

Criminal Code

motion. After that, we can consider other things.

May I also say that certain reasons which cause a woman to seek an abortion—I am speaking of poverty, adverse social conditions and so on—should be cured by society. If a female wants an abortion, that is, wants to do away with the life of a child because of certain social reasons or because she cannot afford that child, then surely it is the duty of the state to give that family the necessary assistance to take care of the children. If bad social conditions, improper housing, or slum conditions cause a woman to seek an abortion, then I think it is the duty of the state to correct those underlying conditions. I say that many of the conditions put forward by persons as reasons for an abortion are conditions that may be and should be corrected by society. Of course, if the continuation of the pregnancy endangers the life of the mother, we cannot do anything; she must have an abortion to protect her own life. The same thing applies to her health. But if she wants an abortion because she is poor, because she is living in adverse social conditions or simply for personal convenience then, surely, we have civilized and humane methods of dealing with those problems.

I submit strongly that we should allow abortions under controlled conditions. At present the law is totally inadequate and confusing. There are conflicting sections in the Code, and the law must be changed. There ought to be reforms and I suggest the reforms should state clearly the conditions under which an abortion may be granted. Those conditions should be serious conditions. They should be related to serious threats to the life or health of the mother.

Mr. D. Gordon Blair (Grenville-Carleton): Mr. Speaker, I intend to speak briefly on this motion. Having listened carefully to the hon. member for Notre-Dame-de-Grâce (Mr. Allmand), I rather feel that he has set up a lot of straw men which are not in issue at all in this motion to amend. He made a case against permitting what might be termed abortion on demand or request, but he did not say anything which persuaded me that the proposed wording of his amendment in any way improves upon the present wording of the bill.

I think all hon. members realize that it is necessary, in providing for therapeutic abortions, to deal with questions not only of life and death, but of health. This was made clear by the great case of *Rex v. Bourne*, decided

before the war in Great Britain. In that case the medical evidence made it quite clear that it was impossible in many cases for doctors to decide whether life or health were involved. Indeed, they might never know that life itself was involved unless the mother died. So, I think all hon. members supporting the principle of therapeutic abortions realize that the distinction which is sometimes made between the life of the mother and the health of the mother is a false distinction. They realize that medical men, in the exercise of the awesome discretion which they now have and which we will confirm with the passage of this bill, require the protection of the law.

I invite the attention of hon. members to the wording of the present bill and to the wording of the amendment proposed by my colleague for Notre-Dame-de-Grâce. The present wording is to the effect that a therapeutic abortion will be lawful if it is found that the continuation of the pregnancy would be likely to "endanger her life or health". I submit that the word "endanger" is a good, old Anglo-Saxon word. It is strong, forceful and carries great significance. That wording means that the medical men must find—

An hon. Member: Probably, you mean.

Mr. Blair: The medical men must find that the continuation of the pregnancy will endanger health, in the same way as it may endanger life.

Now, let us consider the proposal made by way of amendment. Instead of using one verb, it uses two. The test as to life will continue to be whether it endangers her life, but the test as to health becomes merely whether it will "impair her health". Actually, the full wording of the amendment is:

—endanger her life or seriously and directly impair her health.

• (5:40 p.m.)

I submit for the consideration of all members that, on a proper reading of these two texts, the test "endanger her life or health" is a much more serious test than "impair her health". I submit further that the addition of adverbs to the word "impair" does not improve its force or position. It is suggested that the test should become the endangering of life or seriously and directly impairing health. If this kind of section ever had to be construed by a court, I would say that the court would look at those two verbs—

Mr. Turner (Ottawa-Carleton): Adverbs.