

Capital Punishment

person may wish to take his own life. I interpreted the hon. member as saying that a criminal who faces 25 years in jail for murder, or the remainder of his life in jail for a second murder, should be allowed to terminate his own life by transferring the right to his own life to the state or to the representative of the state who would actually carry out the deed. The state would then end the life of that individual.

No matter how you look at it, you are considering an individual's surrender of his right to life; or, putting it more explicitly, you are considering allowing an individual to end his own life. No matter how humanitarian the motive for allowing this might be, I have great reservations about the wisdom of bringing such a provision into the Canadian law. If such a motion were adopted as part of the bill and written into law, that first step which would allow an individual to take his own life would no doubt be followed by other, similar steps. One hon. member referred to this process as a kind of legalized suicide. I am most concerned about such legalized suicide. I am most concerned about the euthanasia aspect of the motion.

If this motion were included in the law, it would not be long before other groups would come to this House claiming for humanitarian reasons that euthanasia is a logical step forward for our society. All of us know of people who endure great suffering during their terminal illness, and they or their families, with the best of motives, want to end it all. I have no doubt at all that no matter what we decide with respect to this motion, before long this House will be asked to decide whether euthanasia shall become part of our law. The publicity surrounding the Karen Quinlan case in the United States is one illustration of the intensity of people's feelings on this subject. Several legislative assemblies in the United States have provided for the enactment of what is called the living will. Under such provision, a person may say in his will that if he reaches a certain point in illness, he gives permission for his own life to be taken.

There is no doubt in my mind that many people in society think euthanasia would be a step forward. I will not indulge in any deeper consideration of euthanasia, because I think I have illustrated how accepting motion No. 4 could open the door to euthanasia.

● (1620)

I will close on this note. The moral base of human life is extremely complicated. It will become much more complicated because of the distinctions that have to be made between positive euthanasia and negative euthanasia. Surely we as legislators would not want to be in the position of holding physicians accountable for the maintenance of an artificial life support system merely to keep a person alive when there is a natural decline and where a person should be able to go with dignity through the physical motions leading to death.

I am sure the hon. member for Oxford and other members have encountered situations whereby the artificial prolongation of life under the guise of humanity has been harmful to the patient. Therefore a distinction has to be made between negative and positive euthanasia; negative euthanasia being not doing something that artificially prolongs a life, which in my judgment is permissible and

[Mr. Roche.]

ought to be within the domain of physicians to decide, positive euthanasia the taking of a deliberate step to end a person's life.

I am using the illustration of negative and positive euthanasia to show the complexity of the morality involved. Taking motion No. 4 and allowing death by choice to become part of our law would be a dangerous step. It would be dangerous in writing the law of this country to create that precedent whereby an individual would be given the legal right to end his life when in fact he does not have the moral right to do so.

That is the thrust of my argument in trying to make the distinction between the right of the state to take a life, a right that I maintain the state has, as against the right of an individual, and I maintain the individual does not have that right.

The other parts of these several motions deal with life imprisonment for a second offence, treason, piracy and other heinous crimes. In deciding the validity of that side of the hon. member's set of motions, that brings us back to our fundamental reason for voting the way we did on second reading. During the report stage as well as on third reading each of us will have to consider whether we believe that at this moment the right of the state to take the life of a convicted murderer ought to be maintained.

The more I have reflected on this question in the agonizing way that I and other members of this House have done, the more I have maintained my conclusion that the state ought to maintain that right. It ought to maintain it at this moment in our history because of the prematurity for total abolition.

It is to be regretted that such a serious subject such as this is being rushed through the House and the Committee in such a heavy handed fashion. The manner in which the subject of abolition is being dealt with does not do parliament credit. It cuts to the core of our feelings about life itself, safety in society, and the escalating crime rate. All of those things should have been recognized by the government as being far more important than rushing this through in order that it will not have to face up to the existing law. I will not continue on that line of argument. I advanced it on second reading. If circumstances arise, I will advance it again on third reading.

I conclude by saying that we are facing a most difficult situation as we go through many of these amendments. I appeal to all members to look beyond the immediacy of the motions before us and see how they truly enter into our own well considered interpretation of the validity of the bill and the wisdom of the government in maintaining the right of capital punishment at this moment in our history.

Mr. Doug Neil (Moose Jaw): Mr. Speaker, I rise to make a few comments in connection with the amendments proposed by my colleague, the hon. member for Oxford (Mr. Halliday). He is to be congratulated on the presentation that he made to this House on his motions yesterday. The motions were well thought out.

I realize that the hon. member is an abolitionist. It must have involved some considerable soul searching on his part to bring forth these amendments. However, Mr. Speaker, he is a concerned individual. He is concerned about the safety of citizens in this country as well as the safety of