

Public Order Act, 1970

ad nauseam three, four and five years ago in connection with the abolition of the death penalty. The chief reason there is no logic to it is that the death penalty exists in our law at the present time. It exists for treason and it exists in respect of the murder of a policeman, a penitentiary warden, and so on. Therefore, I find it difficult to understand why members should continue to argue about whether we should or should not have the death penalty. We have it now.

This amendment would merely extend the death penalty to the type of crime that has been committed by the FLQ and which may be again committed by members of the FLQ under the present rather difficult circumstances. It would seem to me that the reasonable thing to do is to stop arguing about whether or not we should have the death penalty, because we already have it for certain crimes. I think we should vote on this measure. I thought this bill was a matter of urgency which the government wanted to get through as quickly as possible.

Some hon. Members: Hear, hear!

Mr. Harkness: Certainly, the members of the official opposition are very anxious to get it through as quickly as possible. Therefore, I do not understand why we should take up so much time arguing about something which really has no application to the matter. I would hope we would have a vote on this amendment now and get on with the measure.

Mr. Forrestall: Mr. Chairman, I have tried for some time to get your attention. I have a few observations to make. The hon. member for Calgary Centre has said pretty much what I wanted to say. I am very opposed to the type of discussion I have listened to in the last hour or so. I am also very much opposed to the suggestions of gentlemen in this chamber who should know better, such as the hon. member for Vancouver Quadra, suggesting that this is not the proper place to discuss this question. Of course it is the proper place. Whether we are in committee or whether we are in the House, this is the place to discuss it and suggestions to the contrary are not fitting during a discussion of a matter so serious.

I cannot understand why in this chamber we cannot get on with the business before us in a much more efficient and orderly manner than we have in the last few days. The items we are considering were placed before us with some assurance, both quiet and spoken, by the government almost a week ago, but we are still debating this bill while other urgent matters are waiting on the sidelines. My suggestion is that we stop fooling around with a matter as serious as the sanctity of life, and get on with the amendment and the bill itself as well as the business of running this country.

Mr. MacDonald (Egmont): Mr. Chairman, I shall speak briefly because I, too, would like to see this matter come to a vote. I think this whole discussion is misleading, in that we seem to be spending a great deal of time talking about deterrence when the real issue behind this legislation is detection. When the people concerned are not yet

[Mr. Harkness.]

apprehended, I think we are putting the cart before the horse.

It strikes me that a discussion about reintroducing capital punishment is, in effect, a kind of counsel of despair. If this is the best way in which we can respond to the very serious situation and to what may exist in the minds of those who create terror, we really have not successfully entered the twentieth century. I think we have had ample experience to know that our system of social vengeance, instituted to its ultimate degree with capital and corporal punishment, has not been very successful. I suggest that all members in the committee should do their duty immediately and vote against the amendment.

• (9:50 p.m.)

Mr. Horner: I can assure you, Mr. Chairman, and the committee that I will not talk past ten o'clock. I now recognize the time as being seven minutes to ten o'clock. I assure you, Mr. Chairman, that I will allow this amendment to come to a vote tonight. I am prompted to speak again on this question because there has been much talk about vengeance, about the fact that those who moved the amendment and who spoke in favour of it are motivated by vengeance. I assure the committee that this feeling is not motivating me one bit. I am motivated by the fact that our whole system of justice is based upon the effectiveness of a deterrent. In fact, clause 3 of the bill outlaws a group of persons or association known as le Front de Libération du Québec or any successor group or successor association. So in a sense we are creating a deterrent against anybody joining the FLQ or for any group of FLQ members creating a new association with the same purpose in mind.

This bill in essence is a deterrent against anybody in the House of Commons or any citizen of Canada attending meetings of the FLQ. It is based on the principle of deterrence. I say that this amendment is also a deterrent against acts committed by the FLQ. What did the Prime Minister call these people? Did he say they were bleeding hearts? It seems to me, listening tonight to the bleeding hearts bleeding for the life of somebody who eradicates an honest, law abiding citizen of this country, that no sympathy can be felt for him. I have these bleeding hearts around me and they are also on the other side of the House. I am somewhat like the Prime Minister; I am not too sympathetic toward bleeding hearts.

Our whole system of justice is based upon the principle of deterrence. Once the members of an FLQ cell kidnap a person, it does not matter who he is, the punishment for them is life imprisonment, so the Minister of Justice tells us. If they release that person or if they take his life, the punishment is no greater: it is still life imprisonment; there is no additional deterrent. I hope that I live in a society which values human life and is prepared to so signify when we face a serious crisis. I agree with the hon. member for Skeena that the government has made all Canada aware of this crisis. We have to act upon it. The purpose of bringing in this bill was to deal with the crisis. It is a temporary measure, and we have to act upon it.