

CAPITAL PUNISHMENT

SUGGESTED REINSTATEMENT OF DEATH PENALTY FOR FIRST DEGREE MURDER

Mr. Gus Mitges (Grey-Simcoe) moved:

That, in the opinion of this House, the death sentence for first degree murder should be reinstated.

He said: Mr. Speaker, I do not think there is anything more dastardly to the thinking of Canadians everywhere, besides having a murder committed which was either pre-meditated, planned, committed by a hired murderer or committed in the pursuit of a crime, than to have one who commits such a murder not pay the supreme penalty as the laws of Canada provided and insisted upon prior to the passing of the legislation which abolished capital punishment in 1976.

It is clear to me that no other issue in many years has moved so many Canadians to speak out. Most members of this House can attest to the feelings of their constituents, for the issue of capital punishment has undoubtedly resulted in more mail to Parliament than any other. The reason is that most Canadians believe this important ingredient in our system of law and order must be reinstated.

I find it impossible to ignore the fact that 82 per cent of the constituents of my riding of Grey-Simcoe who responded to my questionnaire favoured capital punishment. The percentage of all Canadians who favour capital punishment is just about the same. Mail received in my office indicates that some 98 per cent favour capital punishment for premeditated murder.

There is no question that Canadians everywhere are demanding strong law enforcement. We have seen too much of the soft attitude which places the rights and concerns of the criminal ahead of those of law-abiding citizens. We have had enough of the loose administration of justice whereby criminals, rapists, murderers and child molesters, are introduced to country club living and then let out on holidays, weekends and parole and whereby the safety of society seems to have been completely forgotten in our headlong rush to demonstrate our humanity for criminals but with little concern shown for the victims of crime.

As things stand now any armed robber or hijacker is prone to murder because he knows he can only be given a prison sentence. He also knows that under our present system through either parole, holidays, temporary leave, or even escape, his sojourn in custody may well be just a few years or even a few months, and the risk of killing someone is truly worth it, especially if a key witness can be wiped out.

We must make it absolutely clear to the potential murderer that he risks the chance of being executed for his crime. There is no question in my mind as well that the increased lawlessness in Canada, more evident than ever before, is the result of a loose morality which has permeated our society like a cancer, especially during the last ten years. I might add that that loose morality has no boundaries. It invades governments, people in high places and, in fact, all classes of our society.

The abolition of capital punishment, the easy obtainment of bail, increased laxness toward inmates regarding discipline in

Capital Punishment

our jails, and undeserved extended weekend passes for many repeaters in jail, have only added more fuel to the fire.

I can well understand the exasperation and frustrations of our police officers all across Canada who are trying to do their duty in apprehending criminals and carrying out their responsibilities, only to see their efforts go for naught when so many of these same criminals are soon walking the streets again either on extended bail, suspended sentences, or after serving only portions of their sentences.

The murder of our policemen in the carrying out of their duties, in ever-increasing numbers, is having a most unfavourable reaction among all our police forces from one end of Canada to the other. It has serious effects on their morale and desire to carry out their duties, or even to continue in their careers. There is no question that if the murder of Sergeant Ronald McKean, a police officer gunned down and killed in Collingwood, Ontario, in my riding, in 1977, in the performance of his duty, had occurred some ten years ago, it would have resulted in the death penalty for his assailant. There is no doubt that many other hon. members in this House can relate similar experiences in their own particular ridings.

There is no question in my mind that the re-establishment of capital punishment in our statutes would once again be a step forward to a greater respect for our laws by all criminal elements. It would give our law enforcement agents the tool they so desperately need to carry out their duties with zeal and determination. I would say that the zeal is now somewhat lacking because of the murders of their brothers in the pursuit of their duties by assailants who know that, if apprehended, they will have to serve only a few years for their crimes and then be free to commit murder and other crimes again.

Naturally, one has to ask just what the retention of the death penalty would do. Abolitionists would argue that abolition does not result in crime run rampant, or social peace if the death penalty is not restored. They would argue that capital punishment has no deterrent value. With that kind of elitist argument they ignore the real issue at hand.

A former chief justice and president of the United States, William Taft, once said:

The abolition of the death penalty is a mistake. It certainly is a deterrent for crimes of bloody violence.

In looking at the deterrent factor one must consider it an attempt to save innocent lives in the future and not, in isolation, in relation to the fate of the guilty murderer. The only question one might raise is whether capital punishment is an effective or significant deterrent. Perhaps we should look at the deterrent factor from the point of view of whether capital punishment would prevent all murders. I think not. Surely, we could not expect that any more than that a 25-year sentence in prison would stop murder. In speaking of the 25-year prison sentence, one has to consider seriously the possibility that such a law could be amended or even repealed at any time. Such a law is no guarantee that society will be protected from the criminal element. In all seriousness, I wonder how effective the 25-year sentence would be and how strictly it would be enforced.