

own minds. I am not altogether sure, however, once we have done so in the fairly certain knowledge that we are not representing the general will of our constituents, that we should necessarily be awarded a bouquet. I think some of us are too anxious to take credit for the fact that, on this issue, we are not being representative. However, whether we are being representative or not, whether or not our votes will sufficiently represent the public anxiety, I do not think the matter should be allowed to be dropped at that point.

I should like to see ordinary members of the public given a much greater opportunity to express themselves in front of some body or group which represents those who will in the end be making decisions on the wider issues of public safety and security. I do not care whether that is a royal commission, a task force or a joint federal-provincial group. When we run into difficulties on matters such as airports, we are quite ready to set up inquiries that go on for one year or two in order to establish that the public shall have every right to express its view. We hear much talk about the value of participatory democracy. Yet on this issue concerning public safety and security, I sense a tendency to reserve the solution of this particular problem for the experts, the parliamentarians, the lawyers and those who have made a study of this matter. Perhaps, unconsciously, we have brought to bear on this subject a somewhat elitist, somewhat narrowly restricted focus.

I should like to see the public given a far greater opportunity to express itself, not through the medium of any member of parliament, but on its own behalf. Let the members of the public have a chance to confront, to ask questions, and to be answered by those who have responsibility for administering and deciding in the whole area of public safety. I think that would be useful in two ways. First, it would give those in positions of responsibility, perhaps, a first hand impression of the nature and intensity of public opinion. At the same time it would provide a channel in the other direction, by which the public itself might become aware to a greater extent than at present of the parameters of this problem. I think we should make a far greater effort than we have made before to invite public participation on a first hand basis in our discussions on the whole question of public safety and security. Let us not leave this matter merely to lawyers and parliamentarians. In considering this problem, let us give as much opportunity for public input as if we were considering an airport or other matter of public policy.

I do not believe that voting one way or the other on this bill is going to do much about the wider worries I have expressed. I believe it is our duty to do something about those wider worries and to seek ways to deal with them. I hope that as this bill proceeds to the committee stage and becomes law, as I hope it will, that this parliament and the government will not let that wider concern drop but will immediately make a visible effort to engage the public in a substantial dialogue or exchange of opinion on this whole subject. If we do not do that then I suggest that five years hence the public's concern over the substantial problems of public security will be even more out of symmetry with the purposes of this bill or its successor than it is at present.

Capital Punishment

I do not think we, as legislators, can permit ourselves the luxury of merely voting on a bill of this kind and saying that the matter is settled, at least for five years. It will not be settled. I think we have a profound responsibility to look beyond the issue of capital punishment, to the larger problem of public security. I trust, Mr. Speaker, that that will be a matter of high priority on the agenda of this parliament and, I would hope, on the agendas of the legislatures of the provinces.

[Translation]

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, it has become more and more apparent to me during this afternoon's debate that not only the press, television and radio but even members of Parliament are completely mistaken as to the precise meaning of the bill before us.

I have heard some hon. members, and even one of my most highly respected colleagues, arguing for total abolition of capital punishment. That is beside the point, because the 1961 act is in force today. What has in fact happened is that the moratorium expired on December 31 last.

And the government is now returning to the attack and asking us to renew the same five-year moratorium retroactively from January 1. This has nothing at all to do with abolishing capital punishment!

Why therefore do we hear and read in the papers about—

[English]

Why are we hearing about a hanging bill, about a retention of capital punishment? What is all this discussion about the abolition of capital punishment? It is totally out of order in this debate. The question before us is, should there be or should there not be an extension of the five-year moratorium, that is, of the law presently embodied in the Criminal Code. There is a redefinition in the law that applied during the moratorium of what is capital murder. In the present bill that same definition is preserved. It is confined to the murder of a policeman on duty, of a peace officer, of a security guard, and of a prison guard on duty, and that is all. There are limitations also in minimum sentences that a convicted murderer must serve. The convicted murderer sentenced to life must serve a minimum of ten years. There are other restrictions, as well.

What actual difference has the limitation of categories liable to capital punishment made? I say, Mr. Speaker, it has not made one bit of difference because, since 1962, notwithstanding what the Prime Minister (Mr. Trudeau) said the other day, and the proof of the pudding is in the eating, there has been an automatic and consistent use of the royal prerogative, something that should be rare and should be used only in the appropriate cases. However, there has been what I call an abuse of the royal prerogative.

● (1640)

[Translation]

I wonder, Mr. Speaker, if, in the excitement of the end of 1970 and the beginning of 1971, during the unfortunate crisis in the province of Quebec, the phrase "police or security officer" applied, under the act, to a soldier in a peace-keeping rôle. If a member of the FLQ, or anyone