

*Amendments Respecting Death Sentence*

provisions of this bill. A minute ago I mentioned the New Democratic party in connection with the bill that is before us. I note that on the night of April 5 when the house voted on the Klein amendment, which was negated 179 to 74, only two members of the N.D.P. voted for the amendment. Yet 18 months later, I note that one of their members last week on a television appearance affirmed and reaffirmed that—and I quote his words—“We are supporting the bill”. How politically inconsistent can the N.D.P. members be, Mr. Speaker?

I also ask the question: How inconsistent can the government become? Both the government members and the members of the N.D.P. are whipped into line on this so-called free vote; and in terming it a so-called free vote I am only quoting the hon. member for Winnipeg North Centre (Mr. Knowles), who a few minutes ago referred to the vote in his speech as a “so-called free vote”.

Now, Mr. Speaker, what is the meaning of the term “so-called” in everyday life? It is an expression of artificiality; it is an expression of phyness. Yet here we have the hon. member for Winnipeg North Centre, an able spokesman for his party, admitting that it is a so-called free vote. It is nothing of the kind, as far as the members of the government party and the N.D.P. are concerned.

What a sad state of affairs, Mr. Speaker, when the government discriminates in its legislation and meddles with the well tried law of the land. By the proviso in the bill which excepts murders of policemen and prison guards the government hope to attract my vote, the vote of a retentionist. By the provision of a five year trial period of abolition of the death penalty they are wooing the abolitionists. By doing this they hope to make the Monday morning sessions in the cabinet room more pleasant in the future in spite of the rise in the crime rate. This bill does nothing to protect the rights of the masses in Canada.

I now have something to say, Mr. Speaker, regarding this five year trial abolition period. On April 4, 1966 I reminded this house of the historical fact that in many cases where capital punishment has been abolished by an act of government in other countries and states, it has been reimposed within a short time to combat the homicide which continued and increased, finally incensing the population to the point that its return was demanded.

We now have the case of Great Britain, that great, generous and enlightened country,  
[Mr. Alkenbrack.]

a leader down through the centuries in responsible government and legislation; and in this connection I quote an article by Don MacGillivray in the *Ottawa Citizen* of November 7, 1967. Headed “After two years of abolition, bring back noose, Britons cry”, the article commences:

Britain's five-year experiment with the complete abolition of capital punishment is two years old on Wednesday and already a petition to bring back hanging is gathering 5,000 signatures a week.

Led by Duncan Sandys, former Conservative cabinet minister and now one of the most effective opposition members of the British House of Commons, the campaigners for renewal of the death penalty claim the murder rate and incidence of violent crime have both risen since abolition...

The list of capital crimes was whittled down until, in 1955, an experimental “no-hanging” period was begun during which all death sentences were commuted. This was similar to the undeclared no-hanging policy followed for the past four years by the Pearson government in Canada.

In 1956, the British House of Commons voted to abolish capital punishment but the House of Lords refused. Then, in 1957, the Homicide Act limited the death penalty to “capital murder” defined as murder committed during a theft, in resisting or avoiding arrest, or escaping legal custody, murder of police and prison officers and murder by shooting or causing explosions.

This latter offence is also becoming common to Canada.

Although this act stood unchanged for eight years it contained almost incredible anomalies. It was capital murder to shoot someone with intent to kill, but not to poison or drown them with the same intention. A man might rape and kill a woman and not be guilty of capital murder—unless he stole her handbag.

Although capital murders averaged 20 a year, the maximum number of executions was five a year, and this dropped to three in 1962, two each in 1963 and 1964, and none in the 10 months of 1965 while the death penalty remained in effect.

During the debates that led to temporary abolition it was evident that M.P.'s and their constituents didn't see eye to eye.

I claim this is now the case in this country, Mr. Speaker.

While the Commons voted 355 to 170 to abolish the death penalty, public opinion polls showed 70 per cent of the electorate opposed to abolition and only 23 per cent favouring it. Partly because of this public attitude, abolition was made a five-year experiment. Unless parliament renews it by July 31, 1970, the Murder (Abolition of Death Penalty) Act will expire and Britain will return to the 1957 law.

Both in the last debate on capital punishment and also in this one, Mr. Speaker, much has been made of the claim that execution is not a deterrent. Such negative thoughts and statements are nothing but a myth. Britain