

Criminal Code

March 31, which specifies at what time further amendments are to be disposed of by the house tomorrow.

Mr. D. S. Macdonald (Rosedale): Mr. Speaker, I rise at this point to indicate to the house that it is my intention to support the abolition of the death penalty when that question is voted upon tomorrow evening. We are now completing the fourth day of debate on this question and it seems to me that at this time there is relatively little that is new that can be added in the way of propositions either for or against the measure upon which we shall be voting tomorrow night. But there does seem to me to be one fresh consideration which I believe is relevant to this debate, and therefore I should like to move an amendment at this time in order to bring before the house the basic question that the British House of Commons had before it in its most recent legislative action with regard to capital punishment.

As most hon. members will know, the abolition of capital punishment for murder under the criminal law of England has not been made absolute and for all time. Rather, the legislative action they have taken has abolished the capital penalty for a period of five years only and at the end of that five year period, dating from the enactment of the law, in the event of the failure of the British parliament to enact any further amendments in order to dispose of the death penalty once and for all time, this penalty shall once again be enforced under the English criminal law.

I propose to put before this house by way of an amendment the suggestion that the motion which is before us this evening and will be voted on tomorrow night be amended so the house will declare itself in favour of amending the Criminal Code on a trial basis for five years, so that in effect what is in the British law shall be incorporated in the Criminal Code of Canada.

I shall not take up any more time of the house. I think the purpose of the amendment will be well understood. It certainly will be understood by members who have been following this debate. Therefore Mr. Speaker, I should like to move, seconded by the hon. member for Saint-Maurice-Lafleche (Mr. Chrétien):

That the motion be amended by inserting therein, immediately after the words "Criminal Code" the following words:

"on a trial basis for a period of five years."

Mr. Fulton: Licence to murder?

Mr. George Muir (Lisgar): Mr. Speaker, it is not my intention to prolong this debate any more than is necessary for me to state my views as simply and as concisely as possible on the question whether capital punishment should or should not be retained; nor is it my intention to try to refute any of the personal views expressed by any hon. member during this debate. Statistics have been used and the Bible has been quoted to prove the arguments of those who support either side of this question. But it seems to me that statistics are of little value in trying to chart human behaviour at any given time under many different environments and circumstances. It is because of this that society has had to lay down certain rules of individual behaviour without which society itself would cease to exist. Without these rules and the ability to collectively enforce them, there would be chaos. It is necessary, then, that crimes against society must of necessity be punished in order to maintain the rule of law and the right of human beings to form a society and live together in that society.

● (8:40 p.m.)

The fact that people can live together is the result of the majority of the people respecting the law and the rights of the individual as set out in our rules of behaviour. It is an accepted fact that those who commit crimes against society should be punished for the protection of society itself, and that the punishment should fit the crime. This principle applies to a petty thief who may receive a nominal prison term as well as to the murderer who, by taking a human life, must expect the greatest punishment.

Organized crime, established almost on the basis of a military operation and just as effective, is now reaching into Canada in its war against society. Human life means nothing to the crime syndicates. Unless effective methods are used to combat these vicious operations our society could become enslaved, just as other societies have, by this sinister underworld.

Mr. Cowan: I should like to ask the hon. member for Lisgar if he is aware of the fact an Ontario Provincial Police officer was killed this afternoon on the grounds of the Royal Ottawa Sanatorium, according to a Canadian press dispatch? I refer to a member of the provincial force, not the municipal force.

Mr. Muir (Lisgar): This only illustrates, Mr. Speaker, that the trial period we now have