

Criminal Code

At every session in which the bill has been discussed I have taken part in the debate and each time I have been the recipient of letters for or against the retention of the death penalty, but it may interest some hon. members to know that the number of diehards in favour of the retention of capital punishment is diminishing. More and more people are beginning to realize that the real deterrent is life imprisonment. Indeed, I dare say that the change in public opinion during the past few years prompted the government to introduce an amendment at the last session of parliament which divided murder into capital and non-capital categories. It was a step in the right direction, one which should lead to the eventual approval of this bill.

The issue is still between two schools of thought, one thirsting after justice in a mood of vengeance and the other urging the practice of Christian charity and the rehabilitation of criminals. Notable figures in the religious life of this country have gone on record as being in favour of abolition. Still others have expressed opinions to the contrary. They hold to the belief that fear of the death sentence is a restraining force against murder. Personally I share the views of those who believe that there is no valid guarantee that the fear of punishment by death is a deterrent.

Consider the proportion of murders committed in circumstances of sudden passion which are not deterred by threat of the consequences. Crimes such as robberies from which murder may result are deliberately planned to avoid detection. Consider also the risk of executing an innocent person. To those who anticipate an increase in crimes leading to murders in the event of parliament approving this bill I would point out that the experience of countries where capital punishment has long been abolished is ample proof that such a conclusion is unfounded.

Here I wish to list some of the countries which have had no death penalty for years. Luxembourg has had none since 1822, Belgium since 1863, Portugal since 1867 and Holland since 1870. In Italy the death penalty was abolished in 1890, was restored by the fascist regime in 1931 and abolished again in 1948. It was abolished in Norway in 1905, in Sweden in 1921, in Denmark in 1930, in Switzerland in 1942 and has been abolished in dozens of other countries as well as several states of the United States.

I should like to quote now the following excerpt from the report of a British select committee on this subject:

Our prolonged examination of the situation in foreign countries has increasingly confirmed us in the assurance that capital punishment may be abolished in this country without endangering life or property or impairing the security of society.

If and until the death penalty is abolished and if we are to retain capital punishment as at present on the statute books, then I would say that the very least that should be considered by the government is the substitution of the gas chamber or electrocution for hanging. In order to avoid the danger involved in a murderer sentenced to life imprisonment regaining his liberty after only 20 years because of good behaviour, the Criminal Code should be amended to make the penalty 99 years. Assuming that the person being sentenced for murder is 20 or 30 years old and would earn 20 or 25 years off his sentence for good behaviour, provided he lived to an unlikely ripe old age and had his sentence reduced he would still be close to 100 before he could be released and in that event no one would begrudge him the possibility of a respite of a year or two, which would probably be worse for him than being in jail.

Having supported the mover of this bill in the past, I am convinced now more than ever that I have done so in the best interests of justice and in the interests of humanity, and if it were possible for me to plead with greater force at this moment I would gladly do so. I take it that this question is being treated on non-party lines and above politics, as indeed any measure of humanitarianism should be dealt with, without partisan bickering. It is regrettable that questions of great importance to the welfare of the people are not dealt with more often on non-party lines because if this were so I believe the country would be the better for it.

Mr. Harold E. Winch (Vancouver East): Mr. Speaker, I have been speaking on the question of the abolition of capital punishment for some 25 years now. I have spoken on the subject at length at every session of the House of Commons for the past nine years. Therefore I can assure you that this afternoon I am not going to repeat all the various facets of reasoning and argument I have previously presented to the house with respect to the abolition of capital punishment about which I feel so strongly.

All I am going to do, in addition to what has been said and repeated so often before, is to express my thanks to the hon. member for having re-introduced his bill at this time. It is one that I think should be introduced consistently and continually until the House of Commons and the other place get rid of this system of punishment, retribution and revenge which is a relic of past savagery and barbarism.

If I could be convinced in any way at all that capital punishment is actually a deterrent to homicide or, in particular, that it is