

Criminal Code

Mr. Turner (Ottawa-Carleton): Mr. Speaker, would the hon. member explain to the house in what way his remarks are relevant to the amendment now before us?

The Acting Speaker (Mr. Béchard): The point is well taken, and I thank the Minister of Justice for raising it.

The hon. member for Abitibi should confine his remarks to the amendment under consideration.

Mr. Laprise: Mr. Speaker, the amendment needs no clarification as it states "that those means are employed before the period of implantation".

So, if I confine my remarks to that matter I would simply have to state that I am for or against the amendment, and it seems to me that I am allowed by the rules to give some explanations. That is why I want to express the views of the medical board of Laval hospital.

So, Mr. Speaker, whether abortion is allowed during the period of implantation or a few hours, a few weeks or a few months before or after, it remains an abortion. Regardless of when the abortion takes place, it remains an homicide because there is life from the moment of implantation.

The doctors of Laval hospital, like the great majority of doctors, are against abortion because, in their view, any abortion is an homicide, the foetus being a human being.

At this point I would like to quote the following:

Some say that the foetus is not a human being until it becomes viable. The notion of viability of the foetus, outside the womb, is a matter of medical opinion. Today, the foetus is not considered to be viable outside the womb of the mother before the twenty-eighth week of gestation, ...but this period will perhaps be reduced with the acquisition of new data and the development of proper techniques.

This is exactly what Doctor Jutras said when he appeared before the committee on justice and legal affairs.

And I continue:

Whether or not the foetus will be viable outside the mother's womb depends on the degree of maturity of the foetus. But is it possible to define a human being on the basis of the obvious maturity it has reached, especially since this maturity is attained after many years only?

Therefore, Mr. Speaker, it is generally agreed among gynecologists that the foetus is a human being right from the beginning. And the period between conception and delivery

of a viable foetus is but one stage in the life of that human being.

For these reasons, Mr. Speaker, I believe that the amendment proposed by the hon. member for Calgary North (Mr. Woolliams) is perfectly valid and should be inserted into clause 18, so as to avoid any mistakes. It was with this in mind that the hon. member for Calgary North moved this amendment and it is my intention to support it.

● (3:40 p.m.)

Mr. Fortin: Mr. Speaker, upon reading the amendment proposed by the hon. member for Calgary North (Mr. Woolliams), which states:

—that those means are employed before the period of implantation.

—we realize that, in essence, it seeks to restrict abortion, because the intent of the legislation before us is to legalize abortion without any medical or scientific restrictions.

The amendment establishes that the period of implantation is the time when life appears in a mass of cells and, in my opinion, it is important to specify at what moment life appears and when according to the law it does not exist, not necessarily from a scientific point of view but from a legal one.

The legislation introduced by the minister aims to specify that life begins only once the foetus has completely proceeded, in a living state, from the body of the mother. According to the law, that would be the definition of a human being: a foetus that has completely proceeded, in a living state, from the body of the mother.

The proposed amendment is to the effect that abortion could not be legalized before the period of implantation. Under the present bill, abortion would be legalized if it is performed before or after implantation, until the foetus has completely proceeded from the mother's womb.

We can see the difference between the two wordings. The government party supposes life does not exist while the foetus is still inside the womb.

As for us, we have a strong, sincere, honest and scientific conviction that life exists during the period the foetus is inside the mother's womb.

I would hardly see the Minister of Justice (Mr. Turner) rising to deny that statement, because he is aware of the fact. He knows that a foetus is alive.