

*Criminal Code*

lotteries, of the gun control. I should support such an amendment to the criminal code without any qualification for in my opinion that would meet a crying need, because the criminal code is absolutely inadequate in that field.

However, Mr. Speaker, I strongly object to the legalization of abortion and of homosexuality, for various reasons I am going to state presently.

Such is the impossible situation in which all the members of the House without any exception are put by the present government. That is why I want to ask the minister and the Prime Minister to allow all members to vote for or against a split bill, after grouping according to topics the 120 articles of the omnibus bill. This, Mr. Speaker, is a reasonable claim that deserves not only to be listened to, but also to be warmly welcomed.

The second aspect I want to deal with is as important, if not more, than the first.

Everybody knows that for most if not all members, the bill introduced by the Minister of Justice has several serious moral implications. In fact, we are in a quandary, since the passage of certain clauses could give rise to a real problem of conscience for many members, including myself.

I shall only mention, as an example, clauses 14, 15 and 18 all dealing with different aspects of abortion, and involving serious moral implications as to determining when life begins, since according to experts, there is some doubt as to the determination of that exact moment. Such a situation raises for any conscientious legislator a real problem of conscience an unbearable situation in which no government has any right to put them, because it is then assuming rights which are not his.

For those reasons and many others mentioned by several members, I therefore ask for a free vote, so that every member, regardless of his political allegiance, may express his personal opinion, after having consulted his constituents, because the entire population must be made aware of this question of life and death. Every member should be allowed to vote freely without having to go against his party, committing only himself and his conscience, according to his knowledge and without prejudice to this government.

No party leader, Mr. Speaker, has the right to impose his views regarding this bill. No political party is powerful, big, or efficient

[Mr. Fortin.]

enough to force a member of parliament, whoever he may be, to place the interests of his party or of his leader before the dictates of his conscience, his family, his constituents or of Canada as a whole. Should a party leader do so, whether he be prime minister or not, it would be a criminal act, and it would have been better for him to have died in his mother's womb, during an abortion.

A free vote where each and everyone can express his opinion, without fear of retaliation, that is what I wish and demand, Mr. Speaker. A free vote where everyone can express his truly personal opinion, without causing the government to be overthrown, if any clause or even the whole bill should be defeated. I do believe that such a thing is possible, and that it deserves not only to be given some consideration, but also to be fully examined in depth and approved.

Our debates will be all the better for it, our legislation more human for it, and better adapted to our rapidly developing society. For is it not the purpose of the bill before us to update the Criminal Code? It has now become commonplace to say that our French- or English-Canadian society has developed at a startling pace, and it is only normal that legislators try to update the judicial system, and they have already started.

The primary instrument of the judicial power—the Criminal Code—must also be updated, and we must be happy about that, Mr. Speaker. There is no need to stress the fact that a complete revision of the Criminal Code is long overdue; it must also be adjusted to the new concepts of society. However, Mr. Speaker, in our effort to adjust our legislation to the new sense of values which the Council itself recognizes in putting less emphasis, for instance, on minor things, but more on the essential, the fundamental things, that is the human aspects, the individual and collective participation, the dialogue, etc., we must at all costs avoid falling into the other extreme.

If, on one hand, laws are too rigid, they quickly become inhuman, denying the freedom of individuals and their possibilities, their rightful desires to self-achievement, to development. Because I am Cr ditiste and because I believe in the self-achievement of the human being, I am happy to see that the government wishes to humanize the Criminal Code, for it is really a matter of humanization.

But if, for the sake of modernization, for the sake of humanization, of individual and collective freedom, we allow ourselves to be