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## Prime Minister advocates continued suspension of the death penalty

*On May 16, the House of Commons heard the second reading of a bill that would extend the trial period for the abolition of the death penalty while retaining it for the killing of police officers and prison guards. Addressing the House on this motion, Prime Minister Trudeau said in part:*

...On the matter of capital punishment I begin with two premises. The first is my belief that wanton or unnecessary killing is evil. The second is the requirement for self-protection, be it individual, or collective in the form of a society. Consequently, should killing be the only means to ensure survival against aggression — as in the case of self-defence of a human, or the self-defence of a society — then it is allowable. Life and freedom and justice are so valuable that they must be protected against an aggressor by whatever means are absolutely necessary in the circumstances, including the taking of life. The evidence available to us all has satisfied me beyond doubt that capital punishment — killing — is not effective as a deterrent against murder. Therefore, it is not justifiable for use by society as a means of self-defence.

### A question of safety

In reality, the question before the House is what contribution to the safety of persons flows from retention or abolition of capital punishment. That is not a new question. It has been asked in the English legal system for hundreds of years. Pollack and Maitland tell us that under the Norman kings "a wave of religious sentiment has set against capital punishment". And no wonder, for those learned authors recite the forms of punishment then in vogue: death inflicted by hanging, beheading, burning, drowning, stoning, precipitation from rocks; loss of ears, nose, upper lip, hands and feet; flogging and sale into slavery; emasculation and exoculation.

### Not a deterrent to murder

If the question of capital punishment has been asked for centuries, it has

been answered in varying degrees for decades. The death penalty for such minor offences as pickpocketing and petty theft was abandoned in England in the nineteenth century; in Canada it was abandoned for kidnapping and for rape in 1955. Public executions, once regarded as contributing to the deterrent effect, have not been practised in Canada since 1868. On each of those occasions, I have no doubt about the effectiveness of the penalty as a deterrent to that particular offence, and about the justness of the punishment having regard to the crime.

Capital punishment and abolition both have a long history in our social system and in its historic forebears. Much of what was once regarded as necessary and ordinary, now causes us all to shudder with revulsion at its cruelty and seeming disdain for human life. Yet it is not our function to judge in retrospect the morals or standards of bygone areas. It is for us to assess the necessity or lack of it, and the moral correctness or lack of it, of the death penalty for murder in Canada in 1973.

It is not my intention, Mr. Speaker, to discuss the statistical and other evidence bearing on this issue which is available to us all. I have weighed it carefully as I am sure have all Honourable Members. I have concluded to my own satisfaction that capital punishment is not an effective deterrent to murder.

I am aware, however, of the widespread feeling that the present way of administering a sentence of life imprisonment may be inadequate. My mind will remain open, therefore, to whatever arguments may be offered on that aspect of the question, to ensure the protection of the public from the repetition of a major crime of violence.