

*Government Orders*

necessarily know the position of particular members on the debate before they speak. Although we are treating this matter as a non-partisan issue, an issue that is bigger than any one party in the House, all the evidence that we are getting at this point clearly indicates that members of the NDP are taking a partisan position *en bloc*. Unless there was evidence that they too were going to have a free vote for their people, as we are, we would not at this point want to consider that suggestion.

**Mr. Deputy Speaker:** Does the parliamentary secretary have any comment to make on the request made by the member for Ottawa—Vanier?

**Mr. Cooper:** Mr. Speaker, we too favour the proposal as put forward by the Whip of the Liberal party. I think it is a good one and I am sure all of us would agree with it.

**Mr. Riis:** Mr. Speaker, I appreciate the suggestion that additional copies be made. I think we all appreciate that copies of this bill will be in greater demand than a normal piece of legislation.

Just so my hon. friend the parliamentary secretary to the Government House Leader is aware, all of the members of the New Democratic caucus are of the same mind. They all, in fact, oppose the legislation. He can say what he likes, the fact is that we do oppose the legislation.

**Mr. Lewis:** Mr. Speaker, I rise today to address a very sensitive and difficult issue, an issue which has moral, ethical, religious, and often very personal meaning for every Canadian. I am referring to the issue of abortion.

In a perfect world, abortion would not be necessary for any reason. We all know, however, that the world is not perfect and that abortions are sometimes necessary. For this reason, we must face the issue of abortion as best we can as individuals, as members of Parliament, and as a government. We must try to come up with a reasonable solution to this sensitive and difficult issue.

We believe that the bill now before the House for debate presents such a reasonable solution to the matter of abortion. The proposed new abortion law, which I will go into in a minute, is understandable, it is workable, and it is fair. It has, as its overriding objective, the balancing

of interests, the rights and interests of women and society's interest in the protection of the foetus.

This proposed law will not satisfy partisans on either side of the issue. Only absolute positions would do that. I think you will agree, however, Mr. Speaker, that this proposed law succeeds in reflecting the different interests which are at stake in such a way that we believe is consistent with the requirements of the Charter of Rights as well as the needs of Canadians.

I would ask in the national interest that all Canadians stop to consider the strong personal views of their fellow Canadians before condemning this bill for not perfectly representing their own personal views.

As background I would point out that for many years it was a criminal act to procure an abortion in Canada. When the Criminal Code was revised in 1969 a new provision was enacted, Section 251, which provided that abortions could be legally obtained if certain conditions were met.

In 1982, we had the Charter of Rights and Freedoms. When that came into force included among the protections in the charter is a guarantee of the right of security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

In defence to a criminal charge laid against him, Dr. Henry Morgentaler challenged the validity of Section 251 of the Criminal Code as a violation of the Charter of Rights and Freedoms. In January, 1988, the Supreme Court held that the guarantee of security of the person and the principles of fundamental justice were violated by Section 251. The Supreme Court found, moreover, that the law could not be saved as being a reasonable limit on such rights as provided for in Section 1 of the charter and ruled that Section 251 was unconstitutional. Canada was thus without a federal law to govern abortion.

[*Translation*]

The government started discussions and consultations immediately after the decision in the Morgentaler case.

However, three events forced us to postpone a decision on the approach to be taken.

First, during the summer of 1988, we tabled a resolution in the House for general consideration. Once again