

Capital Punishment

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p.7307).

Mr. William C. Winegard (Guelph): Mr. Speaker, the motion before the House of Commons calls for a vote in principle concerning the death penalty. In essence, what we are being asked is whether there is any crime, any combination of crimes, or any circumstance that would warrant execution of the perpetrator.

Mr. Nunziata: No.

Mr. Winegard: We are being asked if we believe it is appropriate for first degree, premeditated murder.

Mr. Nunziata: No.

Mr. Winegard: I think I can do without the Hon. Member's interjections. Most of the House was good enough to remain silent while he had his say. I think it would be appropriate for him to let the rest of us have our say.

Some Hon. Members: Hear, hear!

Mr. Winegard: Is it appropriate for treason? Is it appropriate for terrorism? Is it appropriate for killing police officers and prison guards? The motion is one of principle only with detailed committee study to follow if the motion is carried.

This is, as most Members of the House have said, a very difficult issue, not only for us but for every thinking person in our society. It pits husband against wife, brother against sister, parents against children, and it has certainly engendered hundreds and thousands of letters on each side of the issue to Members of Parliament.

I have made no secret of my wish to see the death penalty restored as a possible form of punishment for the most atrocious killings. I would include certain instances of premeditated murder. I would also include repeated incidents of killing, even though the murders were not premeditated. As well, I think the terrorist who planted the bomb on the Air India flight should be executed.

My reason is simple. I believe the taking of a human life through premeditation or repeated violence deserves a punishment that fits the crime. I would not condemn to execution in every case even those people who commit first degree murder. If they are guilty, I believe the judge and jury should be able to take into consideration all the circumstances and the background before sentencing.

I will say more about these matters later, but let me move on to some of the issues people have raised on this subject. A common statement is that the state has no right to take a life. This is a statement which I believe cannot be substantiated. The state has always had the right and responsibility to protect life, to defend individual rights, and the right of self-defence, even at the cost of taking another life if necessary. If one agrees that the state has the right to take a life, then one must also agree that such action may involve the killing of a guilty killer or an enemy.

I am unable, as others have said in the House, to find anything in our laws or moral code to substantiate the comment that the state has no right to take a life. When I was a young man it was the state which urged me to take a life if necessary to defend the country.

There are some people who recognize the right of the state to take a life but believe it is wrong to do so for any individual crime or for any series of crimes that do not jeopardize the total security of the state. That is interesting logic because it tells me that the security of the state must not be jeopardized but that the security of the individual does not rate so highly.

Capital punishment often becomes and is a moral issue. This morality is much more difficult to define. Some feel strongly that it is morally wrong to execute regardless of the crime. There are many of us who believe that it is morally correct, morally justifiable and morally responsible to execute when the crime is heinous, chances of rehabilitation are extraordinarily low and when that dangerous criminal may kill again.