

Capital Punishment

stringest measures against them than the 23 per cent of murders committed during sex crimes.

● (2030)

One other point that gives me serious misgivings as to the potential of this bill to protect society is the application of first degree murder to those who murder prison guards and policemen. I have discussed this aspect of the bill at length with persons employed in the penitentiary service in my own constituency. While we may not agree on certain aspects of the bill, there are many in that employ who question the imposition of a 25 year sentence and its resulting effects. It is vital—it is important that we support in every way possible the work being done by our security officers throughout Canada. It goes without saying that I am committed to that principle. I have some grave doubts that the arbitrary nature of the mandatory sentence proposed by this bill will achieve this aim. In fact there is good reason to believe it may hinder it.

Let me quote from an article by Dr. E. A. Fattah, Chairman of the Criminology Department at the Simon Fraser University. He said:

Those familiar with the situation of inmates in penal institutions know well that the real incentive for obeying stringent institution rules lies not in the fear of punishment, but in the prospect of earning time off for good behaviour and the hope of getting parole. Take away these prospects and you have taken away any incentive for change or good conduct. A minimum of 25 years creates a distinct category of men without hope, and a man without hope is capable of doing anything and everything to draw attention to his cause and to his condition.

It is that last thought, a man without hope, that I have heard echoed by many employees in the penitentiary service.

I would say to the minister, who first declared his opposition to the 25 year sentence in January, 1973, that it is discouraging to see him now abandon this principle. How much better it would be if he and his colleagues showed more interest, indeed urgency, in addressing themselves to the root problem, the social conditions that breed crime.

Three years ago members in this House went through the same lengthy and emotional debate. Three years have passed and the government has done little to eradicate the fertile breeding ground of crime in a society plagued with high inflation, high unemployment, economic and regional disparity.

I very much fear the extent of the unrest and discontent in this country because these problems of high inflation and high unemployment are growing worse, and because of them violent crime is on the increase. Where in any of the proposals or background notes for this legislation is there a commitment by the government to undertake to gain insight into the causes and process of violent crime in our society, and to attempt seriously to counteract this process?

I shall vote for this bill because I sincerely believe that capital punishment is not the answer to prevent or deter murder, and while I am committed to support any measure that increases the protection of innocent citizens from violence at the hands of others I seriously question that the principle of minimum mandatory sentences will help achieve this objective; rather, these proposals could have the opposite effect.

[Miss MacDonald.]

I would strongly urge the minister to reconsider this aspect of Bill C-84, and to introduce amendments at committee stage that would remove the arbitrary and universal application of mandatory minimum sentences so that each case can be considered on its own for the sentence it merits.

Some hon. Members: Hear, hear!

Mr. J. H. Horner (Crowfoot): Mr. Speaker, as many hon. members have said in this debate, this bill has been before the House on four or five occasions since 1961. I am not going to go into detail on each of those debates, however. What I want to say is that I have read most of the speeches made on this subject in the House of Commons to date, and I should like to compliment some of the members who have spoken for abolition, and some in the Liberal party who have been brave enough to speak out for retention of capital punishment.

We in this country are deeply concerned with the prevention and control of violent crime. I think that concern has brought out a desire on the part of many members on the government side to speak up even though they may well risk promotion or favour within the government in their chosen field of interest. I think it takes a great deal of courage and a great deal of determination on their part to represent the people they chose to represent. When they went before the people in 1974 and 1972, they said they would represent, they would serve. I want to emphasize those two phrases, Mr. Speaker—"they will represent and they will serve". Some have spoken out and have proved they have a determination to represent and a determination to serve.

I am particularly regretful that this speaking out by government members on the side of retention ended on Thursday last week. No government members on Friday, and hardly any today, have spoken on behalf of the government for retention or abolition. That suggests to me—

Mr. Guay (St. Boniface): That is not so!

Mr. Horner: I understand that is not so and I accept the correction of the government Whip.

Mr. Guay (St. Boniface): Mr. Speaker, I rise on a point of order. That is not true at all. In fact we were told by the loyal opposition that they had numerous speakers, well beyond what we have. We are trying to give them a break so that we can get their speakers to go through. Our speakers will come up just the same. We are giving a break to the opposition, and we do not want the record to show that we have no speakers. I am a retentionist myself. I am not afraid to speak out, and I am sure many others on this side will do likewise.

Some hon. Members: Hear, hear!

Mr. Railton: I am saving time or I would speak.

Mr. Horner: The hon. member is in a particular position to lend a great deal of wisdom to this subject, Mr. Speaker. Rather than save time, if he had told his constituents in 1972 and 1974 that he would not speak out in the House of Commons because he believes time is more important and he is not needed to represent them, and that Trudeau and