

*Abortion*

Mr. Speaker, that being said, this whole controversy has created a situation in which those around me asked me many questions. One day, my ten-year-old daughter Julie came to ask me, a few days after I had changed my mind on abortion, what an abortion is. She is barely ten years old. And she asked me that question in front of several people. I told her that I would explain it to her once we were back home. Naturally, once we were back home, I forgot, but my wife did not and neither did Julie. My daughter again came to me to say, "Dad, you have to tell me what an abortion is." I then tried to do so as best I could, with all the imperfections of a father, and I said to her, "Sit down, Julie, I will tell you briefly." I told her, "You know, Julie, when a woman gets pregnant, if she decides for one reason or another that she does not want to have a child, she can have an operation to remove the child, to have it taken out of her womb." Julie answered me, "Remove it—you mean kill it?"

Mr. Speaker, my 10-year-old daughter understood in 30 seconds what I had failed to understand for so long.

[*English*]

We are discussing abortion—we are certainly not inventing the wheel as legislators. It is a topic which has been discussed by many and, of course, for a very long time. The Hippocratic oath stated, and it was written somewhere in the neighbourhood of 400 BC:

I will give no deadly medicine to any one even upon request, nor suggest any such counsel; and in like manner I will not give to a woman a pessary to produce abortion.

Hippocrates was a pagan physician, just in case people believe that the Roman Catholic Church or anyone else has a monopoly on being against abortion.

In the 11th century BC the Hittite code of Assyria provided for the flogging of a man responsible for an abortion for the daughter of a freeman. Of course at that time the only measure of life was whether or not someone was free. Therefore life was deemed to have value.

The Old Testament states: "If men while quarrelling knocked down a pregnant woman, thus causing a miscarriage, they were fined".

St. Thomas Aquinas maintained that the soul was directly created by God and that it was infused in the embryo, not on the day of conception but when the embryo was formed enough to receive it. I still do not know what that means. Nevertheless, it was recognized to have been some point during a pregnancy.

Pope Gregory XIV in his encyclical letter excommunicated those found guilty of the abortion of a foetus after the first moments of life.

The Napoleonic Code of 1810 provided for imprisonment and hard labour for the woman and the abortionist.

The issue of abortion is difficult for us to deal with. It is certainly the most gut-wrenching and difficult issue that I have

ever had to deal with and probably ever will. If it gives us any comfort, it did not seem to be much easier 2,000, 3,000 or 5,000 years ago. But we were not sent here to do easy things. We were sent here to do the job at hand.

When I changed my mind on abortion I did so believing in the sanctity of life. One of the things that made me change my mind more than anything else, if you can believe this, Mr. Speaker, is that when I reread my own speech that I made on capital punishment I realize that I stated then that life is sacred and that all life is worth preserving.

I note that in the *House of Commons Debates* of November 9, 1967, when the then Solicitor General was banning capital punishment he said in his speech: "I believe that so long as the state claims the right under the law to deliberately take human life there will be a tendency to regard life more cheaply". That was 19 years ago. I believe he was correct. I believe also that the same comments are applicable when we deal with abortion.

There is an interesting contradiction at the present time between criminal law and civil law in Canada. Criminal law is simply non-existent as it pertains to the foetus. Jurisprudence in civil cases in the past year to be stated in this House in order to demonstrate to Members of Parliament the glaring contradiction between criminal and civil law.

In many wills there is an expression stated by the person leaving his or her estate that they leave it to "all my living children". This has been interpreted by the courts, as it should be, upon occasion. It is interesting to note that Judge Mathers in Manitoba Court of King's Bench ruled in 1918 in the case of a woman who was pregnant and who had not yet given birth in the following way. A gift as in this will to "all living children" comprehends those living at the testator's death and those who are "*en ventre sa mère*". In other words, civil law, in that case, and in the 1907 case of *Villar vs. Gilbey* was that a child yet unborn was a child for the purposes of receiving an estate. Interestingly enough, the child unborn is not deemed to be a child if its life is taken away. I would submit to you, Mr. Speaker, that that contradiction in itself should make us think about what it is that we are doing.

● (2030)

Some people claim that the unborn child is not yet a living person, that it is some form of amorphous blob, and that the taking of that life is not necessarily wrong. I do not know at what point human life begins. Unless someone proves differently to me, I shall assume that it begins at the time of conception.

Why do I come to those conclusions? First, I do not think that the onus is upon me to prove it. I think the onus is upon those who believe otherwise to tell me why life begins at some other point. To prove my case, I have here in front of me volume 317, dated November 19, 1987 of *The New England Journal of Medicine*. This journal can hardly be considered to be pro-life propaganda. It published an article entitled "Pain