

*Criminal Code*

I would like to explain why over one year ago I introduced this particular piece of legislation. It may not technically be permitted to proceed in that it intends to amend a law that was declared unconstitutional by the Supreme Court of Canada. Nonetheless, I wish to take this opportunity to express my point of view and explain the reasons why I introduced this legislation.

At the conclusion of this particular debate, I hope that the House will consider referring the subject matter, the issue of abortion, to a legislative committee in order that that committee can consider the issue. My good friend and colleague, the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) when given the opportunity to speak will move a motion accordingly.

I introduced this legislation because I believe very fundamentally that it is wrong to take human life. Abortion is the taking of human life. I oppose the taking of human life whether it is through capital punishment, through the authority of the state, of the Government of Canada, or through the taking of a life before birth.

On January 28, 1988, the Supreme Court of Canada decided that the abortion law in Canada was unconstitutional. I do not mean to be overly critical of the Supreme Court of Canada, but it seems to me that the decision of the Supreme Court of Canada was a cop-out. Based on certain legal principles the Supreme Court of Canada decided that Section 251 of the Criminal Code was in breach of Section 7 of the Charter of Rights and Freedoms. It states: "Everyone has the right to life, liberty and the security of the person . . ." Based on its interpretation of "security of the person" it suggested that abortion was permissible in the early stages of pregnancy. The majority held that Section 251 was unconstitutional.

● (1650)

How can one decide on whether a law contravenes the Charter of Rights and Freedoms before deciding when life begins? It seems logical that the first step one must take in this particular debate is to decide when human life begins. Once that decision is made, then one can look at the Charter of Rights and Freedoms. One would be required to conclude, depending on what one decides when human life begins, that everyone has the right to life.

The right to life is the only absolute right we have as Canadians. It is indivisible. Every other right that exists in the Charter of Rights and Freedoms must be balanced, in my view, against other rights. For example, one's right to freedom of speech is limited by the laws on slander. One's freedom to assemble is limited by certain municipal by-laws. Every right that exists in the Charter of Rights and Freedoms is limited. The only absolute right is the right to life.

When one considers this particular question one has to keep in mind that the right to life is paramount. Thus the Supreme Court of Canada decided it was not going to decide when it was deciding on the Morgentaler case. It was not going to rule

upon the question of when life begins. That was an abdication of the court's responsibility in my view.

When does life begin? In my view, and I challenge others in the House, to prove otherwise, human life begins at conception. If one concludes that human life begins at conception then, of course, that right has to be protected from that moment onward. For anyone to suggest that human life begins at some other point, I do not believe that that is an intellectually honest position to take. It cannot be justified by logic, law or medical evidence that life begins at some other point in time. It may be convenient for some who believe in free-standing abortion clinics or abortion on demand that life begins at some other point in time, but that cannot be established by logic, reason, medical evidence, laws or whatever.

Those who believe in abortion on demand refuse to answer that question because they know that they cannot in a reasonable way conclude when life begins, and then also argue that there should be abortion on demand.

Human life is sacred from the moment of conception to natural death. No person, no one individual, no state, no legislature, no House of Commons, ought to have the right to diminish life, to determine when human life should be taken and when and if human life should be given the opportunity to continue to live until natural death.

In my respectful submission, the issue is one of human rights and the balancing of human rights. As I indicated, the paramount human right that we have is the right to life. Any other right, whether it is the right to liberty or the right to the security of a person as indicated in Section 7 of the Charter of Rights and Freedoms, has to be balanced against the right to life; and the right to life must always be paramount.

There are those who argue that there should be no abortion law, that there should be free-standing abortion clinics, wherever, that the decision to terminate life, to terminate a pregnancy should be a decision of the woman in consultation with her doctor.

For a country, for any society, not to have a law to regulate abortion would be a society that is totally and absolutely morally corrupt. To put that price on human life, and very few civilized western nations have, is to diminish our very existence, the very integrity of life. Today, in Canada, with every passing moment pregnancies are terminated. Human life is being terminated. Just to put the matter into perspective as you know, Mr. Speaker, today there are over 60,000 abortions per year—60,000 per year. Let us put that into perspective. Over the last 16 years, from 1970 until 1986, there were a total of 907,351 abortions in Canada. That amounts to approximately the size of the population of the Province of Nova Scotia.

Just as a matter of interest, in 80 years of warfare, in the Boer War, World War I, World War II and the Korean War, a total of 99,449 people died. In 36 years of automobile accidents in Canada, from 1950 to 1986, a total of 173,620