

Criminal Code

was 12, or in other words it was unchanged. In the year following that one it dropped to seven. Again I am not falling into the tempting trap involved in that statement. The point is that this simply does not happen where you have adjacent states, as you have in North Dakota and South Dakota in the United States. Certainly the murder rate there from year to year does not vary according to the state which has retained the death penalty, as opposed to the state which has abolished it.

This brings me to the question of New Zealand. The minister of justice of New Zealand presented to the parliament of that country a bill very much along the lines of the bill which was presented to this house last year by Canada's Minister of Justice (Mr. Fulton). The discussion apparently proceeded through second reading and when the bill was in the committee stage a member of the opposition moved an amendment simply to substitute, as my bill in this particular case attempts to do, the words "life imprisonment" for the words "death penalty" or "death by hanging" where they occurred. A rather extraordinary event took place at that point in the proceedings. The division bells were ringing. In the New Zealand house the pattern of voting is the same as in England. The vote was taken on the opposition amendment to substitute life imprisonment for the death penalty. From the reports I have been able to obtain it is not clear just what the sequence of events was which brought about the understanding in the house that this would be a matter of individual choice. However, that agreement was reached and the vote proceeded. The person who lead the members of the government who voted for the opposition amendment was the minister of justice who had introduced the bill.

I think you will agree, Mr. Speaker, that this event was unique in many respects. It certainly does violence to the notion of cabinet solidarity. It certainly is unusual that a minister or for that matter a private member introducing a bill does not usually support an amendment which in effect alters the principle of the bill. However, the event says something about the New Zealand house and about the healthy state of affairs in the New Zealand house.

This matter was the subject of an editorial which appeared in the *Evening Post* published in Wellington and which described the event as "a triumph for democracy". In addition to commending the members of parliament and the members of both parties in that house for the manner in which they had proceeded on this question, they noted with some relief that this question had now apparently been taken out of the political football category. When I spoke in this house a few years ago

[Mr. McGee.]

I acknowledged the fact and pleaded in this house that this matter should not become a question of party politics, as it had been in the New Zealand house. This editorial, in passing, makes the following comment:

While Mr. Nash contended last night that Labour members had a free vote, the undeniable fact is that through the years it has been the rule for an individual to declare himself in opposition to capital punishment before he could be acceptable as a candidate.

I have contended that this is an unhealthy thing. This is the type of issue which should not become imbedded in party platforms. What had happened in previous years in New Zealand was that the death penalty was abolished by one government. On that government being defeated, it was restored by the government that succeeded it. Then that government in turn being defeated, the death penalty was abolished again. At that time I made the statement—and I make it again now; it is in agreement with the whole tone of this editorial—that it is an unhealthy state indeed where a change in government involves such a fundamental change in the law of the land. As I say, it may perhaps devolve further and this matter may again become the subject of party political partisan discussion. However, it is my hope and the expressed hope of the writer of this editorial and of others who have noted that situation, that this will conclude the matter and that it will be removed, as I mentioned earlier, from the category of a political football.

This is in summary all I have time to place on the record with relation to the question of capital punishment. It is encouraging in many ways. It is encouraging that the movement towards abolition has continued its pattern around the world with more and more governments and more and more jurisdictions taking the final step toward abolishing the death penalty. It is my hope and expectation that before too many years go by the Canadian parliament, supported by a growing body of public opinion, will abolish the death penalty in Canada.

Mr. Hubert Badanai (Fort William): First of all, Mr. Speaker, I should like to commend the hon. member for York-Scarborough (Mr. McGee) for his consistency and determination in furthering the abolition of capital punishment. When he first introduced the bill under discussion, there were a great number of people who felt horrified at the idea of doing away with the death sentence for murderers. While there are still well intentioned citizens who want the retention of capital punishment, an increasing number are gradually coming to the conclusion that capital punishment has failed as a deterrent in all cases where murder has actually been committed.