

Criminal Code

In Canada, we also have tax assessments but they are not high enough to enable families to live decently as human beings.

Mr. Speaker, several measures, before and at the time of birth, have been enacted to help women carry through their pregnancy.

Further provisions have been made, including three free consultations during the third, sixth and eighth month of pregnancy. In the course of the first month, a complete check-up must be made free of charge by the physician. If the husband or wife works, prenatal allowances are granted after each medical examination.

Mr. Speaker, Canada has no such plan. This is one of the reasons for today's complications. One of the reasons why the famous Bill C-150, and particularly clause 18, have been introduced is that we are unable to provide the people with sound economic conditions.

Such a situation would call logically for the deletion of clause 18 from the bill. It is logical, Mr. Speaker, that we take the time required to adopt economic, social and humanitarian measures for the benefit of our Canadian families to whom our country owes its greatness and its splendour.

So, Mr. Speaker, about first child allowances in France, it is said, and I quote:

—are paid only if the birth occurs in the first two years of marriage or before the future mother is 25 years old. So a single woman who becomes pregnant after the age of 25 does not receive this allowance. It would seem desirable, on the contrary, that she benefit from this allowance even if she is above the age limit, to encourage her to keep a child of whom she will be the sole supporter.

A nursing bonus is payable from the thirtieth day following birth; it is equal to two thirds of the amount of the monthly allowance.

What special steps are taken for single women? In order to increase the marriage rate, some countries have established a marriage loan—

—in Sweden.

It is a loan bearing current interest but requiring no guarantee. The marriage loan with partial refund at each birth promotes the regularization of common law marriages and early procreation.

A preventive allowance for desertion. But the payment of a small amount is an inadequate palliative, and is therefore ineffective.

Maternity homes provide free care. Women can stay there up to three months after delivery. (At Fontenay-les-Roses, women can remain there up to a year after their delivery; during the day, they look after their child and do housework.)

Therefore, the principle is excellent. Unfortunately, there is not a sufficient number of those maternity homes. In France—

—and in many other countries—

—the homes are financed by the state in a proportion of 20 per cent and social welfare

[Mr. Latulippe.]

provides the remaining 80 per cent. In that area, the Salvation Army is very efficient—

—and plays a very important and productive role.

Mr. Speaker, faced with all those possibilities, once again we must logically and seriously think about what we are doing. The changes we are bringing to the Criminal Code will not be useful to Canadian society. The measures contemplated provide for the legalization of atrocities which are absurd—

Mr. Speaker: Order.

Mr. Latulippe: —terrible—

Mr. Speaker: Order. I am sorry to interrupt the hon. member, but his time has expired.

[*English*]

Mrs. Grace MacInnis (Vancouver-Kingsway): Mr. Speaker, the effect of this amendment would be to wipe out the proposed new section 18 which seeks to broaden in some measure Canadian abortion legislation. For this reason I and the party with which I am associated must oppose it as we have opposed many other amendments which have sought to prevent any modernization of our abortion laws.

For many days now a number of us have sat quietly while a minority of members of the house have voiced their opinions, often in very passionate opposition to what they believe to be wrong. That is their right. They have exercised it to the full, and those of us who believe in civil liberties have been glad to let them exercise it to the full. But now, Mr. Speaker, it is time that the majority should be heard. It is time that something should be said in support of the opinions of the majority of people not only in this house but across Canada.

Less than a month ago a Gallup poll was taken in this country and this question was asked:

It has been suggested that abortion be legalized as well, to preserve a mother's physical or mental health. Would you approve or disapprove of such a step?

Some 73 per cent said yes. Nearly three-quarters of those polled were in favour of legalizing abortion to preserve a mother's physical or mental health. That is exactly what the amendment that the government has put before us in this omnibus bill proposes.

I feel that this legislation does not go far enough, and I shall explain in what regard it falls short in a moment. However, I believe that the significance of this legislation lies not

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so much in its provisions as in the fact that the government recognizes that the majority of the Canadian people definitely want to come to grips with the problem of abortion.

• (12:10 p.m.)

I have been appalled, but not too much surprised, at the number of the members of this house who have absolutely refused to recognize that there is an abortion problem, a problem that exists in real life. Yes, it exists in their philosophies and in the particular religious and moral convictions they have cited. It is real there, but they have refused to recognize it is a real thing in the lives of thousands of Canadian women today. They have refused to see the problem that exists. They have refused to recognize that thousands of Canadian women every year are getting abortions, most of which are illegal under the present law. They have refused to realize that those women who can pay are able to get an abortion abroad or right here in Canada; and these abortions are carried out carefully and safely in all respects. As I have said, this applies to those women who can pay. Those women who cannot pay are being butchered, mutilated and tortured by people who are often quacks and unfitted for the job. Often well-intentioned neighbours attempt abortions with barbarous instruments. Some women have to resort to people of this type because they have no other way of securing an abortion.

Many women are having to bear the burden of pregnancies which they do not want and cannot cope with at all. We have been told over and over again in this house that women ought to be able to bear the consequences of their act, just as though the act were not participated in by others. Here I refer to the male half of the team, which very often gets off scot-free and has no difficulty at all. This hideous discrimination is continuing. We have the disgusting hypocrisy of seeing this kind of thing going on and the law doing nothing to grapple with the problem. The choice we in Canada face today is not whether we shall have abortions or no abortions, because we will have abortions and they are being performed now. The choice is, shall we have legal, safe abortions regardless of whether people are wealthy or not or shall we continue with the backroom, butcher system of abortion which we have had to date? This is the choice before us.

We in this party wanted it declared legally that abortion is not a crime. We wanted to do what we are proposing to do with respect to

birth control legislation, that is, remove it from the Criminal Code altogether and put it where it belongs, under the heading of a medical and social problem. We wanted to leave the question of abortion to the decision of the pregnant woman, her doctor and those people directly concerned on either side of the partnership. That is what we wanted, Mr. Speaker, but you, quite rightly, found this was not possible in the way in which our amendment had to be drafted. Therefore we shall have to continue to press as best we can for the enlargement of the legislation introduced by the government. We shall support this legislation until we get something better.

This is a 4 per cent law. A similar law was passed recently in Colorado and it is called just that, the 4 per cent law, because it affords relief and help to about 4 per cent of the women who need it. I talked recently with Dr. Alan Guttmacher of Mount Sinai Hospital in New York, and he tells me it is true that the Colorado law will minister to about 4 per cent of the women who need this help. We shall support the government legislation because it is an improvement over the present law even though it falls very far short of what is necessary. This legislation does not touch the question of illegal abortion, which is the most serious aspect of the problem for those women in the low income groups.

I should like to tell the house one or two things in which I believe. I believe that the state has no right to compel a woman to continue a pregnancy which she feels unable to cope with, whether for reasons of physical, mental, or emotional health or of economic circumstances. I believe the state has no right to compel an unwanted child to be born.

We have been told by speakers to my left that women want abortions for reasons which are often not at all serious. We have been told that it is not a serious reason for a woman to want an abortion when she already has a number of children and feels that for health or economic reasons, she cannot cope with any more. In my view it is the responsibility of parents to have only the number of children they can afford. It is the responsibility of parents to have only the number of children they can afford to raise properly as Canadian citizens in good health, well educated and well aware of their responsibilities. This is the responsibility of parenthood. To go ahead and have all the children that arrive is in my view the height of irresponsibility in today's world. I believe that, Mr. Speaker, from the very depths of my being.

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In the old days the world needed all the people it could get in order to carry out the work of the world, which often had to be done by brute force and ignorance because they did not have all the mechanical aids that we have today. In those days there was a great deal of disease and maternal and infant mortality. There had to be many more children if there was to be any hope that enough of them would survive in order to carry out the work of the world and continue the human race. However, Mr. Speaker, I say with all the force at my command that today the world needs an increasing population in exactly the same way that we need the nuclear bomb.

Responsible legislators who are grappling with today's problems and Canada's share of world problems would not make the kind of irresponsible statements that we have heard in the last few days, namely, that we should continue indefinitely increasing the population even of this country which is not yet overcrowded. These are irresponsible statements in a world where the population explosion is menacing certain areas now. We also shall have to take the consequences of the population explosion in those areas.

One feature of this debate which has alarmed, saddened and, I may say, made me feel very indignant, is the attitude toward women which has been displayed by some hon. members. It is quite an unconscious attitude; I am not saying it is deliberate. It is an inborn, inbred, uneducated attitude, an unconscious attitude on the part of many people in this country toward women. I could read letters to the house too. The leader of the Creditistes read a letter last night. I have received letters from the same type of people, although not the same type of letter.

The letters I have received are from people in despair, social workers and pregnant women. These are not young girls who go out for an evening and get into trouble; they are women who have had three or four pregnancies, are in poor health and financial circumstances, often with an ill husband at home, and who do not know how they will raise their existing children physically, emotionally and financially. They do not want to be forced to have indefinite numbers of children. They do not want this situation to continue with nothing being done about it and no recourse at all available to them. These are women who have tried birth control methods conscientiously and honestly, and those methods have failed. These are not frivolous, light-hearted women who want an abortion so

[Mrs. MacInnis.]

they can get into a size 10 dress when at the moment they are wearing a size 16.

I think some hon. members who have taken this attitude have done so because they do not know any better. This is the kind of attitude I have been listening to for many days. They have treated women purely as baby machines, without minds, feelings or rights of their own. They have suggested that it is the duty of women to have any number of children without complaint. They have suggested that therapeutic abortion boards should include a psychiatrist for the purpose of telling women that maternity under any circumstances is good for them. They have suggested that spiritual advisers be appointed to therapeutic abortion boards for the same purpose.

As George Bain said in his column in the *Toronto Globe and Mail* the other day, the boards they suggest might include just about everybody but the T.V. repair man, and it might be a good idea to put him on the board because he might show more compassion than the people who have been suggested as members. Members of this house have argued that pregnancy reduces even an intelligent woman to a state of mindlessness where she needs a man to tell her what is good for her, and that, of course, is always that she must continue her pregnancy regardless of the effect upon her or the child or society.

● (12:20 p.m.)

The great majority of people believe that this attitude is completely wrong. No one denies the right to anyone to hold such beliefs or express such opinions as the ones to which we have been listening for the last two weeks, and we have proven this by sitting quietly while they expressed them. But I will not permit the impression to be left by them that this legislation will in any way force abortions on people who do not want abortions and who do not believe that they are right. This legislation will apply only to those who want and who believe in the necessity of abortions.

In spite of much that has been said and implied, no one will force an abortion on any woman who does not want one. No one is going to force a doctor to perform an abortion if he does not want to perform it. Let me assure hon. gentlemen that no one has the slightest intention of aborting them, even if such a procedure were desirable—and who is not tempted at times? I am afraid that no therapeutic abortion board would be willing to do the job even if it included psychiatrists, spiritual advisers and TV repair men.

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For far too long the minority in this country has held back the majority in this matter. Certainly during past weeks we have seen a demonstration of how the minority in this house has held back the majority. Now it is time that the majority be allowed the right to act according to their conscience, while respecting the right of the minority to continue in their own way according to their own conscience. The other night I heard the Creditiste leader say on television in loud and clear tones, "They must respect us as we respect them." We intend to respect them and we have proven that respect. This legislation will show respect for people who do not believe in abortions. On the other hand, those of us who believe in the modernization of abortion laws are not going to allow any minority in this country to hold back measures which are needed by the citizens of Canada.

Mr. Caouette: Would the hon. lady permit a question? I agree that the minority should not impose its views upon the majority, but would the hon. lady not admit that a referendum should be held across the country on this very matter so that we can determine the views of the majority and of the minority?

Mrs. MacInnis: I believe it is the job of the government to govern, and once that government has implemented its policies in legislation the referendum will come at the next election. If these people can prove that they are the majority, then we shall have a referendum in the right way, at the right time, and in the right place.

Some hon. Members: Hear, hear.

Mr. Loiselle: The hon. member is speaking like a Liberal now.

Mr. Lewis: Do not insult her. She is doing well.

Mrs. MacInnis: I should like to say a word now about clause 18 and the premises where abortions are to be permitted. I am very glad to see that since this legislation was introduced the government has added approved hospitals to the former provision which simply said that accredited hospitals would be the only places where abortions could be performed. I think this is a very wise change because accredited hospitals are far too narrow a base for the operation of the new legislation. If the clause had not been changed, the result might well have contributed to the pile-up of abortions such as we have seen in other countries. Second, some districts have

no accredited hospitals, and consequently abortions should be allowed to be performed in approved hospitals, which means approved under the laws of the province wherein they are situated. Third, some accredited hospitals will not want to perform abortions anyway. So in order to allow an opportunity for necessary abortions to be performed, even where there are several hospitals available in our cities, we are very glad that the government has added "approved hospitals" to "accredited hospitals" as places where abortions can be performed. Eventually—and this would help in more scattered areas—I believe abortions should be allowed to be performed legally in well equipped and approved medical clinics and even in well equipped and approved doctor's offices. We are not ready for that at the present time but eventually this should be done.

The facts about abortion are shrouded in an emotional fog which it has been very difficult to penetrate even in the long investigation that has been carried out. Recently I witnessed a film which showed an eight-month foetus which was almost a completed human being. It was very recognizably human. In that film the impression was given that this almost completed human being was a fit subject for abortion. I raged when I saw it because there was no opportunity to say anything about it then. This impression is all wrong. Abortions could and should be performed before the end of the third month of pregnancy. The safe limit is the twelfth week of pregnancy. This has been brought out in evidence over and over again. The knife is not the only way. We have been told over and over again by some witnesses before the committee that an abortion is a dreadful thing, that it involves the loss of vast quantities of blood, haemorrhaging, mutilation, and all kinds of other complications. This is a great exaggeration. For example, the new suction or vacuum method is in wide use in countries behind the iron curtain as well as in other countries, notably Japan and Israel. I myself have witnessed such an abortion which was performed on a two-month foetus. It required only a local anaesthetic, took 15 minutes to perform, and was carried out by a regular qualified doctor in Canada. It caused practically no bleeding—

Mr. Speaker: Order, please. I have to interrupt the hon. member. Has the hon. member the unanimous agreement of the house to continue?

Some hon. Members: Agreed.

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Mrs. MacInnis: Thank you, Mr. Speaker. This operation relieved a woman in her late thirties who had several children. She had health problems which her doctor had told her were serious. Her income was very modest and her husband had refused to consider any sterilization of himself even though he was in sympathy with what she was doing and in full knowledge of it. I may say that I witnessed this operation with her permission. This woman had conscientiously but unsuccessfully tried birth control methods, with the acquiescence and co-operation of her husband. The operation brought about relief from a situation with which neither she nor her husband felt able to cope. Within 15 minutes of the operation being performed the woman got up from the table, had a cup of coffee and on the arm of her young daughter went home and has been perfectly well ever since.

This is the truth about most abortions, and I wish it was better known. Those people who are keeping this truth shrouded in an emotional fog and who are using the ideas of the middle ages to prevent us from entering into the 20th century are not doing a service to the Canadian population. Let them leave these ideas back in the middle ages together with the torture chamber, the rack, the thumbscrew and those other things which belong to a less enlightened age and which are not in accordance with the needs of today.

The whole subject of abortion should not be treated as a criminal matter but as the medical, personal and social matter which it is. It should be dealt with in such a manner as to provide justice to every citizen regardless of his or her income. It should be dealt with in such a manner as to provide flexibility for individual cases and for different schools of thought in Canada; there should be flexibility to accept new methods and techniques. The only way to meet these requirements is to remove the subject of abortion completely from the Criminal Code and leave it to those directly concerned, namely, pregnant women, their doctors and those members of the medical profession required. The bill now before us does not do this, but pending the introduction of such legislation I serve notice that while I am in health I shall present proposals for such legislation until we get it. Meanwhile, we in this group are glad to go on supporting this bill right through to the end of this debate, and we hope that the end will not be far off.

[Mr. Speaker.]

[Translation]

• (12:30 p.m.)

Mr. René Matte (Champlain): Mr. Speaker, first I would like to thank the hon. member for Vancouver-Kingsway (Mrs. MacInnis) for having readily participated in this extremely important debate, and at long last, the minister was seen to smile.

Of course, Mr. Speaker, after such an extended debate on the question, the only remarks made in this house were against abortion; because of this, we are pleased with the contribution of the hon. member for Vancouver-Kingsway.

However, throughout her speech, one could perceive the main reason why she is in favour of such a legislation. Of course, we had foreseen it, since we have been denouncing it since the very beginning of this debate. And all the sentimental and social arguments put forward by the hon. member are precisely those that have been ascribed to us, and that is the reason why we continually wandered during this debate from considerations entirely unrelated to the subject matter, that is whether abortion is a murder or not, whether it should be allowed for health reasons or what is the nature of the abortion.

Scientifically and medically speaking, what is abortion? The hon. member for Vancouver-Kingsway was entirely off the track in this regard.

Why are we told about illegal abortion? There is nothing in this clause that will control illegal abortion. On the contrary, clause 18 will promote illegal abortion and I want to substantiate my statement with very specific arguments.

In those countries where abortions were authorized, on the ground that there were too many illegal ones, what happened? Illegal abortions quadrupled after the legislation authorizing abortions was passed.

It is very easy to understand. Why? What happens? Let us suppose this bill is passed and abortion is legalized according to the provisions of clause 18. What will happen to all those women and young girls who are just waiting for abortion to be legalized to resort to the provisions of the law? In those extremely numerous cases, these young girls or women will come before the hospital therapeutic abortion committee to ask for an abortion. The doctors will discuss the case, consider whether it is justifiable or not and after having studied the condition of the patient, will decide against an abortion because the life of the mother is certainly not in danger nor is her health affected. What will happen?