

*Government Orders*

diseases. That was a farce. I think we recognized it as a farce.

I am suggesting to the government that the legislation it is proposing is an invitation to the same type of mockery and contempt for the law as was the case back in the days when that legend appeared on the side of every condom that was sold in our country. I do not think that legislation on such a serious subject should be brought forward in a spirit of complicity or in a spirit of fraud. These are the reservations that I have on constitutional grounds about this legislation.

I have other reservations about it. I am glad the Minister of National Health and Welfare is here because I want to quote him. This legislation does not deal adequately with access. This legislation may establish a framework for obtaining an abortion. It does not provide—and there is no companion policy which provides it—that wherever in the country a woman seeks an abortion she shall have the same treatment at a level as is available everywhere else in the country.

This is an issue that is larger than simply the abortion issue. This is the difference between the Liberal way of looking at Canada and the Conservative way of looking at Canada. On this side of the House we feel that the government has a responsibility to provide a large measure of national leadership. We believe it is our job in this place to build up and reinforce Canadian identity through the creation, development, and strengthening of a set of values that we as Canadians believe in, to strengthen them and give them extra meaning, to give them extra definition every day.

On the opposite side of the House, those members do not see the responsibility of the federal government that way at all. They look at this piece of legislation, look at the Constitution, and see that health care is a provincial problem. They say: "Let us pass the buck to them. Let us not try in our way through whatever lawful means at our disposal to assure that women receive equal treatment across the country".

This is what the Minister of Justice said to the Canadian people and to the women of this country last week in his press conference. I have a quote from the transcript:

"It is the responsibility of the Government of Prince Edward Island to determine whether or not the women of Prince Edward Island should have to go to Halifax for an abortion".

• (1300 )

It reminds me a little bit of the lotteries legislation. The federal government passed lotteries legislation and provinces could or could not have a lottery; it was up to them to decide. That is where the government places its responsibility for the national health care program of Canada.

We on this side of the House do not see national health care like a lottery. We think of it as one of the greatest sources of pride and unity in our country. We do not hesitate to do what we can do as a Parliament to get this legislation and policy implemented across this country so that whatever the abortion policy is, it will be available to women across the country on an equal basis and not on a totally differential basis from one part of the country to the other.

I know that the Minister of National Health and Welfare spoke about the Constitution of Canada yesterday. He said in the House of Commons, as reported at page 5596 of *Hansard*:

We have an obligation to respect the Constitution of Canada which gives the primary responsibility for the delivery of health services to the provinces. The hon. gentleman concedes the fact that nowhere in the Canada Health Act is any procedure, including life-saving procedures, required to be provided in a specific way by any province. What the hon. member proposes is that we throw constitutionality to the wind—that we engage in an invasion of provincial jurisdiction.

I have news for the Conservatives. It was the national Government of Canada that created the national health care system of Canada. We invaded the provincial jurisdiction by the perfectly legitimate means of federal spending power and federal leadership to create a program which is one of the great sources of national unity and pride in our country.

I know because the Conservatives voted against it back in the 1960s that if it was proposed again or if they were the government at the time, we would not have a national health care program in our country. We have it because the federal government, then a Liberal government, saw a responsibility to provide leadership.