consistent within itself in that the amended part of the section would not be consistent with the original part of the Criminal Code. For example, if my hon. friend's amendment were carried the amended section in one place would contain the word "person" and then later would talk about "her intention" or "her own miscarriage." I do not wish to press the rules of English grammar too far but it is a rule of English grammar that when you talk about a person you must then say "his" this, or "his" that. If the language of the section is to refer to a person the obvious inference to be drawn would be the section should then refer to "his intention" or "his own miscarriage", which is ridiculous. That just shows the ridiculous situation we should find ourselves in if this amendment were passed. I submit that these inconsistencies in the amendment itself make the amendment one that should not be before the house.

Even more serious than that is the fact that if this amendment were passed it would become an amendment to section 237 of the Criminal Code. Section 237 of the Code already contains three subsections, two of which refer to a female person. If the amendment were passed it would apply to the new subclauses or subsections 4, 5 and 6, but no change would be made to the original, unamended part of the Code. As a result a state of confusion would arise. Section 237 would contain six subsections, some of which would refer to a female person and others to a person. Confusion would be inevitable.

Even worse than that, if the amendment were to carry someone would have to change the language in the original, unamended subsections of section 237. If we did not do it here it would have to be done by the officials who revise our statutes from time to time. The net result of passing this amendment, therefore, would be that we would effect an amendment in the original statute; we would alter section 237 of the Criminal Code of Canada.

May I remind Your Honour that on Friday, April 25, you ruled out of order three amendments that were proposed. I refer to amendments Nos. 17 and 18 proposed by my colleague, the hon. member for Vancouver-Kingsway, and amendment No. 20 which was moved by the hon. member for Calgary North. Your Honour's argument in ruling out those three amendments was that the amendments went behind the bill and amended parts of the original act which were then not