

*Capital Punishment*

cannot control what goes on in our lives. The Hon. Member who spoke last spoke of terrorism. Capital punishment is still, and really is, state vengeance and I think it comes down to being part of our penal philosophy. To restore capital punishment abandons hope in our ability to cope with violence, whether it be criminal or otherwise, except with more violence.

John Donne, the great English poet, many years ago said:

Any man's death diminishes me because I am involved in mankind.

I conclude that to restore the death penalty no matter how it is done would be a step backward for Canada. It would place us among the more barbaric and violent states of the world. The death penalty is out of place in a modern, peaceful, humane society, which is my vision of Canada. Therefore, I will vote against the motion.

[*Translation*]

**Hon. André Ouellet (Papineau):** Mr. Speaker, I would like to take this opportunity to speak, not only to those who, like myself, are against a return to capital punishment but especially to those who today still believe that reinstatement of this ultimate penalty is truly justified.

During the few minutes I am allowed, I would like to explain my reasons for opposing capital punishment today, as I did in 1976.

Before I go any further, I would like to express very briefly my profound dismay, which I am sure is shared by many of my colleagues, at the way the Government put this question before the House and the way it intends to conduct the debate.

During the last election campaign, the Prime Minister promised Canadians that once elected, his Government would hold a free vote on capital punishment. We thought this would involve a clear and straight forward process and that the House would decide the issue with all the moral and political consequences that would entail, both for the individual Member and for the Government.

Instead, the Prime Minister (Mr. Mulroney) and the Government have decided to play hide and seek. They have decided to hide their true colours behind a quite perilous procedure, considering the nature of the debate and what is at stake.

On tabling his motion in the House on February 13 this year, the Deputy Prime Minister (Mr. Mazankowski) said the tabling of the motion did not mean the Government approved or disapproved of reinstating capital punishment.

However, the motion he tabled on behalf of the Government and on which we will be asked to vote is crystal-clear in this respect, and I quote:

That this House supports, in principle, the reinstatement of capital punishment—

And the Government would have us believe it is not taking sides!

This manoeuvre would let the Government take its distance from a debate that will not enhance any reputations or produce any winners.

I suggest we take a closer look at the content of the motion. Briefly, the motion tabled by the Deputy Prime Minister asks the House to support reinstatement of capital punishment and orders the appointment of a special committee consisting of 15 members, a committee that is to hold hearings for three months across the country and make recommendations, on the basis of the testimony received, regarding:

- (1) the offences that should carry the death penalty;
- (2) the methods by which the sentence should be carried out; and finally,
- (3) the same committee will be responsible for preparing and bringing in a Bill.

We have here the three basic elements of what normally should have been the Government's responsibility: the crimes that should be punishable by capital punishment, the methods used and the requisite drafting of legislation.

Mr. Speaker, when the previous Liberal Government tabled Bill C-84 in 1976, it did so frankly and forthrightly. It did not seek every kind of excuse to shirk its responsibilities. It fully recognized its responsibilities, and it did so after a free vote in which the Prime Minister at the time and his Cabinet voted in favour of Bill C-84, to adopt the motion taking capital punishment out of the Criminal Code.

This Government is trying to eat its cake and have it too. Government Members are divided on the issue, that we know. The Cabinet seems to be as well. And so they do not want to have the responsibility for this motion. Once the debate is concluded, they want to be able to tell proponents of capital punishment that they kept their word. They want to be able to tell the others, the people who are against capital punishment: Well, what can we do? The decision was made by a committee of the House with Members from all three Parties.

The motion is a highly regrettable one. I am also concerned that some Members, instead of acting as responsible Members, prefer to bow to the majority views of some Canadians. Members who want to shirk their responsibilities tell us: in the final instance, it doesn't really matter whether I'm for or against capital punishment since the majority of my constituents are in favour, and that is why I intend to vote for the motion.

Personally, I think that in the final instance, a Member should be accountable for his actions to his constituents. I believe a Member must answer for his actions to the people who elected him, but this does not imply that he can shirk that same political responsibility by giving up his freedom to speak, and especially his freedom to think and his freedom to vote in this House. Were he to act this way, I do not think he would be doing a service to his constituents, nor would he be enhancing