

*Capital Punishment*

their personal views or, to use the words of the Prime Minister, to vote according to their own conscience. Had the Prime Minister wanted a truly free vote, he would have asked a private member to bring in this bill, even on his own terms, and every member of this House could have voted as he wished, whether the member were a backbencher, a member of the cabinet or a member of the opposition.

**Some hon. Members:** Hear, hear!

[*Translation*]

**Mr. Wagner:** As regards government backbenchers, had this been a private member's bill, they would not have been exposed to ever possible undue pressure not directly related to the capital punishment issue.

Mr. Speaker, I know that if Bill C-84 is accepted the morale of our policemen and especially of our prison guards will be greatly shaken. Yet I am sure that as law-abiding citizens those peace officers will accept, despite their reservations, their apprehensions and their fears, the will of a parliamentary majority. I hope at last there will not be massive resignations among them, which would jeopardize security in our penitentiary institutions.

But peace officers are men like everybody else. They are not immune from errors or unpredictable reactions. Thus it is essential that in the performance of their duties they can enjoy the greatest possible serenity of mind. Will it be the case if Bill C-84 is accepted? I doubt it.

In closing, Mr. Speaker, I would like to recall what the right hon. Prime Minister himself stated, for it is strange, Mr. Speaker, how sometimes their own statements come back to haunt politicians. Might I remind you that the Prime Minister himself declared in this House on May 16, 1973, when Bill C-2 was under study, and I quote:

Out of fear for his safety, and the safety of his loved ones, even the most merciful of men becomes unwilling to assist the wayward.

● (1140)

[*English*]

Because of the importance of that statement, I want to read in English the warning expressed by the Prime Minister only three years ago:

Out of fear for his safety and the safety of his loved ones, even the most merciful of men will become unwilling to assist the wayward and the feckless.

I pray God, Mr. Speaker, that this warning of the Prime Minister will never become a prophecy.

**Some hon. Members:** Hear, hear!

[*Translation*]

**Mr. Adrien Lambert (Bellechasse):** Mr. Speaker, if I take part in the debate on third reading of Bill C-84, I do so not to delay the work of the House but rather to point out, once again, that if the government has reached the point where it introduces a bill to abolish capital punishment, it does so because of its many commutations in the last few years. To my mind, the government, through this bill, wants Parliament to approve what cabinet has done in recent years.

Mr. Speaker, I do not intend to speak at length at this stage because the leader of the Social Credit Party of

[*Mr. Wagner.*]

Canada dealt with the matter yesterday in some detail, and I share his point of view. That is why it would be useless to repeat the logical arguments that can be invoked to oppose passage of this bill.

I also listened very closely to the hon. member for Saint-Hyacinthe (Mr. Wagner) who made a very sensible speech and recalled the words of the Prime Minister, at the time when discussions were echoed by the press throughout Canada, and to a certain extent I support the views expressed by the hon. member for Saint-Hyacinthe (Mr. Wagner) on Bill C-84 concerning capital punishment.

I would have appreciated it, however, if the hon. member had been successful in convincing the leader of the official opposition to reconsider his position and go along courageously with those who oppose Bill C-84 for reasons as valid as those advocated by abolitionists. Having said that, I still believe however, that if we could have a really free vote in this House, the leader of the opposition would also enjoy that choice. I do agree on that. But as I said earlier I am not yet convinced that a genuine free vote can be held in the House on that issue. Members of some parties are so used to following the party line that even if the government allows members to express themselves freely, they will not take this opportunity to vote according to the will of the population.

Mr. Speaker, I submit what I indicated a number of times, namely that on the occasion of such an important legislation, the people of Canada should have been consulted through a referendum. Not that kind of plebiscite that was held in 1941, when the Liberal government wanted to get released from their commitment that there would be no conscription across the country. Not a kind of referendum where members of parliament and ministers would appear one after the other before television, to try and convince the people to vote this or that way, but a true referendum, a really democratic one decreed by this House and held without TV debate.

When the people are consulted, they should be trusted to take their own responsibilities. Such a consultation would have given an opportunity for democracy to go through this difficult stage. More trust would have been shown toward the younger Canadians, and they would have realized that our parliamentary system, one of the best in the world, is capable of respecting the people's will and giving them an opportunity to express it when important decisions have to be taken.

The holding of such a referendum was flatly denied for a number of reasons. However, some groups held consultations, and I would take this opportunity to commend the Canadian Police Association for holding such a referendum on this subject. And I refer to the brief dated May 3, 1976 that was submitted to the Committee on Justice and Legal Affairs. May I quote the following excerpt from that document:

Our association recently circulated through various newspapers a questionnaire on capital punishment. Here is the response of the public to the following questions. Question No. 1: Should capital punishment be retained only for the murder of police officers on duty, or prison guards?

Reply of the public: Yes, 4,855; no, 55,425.

This is a significant reply obtained after free consultation.