

members of the committee, and she reached the same conclusions we reached—that the present system does not work, that it does not allow for rehabilitation, that it does not provide the maximum amount of security for the Canadian people, and that all these goals must be pursued with more vigour.

Let me now turn from the sub-committee findings to the amendments put forward by the hon. member for Oxford. As he stressed last night, we are not talking here about a large number of people. We are talking about a very few cases of repeaters. We are talking about those convicted of high treason, or convicted of the stange crime in this day and age of piracy. These are people who obviously have shown they are not capable of living within society as we have set it up. We have established society and set up its rules, but these people have determined of their own will that they cannot or will not live within those constraints or those laws.

● (1530)

What we are saying to those who have been sentenced to life imprisonment is that if they so elect they may choose to be sentenced to death. Some may argue that technically you cannot sentence anyone to death, or a person cannot choose to be sentenced to death just after you have abolished capital punishment. There is another law still on the statute books which will not be affected by this bill, that comes under the jurisdiction of National Defence, which provides for the death penalty. It does not spell out in what way the death penalty will be carried out. It just says there shall be the death penalty. There are many bills passed by this House that do not spell out in chapter and verse how they will be carried out, but rather there follows the passage of a bill a set of regulations which allow for the interpretation of the bill and its being carried out.

Having visited prisons, I would argue that if a person chooses to be sentenced to death, perhaps having spent weeks and months living in horror, it may be a more compassionate thing to allow that person to make such a choice than to sentence him to a death that is surely more cruel and more inhumane, a sentence which would allow him to suffer the consequences of his actions by spending the rest of his life in prison. What I am saying is that if you have visited prisons, as we did, and you tell a man that he really is going to spend the rest of his days there, you will realize you are committing him to a sentence of death far more cruel and more outrageous than allowing him to decide to end his days on this earth. I would stress that I could only agree to this in terms that the sentence would be carried out in a way the governor in council would decide.

This brings me to the fourth amendment proposed by my colleague, the hon. member for Oxford, that the sentence to be pronounced against a person sentenced to death shall not be that he be hanged by the neck until he is dead, but in conformity with any humane method of execution the governor in council may establish or regulate.

Those of us who seek capital punishment propose that there are more humane methods than the admittedly outmoded method of hanging. All of us who propose the return of capital punishment, or at least its reinstitution, and we appeal to all hon. members for its reinstitution in

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these particular cases, suggest there are more humane methods, such as my colleague who is a doctor has put forward. We should not continue with this system of hanging which admittedly is outdated.

All of us who support capital punishment, at the same time see no inconsistency in saying that we hope it will never have to be used. That is the very basis for having it. It offers a deterrent which may prevent some people from taking innocent lives. That is the reason for it, not for revenge or for getting even, and not for the purpose of inflicting some barbaric—

The Acting Speaker (Mr. Turner): Order, please. I regret to inform the hon. member that his allotted time has expired. He may continue with unanimous consent. Is there unanimous consent?

Some hon. Members: Agreed.

Mr. O'Sullivan: Mr. Speaker, I appreciate the opportunity given me by the House to complete my remarks, and I will attempt to do so briefly. Let me say simply that we have reached that point in society where we have to reconsider whether there should be capital punishment. A little over a week ago this House voted in principle that it wanted to do away with hanging. The hon. member for Oxford, who is an abolitionist, proposes that the bill should carry, but in certain particular circumstances capital punishment should still be allowed. All those who share in his compassion, be they retentionists or abolitionists, should support these amendments.

These amendments will allow a choice to the person we are committing to prison for the rest of his life, a sentence, I repeat very briefly, to a death far more cruel, more unusual and more inhumane than the termination of his life quickly and, given modern methods, with dignity.

Those are the reasons put forward by the hon. member for Oxford as an abolitionist in proposing these amendments. As a retentionist I second these amendments, sharing as I do his belief that whatever the decision of this House we must foremost ensure the Canadian people that their basic right to life is being given the maximum protection and, secondly, that if we are to have capital punishment there are more modern and humane ways of carrying that out. Thirdly, when you sentence a man to life, that is, to spend the rest of his days in one of those institutions we call penitentiaries, and really there are no words to describe adequately the nightmare they are, you are imposing upon that individual a far worse punishment than by allowing him to elect to end his days on this earth.

Mr. Stanbury: Mr. Speaker, I rise to ask whether the hon. member for Hamilton-Wentworth (Mr. O'Sullivan) would permit a question?

Mr. O'Sullivan: Yes.

Mr. Stanbury: Let me say first, Mr. Speaker, how moving the speech of the hon. member has been, and how impressed I am as one member with his sincerity and his humanity in supporting the motions of his colleagues, although they raise some rather difficult questions. It does seem to me that the amendments suggest death by choice or, as the hon. member for Hamilton-Wentworth might call