

Criminal Code

aside; the minister should reintroduce it in 50 years, when he has more experience than he has now; during that time, our mothers will not rack their brains wondering whether they will die or not in giving birth to a child.

Therefore let us get down to work, let us improve health conditions for our mothers so that they can give Canada, our native land, sturdy, robust and intelligent children, so that we may be able, in a few years, to replace the present Minister of Justice.

• (5:10 p.m.)

[English]

Mr. Warren Allmand (Notre-Dame-de-Grâce): Mr. Speaker, first of all I must apologize to the house for not being here earlier this afternoon when my motion was called. I was obliged to be at a meeting of the Transport and Communications Committee at that time and did not know that the preceding amendment had been dealt with. In the meantime I believe the hon. member for Ontario (Mr. Cafik) filled in for me and gave an excellent explanation of my amendment.

In any case I would like to put forward some of the reasons why I propose this amendment. Last year when the government stated its intention of amending the law on abortion and referred the matter to the Health and Welfare Committee I asked to become a member of that committee. I did so because I felt that this question was a very serious one and I wanted to listen to arguments on both sides and to all experts on the matter. I approached the subject, like most other people, with preconceived opinions. All of us form certain opinions about certain things and I, like others, had certain opinions about abortion. However, I had made up my mind, because I had been approached by many of my constituents, to try to look at this subject as objectively as possible and to consider all arguments as openly as possible.

I was made a member of the Health and Welfare Committee which sat for three and a half months during the period from October 1967, to March, 1968, studying the question of abortion. During that time we had 29 meetings, received 35 briefs, heard 93 witnesses, and prepared two reports. We prepared an interim report which was presented on December 19, 1967. I shall summarize briefly what the report said. It recommended that the Criminal Code be amended to allow therapeutic abortions under appropriate medical safeguards where a pregnancy will seriously endanger the life or the health of

[Mr. Caouette.]

the mother. I agreed to that interim report which was prepared before we had heard all the evidence.

Later we prepared a final report which was presented on March 13, 1968, after we had heard all the witnesses. The report we made at that time was somewhat similar to the interim report. It said that the Criminal Code should be amended to read—and again I summarize—that when the continuation of the pregnancy of such a female person will endanger the life or seriously and directly impair the health of the mother an abortion may be performed. This was the opinion of the parliamentary committee which sat for three and a half months and seriously considered the evidence of all the experts in Canada on the subject. As a matter of fact, we heard not only experts but women's groups, theological groups, journalists and anybody who wanted to say something on the subject. We requested all those who we thought might have something worth while to say to come before the committee.

The wording that I propose in my amendment is the wording that was suggested by the Health and Welfare Committee. What it in fact does is to restrict the grounds where an abortion might be granted for reasons of health. We think that abortions should only be allowed when the continuation of the pregnancy will seriously and directly impair the health of the mother. As I said, I came to this conclusion after much soul-searching and after questioning and re-examining my initial position. It was my feeling that this question should not be decided on theological grounds but rather on scientific and social grounds, and I tried to reach a decision on those bases.

The arguments that led us to this conclusion were that the foetus is a human being in the process of development. There was discussion among the doctors as to the exact nature of the foetus. Some gave it more human characteristics and others gave it less, but finally I concluded that if there is doubt as to the humanity of the foetus, then surely that doubt should be resolved in favour of its humanity. If I had a gun in my hand and was trying to decide whether to fire it down a dark corridor without knowing whether or not somebody was there, I certainly would resolve the question in favour of the possibility that somebody might be there and I would not engage in foolish behaviour which might endanger someone's life.

As I say, there are arguments on both sides as to the humanity of the foetus, and this