

Criminal Code

Standing Committee on Justice and Legal Affairs of Bill C-150, to amend the Criminal Code, the Parole Act, the Penitentiary Act, the Prisons and Reformatories Act and to make certain consequential amendments to the Combines Investigation Act, the Customs Tariff and the National Defence Act.

[Translation]

Mr. Ralph Stewart (Cochrane): Mr. Speaker, before the hour appointed for the consideration of private members' business, I had begun expressing some of my ideas, and before proceeding further with my speech, I would like to summarize my previous remarks.

[English]

Before the dinner adjournment, Mr. Speaker, I explained that I felt it was my solemn duty to speak in this debate because I am opposed to one, and only to one of the proposed amendments to the Criminal Code. I said that our Prime Minister (Mr. Trudeau) has given us every latitude to express our opinions, not only on this issue but on all issues which affect the government of Canada. He has not only allowed us to express our own opinions but has encouraged us to do so. That is why I do not like to hear people say that we are being muzzled or that we are being treated as robots or computers by having to accept a bill with part of which perhaps we do not agree. If that were the case I would not be speaking in this debate at all.

One of the principles which I uphold is that no one should force his or her religious opinions on anyone else in a pluralistic society. If we want to discuss religion that is one thing, but when we are talking about the natural order which concerns items of public morality I do not believe that has anything to do with religion.

So far as religious considerations are concerned, I am opposed to divorce. I believe that certain sexual behavior among human beings is sinful from the point of view of religion, but I certainly have no right to expect other people in Canada to accept my views. But when it comes to a question of public morality, of the natural law, this is not a question of religion. It is above and beyond it. This is where the question of conscience becomes so delicate.

I make no secret of the fact that I have always been of the opinion, and I have made my views known to our caucus and our Prime Minister, that I would have preferred the

portion of this legislation dealing with abortion to be made a matter of a free vote. I would have preferred that because I think it is no less important than the issue of capital punishment, which was decided by this house on a free vote. Legislation on abortion went through the British parliament with a free vote.

However, should the majority in this house decide that this legislation should go through as one bill I see no reason why I cannot support the bill in toto. One cannot reject a complete bill, which I consider to have 125 goods proposals, simply because there is one proposal in it with which I cannot agree.

Those who have studied philosophy and theology will perhaps recall the term "the perplexed conscience", where one is faced with such a situation. I believe that in accord with my conscience I am quite capable of supporting the omnibus bill should it come to a vote as a complete bill, yet still being opposed to one of the amendments. That is why I feel it is my duty to make it known that I am opposed to one of the amendments.

I would simply ask those who support the enlarging or the extending of the abortion laws to be honest in their arguments. We have heard so many arguments that have nothing to do with the bill before us. We have heard how we must do away with backroom abortions, kitchen table abortions, and how we must take care of the young girl who has been raped. We have heard how we must take care of the people who possibly will have deformed children. This has nothing to do with the piece of legislation that is before us.

If people insist in making these kinds of arguments, then obviously they are regarding this piece of legislation as a stepping stone to a further enlargement of the abortion laws. I think we should be consistent in our arguments. If we are talking about this particular law, this particular proposal, then I think we should leave these other arguments out of our discussion.

The main change proposed covers the question of endangering the life or health of the mother. This seems to be the part that is causing the most difficulty. The operative words mention a certificate in writing stating that a "female person would or would be likely to endanger her life or health." I think that that particular clause is the danger point of the whole issue. The words "or health" could mean any number of things.