

the end of my speech, so as not to uselessly delay the debate, and also for the purpose of concluding at the same time.

We will be happy to hear the Minister of Justice.

[English]

Mr. Turner (Ottawa-Carleton): Mr. Speaker, I gather in that event that the hon. member has concluded his speech, and I think the house will welcome your remark that because of the very narrow context of this amendment hon. members should confine their speeches to the very narrow point of whether it should be "person" or "female person" in the bill.

What the hon. member for Abitibi (Mr. Laprise) attempts to argue in his amendment is that since only a female can be aborted therefore the word "female" is superfluous and should be deleted. I venture to say, Mr. Speaker, that if we had put in only the word "person", members of the Creditiste party would have argued that only a female can be aborted and therefore it should read "female person". In fact their amendment would be drawn either way, depending on how the bill had been drawn.

I want to say briefly to hon. members opposite, grammarians that they are, with their subtle knowledge of the English and French languages, that "female person" is the broadest concept we know to cover the connotation woman, girl, female adolescent, and certainly in the part of the country from which my hon. friends come, lady. But the reason that the words "female person" are used is quite simple. Section 237(1) and (2) of the Criminal Code, to which clause 18 relates, use the words "female person" and section 238 also uses the words "female person". This is the section relating to the supply of noxious things, and I will read it:

Every one who unlawfully supplies or procures a drug or other noxious thing or an instrument or thing, knowing that it is intended to be used or employed to procure the miscarriage of a female person, whether or not she is pregnant, is guilty of an indictable offence and is liable to imprisonment for two years.

Going through the Criminal Code I would like to draw the attention of hon. members to Section 135 relating to rape, which reads:

A male person commits rape when he has sexual intercourse with a female person who is not his wife—

Criminal Code

Section 138 reads:

- (1) Every male person who has sexual intercourse with a female person who
- (a) is not his wife, and
 - (b) is under the age of fourteen years—

Section 140 reads:

- Every male person who, under circumstances that do not amount to rape, has sexual intercourse with a female person
- (a) who is not his wife, and
 - (b) who is and who he knows or has good reason to believe is feeble-minded, insane, or is an idiot or imbecile,
- is guilty of an indictable offence—

Section 141 reads:

- (1) Every one who indecently assaults a female person is guilty of an indictable offence—

So there are plenty of precedents for the proper drafting that we believe was used in the bill.

Mr. Caouette: May I ask the minister a question?

Mr. Turner (Ottawa-Carleton): Certainly.

Mr. Caouette: Is the minister trying to make it clear that a female is not a male?

Mr. Turner (Ottawa-Carleton): I want to make it clear that the drafters of the Criminal Code knew the difference between a female and a male long before the Creditiste party was ever born, and I want to suggest to Your Honour that not even the fertility of imagination with which we have been faced for the past 20 days is sufficient to stray beyond the confines of this amendment. I hope we hear hon. members opposite talk about the amendment in that narrow context of person and female person in the hope that we can then get on to a more significant amendment.

[Translation]

Mr. Gilbert Rondeau (Shefford): Mr. Speaker, I do not want to dwell on these remarks, because I was the first, I think, in the committee on justice and legal affairs to ask the minister questions. At the time, the only answer he gave me concerning the inclusion in the bill on abortion of the words "of the female sex", was that experts would be called in to try and find an explanation.

Well, today in this house we will not take very long to discuss this amendment, because we realize that it has been prepared by the minister's experts who have not provided him with the reasons why they have included in