

Capital Punishment

being broadened to take in the other categories of offences, such as premeditated murder, hijacking with murder, kidnapping with murder, and a whole series of sexual offences with murder. So I suggest we will have a much broader and tougher law covering a much wider range of the most serious of all crimes.

While I believe that Bill C-84 will in fact be a more effective and fairer means of dealing with those found guilty of murder, I also believe that we must bear in mind, that if the bill by itself does represent a toughening of the law which will bring about added public safety, although murder is the most terrible of all crimes it is but a very small proportion of the total area of violent crime. I should like to place on the record a few statistics to put this into perspective.

In 1962 there were 265 criminal homicides in Canada. This represented .75 per cent, or three quarters of one per cent of the total number of violent offences. In the same year there were 27,076 woundings and assaults, representing 83.1 per cent of the total number of violent offences committed. Four years later, in 1966, there were 248 criminal homicides, four tenths of one per cent of the total number of violent offences. In the same year there were 45,373 woundings and assaults, or 87.2 per cent of the total number of violent offences committed. Moving on to 1970 there were 425 criminal homicides in Canada, which was four tenths of one per cent of the total number of violent offences. In the same year there were 78,979 woundings and assaults, representing 85.5 per cent of the total violent offences.

What I am trying to point out, Mr. Speaker, is that capital punishment, or in its place a very severe jail term, will affect only the most minute portion of crimes committed in the whole broad area of criminal activity in Canada today. That is why, while this bill stands on its own, the peace and security package is equally if not more important when it comes to dealing with the 85 per cent or 87 per cent of violent criminal activity that takes place in Canada that does not relate to murder.

Much has been said about public opinion polls and the fact that they overwhelmingly show that the Canadian public are calling for capital punishment. I believe that the overwhelming number of Canadian citizens have focused on capital punishment because of their fear, having read reports, and from their own personal knowledge of increased crime on our streets. I believe that if the Canadian public were asked to sit down for a period of time and consider this issue, they would in fact realize that capital punishment alone will not bring them what they desire. In turn, Mr. Speaker, what the government is proposing in the peace and security bill, and in this broadened bill to deal with the most serious of all crimes, will be much more effective.

I should point out to the House that in my own party there has been some experienced and thoughtful debate on this issue. We came to the conclusion in convention last November that there should be a free vote on the issue of capital punishment as a separate item. We decided legislation should be introduced to abolish capital punishment, but the convention also wanted to tighten bail and to increase penalties for violent crime. Having had a chance to debate those issues and to consider them, a majority of

[Mr. Fleming.]

the delegates, selected from various constituencies across Canada, arrived at the conclusion that the Canadian public would reach. If they would only stop long enough to consider these issues. If we could have their attention, we could explain how this abolition bill is toughening the law, not easing it and will improve public safety.

In turn, while this issue can be a very emotional one for either side, I did say at the convention when I had the floor that if anyone attacked or maimed my wife or child I suspect that I would personally want to tear them limb from limb before killing them, but that I would hope society at such moments would rise above one's own personal agony and hell. I very much believe that.

Some hon. Members: Hear, hear!

Mr. Fleming: I now want to deal with what I call the leaders' syndrome. I should first like to quote the contribution made by the right hon. Prime Minister (Mr. Trudeau) in the 1973 debate. He said:

The most understanding of persons, in the face of lawless activity, will harden his attitude and will refuse to accommodate changes. Out of fear for his safety, and for the safety of his loved ones, even the most merciful of men becomes unwilling to assist the wayward.

If that applied three years ago, Mr. Speaker, it certainly applies a lot more today when we consider public opinion and our need to answer it responsibly. The Prime Minister continued:

... in this debate of the issue of capital punishment, I suggest that the premise from which we must begin our discussion is the basic one of the safety of Canadians. Our criminal laws, our penal system, our reform programs will be of little value if they do not respect the right of Canadians to live their lives without fear of criminal activity. The attributes of mercy and forgiveness cannot thrive in circumstances of fright and uncertainty... The laws are not designed with any thought to trading off the safety of men, women and children in the pursuit of some social experiment.

Again that very much applies today; the proposed changes to the law will bring about measures to meet the public's demand for increased safety.

The Prime Minister went on:

The choice of punishment... must be other than vindictive for no society can be vindictive and remain healthy.

While I do not have a quotation tonight from the late Lester B. Pearson, it will be surely accepted on all sides of this House that he too very much believed in abolition.

The former leader of the Progressive Conservative Party of Canada, the hon. member for Halifax (Mr. Stanfield), said this in the 1973 debate:

I see no evidence that capital punishment is an effective deterrent.

He added:

I do not want to be pontifical, but I think Edmund Burke was right when he said an MP has a duty to exercise his own judgment. It is my responsibility to exercise my judgment and this is what I am doing, not out of any sense of arrogance or superiority with regard to other Canadians, but in full belief that it is my responsibility to make up my own mind and to exercise my judgment.

Those are the comments of another abolitionist.

The leader of the New Democratic Party, the hon. member for Oshawa-Whitby (Mr. Broadbent), had this to say in the 1973 debate:

I was elected, as were all members of the House, not simply to respond to the prejudices of our community. That is not my work here.