

Criminal Code

them. But I think that just as the two concepts are necessary in the English version so the two concepts must also be in the French version. If you have in the French version only the concept or certainty, even with the nuance the hon. member for Gattineau has put on it, it seems to me it would have the effect I described earlier of limiting a committee from making recommendations for abortions where they really were needed.

I appreciate the last remark of the hon. member for Gattineau that he is not opposed to abortions where they are necessary, that he is merely trying to straighten out the wording of the French text. But it does seem to me that the wording in English is satisfactory, and so far as the French is concerned there must be the same two concepts, one of certainty and one of reasonable probability.

• (5:30 p.m.)

[Translation]

Mr. Gaston Isabelle (Hull): Mr. Speaker, there were a few digs at me, this afternoon, as to medical science, health and especially as to the interpretation of the words *certainement* and *probablement*.

I do not intend to speak at length but I hope the members opposite may one day leave to future generations the speeches they delivered during the last few days and I am afraid that one of their descendants might say to his mother: Good were it for that man if he had never been born.

Mr. Fortin: Mr. Speaker, I rise on a question of privilege.

The Acting Speaker (Mr. Béchard): Order. The hon. member for Lotbinière on a question of privilege.

Mr. Fortin: Mr. Speaker, since the hon. member for Hull is a doctor, I would like to tell him that thanks to the progress of science, it is more and more probable that even after an abortion the foetus is still alive and it will then say to the Liberal party: You wanted me to die and I live.

Mr. Isabelle: We have daily examples of this.

Some hon. Members: Oh, oh.

Mr. Isabelle: I would like to explain somewhat to the house the meaning of both texts. In my opinion and as a doctor, if one of the two words expresses adequately the thought of:

[English]

—would or would be likely to injure—

[Mr. Knowles (Winnipeg North Centre).]

[Translation]

I think one should delete the word *certainement* because medicine is still an art and even today there are not only diseases but also patients. One can operate today on somebody under normal conditions, and if the patient dies, one is incapable of determining, even with the help of the post mortem examination what he died from.

Thus, medicine still remains an art. There is never any certainty in medicine and there will never be, because the doctor works on man who is subject to changes and on cells which are not identical in all individuals. The proof of it is the phenomenon of rejection and you cannot graft on victims of serious burns the skin of another person. On the contrary, it is necessary to use the skin of the patient. Then, it simply means there is no certainty in the field of medicine, and consequently, this should not be included in the wording of any legislation. And if you want to give a legal definition of health, there is a great risk of making a mistake. Indeed, if lawyers find it often difficult to interpret legislation, how would they manage to express their views on health, since they do not know anything about it.

So, law should be left to lawyers and to legislators, and health, especially its definition, should be left to medicine. It belongs to doctors to define health; and the bill has taken this into account. Then, let no one say that doctors are against the measure.

An association of 25,000 doctors, which includes all the doctors in Canada, that is the *Canadian Medical Association* wrote on January 29, 1969—I saw this by accident while I was glancing through a few publications—and I quote:

[English]

We have recently obtained a copy of your Bill C-150 to amend the Criminal Code, and again wish to congratulate you and your colleagues in bringing in legislation to amend the Criminal Code in respect to therapeutic abortion—

[Translation]

It groups 25,000 Canadian doctors, including those of the province of Quebec.

Now, there are dissident doctors in the province of Quebec as everywhere else. Of the 11 provinces, some protest against the federal government.

The same thing exists in medical ranks. The interpretation of certain individuals has