

Criminal Code

wrong in my opinion by interfering with the plans of Providence.

The hon. members opposite may gloat over my references to the Canadian bishops who recently vigorously denounced those provisions of the legislation. They asked the Minister of Justice to clarify the legislation so that doctors who refuse to perform an abortion will not be liable to prosecution.

We know that recently, in the United States, certain doctors were prosecuted by hospitals for having refused to perform abortions. We would not want, especially in the province of Quebec, that such proceedings be instituted against doctors. I insist on that point.

I beg the Minister of Justice to look at me. He is talking at present with one of his colleagues. I beg him to clear up the matter. I know the minister is taking advice from his parliamentary secretary and that he could not follow my speech. His parliamentary secretary will give him the message as usual. I say to the minister that he should make the legislation more explicit.

Mr. Turner (Ottawa-Carleton): I rise on a point of order, Mr. Speaker.

I am closely watching what the hon. member says. It is impossible to ignore him.

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

I did not hear what the minister said. Could he, please, repeat it?

Mr. Turner (Ottawa-Carleton): I said, Mr. Speaker, that "I was closely watching what the hon. member was saying because it is impossible to ignore him."

Mr. Asselin: I thank the Minister of Justice for giving so much importance to my remarks, but before we vote on this amendment, I should like to know whether the Minister of Justice is going to comply with the request of the Association of doctors and also of the bishops who have asked him whether these doctors would be subject to prosecution or to penalties under the Criminal Code.

I think the question is very ticklish and very important and the hon. Minister should at least give the members of the province of Quebec the assurance that doctors will not be prosecuted under the section on abortion.

On April 23, 1969, Claude Ryan published in *Le Devoir* an article under the heading "Conscience, médecine et avortement" in

which he warned the hon. Minister of Justice against all the possible consequences of his bill on abortion. The minister must have read that article. I do not claim that Mr. Ryan is an authority on abortion and medicine. The hon. member for Sherbrooke (Mr. Gervais) and the whip of the Liberal party are shaking their heads...

Mr. Gervais: All depends on the subject.

Mr. Asselin: The fact remains that this editorial of *Le Devoir* raises, in my opinion, a very important question and I fail to see how the minister can reject amendment No. 21, without giving the Quebec Medical Association some safeguard to the effect that its members will not be subject to legal proceedings under the law when they refuse to perform abortion.

I greatly admire the minister's courage and eagerness. He accepted to sponsor the legislation of the former Minister of Justice, the present Prime Minister (Mr. Trudeau). We know that when the minister introduced this legislation in the house he felt—and I think that he was right—that the bill should be divided in order to enable—

Mr. Turner (Ottawa-Carleton): No.

Mr. Asselin: The minister says no! But he did say that the bill should be divided in order to enable the members to express their views freely and according to their conscience. At that time, I think the hon. minister was quite right and, some time after the Prime Minister turned him down and told him that the bill would not be divided but would be considered as a whole, and that the members would have to vote only once.

We know that it was made into a vote of confidence for the government, and we noticed it on the last vote. Indeed, not one member from Quebec, not even the hon. member for Sherbrooke, voted against the government. Thus, on the 54 or 55 members from Quebec who think like those of the opposition and do not favour the omnibus bill, nor would want—

The Acting Speaker (Mr. Béchard): Order. I am sorry to interrupt the hon. member at this time, but I would like to ask him to confine his remarks strictly to the amendment now under consideration.

● (9:00 p.m.)

Mr. Asselin: Thank you, Mr. Speaker, and I shall heed your advice.