

Abortion

We are now entering debate. I recognize the Hon. Minister of State.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I want to start off my remarks by thanking my colleagues opposite for their co-operation in coming up with the consent order which was just passed by the House. I believe that it will facilitate debate without restricting debate or the ability of Members to either put their comments on the record or vote as they wish. I am sure that all Members will co-operate with the spirit of the order, and if there are any glitches as we go along, they can be worked out.

[*Translation*]

Mr. Speaker, I have the honour and the privilege of tabling a motion that will open the debate in Parliament on a most sensitive issue, namely abortion.

In recent years, many Private Members' Bills and motions have dwelt on this important topic, and there was also a great deal of discussion during the hearings on the Constitution and the debate on the Canadian Charter of Rights and Freedoms in 1981 and 1982. These discussions took place at a time when abortion in Canada was still subject to Section 251 of the Criminal Code.

Section 251 prescribed the conditions under which abortion could be practised. This section had been in effect since 1969.

[*English*]

On January 28, 1988, the Supreme Court of Canada struck down Section 251 of the Criminal Code on the basis that it offended the Charter of Rights and Freedoms. Actually, this decision left a void in terms of the law of our land with respect to abortion. Some will argue that there should be no more requirement than the fact that the abortion be performed by a qualified medical practitioner. Others will argue that abortion should be restricted by law, and that is what this debate is all about. Abortion is a sensitive, moral issue which touches every one of us deeply. Viewpoints on the issue cut across social, economic, cultural, religious and political backgrounds. For that reason, we decided that we would take a sense of the House before we drafted legislation.

● (1520)

Furthermore, we decided that government Members would be free to vote as they wish. I will expand on that comment later. I want to deal, if I may, with the sense of the House. Our Government has many achievements to its credit, and two of them should be mentioned within the context of this debate. First of all, it is a willingness to tackle tough issues and, secondly, it is a dedication to parliamentary reform. By engaging in this debate, we are demonstrating our commitment to both.

An Hon. Member: You have no guts.

Mr. Lewis: Abortion is an issue which deserves to be debated in Parliament prior to the legislation being passed. Members should have the right to put their views on the record, for themselves, for their constituents, and as part of the input to provide it to the Cabinet and to the legislative drafters.

True parliamentary reform means that when issues such as abortion are raised, Governments recognize the value and input of every Member. Normally, that takes place within a caucus, from a government caucus to Cabinet. In this case, because of the nature of the subject, we are giving all Members of the House an opportunity for that input.

There are very, very few issues which have the depth and scope of the abortion issue and can therefore demand that attention. I submit that that is a further demonstration of our Government's commitment to parliamentary reform.

Some Hon. Members: Hear, hear!

Mr. Lewis: There are those who argue that we should present a Bill. That argument is there to be made, and I am sure that it will be made during the course of this debate.

We decided instead to take the sense of the House rather than proceeding immediately with legislation.

[*Translation*]

Initially, we tabled a motion overruling certain rules of debate and providing for a vote in the House on a motion with two amendments which reflected the tenets both of pro-choice and the moderate pro-life movement.

The Government caucus reached a consensus on this motion.

The motion was then transmitted to the Leaders of the Opposition in the House for presentation to their respective caucuses.

The motion was rejected by the Liberal caucus and the New Democratic Party caucus, without amendments being proposed.

[*English*]

Nevertheless, we placed our motion on the Order Paper for public scrutiny on May 25, 1988. We were pleased with the general reaction to our efforts. The public and the media recognized that we were dealing with a complex and sensitive moral issue. The motion rested on the Order Paper for some time, and we announced our intention to debate the procedural acceptability of the motion on Monday, July 11.

Over that preceding weekend I had an opportunity to review, in detail, the arguments of the Hon. Member for Windsor West (Mr. Gray) and the Hon. Member for Oshawa (Mr. Broadbent), which they made on May 25, 1988. I respect the views of those gentlemen. They have both been Members of Parliament for a long time, and it behooved me to pay attention to what they said. They argued that the motion that was on the Order Paper was faulty on a procedural basis: (a)