

Criminal Code

Mr. Boulanger: Mr. Speaker, it was precisely one of his colleagues who was speaking to me. I would ask you to turn on the lights for him also.

The Acting Speaker (Mr. Béchard): Order. I would ask the co-operation of all hon. members so that we may go on with this debate in an orderly fashion.

Mr. Fortin: I thank you, Mr. Speaker. I would like the hon. member for Mercier to read the Standing Orders and to be more often in the house. Perhaps he would then be able to understand them and above all to value them.

The legal definition of health—and this is acknowledged by specialists—given in the Criminal Code is extremely vague.

And this is why they go on to say:

In many concrete cases, it is quite difficult for doctors, confronted with the various shades of meaning listed above—

—to take a stand.

Those are not my words, Mr. Speaker, but those of physicians.

We do not ask for anything as members of the Ralliement Crétitiste, but rather as legislators taking a positive part in this discussion. We must specify or, if we cannot do so, let take those words off the act, as you will agree that when we leave in the Criminal Code expressions which are impossible to define, this opens the door to every pretense and every possibility.

That was experienced by other countries because of the interpretation that was given to legislations purported to be restrictive. For instance, the phrase "in danger of death" includes cases where—

And we could go on, but I do not want to carry on quoting what anybody can refer to.

But we should have enough courage, goodwill and sincerity to look into the matter and reflect upon it.

The amendment moved by the hon. member for Beauce is a real contribution to this debate compared to that of many members opposite.

We are entitled to ask questions. This is a strong argument—and I was struck by the point—when listening to the speeches delivered by my hon. colleagues of the Ralliement crétitiste who are also doing a tremendous job.

Mr. Speaker, when one says: Delete the word "health", the consequences are extremely serious. In fact, should a woman appeal to

[The Acting Speaker (Mr. Béchard).]

the therapeutic abortion committee, if the bill were adopted, the doctor and the patient would have to choose between the life of the woman and the life of the foetus or between the health of the woman and the life of the foetus. Whatever the case, in a request for an abortion, more lenient, since that evidence that is threatened. The foetus is an innocent being and unable to defend itself. The mother can, if she argues that her health is endangered. She weighs the pros and cons and she places her health in the balance, something that cannot be defined. The minister of Justice himself is unable to define it.

She then on the other hand weighs her health against the life of the foetus.

Mr. Speaker, I said it at the start that personally, I would not be against therapeutic abortion, by a committee of specialists, in a recognized hospital, when the life of the mother is threatened and when there must be a choice between the life of the mother and the life of the foetus.

It will be agreed, in all honesty, Mr. Speaker, that these are border-line cases and that, consequently, in order to legislate on those border-line cases, it is not possible to propose clauses 14 etc., concerning abortion and so open the door wide to all kinds of pretexts, and accept as valid reasons every alleged disease, because this results in jeopardizing the health of the mother. Let the therapeutic committee decide whether her health is really endangered, since it is not even possible to define what is health.

On the other hand, when the foetus is killed, Mr. Speaker, everybody admits that it is a case of homicide, it is a crime, since a human being is killed.

Therefore, I think that all the talk about the just society, is sincere. One cannot compare the life of the mother—

The Acting Speaker (Mr. Béchard): Order. I regret to interrupt the hon. member but his time has expired.

Mr. Fortin: Mr. Speaker, I rise on a point of order.

I suppose I have still three minutes left, because of the number of interventions and of points of order which were not valid.

The Acting Speaker (Mr. Béchard): The hon. member knows that he must get the unanimous consent of the house since his time is up.

Does the house give its consent.

Some hon. Members: No.