

Criminal Code

● (8:10 p.m.)

The hon. lady who spoke before me pointed out the definition of health as given at the United Nations. She spoke about social health and mental health. For seven years, while engaged in the pharmaceutical industry, I was very closely associated with hospitals. I think I know as much about doctors and hospitals as the committees that are set up which make decisions regarding health. Although I have great respect for the medical profession, I am not one who places a doctor on a pedestal as being a god who can decide between life and death. I know there have been hospital committees in the gynaecological field which have determined whether or not a woman should have a hysterectomy. I know that this decision has depended upon one person because the gynaecologist on the committee was the one most qualified and therefore was the one who decided. We all know that many uteri were removed in this country which should never have been removed. The same thing would apply in respect of this committee which would be set up in the hospitals.

Suppose a committee on mental health should be established. The psychiatrist member of that committee would be the one who would make the decision because he would be the most qualified to decide in matters of mental health. If he decided that a woman should be aborted because of her mental state, that would be it. So, I think this question of relegating these decisions to a doctor is not what it is cracked up to be. I believe that by bringing in this kind of an amendment we are simply doing one thing; we are opening the door to abortion on demand.

Some hon. Members: Hear, hear.

Mr. Stewart (Cochrane): If that is what the advocates of this bill want, that is fine. I hear some hon. members applaud. I am sure that is exactly what some hon. members want. I suggest they should say so and not attempt to bring that about under the guise of this particular amendment.

I can do no better than quote my hon. colleague from Hamilton Mountain (Mr. Sullivan) with regard to this matter of abortion on demand. At page 4785 of *Hansard* for January 24 he is reported as saying:

As someone on the committee said, he would like to see the abortion law opened wide but he believed in proceeding bit by bit.

[Mr. Stewart (Cochrane).]

Is that what we are doing, proceeding bit by bit to get abortion on demand? Then, the quotation continues:

So we have already had notice that this is only the start of the movement. If the members of this house permit the altering of these abortion laws as proposed there is no logical reason that can be submitted later why the unwanted, the unproductive, the deformed and the mentally retarded members of our society should not be exterminated.

I think that is a very forceful point my hon. friend has made. It goes right to the root of this problem. Before concluding my remarks, I should like to leave this thought with members of the house. We have seen throughout history that whenever a nation has relaxed its moral code it has opened the door to decadence. We have seen this happen in the history of the Roman empire and we have seen it in more recent times. I believe Canada is on the threshold of greatness. We will become great only inasmuch as we respect life and the right of all human beings to follow their own conscience.

Mr. Robert McCleave (Halifax-East Hants): Mr. Speaker, the Criminal Code of Canada is one of the great pieces of Canadian legislation. By it we can judge the standards that we expect of each other. By it we give some indication of the compassion we feel toward each other. The thoughtfulness that has gone into this debate so far is an indication that this very serious piece of legislation is receiving due and proper attention in this chamber.

I propose in a few remarks to point out three areas of the omnibus bill where I am in quite strong agreement, although I have suggestions for improvement. There are several in respect of which I am in complete disagreement. Then, there is one area where I go through the agony of doubt that I am sure has beset many other members in the house.

First, let us deal with the items that are not in this measure which is before us. I believe that sooner or later we must grasp the nettle of dealing with the question of insanity and bring the provisions of the Criminal Code up to date. Important studies have been made and a good deal of experience and opinion is available to us. We must not allow the criminal law of the country in this regard to become hopelessly out of date. Correspondents of mine have noted that the proposed legislation does not contain a provision that was presented by the previous minister of justice, the present Prime Minister of Canada. Perhaps I might have the indulgence of the house to note that this lack in the omnibus bill is covered in another bill. I am referring