

The Acting Speaker (Mr. Turner): Stand at the request of the government.

PRIVATE MEMBERS' MOTIONS

[English]

CAPITAL PUNISHMENT

SUGGESTED HOLDING OF NATIONAL REFERENDUM TO OBTAIN PUBLIC OPINION

Mr. Benno Friesen (Surrey-White Rock) moved:

That, in the opinion of this House, the government should consider the advisability of holding a national referendum for the purpose of making a survey of public opinion on the issue of capital punishment at the time of the next federal election.

He said: Mr. Speaker, I put this motion before the House approximately a year ago. As a matter of fact, we debated it on November 14 last year and, as members will recall, the following day was a very historic one in Canada because it was the day of the provincial election in Quebec. When we debated it a year ago, a number of government members spoke against the motion and it was marvellous to hear the casuistry with which they argued against it.

I recall very clearly that the hon. member for Windsor-Walkerville (Mr. MacGuigan), chairman of justice and legal affairs committee, stated unequivocally that we could not have this kind of a referendum brought to the Canadian people because it would be a violation of parliamentary procedure. He said—and I think I quote him accurately—that we could not have a referendum unless we had in mind a plan to change the whole system. On the same day the member for Vancouver East (Mr. Lee) spoke against my motion for a national referendum on the issue of capital punishment. In speaking against it last year, he said:—the hon. member for Surrey-White Rock is using colourful means to fight the issue of capital punishment—

I would like to underscore this. He said:

—because the hon. member is attempting to alter our whole parliamentary system of government merely because we retentionists lost.

Since that time, as I have already said, we have had a very important, landmark election in the province of Quebec. Just this year the Prime Minister (Mr. Trudeau), in this House, during the throne speech debate—and all members will recall the one hour and fifty minutes' torture chamber we were in during that time—suggested that one of the things we could do would be to have a national referendum on the issue of national unity.

It seems to me, Mr. Speaker, that the Prime Minister has put his imprimatur and his blessing on the concept of a referendum, so I thought it would be advisable, good and maybe a wholesome experience of purgation if government members were given the opportunity to debate the subject again, now that a referendum has been sanctioned, as a matter

Capital Punishment

of policy, by the Prime Minister—and who could be a greater authority than the Prime Minister? I know that all his backbenchers would like to stand behind the Prime Minister on all the key issues in the country, and since he has said we can have a referendum on an issue of great national importance, such as national unity, surely the government backbenchers would like to support the Prime Minister on such an important issue. It would be a good experience for me and for government members to have another opportunity to debate this issue.

It need not even be the issue of capital punishment, but as I said last year—and I repeat now—probably 80 per cent to 84 per cent of the Canadian people have expressed themselves very clearly on this issue. As I said then, this is one issue on which all of us knew where Canadians stood, yet because of government pressure the bill carried and the issue of capital punishment lost.

● (1702)

Now that the Prime Minister has given his sanction to a policy of holding a referendum, we should be able to bring the question back to the country and give the people a personal and individual opportunity to express their wishes to parliament. As the hon. member for Windsor-Walkerville pointed out and as the hon. member for Vancouver East pointed out, if there is a referendum, the decision after that vote is binding upon parliament and legislation would have to be brought forward. I agree with that.

I am attempting to open the door for all government members to stand behind the Prime Minister on this issue. They should agree with me that we have a national referendum on this important issue. Since Canadians have indicated that they want capital punishment in our statutes, government members should come forward and support me in this motion, allowing the government to bring forward a referendum on the question of capital punishment.

Mr. Lloyd Francis (Ottawa West): Mr. Speaker, not only was this motion debated a year ago in the name of the hon. member for Surrey-White Rock (Mr. Friesen); it was debated, also, in this House on May 2, 1977, in the name of the hon. member for Winnipeg South Centre (Mr. McKenzie). The debate is reported in *Hansard* commencing at page 5193. At that time I spoke in the debate, and I have in no way changed my opinion. I was one of the hon. members on this side of the House who voted against the government, which was a difficult thing for me to do. It was difficult because it involved a basic question of principle which I had a great deal of difficulty resolving in my own conscience.

After consulting my constituents in a poll of 16 per cent or 17 per cent of householder responses received by my office, I came to the conclusion that something over two-thirds of the voters in my constituency were solidly in favour of capital punishment. This raised the basic problem which any elected body has to face from time to time. I am referring to what extent we follow that famous maxim of Burke which was cited ad nauseum, or do we follow another quotation from someone