

Abortion

feel that Governments should put sexual orientation into the human rights code and have abortion on demand. Let us not be fooled by these demands. If we accept their premise, we only destroy the family unit which history has already revealed is the strength of a nation.

When we consider the simple facts, that our population is declining and abortions are increasing, does it not become obvious that we are virtually destroying our own population? Do I dare say, we might even become an endangered species? Let us never forget that civilizations are judged by the way they treat their weakest members. That is why in closing, I take pleasure in moving an amendment to Government Order No. 36, that the motion now under consideration be amended by striking out all the words following "to protect the unborn" and replacing them with the following: "Such legislation should prohibit the performance of an abortion except when two independent qualified medical practitioners have, in good faith and on reasonable grounds, stated that in their opinion the continuation of the pregnancy would, or would be likely to, endanger the life of the pregnant woman.

We have heard excellent speeches from the Hon. Member for Kitchener (Mr. Reimer), the Hon. Member for Surrey—White Rock—North Delta (Mr. Friesen) and the Hon. Member for Grey—Simcoe (Mr. Mitges). I look forward to voting with them and others to protect life in Canada and against the resolution put forward by the Deputy House Leader.

[Translation]

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, in the few moments during your absence, the rules have been changed somewhat on the matter of amendments. Thank you for this opportunity to speak on this subject which, as you know, is a difficult, complex and in some respects emotional one. It is difficult because of the various tendencies in a multicultural society such as ours where rules are no longer easily found that are widely accepted, especially those involving ethics, lifestyle, education and culture. So, this is a difficult debate, but it is also a complex one, because on whichever side one is, pro-life or pro-choice, it is difficult to draft legislation that is certain to achieve the desired goal, and I think this task is nonetheless an extremely important one for legislators.

While difficult and complex, this debate also is emotional because lives are involved—the lives of unborn infants, and what could be more marvelous in fact than witnessing the birth of a human being, a new baby?

Therefore, the motion on abortion raises a question that is linked to our culture, our religious beliefs, our lifestyle, and in order to find a solution, we must strike a balance between various rights, that of the mother over her own body, that of the foetus which is an unborn baby, its right to live, and the moment during pregnancy where that right takes precedence over that of the mother.

In terms of rights, there is something else we were reminded of recently by certain newspapers. What are the rights of the biological father of the unborn baby?

Mr. Speaker, I would like to state at the outset that I oppose abortion on demand. Such an approach would not answer the questions I raised, the questions raised by this debate on abortion—namely those of balancing the rights of the various parties involved.

Before going any further, I would like to stress that what is before this House is a motion rather than a piece of legislation. I heard colleagues earlier refer to the legislation. There is no legislation before us.

Instead of assuming its responsibilities and presenting the House and the Canadian people with a legislative measure which would have spelled out the fine details of its intentions, the Government—probably intent on avoiding internal dissension within its own membership—chose to throw the whole issue at the House of Commons in a haphazard approach. No bill, no leadership in terms of ideas and guidance for the Canadian nation. So here we are debating this motion, and once we all have had our say the problem will still be with us because no legislation will have been enacted. We will still be empty-handed, trying to cope with the Criminal Code or the provisions which the Supreme Court of Canada struck down because they are *ultra vires*. Nothing will have been solved, we will simply have talked about the issue for a while. Undoubtedly this will enable the Prime Minister (Mr. Mulroney) to go on the hustings and claim that the question has been debated in the House of Commons. But his Government—this Conservative Government—will have done absolutely nothing to find a solution to a problem which the Minister of Justice (Mr. Hnatyshyn) described as a priority which had to be dealt with at the earliest opportunity.

Mr. Speaker, I had to say that, because I still think that Quebecers and other Canadians, men and women both, will be under the impression that this debate has solved the problem. Far from it.

In my opinion, Mr. Speaker, drafted as it is the motion under consideration would not stand the test of court action and a reference to the Supreme Court. What did the Supreme Court have to say in its January 28 judgment? For all practical purposes it stated that Criminal Code Section 251 which provides that the uninterrupted pregnancy of a woman would probably endanger her life or health is contrary to Canada's Charter of Rights. And according to Criminal Code Section 251 the decision must be made by a group of physicians, a kind of medical council of at least three doctors appointed by a recognized hospital, and these doctors are allowed to decide whether the mental health of the mother might be endangered if the pregnancy is not brought to an end.

The Supreme Court ruled that this clause was *ultra vires* because it interfered with the right of a woman to use her own body as she saw fit.