

Capital Punishment

event, because in every case the sentence was commuted by the cabinet. The last prime minister who allowed the death penalty to be carried out, not having commuted the sentence, was the Right Hon. John Diefenbaker. I remember him saying very vividly to me, and I do not recall whether he said it publicly, that he would never again allow that to happen; an occasion when he would not commute the sentence.

The late Right Hon. L. B. Pearson and the present Leader of the Opposition (Mr. Trudeau) all commuted death sentences. I suggest that was not because they were part of some elite, as the hon. member suggests, but because they knew in their hearts that the imposition of the death penalty was solely an act of retribution, that it does nothing for the victim's friends or relatives, that it does nothing to bring about a more just and fair society, that it does nothing about the violence in our society, and that it is in no way a deterrent.

I think everyone, regardless of party, is anxious to find solutions to our problem, solutions which are more complex than a reintroduction of the death penalty. I am sure they are all anxious to find solutions to our social problems. Even if a bill like this were passed and we reintroduced the death penalty, I am as sure as I stand here that neither the present Prime Minister nor the Minister of Justice (Mr. Flynn), would refuse to commute the sentence. I should also have included a reference to the relevant ministers of justice when I referred to past prime ministers recommending commutation of the death sentence on each occasion.

● (1640)

I feel very strongly that those who vote to reinstate capital punishment are putting on the shoulders of other people, particularly the cabinet, the real decision as to whether the death penalty will in practice come about.

An hon. Member: Particularly the Prime Minister.

Miss Jewett: Certainly, as I have just been reminded, and going back to the point I was making at the beginning of my remarks, although I do not know the views of the Minister of Justice, I do know those of the present Prime Minister, and by reinstating the death penalty we will be putting on his shoulders the responsibility for commuting that death penalty. It is a responsibility I know he would take, but I do not think we should shift that responsibility, and that is exactly what we would be doing.

For these reasons primarily, I would find it absolutely impossible to support this motion or any similar motion. I urge hon. members to give the present act a longer period of time on the statute books, to think about the alternative, and to ask themselves if they would want a system based fundamentally on an eye for an eye and a tooth for a tooth.

As I have just said, such a system would not be a deterrent to murder and would, in the final analysis, only place the onus in dealing with this problem on the Prime Minister and the cabinet who, I am sure as I stand here, would commute the sentences just as their predecessors have done.

[Miss Jewett.]

Mr. Peter Elzinga (Pembina): Mr. Speaker, I shall be very brief in my support of this motion introduced to the House by the hon. member for Grey-Simcoe (Mr. Mitges). I am on record through private members' bills and several speeches which I have given in the House on this issue as being in favour of capital punishment. We on this side will push for the parliamentary reform package which has been introduced by the government House leaders so that we can have this issue brought to a truly free vote in this House of Commons.

Members opposite can say that there was a free vote in 1976, but that is nothing but a bunch of garbage. It was a government sponsored piece of legislation, and cabinet solidarity required that all the cabinet members vote for it. I know that pressure was brought to bear on a good many of the backbench members of the then government with regard to this issue. Some members of the NDP have stated that our Prime Minister (Mr. Clark) is not willing to take a stand on this issue. The Prime Minister has taken a very direct stand, but he is willing to give Parliament an opportunity to speak on the issue.

The Prime Minister is not like some members opposite who, when it comes to issues such as veterans pensions, wish to have Parliament voice its opinion—and I think that is good—but on issues such as capital punishment or issues with which they disagree, they want to muzzle Parliament. The hon. member opposite also said that she does not wish to see this issue put upon the shoulders of the cabinet. There is nothing to stop this Parliament from introducing an amendment to the legislation, when it comes before the House, to have any commutations brought before Parliament. There is nothing which says that the responsibility must be placed upon the shoulders of cabinet. In fact there are members on this side advocating that Parliament have a role in this matter.

Personally, I disagree with that position. I believe that the responsibility, if the death penalty is to be commuted in a particular case, should be placed in the hands of cabinet. If this private member's bill does come forward under our new parliamentary reforms, it will give all members an opportunity to speak on the issue.

Once again, I commend the hon. member for Grey-Simcoe for bringing forward this motion and not taking the easy way out by leaving the issue to die. No matter which side one takes on this issue, it will not be pleasant to deal with. At the same time, it is not an issue that can be avoided. Too often when a ticklish issue such as this comes up, members opposite are only too willing to push it under the carpet so that it will not have to be dealt with.

Hopefully we on this side can introduce this matter by way of a private member's bill, as was the case in this House in 1966. Then four members combined to introduce legislation by a special House order pushing for the abolition of capital punishment. By taking this method, cabinet solidarity was not required, nor were members instructed on how they should vote on that piece of legislation.

I wish to conclude by indicating to the hon. member for Grey-Simcoe my support for his motion. It is obvious that the