

*Criminal Code*

the bill we considered the fundamental primary elements and the fundamental truth and the general law contained therein. We also considered the fundamental moral motive and the substance of the bill, particularly in respect of a bill such as this. But second reading of a bill has been downgraded and is now a matter of procedure only.

Under the new rules a member of parliament can wholly disagree with the principle, the substance, the motive and the purpose of a bill and vote for it on second reading because he is merely sending the bill on a trip to a standing committee for study. We have always had the procedure, and I want to make this clear because some people think this is new, of studying a bill by referring it to a standing committee of the house. I need not bring to your attention, Mr. Speaker, with your years of experience as our Speaker, the great volume of changes made in the National Transportation Act. Actually a brand new bill was produced as the result of the many hours, days and weeks of study by the committee before it was brought back to the house. Many amendments were moved to the bill by that committee. Many suggestions were made. So the fact that under the new rules the standing committee will consider this bill clause by clause is nothing new. This is not a new reform; we have been doing it ever since we have had the parliament of Canada.

● (4:00 p.m.)

The Minister of Justice said in the House of Commons on January 16 in answer to my oral question that the bill would not be split into categories or divisions separating that part of the bill dealing with acts in private between husband and wife or consenting 21-year old adults, that part pertaining to gambling and lotteries for particular purposes, namely, when the proceeds are used for a charitable or religious object, or with regard to wagering on horse races, agricultural fairs or exhibitions, etc., that part of the bill legalizing an abortion to a female person where the continuation of her pregnancy would be likely to endanger her life or health and, lastly, the other general terms and amendments to the Code with which the Minister of Justice dealt at the end of his speech. The minister, as we do, once wanted the bill categorized and broken down in order that abortion, homosexuality, lotteries and the other amendments could be considered separately so that every member of the House of Commons could vote

[Mr. Woolliams.]

according to his conscience. That is what we want.

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

**Mr. Woolliams:** There is no way in which the minister can say that this is not what he intended and that he has changed his opinion. In fact I say to the minister now that his presentation in this regard seemed to be apologetic. He was regretful and was on the defensive; he protested too much. He laboured hard trying to explain and justify his position. So far as the test of the general election is concerned, I will not go into that subject. I will only say that it was not part of the government's program to go to the people on matters of homosexuality or abortion. Perhaps the charisma of the Prime Minister might have had something to do with it.

I need not remind the house that lotteries, homosexuality and abortion are matters of great concern to our consciences. They are matters of concern to the sense of what is right or wrong in one's conduct or motives. They are matters of concern impelling all Canadians toward the right action according to their consciences. They are matters that are complex, made up of component parts of ethical and moral principles that control or inhibit the actions or thoughts of every Canadian. They may be described as involving for every Canadian an inhibiting sense of what is prudent, just and right. These subjects must be given strict and reverential examination. I want that kind of consideration, and the Canadian people want it so they can express themselves and their consciences on these separate and distinct matters. I suggest the Minister of Justice also wants this.

This leads to comprehending the complexity of these many subjects affecting the conscience of every Canadian. There are members on both sides of the house who will have to compromise some of their principles and, above all, compromise the principles of their constituents, because we are not here primarily to study and understand our own consciences. We are representing the people of Canada—265 members speaking for 20 million Canadians. That is why we are here. Parliament is the people's conscience. There are members who would vote for all parts of the bill except those clauses dealing with homosexuality. That is the way some of them feel, and that feeling exists among members on the other side.

**An hon. Member:** How do you know?