

this House, just 20 minutes before the end of the day's sitting, a clause to reinstitute with capital punishment.

If a vote is taken on this amendment tonight, I hope it will be soundly defeated not only by those who do not agree with capital punishment but by those who believe that Parliament ought to consider the subject in a more serious way when all the members of the House are here.

Mr. Horner: Mr. Chairman, I should like to say a few words—

The Chairman: Order. The hon. member for Battle River.

Mr. Downey: Mr. Chairman, what prompted me to say a few words tonight was that some members suggested that those who supported the capital punishment area of this amendment were doing so because of emotion rather than fact. The question of deterrence was raised. I suggest that the whole basis of our legal system is deterrence. Consider fines and imprisonment. What are these, if they are not deterrents? When one takes a life, to hang is the maximum deterrent. In connection with the FLQ kidnapping of Mr. Laporte we see there was no deterrence after the kidnapping. At one point it did not matter one iota to them whether he was released or murdered, because the deterrent was the same.

The member for Charlevoix stated that the first object of the law is the protection of the citizenry, and I suggest this—is the principle as it was originally conceived. I have figures here relating to some countries wherein capital punishment has been abolished except for treason. In the Netherlands war criminals were executed as late as March, 1952. Norway executed 25 prisoners for treason, and Belgium executed some well into the 1950s. Britain and West Germany are experiencing strong support for the reintroduction of the death penalty.

The figures I have here indicate that the murder rate has gradually increased since the death penalty has been abolished. In 1966 there were 1.3 murders per 100,000 of the population. The rate goes up to 1.8 in 1968, and a little over 1.9 in 1969. I think there is adequate evidence that over the years the death penalty has been a deterrent.

Some hon. Members: Hear, hear!

Mr. Kaplan: Mr. Chairman, I rise to speak in response to the remarks of the hon. member for Crowfoot. He indicated that he thought most of the people of Canada would favour the reintroduction of the death penalty. I must admit that I have received letters from people recommending that the death penalty be reintroduced and I have been to many public meetings, some in my own riding, where people have spoken out in favour of its reintroduction. But, Mr. Chairman, they are far from the majority.

In any event, I would oppose the reintroduction of the death penalty whether on a permanent or, as suggested by the hon. member for Red Deer, on a temporary basis. The supporters of the death penalty argue that those crimes which society finds the most revolting should be

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punished by a maximum penalty, death. The hon. member for Crowfoot said that he did not care whether it was death in the gas chamber or by hanging. He said he would leave that to the government—

An hon. Member: Good old Crowfoot!

Mr. Kaplan:—but the maximum punishment should be imposed. I ask hon. members opposite this question: If we are to introduce the maximum penalty that society can impose, why are they asking for the humane penalty of death by hanging or in the gas chamber? These are the two most humane methods of killing people. Would the logic of their position not dictate that they should be driven to imposing the most painful method of inflicting death? Why are they satisfied with hanging and the gas chamber? Why are they not talking about drawing and quartering people?

● (9:40 p.m.)

Mr. Horner: Why don't you say what they did to Laporte? Let the people know the truth about what they did to Laporte.

The Chairman: Order.

Mr. Kaplan: What I am trying to point out in asking these questions, which I hope are rhetorical because surely no member would advocate a death penalty of that nature, is that there is a logical fallacy in their argument. I think it shows how absurd the argument is when we take it to its logical conclusion. It shows that the whole argument is without merit and that the death penalty would serve no useful purpose whatsoever.

Mr. Gleave: Mr. Chairman, I tend to agree with the speakers who have said that this argument does not really belong in this discussion. We are discussing a measure which the government has chosen to bring before Parliament as an alternative to the War Measures Act. This amendment simply introduces a great deal of emotion which does not add to the discussion.

May I say, as has been said before, that this emotion-charged atmosphere is partially due to the government itself. When the Prime Minister of this country chooses to label those who oppose him as weak-kneed, bleeding hearts, what is he saying? Instead of using rational talk, he chooses to use the epithets of the intellectual gutter. I as a farmer would use the epithets of the gutter because I understand them and can use them very well. But the Prime Minister, having the advantage of more sophistication and so on, uses the epithets of the intellectual to label his opponents.

I am very much concerned about the hysteria and emotion that is evident in this Parliament rather than the rational approach we should attempt to take in meeting this most unfortunate situation. Having said that, Mr. Chairman, I suggest that the type of penalty we use to deter really has no place in the measure we are now discussing.

Mr. Harkness: Mr. Chairman, I fail to see any logic or reason in reviving at this time the arguments we heard