

order and the penitentiary services, the parole board and the various factors that make up the successful administration of justice in Canada were put in order and the primacy of the judiciary were once more established, the social climate would be better. That would be a far more appropriate time to consider the very important philosophical question of whether we should once and for all abolish the death penalty. This bill does not do that. All this bill does is perpetuate the status quo or status non quo. For that reason, I have no hesitation in announcing my intention to vote against this bill. By doing so, I think I will be doing the people of Canada a service.

[*Translation*]

Mr. Eudore Allard (Rimouski): Mr. Speaker, I would like to say a few words about capital punishment. It is a most controversial subject and not particularly inviting since it deals with the elimination of some of our fellow humans. However, in all justice, anyone of us is entitled to life. When someone has deliberately attacked the life of someone else, we do not have to protect his life more than he has protected that of his victim.

We are probably directly responsible for the fact that those human beings have become some kind of wild beasts as many did after living too long unbearable lives because of our egoistic attitude. To oblige us to take care of them they have had to protest and use the only means available to them. However, abolishing capital punishment amounts to protecting convicts and forsaking the innocent. It is one way of saying to the potential murderers: You can go ahead, the law forbids anyone to harm you. Even more it provides for the maintenance of your life at your victims' expenses.

The life of any individual is worth that of a police officer or of a jail warden. This is why there should not be two weights and two measures. If the death penalty is applied it should be considered that life has no age and is valuable to anyone of any social class. A murder is a murder and should be punished.

Anyone must protect his own life but should also respect that of others. So homicide or murder is prohibited by moral law as well as by civil law which should reflect natural law. It is around the word "homicide" that a solution should be found. Indeed natural law does not prohibit all kinds of homicides. It only forbids unfair homicide, namely the fact of taking a life with impunity. But we cannot agree that the death penalty amounts to unjustified homicide.

It is said sometimes that the death penalty may be inflicted upon an innocent and that there is no means of correcting such an error. It is true that the death penalty may be applied by accident in the case of an innocent person. But it is not because accidents may happen that we should prevent the building of automobiles or aircraft. It is not because there are miscarriages of justice, very scarce I should say, that we should depart from the general principle.

On the other hand, to the supporters of the absolute right to live, we should answer that murderers have no respect for that right when it applies to others. If such a right were absolute, a soldier killing an enemy would be a criminal. The right to live is not an absolute right. We can

Capital Punishment

deprive of it those who have no respect for it. The murderer who takes the life of another person cannot base his claim on the supporters of the absolute right to live in order to escape the punishment his crime deserves.

If this country were at war, nobody would take offence at the fact that death would be the fate of the enemy and, in my opinion, we are at war against criminals.

Those whose conscience speak against capital punishment could at least request with us that life imprisonment in murder cases be really imprisonment for life.

At the present time, criminals know very well—and they joke about it—that the death penalty is for their victims and that they will be automatically and eventually released and able to start all over their life of debauchery.

Therefore, I strongly request the reinstatement of hanging for wilful murder and I emphasize that he or she who puts a loaded revolver in his pocket or in her handbag premeditates something. Therefore I will vote for the reinstatement of capital punishment.

[*English*]

Mr. Don Blenkarn (Peel South): Mr. Speaker, we have before us Bill C-2, a bill to amend the Criminal Code. It deals only with amendments concerning what is presently called capital murder in the code. In my view, the amendments to the Criminal Code dealing with the taking of life should be dealt with in full.

There are perhaps three classifications of the crime of taking a human life or, if you want to use that expression, murder. In those three categories of murder, perhaps the death penalty is appropriate for one type. To specify that classification of murder, it should be attributable to those who commit the heinous crime of premeditated murder. I refer to not only the murder of police officers and prison guards, but the heinous murder of children of prison guards, murders committed in the course of airline hijacking, murders committed by people who are paid to kill, the hired gun, murders committed in the course of a bank robbery, when there is no question that the life of whoever gets in the way is forfeited, and murders conducted in the course of a kidnapping where the kidnapper has no intention of doing anything but destroying the life he took as a ransom.

The categories of murder for which the death penalty is required are far more broad than those set out in this bill. This bill does not go far enough. It should go further. It should clearly set out that those murders involving people who are killed in the heat of temper, defending their property, in a family dispute or brawl, in a barroom, on a pier, matters of instant flare-up, are certainly not in the same category as heinous premeditated murders. These are offences which should attract long terms of imprisonment, bearing in mind that there is a possibility of reform.

● (1620)

There is already under the Criminal Code a third classification, infanticide, covering cases where the life of a newborn child is taken. Perhaps this classification should include the crime of illegal abortion; it should perhaps include the crime of euthanasia where for some honestly given reason life support is removed—killing is regarded