

*Capital Punishment*

capital punishment, which will dissuade them from their goal.

This being the case, I suggest the Solicitor General has played along nicely with my argument. There is only one treatment for that kind of criminal, particularly if you hold the stance of an abolitionist, and that is that the person must be removed from society for the balance of his days. If there is no possible deterrent, then in no way should that man or woman ever be allowed out in society again, particularly if we cannot change the personality of that individual to preclude the possibility of the individual committing the same act again.

I submit that the only thing we can do is amend this bill to provide that those very few individuals, who admittedly are deranged, and who admittedly we cannot help at this present stage of our knowledge, be put in some type of institution for the balance of their days, purely for the protection of society. This is one of the issues my constituents are very upset about, and I think many of them are more upset about it than about the fact that according to my principles I am an abolitionist.

If we are going to show the kind of humanity and compassion I think all Canadians want to show, we have to give that poor criminal, that man who cannot be helped, the alternative of being allowed out of his suffering, whether we look upon his suffering as being free in society with the temptation to commit these acts of piracy or high treason and so on, or the suffering he will have to endure for the balance of his days in prison. Whichever it is, in a sense of compassion and humanity we ought to make the provision that such an individual may decide, not the state, that the kindest thing for him is to be out of circulation as a living being on this earth. We as a parliament here should make that provision for those few people.

I made reference to the fact that this applies to those who are convicted of piracy. I would want to include in that, as one of my three amendments does, those who are convicted of high treason. I realize that high treason has never been the subject matter of a charge laid here in Canada for dear knows how many years. However, the mere fact that the government has seen fit to include this in Bill C-84 suggests that it should also be included in the amendment to make it fairly complete. I intimated a few minutes ago that undoubtedly hon. members could cite other examples which might well be added to the list. I would welcome those suggestions from other speakers.

Let me reply to the comments made by the hon. member for Regina-Lake Centre (Mr. Benjamin). I appreciate the fact that he finds some difficulty in accepting the amendments as they are written. I confess that these were not written by myself. Not being a lawyer it was my feeling I could not do this well, and I had some help at the last minute this morning. As a matter of fact these were turned in to Mr. Speaker about four minutes to 12. I was not completely satisfied with them. I anticipated exactly the question the hon. member for Regina-Lake Centre raised with Mr. Speaker.

The hon. member suggested that it looked almost as though the wording suggested we will sentence these poor criminals to death. Of course that is not the intent. The effect is that the individual would be allowed to make the choice, and this would negate the argument of the hon.

[Mr. Halliday.]

member for Regina-Lake Centre. Nonetheless, I would certainly welcome any amendment or changes to the wording of these three basic amendments which would clarify that point.

I am the last one to want any suggestion in my amendments that the state will in any way impose capital punishment on these poor criminals. I want to make it very clear that my intent is that we must leave it up to the criminal, and if he so chooses the state will oblige him. That is my intent. I hope the hon. member for Regina-Lake Centre appreciates that. I have made the suggestion in all sincerity, and I am sure his questioning of the wording of my amendment was done in all sincerity. I do not want to leave the impression that the state will in any way whatsoever invoke capital punishment.

It remains for me to comment on my last amendment, No. 38, which in fact is really a reassertion of my feelings, and I think the feelings of almost all the members of this House and of many Canadians who are in favour of capital punishment. If we need capital punishment there are more humane ways of carrying this out than by hanging. I am sure all hon. members realize there are painless ways which involve no suffering whatsoever. Perhaps the most effective would be the intravenous injection of a prescribed drug. Some have mentioned gas, and so on. I am willing to accept any suggestion in this regard. As my amendment suggests, this would be left to the discretion of the governor in council by regulation. I am prepared to leave this to the wisdom of the government.

Before I close I want to allude briefly to something which is not in this bill, but something on which I would dearly love to comment. I dare say it cannot be included for some technical reason. In fact it is the point I made reference to at the beginning of my comments. We must have something in the laws of this land that will allow for better provision or compensation for the families of those who are the victims of murder. We raised this point again last night in the committee. The Solicitor General did not have figures at hand at the time but took upon himself—and I thank him for it—to provide us later in the day with the best figures he had available on short notice in respect of this particular matter.

● (2140)

The information is that there is in fact a cost-sharing agreement between the federal government and the provinces of Canada whereby a certain sum of money is provided as compensation for the families of victims. I think it is desirable that we have this type of compensation. However, may I point out to you, Mr. Speaker, and to the members of this House that if a citizen of Canada is working as a miner or as a logger and is somehow killed in the course of his work, society looks after his family much more effectively than it does now the family of a person who is unfortunate enough to be the victim of a murder. It seems to me that under the workmen's compensation provisions and so on, society adequately looks after the families of persons involved in that type of death, but for some strange reason which I cannot quite comprehend we seem to accept little if any responsibility for the families of victims of murder. This is incomprehensible to me.