

*Criminal Code*

I heard five reasons put forward by one hon. member this afternoon, which he said retentionists use for the retention of capital punishment. These were good reasons. However, I did not hear him declare the most important reason, that of "government" itself, the protection of persons and property, the protection of the public. This reason must be present at all times and must be evident to all members, from private members to privy councillors.

• (7:40 p.m.)

I am one of those who believe that capital punishment should be retained in its present classified form. I am one of those who believe it is within the imperium of this parliament of Canada, the state and the Crown, to reserve at all times the right to demand the life of any of its citizens, or indeed, Mr. Speaker, the life of an enemy alien found guilty of crimes against Canada. I am surprised at this time, and shocked, to hear that some privy councillors, present and past, do not agree with this attitude. I refer to the fundamental right of jurisdiction and the authority to use the power of the state to enforce its laws. I would remind hon. members that Canada, as a corporate geographical and social entity and as a nation, does not exist and function in order to act as a stamping ground or a free range for, or as an agent of appeasement to, outlaws and perpetrators of capital crime.

I am also one of those who realize that my constituents did not send me to Ottawa to sit in this parliament in order to weaken or to tear down the statutes of Canada by doing away with any of these laws. On the contrary, in these times of contention, trouble and lawlessness those constituents are more apt rightfully to expect me to assist in placing more restraining measures of a deterring nature on the statute books.

This afternoon I heard hon. members say that it is an awful thing to realize the finality of the death of a condemned criminal, one who has been duly sentenced by the courts. I say it is an awful thing to realize the finality of the death of an innocent victim at the vicious and unmerciful hands of a rapist or a murderer or an armed robber—and we all know how merciless they can be.

The abolitionists contend there is a chance that an innocent man may be executed. I say that there is no record and there is no proof that an innocent man has ever been executed

[Mr. Alkenbrack.]

for murder. There may be hearsay, but there is no proof.

Another point, Mr. Speaker, is that if abolition is adopted by this house as a result of this debate, one other measure will immediately be required in country-wide form so as to be consistent with the argument of the abolitionists. This would be a measure to disarm all policemen in Canada. I would remind abolitionists that when an escaping criminal happens to be fatally injured in battle with our courageous policemen this in itself is a form of capital punishment. Therefore I would ask all abolitionists to be consistent, and to see that this action is taken, for it is just as ridiculous as their argument.

From the abolitionists I have heard nothing but a policy of appeasement of capital murderers, those guilty of treason and other capital crimes. The hon. member for Leeds (Mr. Matheson) very definitely tried in his argument to associate the retentionists in this debate with Adolf Hitler, who persecuted and murdered millions and millions of innocent people. The hon. member for Leeds, by arguing thus and supporting abolition, implies that Hitler should not have been executed; or I deduce from his argument that that is tantamount to what he said. The Allies did not capture Hitler while he was still alive, so the privilege of administering the death penalty to him was lost to them. Had he been captured he should certainly have been executed.

In this regard I was very much interested in the fine address made by the hon. lady from Vancouver-Kingsway (Mrs. MacInnis), who pointed out that capital punishment was reinstated in Italy during the time of Mussolini. It was a good thing it was reinstated, and just in time for it to be administered to Mussolini himself. Although it was administered by a mob, in my opinion, he got his just dues.

Since the resolution which we are debating is contrary to any fundamental beliefs which I have, and since it does not as I have said, strengthen the protection of persons and property by the state, I cannot and I will not support it. Let us just look at the terms of the resolution. I had hoped that since it is the product of four authors from three political parties it would portray the wisdom I know these hon. members possess. But it does not