

Criminal Code

On one hand, there is the conscience and on the other the law which compels us to ignore our beliefs and our conscience. This is dictatorship.

Mr. Speaker, I feel that if, under section 18, women are given all possible freedom to obtain an abortion, the same freedom should be granted to the physicians or the personnel of any hospital.

• (3:40 p.m.)

Many are concerned about that amendment. Indeed, the Catholic bishops of Canada have recently made a few suggestions, after having thoroughly studied the bill. It is no secret that since the government has proposed amendments to the Criminal Code, especially in connection with abortion, the Catholic bishops of Canada have on several occasions thoroughly examined that problem.

As for our amendment, the Canadian Bishops' Conference renewed their request to the government and to the Minister of Justice (Mr. Turner) a few days ago, so that the amendment to the Criminal Code would at least respect the freedom of all physicians and hospitals, because this bill could allow proceedings to be taken against them or make them liable to public prosecution.

In my opinion Mr. Speaker, this is of great importance, since the question is whether or not the doctors' and hospitals' freedom is to be respected. I think that such a question should not be put in the house, and least of all be subject to an amendment to the Criminal Code.

This is why, Mr. Speaker, the government should, I think, pass the amendment before the house in order to permit a vote on the matter because I hope that the minister would not want to take this responsibility alone and for his government. He should in that regard respect the freedom of doctors, hospitals and their personnel to perform or not to perform abortions on request.

Mr. Matte: Mr. Speaker, I have been in this house for ten months, and I am still at a loss to find a way to have our arguments taken into consideration.

And what is even more discouraging is to realize that everything has been decided in advance. Nothing is more depressing for us than to realize that all we do is bring forward, for posterity, arguments which we did not make up ourselves, but found by referring to appropriate sources.

[Mr. Laprise.]

Since this matter deals first of all with medicine and the first signs of life, we consulted scientists and gynaecologists who explained to us what is a human being and at what time it appears in the human foetus.

Medical practitioners explained to us why they objected to abortion, and that is why we ask, in this amendment which I fully support, that gynecologists, whose opinion we must take into serious consideration, are not subjected to such an obligation.

We did not invent our arguments. We consulted the Association of the Hospital Medical Boards of the province of Quebec Inc., whose opinion should not be taken without due consideration.

Its submission was made to us in January 1969, and it reads as follows:

You will find herewith the opinion of the Association of Hospital Medical Boards of the province of Quebec on the matter of abortion, now being considered in the house.

This report represents the general opinion of medical practitioners in the hospitals of the province.

We hope that this will enlighten you so that you may take a fair and equitable position towards every citizen of our country.

Mr. Speaker, an argument based on such an opinion deserves consideration, it seems to me.

In this brief, the Association requests, and I quote:

The Q.A.H.M.B. agrees:
—that an amendment to the existing text of the Criminal Code be submitted.

Mr. Speaker, we moved many amendments. To prove that this is an important matter, we moved seven amendments on this subject. The minister said a moment ago, that this is not a problem, since we are enacting a legislation based on an established situation in hospitals. As a matter of fact, I do not know where the minister has obtained this information, but when an association of hospitals makes a statement like the one I just quoted, I suggest the minister should think about it seriously. Perhaps he has considered only the whole country. As far as I am concerned, I am not speaking here for the whole country, although the documents we have received prove that the situation is almost the same throughout Canada.

But as regards the province of Quebec, the Association of Hospital Medical Boards of the province of Quebec agrees:

—that the procedure for the consideration of cases by therapeutic abortion committees in every hospital be accepted.