

*Criminal Code*

stated the test that continuance of the pregnancy would put the mother in a state of physical or mental wreck. Does the new law go farther? This reform is spoken of in glowing terms. Is it window-dressing to be gobbled up by those who have studied the changes or are they merely overcome by the propaganda they have read? In the scientific medical field, with the extension of the application of psychology and psychiatry health could have a very wide definition. Words grow with sociological changes.

I think it is important, on behalf of my party and the people of Canada, to put on record certain arguments presented to me by members of my party and by societies regarding their feeling as to therapeutic abortion.

In 1933 the Supreme Court of Canada awarded an unborn child—a foetus—damages when the unborn child was injured while in the womb and the injuries were caused by the negligence of another. I would like to quote from a brief dated October, 1968, of the Knights of Columbus, an organization representing a large section of this country. I hope the committee examines this brief. Possibly the minister had to walk a tightrope but that is the responsibility of leadership and being a minister. I am not being critical in that regard. The brief states:

• (4:50 p.m.)

Unquestionably all adhere to our solemn obligation to respect the life of other human beings. Our contention is that this obligation embraces the life of the foetus. Rather than establishing a difference between foetal life and life after birth, the thrust of science is in the other direction. Indications more and more favour one human life in a maturing process with characteristics of individuality perceptible even at the moment of conception. Can anyone ignore the implications in the voluntary destruction of foetal life? When the probability of human life is involved, is one free in his dealings with it?

Our concern is the direct killing of the life of a foetus. On the other hand, we readily admit that a mother is not morally required to forgo medical treatments which will save her life if by doing so the unintended death of her foetus is incurred. Anything less than a mother's life such as personal convenience would be a disregard for life, and the sacrifice of greater values for lesser ones. No one has to tell a mother that the life she carries in her womb transcends the animal or vegetable. The physical and mental morbidity attached to abortive procedures gives ample evidence of her convictions and of those who surround her. In addition, medical tradition dictates that operative procedures are indicated only to prevent or correct pathology.

From the medical standpoint we strongly support the statement of the Catholic Hospital Association

[Mr. Woolliams.]

of Canada: "We know of no satisfactory arguments, nor even a consensus in the medical profession generally, for the opinion that abortion except for the rare instances when desperate measures are called for to save the life of a pregnant woman, can truly be regarded as a therapeutic means to preserve her physical and mental welfare."

That is their position. I want to make it clear, in my position this afternoon as spokesman for my party, that I am like the minister; I do not take a position. I want the committee to take a look at it. But I say to the minister that if there has ever been a bill upon which we should have a free vote in parliament, this is it.

**Some hon. Members:** Hear, hear.

**Mr. Woolliams:** I would have thought more of the Prime Minister's just society and his just leadership if he had said to the Liberal caucus and to the great national Liberal party: You have a free vote in this regard. I can assure you, Mr. Speaker, that we have considered that in the light that everyone on this side of the house can vote according to his conscience.

**Some hon. Members:** Hear, hear.

**Mr. Woolliams:** Mr. Speaker, my remarks on this bill will be quite lengthy but I suggest that even if they are lengthy they may shorten the debate. My speech was prepared by myself and the members of the justice committee of the Conservative party, and I want to thank them for their help. We are setting forward the issues which the committee must take a look at, and we are placing the position of our party on record, that everyone should have the right to vote according to his conscience on these matters.

I have said that the women have been neglected. Now I want to read from a brief submitted to the Royal Commission on the Status of Women in Canada by Mrs. L. E. Moyer of Nova Scotia. Again I say that this is not my position. I am just pointing out what some of the people of Canada think. I quote:

And yet, a significant proportion of Canadian women (it may well be a majority) are opposed to abortion for reasons which should be of interest to all Canadian women. We are not all religious fanatics; we are not all naive to the realities of modern behavior; and we are not all relics of the Victorian era who would impose on modern society the evils of puritanical and artificial moral standards. We are opposed to abortion for reasons which have to do with freedom and justice in a democratic society; and for reasons which have to do with promoting full status for Canadian women as free, independent, responsible human persons