

*Amendments Respecting Death Sentence*

power supply will be cut off." People know that is true; they know that power will be cut off. They pay their bills knowing that the threatened action will be carried out if they do not pay. I would expect the electric company to say to me "We will not tell you that we will cut off your power unless we are prepared to cut it off. There is no use telling you we will cut it off if we are not prepared to do that." If people know that the punishment is not going to be put into effect, then its deterrent value is destroyed. This is what has happened with respect to the government's handling of capital punishment. Members of the government can quote statistics to prove their case, but how effective a deterrent can capital punishment be if there is widespread knowledge that the government will not carry through?

• (3:20 p.m.)

The Prime Minister (Mr. Pearson) also said that our duty is to protect society, to create a society in which we can all live. That is also my aim; but I firmly believe that crime is becoming more widespread in Canada today, and that murder is becoming more widespread. One can quote the former commissioner of the R.C.M.P. to that effect. Now we have a weak kneed government, a soft government which cannot enforce the will of the country and the wishes of parliament. Members of the government now come to us and say, "Because we are weak kneed, because we are having a lot of internal troubles, we cannot carry out your wishes. We would like you to make the job easier for us. In this bill we will give you a titbit, in the hope that you will let us off the hook and allow us to live with our weaker inner selves."

Anyone who is the prime minister of this country, or anyone who occupies the position of solicitor general has some unpleasant tasks to perform, and to perform those tasks he must be strong. He must be capable of performing the job or he should not be given the job. If he cannot carry out the wishes of parliament, then he should withdraw from his job. If the Prime Minister cannot carry out the wishes of this parliament, then he should not expect to remain the leader of this parliament and of this country. This is the way I look at the matter, and the way most Canadians look at it.

In many positions in life one will find that very distasteful tasks have to be performed. One must measure up to these or else let someone else do them. It is as simple as that. Members of the government cannot come

back to parliament 18 months after the last capital punishment debate and say, "Please help us out. We are not capable of carrying out your previously expressed wishes. Let us stay in office. Let us hold on to our jobs, but make them jobs we can perform." In other words, they want a little softer task.

This bill proposes a five year trial period, and the house and country are assured that if the bill passes we will not hear any more about the subject for another five years. But if the bill is defeated, who is to say members of the government will not bring in another bill, with another titbit to offer to members of parliament, to retentionists, and to all concerned? To me, a five year trial period is not worth-while because during that period only the lives of policemen and prison guards are to be safeguarded. While I have the greatest respect for policemen and prison guards, I value their lives no more than my own, than those of my family, my children, and of the rest of the people of Canada. The five year trial period does not make the bill any more attractive.

The house has debated this question on a number of occasions. In 1961 it passed legislation differentiating between what is commonly called first and second degree murder, capital murder and non-capital murder. That was a very worth-while and progressive step. I agree wholeheartedly that anyone committing a murder in a fit of passion, or on the spur of the moment should not be sentenced to hang. But anyone who deliberately and cold bloodedly commits a murder should be prepared, and in many cases is prepared, to lose his own life. One has only to think of the number of cases where suicide has followed the committing of the dastardly crime of murder.

The bill passed by the house in 1961 has not been given a fair working trial. If the present bill passes, then what are we to compare it with five years from now? We have no recent figures in Canada for comparison purposes. In 1961 we differentiated for the first time between capital and non-capital murder. That created an altogether different picture with respect to murders committed prior to that date and murders committed since that date. But since 1963 there has been no real application of the 1961 bill, and in my estimation a two year trial period is not long enough.

To summarize, Mr. Speaker, I say a deterrent cannot be effective unless it is carried out. A deterrent hinges on two things. The first is that a person must be apprehended,