

*Criminal Code*

make a unanimous decision, it would mean, in the case of a majority decision only, that many cases would obviously occur where an abortion would be allowed that would really be on a pretext, because the bill in itself has too broad a meaning.

When it is said that abortion would be allowed in all cases when pregnancy would probably or would be likely to endanger the life or health of a woman, the number of such patients would be pretty high because the word "likely" is so difficult to define, so wide, and opens the way to so many reasons, as well as the word "health" which is impossible to define. The Minister of Justice (Mr. Turner) himself recognizes the fact.

• (3:50 p.m.)

Thus, all the cases which could be covered under the expression "would be likely to endanger her life" should be scrutinized by the therapeutic committee, and a certificate could not be delivered unless the decision of the committee is unanimous.

I would not like to give more details, since I think I put forward the main arguments which make me support the motion without any qualification. That is why I shall vote in favour of the motion moved by the hon. member for Beauce.

I think it is a constructive amendment which actually changes but one word in the bill, "unanimous decision" being substituted for "majority". I am convinced that the minister will certainly object to that, or is likely to.

I find it hard to believe he will oppose it, and to understand his motives. But I should like to urge him strongly to study our proposal to ask that each committee reach an unanimous decision in every case submitted to it, because he will surely agree with me that if abortion is a problem, we must not aggravate it through a law that is incomplete, too vague, which opens the door to every pretext; which would not consequently create justice but would contribute to degrade the justice we want to establish.

Mr. Speaker, I should like the Minister of Justice to reflect seriously on the matter, and to make his comments, in the hope that he might tell us he agrees with us for once.

As for us, we are convinced that this is a positive measure and that the house would be well advised to support it.

**Hon. John N. Turner (Minister of Justice):** Mr. Speaker, in the standing committee on justice and legal affairs, we considered many [Mr. Fortin.]

amendments, because the government received almost 25 of them.

But now we have reached the report stage, and the government supports the bill as drawn up and amended by the standing committee of the house. Because we support the report, I therefore feel, for good reasons, that we must reject the amendment moved by the hon. member for Beauce (Mr. Rodrigue). I shall explain why.

When he spoke in the house, the member for Hull (Mr. Isabelle) a doctor, reminded us, and rightly so, to my mind, that medical science is not an accurate science. It is, precisely a matter of judgment, a matter of experience, a matter of delicate medical analysis, which goes beyond the qualifications of the doctor.

Thus it would be unreasonable to insist and to demand unanimity of a medical council, where medical art founded upon human judgment. And I think that we should not expect unanimity concerning the symptoms which tell whether the health or the life of the mother are in danger. It is not a mathematical question. It is not an exact science. It is an art pertaining to professional judgment.

This is why I regret to have to say once again that the government cannot recommend to the house acceptance of the amendment presented by the hon. member for Beauce (Mr. Rodrigue).

**Mr. Gérard Laprise (Abitibi):** Mr. Speaker, I would like to say a few words, to second the amendment of my colleague from Beauce (Mr. Rodrigue), who has just supported my colleague from Lotbinière and, at the same time, to comment on the statement which has just been made by the hon. Minister of Justice (Mr. Turner).

He quotes the statement of his colleague from Hull (Mr. Isabelle) to the effect that the medical science is not infallible and that it is rather an art than a science. On this point, I would be inclined to agree with him and it is precisely that which led the member for Beauce to present this amendment.

If the doctors, with all their science, can err, it stands to reason that two doctors can err in a worse way than three.

As a therapeutic committee made up of three medical practitioners is required—not by us but by the government—it seems important that these three highly qualified doctors should be enabled to cut short a human life only if all three are agreed.

Mr. Speaker, in other fields of human activity, where committees, such as arbitra-