

Public Order Act, 1970

I wanted however to express my opinion on the existing problem tonight.

Mr. Boulanger: Mr. Chairman, I have been listening for some time to the views expressed by various members on the subject of the amendment and I think I may speak to it without reservation since I was one of those who voted for the abolishment of the death penalty.

I thus feel absolutely free about the issue, since at the time I voted to abolish the death penalty, I never suspected that exceptional circumstances would some day make me change my mind.

Mr. Chairman, in reply to the hon. member for Crowfoot (Mr. Horner)—I would appreciate it if he would listen to me—and I wish he could understand my French just as well as he might understand my English.

[English]

I ask hon. members to listen carefully to what I have to say. I voted in favour of the abolition of the death penalty. Tonight I am prepared to vote against my own party, which will prove to those who have challenged the minister that this will be a free vote. That was the old story during the time of Mr. Diefenbaker and your gang, but today we are free. Since this means I can say what I think, I will say it.

• (9:10 p.m.)

Some hon. Members: Oh, oh!

Mr. Horner: That is the best quote I have heard in a long time.

[Translation]

The Deputy Chairman: Order. I should like the hon. members to bear in mind that the hon. member for Mercier has the floor.

[English]

Mr. Boulanger: Thank you, Mr. Chairman. To make sure that what I have to say is exactly the answer you wanted, I am giving it now.

[Translation]

The Deputy Chairman: Order, please. May I remind the hon. member for Mercier (Mr. Boulanger) that he must address himself to the Chair and not directly to the hon. member of Crowfoot (Mr. Horner). Moreover, he cannot call the member by his name, but must designate him as the member for such and such constituency.

Mr. Boulanger: Mr. Chairman, I thank you. For the third time I tell you that I am addressing myself to you. When I voted for the abolition of the death penalty, I never would have thought that one day I would have to reconsider my decision. It is not necessary that I make a speech or describe all the circumstances that have existed for more than a month. It is a fact, Mr. Speaker, that if today a man is found guilty of treason, he can be hanged. Since we are ready to condemn to death a man who kills a policeman or a prison guard, I think that by adopting this temporary legislation today—because it is

[Mr. Leblanc (Laurier).]

still a temporary legislation which will remain in force until the end of April 1971—we should inflict the same penalty on the person who, through a fanaticism that I am at a loss to explain, can kill one, two, three or four public men, Ministers of the Crown or other prominent figures.

I do not agree with the Minister of Justice (Mr. Turner) and, in my opinion, the amendment moved, because of the temporary character of the legislation, should allow us to condemn the guilty persons to death. Therefore, I will vote in favour of the amendment.

Mr. Béchar: Mr. Chairman—

The Deputy Chairman: Order. Is the Parliamentary Secretary to the Minister of Justice rising to put a question to the hon. member for Mercier?

Mr. Béchar: Yes, Mr. Chairman.

Could the hon. member for Mercier tell me what will happen after April 31, 1971 to those who, on May 1st will kidnap a politician or someone else?

Mr. Boulanger: Mr. Chairman, I never thought that some day I would have the pleasure and the privilege of answering a question put by the Parliamentary Secretary to the Minister of Justice. His question however is quite hypothetical. If this legislation is of a temporary nature, I think that it is because if on the 1st of May, there is still an apprehended state of insurrection, we will again introduce the legislation which we know and we will deal with it in the House.

[English]

Mr. Aiken: I intend to vote against this amendment. I do not intend to vote against it for the reasons put forward by the Minister of Justice, nor because of my views on capital punishment. It is my belief that the government by its own acts and on its own responsibility has elevated the present situation into an unreasonable state of hysteria. The government has yet to give this House a full and true statement of the facts concerning the events of the last month. They have not been totally honest with us.

If we were to accept the position of the government that the situation in this country, particularly in the province of Quebec, is as bad as they say it is, we would have no alternative but to vote for the amendment; but I cannot accept that position or believe that the situation is as bad as the government says it is. I believe the government is being inconsistent in playing the situation up on one hand and playing it down on the other, and in these circumstances I cannot support the amendment.

Mr. Haidasz: Mr. Chairman, I rise only to ask the Minister of Justice for an explanation of the word "crime" in subclause (g) of clause 4. In particular, I would ask him to tell the committee whether the word "crime" includes murder and, hence, whether a murder committed by a member of the FLQ or of another similar group in Canada would be punishable only by a term of imprisonment not exceeding five years.