

*Criminal Code*

In my opinion, these are two different implications. Responsibilities in these two specific cases are different, and the Criminal Code serves precisely to evaluate the degree of criminality of an act in relation to another one.

We cannot therefore put everything in the same basket. I shall make the same comments regarding clause 18(4)(c) which says "would endanger the mother's life or health".

I think that moral, criminal, social and family implications are not the same in the case where the pregnant mother's life is in danger and in the one where her health is in danger.

This is why, Mr. Speaker, I strongly object to clause 18 which stipulates a lot of things, which allows for the consideration of many factors, events, predictions and human reactions which cannot be put in the same basket since every woman and every couple are in a different situation. In this connection, the number of children is very important, since it can serve as a basis to evaluate the degree of the parents' responsibilities.

I therefore think, Mr. Speaker, that as a matter of conscience, every member worthy of that name should object to that clause because it is very precise, too wide in scope, inhuman and because it recommends a criminal act should the doctor propose or accept abortion when the pregnancy would likely endanger the mother's health. We open the door to all illegal abortions that could or even could not be imagined now, since any pregnant woman could claim that her health is likely to be in danger and then the physician, in accordance with section 18(4)(c) would say: "The Criminal Code allows it."

Mr. Speaker, in my opinion, that clause is criminal. I support the provision which states that "it would endanger her life" but I strongly object against "would be likely to endanger her health". That inadequate measure would make possible the homicide of a child who has not asked to be born and who furthermore is innocent. Those provisions are much too broad, when one realizes that a pregnancy is not too dangerous.

I agree, Mr. Speaker, that the life of the mother must be protected. The choice still belongs to the couple concerned. The bill must provide for it, that is fine. The humanization of the legislation has no doubt some advantages.

If the mother has already one, two, three, four or even several other children who

[Mr. Fortin.]

of course badly need her presence, her home would definitely be broken by her death, because she is an essential element of family happiness. It goes without saying, Mr. Speaker, that if her life is in danger, the husband with his wife in accordance with the advice of several physicians could accept the abortion under the vigilant supervision of the medical board of an accredited hospital.

I agree, Mr. Speaker, because this is a typical case where the law must be broad enough to provide for the self-fulfilment of the human being, which respecting him in order that the family—and that is especially important—may go on living in progress and self-fulfillment.

Mr. Speaker, that is the limit! It runs absolutely counter to common sense, to respect for the human being and to life itself, to try and force us as the present government proposes to do, to adopt a clause providing for situations when the life or the health of the mother would probably be in danger.

The alternatives are clear, Mr. Speaker: either the woman was ill before becoming pregnant but pregnancy has made things worse and thus endangered her life; in such a case, I would accept the idea of a legal abortion, once the required checking was carried out by the medical board of the hospital; or, again, during the pregnancy, the woman contracted a disease not due to her condition, and then the same principle applies, provided her life is threatened and not her health. But the bill before us says and I quote:

—such female person would or would likely to endanger her life or health—

Mr. Speaker, I cannot understand why, among government members, in particular those from Quebec who understand or are supposed to know the problems of that region, so few rise and express their position on that matter. Either they have no opinion and are stupid, or they have no conscience and are immoral.

Mr. Speaker, I think our sense of duty must be strong enough to allow us to say fearlessly and frankly what we think, even though the Prime Minister would like to prevent us from doing so.

Mr. Speaker, heavy responsibilities fall upon the legislator. This clause is too wide in scope and too vague, which is intolerable in a bill of such an importance. However, the main stumbling block comes from clause