

Mr. Collenette: Notwithstanding what we say on either side of the House, Mr. Speaker, I resent the suggestion that there may be some inequality among members. We are all hon. members.

Mr. Lambert (Edmonton West): It is obvious that my words struck home in that I am taken back to the point which I started making, that certain people like to read many of the speeches that are made. I would say that usually when I refer to hon. junior members of the House, I mean to refer to inexperience. Other than that, we all stand equal.

An hon. Member: Innuendo.

The Acting Speaker (Mr. Turner): Order, please. I should like to point out to the hon. member that we are here to debate Bill C-84, and I suggest that he keep to the subject matter.

Some hon. Members: Hear, hear!

Mr. Lambert (Edmonton West): Mr. Speaker, it is the noisemakers who interrupted me. If they are to be permitted the opportunity to make irrelevant interruptions, I have the right to reply.

An hon. Member: Shame.

An hon. Member: We are all equal when it comes to irrelevancy.

Mr. Lambert (Edmonton West): They are also equal when it comes to conforming to the practices of the House so far as reading speeches is concerned. The point to which I wish to come back concerns the so-called principle of the bill. Some hon. members felt at some point in the report stage of this bill that if they were to support certain amendments they would be voting against what had been adopted as the principle of the bill. Nothing could be further from the truth.

It is a fact that in the preparation of the amendments to the rules, or the changes in the procedures in 1969, second reading ceased to be the adoption in principle of a bill. The rules that have been quoted in the House go back to British practice, which also predates changes in their rules. There is nothing like using wrong authorities to support a poor case, and that is what has happened. For instance, the Prime Minister (Mr. Trudeau) put out in the debate that there had been adoption of the bill in principle. Occasionally these things are reported in the press and then someone keeps insisting that second reading is adoption in principle. But there is nothing in our rules, as they were changed, to say so.

Second reading is passage of a stage and reference to committee. How many times over the past seven years have bills been brought forward by the government which were controversial, but which were given second reading by the opposition with the reservation that certain amendments would be adopted. This is so the House can proceed to the next stage. Here, again, I should like to make reference to hon. members whose experience is relatively limited. Prior to the time I mentioned, if hon. members wish to go back to the debates they will see what happened when there was a total block on second reading because it

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was deemed to be adoption in principle of the bill. But to get away from that, to make the proceedings more flexible, it was changed to mean reference to a committee.

We are now at the most important stage of the bill.

Mr. Guay (St. Boniface): It is important all the way.

Mr. Lambert (Edmonton West): But the most important stage, if I may say so, is the stage after which there have been amendments. The minister in charge of Bill C-84 has accepted some amendments and there have been others put forward by members of the House and adopted by the House. Let us look at Bill C-83 to which some 60 amendments were made, if not more. It is the stage at which the House will vote on the bill and either accept or reject it. At that stage we see the embodiment of the law which will be applied in future to govern the actions of the Canadian public. It is not that which is there as a framework on second reading.

There is another point which I should like to make. I challenge the common belief that in an amending bill there is any other principle than that a certain law shall be amended. Bill C-84 contains many provisions which may indirectly have to do with changing the nature of the penalty, and it is merely a bill like others such as Bill C-83, a bill to amend the Criminal Code of Canada. Can anyone tell me that Bill C-83 is a gun control bill, when there are important sections in it dealing with wiretapping and other matters?

This is merely a bill to amend the Criminal Code. If there is to be a principle, it is merely that. The distinction must be made with, for instance, Bill C-79 which set up the whole framework of the Anti-Inflation Board. It started out with the title and proceeded in detail. This bill has no title. If there is a total bill, one can find the principle such as in Bill C-79. What was it? It was an act to create the Anti-Inflation Board and give it certain powers. That is not so with this particular bill. Therefore, I say that the debate on principle is at this stage, and that a vote at the report stage which is contrary in part to the vote at second reading stage is not a vote against the principle of a bill previously adopted by this House. To me it is a fallacious argument to say that on an amending bill there can be a vote against the principle of the bill. The only vote which would be against the principle of this bill would be one which would refuse to amend the Criminal Code.

● (1220)

This subject was brought forward, as I said, by way of a government bill. There recently came to my study a paper prepared by Sir David Stephens, the former Clerk of the House of Lords in Britain. It is available to the procedure committee, particularly to a subcommittee headed by the hon. member for Hamilton Mountain (Mr. MacFarlane). It deals with private members' initiatives and with private members' legislation. There are classic examples of how, in the British House, subjects which are highly arguable from a moral point of view—abortion, divorce, capital punishment, homosexuality, and some others—always come through a private member so that there is a true free vote. The government there recognizes that there is a very deep and fundamental difference among its supporters.