

Amendments Respecting Death Sentence

before. I have made the same arguments before. I do not think we will convince many of the retentionists by simply repeating what they already have before them. We started, some 100 or 200 years ago in England, with 100 or 150 offences for which people could be hanged. Each time the matter came up in parliament and someone suggested that one of these offences be taken off the list in respect of hanging, there was a great cry that the people would be left defenceless and that there would be more and more of that type of crime. So, each time for a hundred different offences we had similar arguments, and each time for a hundred different times the argument was proven to be absolutely false.

We have had that same old argument presented in this house, and no matter how many states have tried it and proven that the taking away of the death penalty does not leave the people defenceless and cause an increase in crime, the retentionists still do not accept the evidence. So, I ask, what do these people need as proof? I suggest that what they need is the five years which are provided for in this bill. Then I suppose they will cower in their beds and be very apprehensive during that five year period. After the end of the five years it may be that crime will have gone down so much that we will say we have found something special, or it may be that action on the part of this government will drive the people mad and the incidence of murder will go up and they will say, "See, we are proven right."

I will have to vote in favour of this bill, although it burns me, to do so. I hope that at the committee stage we can get rid of this exception for policemen. To me it is ridiculous to have in the bill something that makes a mockery of the argument on which I can support the whole bill. I hope, whatever the judgment of the house, that the government will obey parliament. I cannot think of anything more injurious to the respect for this institution than a government which so consistently shows its contempt for parliament as this one does. How can we expect the people of this country to have any faith in the administration of justice and have any belief that there is justice when they are shown such an example by those whose duty it is to guard their institutions and safeguard the administration of justice.

Mr. Churchill: Mr. Speaker, would the hon. member permit a question?

Mr. Nugent: Gladly.

Mr. Churchill: The hon. member was somewhat more severe with the retentionists than is usual for a man of his gentle nature. Is he quite fair in generalizing that the retentionists have used all the old arguments over and over again—because I submit to my hon. friend, for whom I have a great deal of respect, that in the speech I made a year and a half ago I did not use all the old arguments. I advanced what I thought were different arguments in respect of this particular problem, and I am wondering whether the hon. member really wants to generalize to the extent he has under these circumstances.

● (4:00 p.m.)

Mr. Nugent: Mr. Speaker, let me make it clear that when I referred to old arguments I had in mind the argument that we would weaken the deterrent to murder by removing the death penalty. I think this is clear as a result of our experience in respect of those categories of crimes which have been removed from the list of crimes punishable by the death penalty, particularly in the last hundred years. If I said that the retentionists in this house only advanced old arguments, I should like to withdraw that statement. I simply repeat that the strongest argument and the one relied upon by most retentionists is the same argument that has been used a hundred times and disproved a hundred times.

Mr. J. P. Nowlan (Digby-Annapolis-Kings): Mr. Speaker, I listened with interest to the speech of my friend and colleague, the hon. member for Edmonton-Strathcona (Mr. Nugent). I also listened with interest to the hon. member for Elgin (Mr. Stafford). If I hear many more sincere words from abolitionists, such as I have heard, I might be again swayed toward the attitude of a retentionist.

I did not take part in the debate on capital punishment 16 months ago, and I hesitate to take part today because I am firmly convinced that it is impossible to obtain a consensus of conscience in respect to such a delicate subject. I agree with the hon. member for Edmonton-Strathcona that no one can decide this question on the basis of absolute logic. Certainly one cannot be convinced by statistics.

Sixteen months ago when the proposal to abolish capital punishment was first debated in this house I had no hesitation in voting against the resolution. Since then a genesis and mitosis has occurred, as a result of which we now have this government sponsored bill.