

### Capital Punishment

To those who say that we do not sexually assault a rapist, that we do not burn an arsonist, but that we want to kill a murderer, my reply is that to say society is not justified in taking the life of certain types of hardened, convicted killers because it would, in turn, then be taking a life, is identical to saying that society would never imprison a convicted kidnapper because by so doing society would be using the same tactics as those employed by a kidnapper, namely, holding a person imprisoned.

I believe that society, rightfully, should impose the death penalty in the case of a murderer, because it is the severest form of retribution for the severest form of offence, namely, murder. This, in itself, proves that the state does not do so in order to emulate the very deed of the murderer; accordingly, society does not act toward the rapist or arsonist in the manner suggested.

Many people have quoted the Bible. The Bible could be quoted by both sides. But when Christ said, "Let him who is without sin cast the first stone", He wanted to remind us all that we should examine ourselves and not regard ourselves as the sinless and righteous ones. It does not mean that the country should not have laws, law enforcement and courts to dispense justice when crimes have been committed. Christ's words that we should not take an eye for an eye or a tooth for a tooth pertain to our individual, everyday dealings with our fellow men, not to the necessary laws of a country which are designed to maintain order and discipline. A very strong and real influence exists, though doubtless not intended, that society should even overlook murder on the grounds of Christ's pronouncement.

Granted, Mr. Speaker, if everyone always did the right thing, no country would need laws. But we know that that day has not yet arrived. In fact, it is possible that the world, unfortunately, is fast moving in the opposite direction; and who would deny that it is due, in part, to increasing lack of discipline? Provision must be made for those people in society who obey neither the laws of God nor the laws of man.

It is recognized that it is necessary for society to impose its laws, just as it is necessary to retain capital punishment, at least on the statute books, to be employed in extreme cases for persons who commit so terrible a crime as murder. Although the trend to permissiveness and to lack of adequate discipline in the case of children has accelerated in years gone by, society is now acknowledging the great fallacy of that not so long ago age, and once discarded disciplinary measures as well as self-discipline will again return to the scene.

The true spirit of Easter, to be sure, Mr. Speaker, cannot be interpreted as favouring further laxness in a society where the criminal is molly-coddled, while the victim himself, by comparison, is almost totally rejected and forgotten. Nor can it be defined as meaning or even remotely inferring that society should eliminate its courts of justice set up to maintain law and order, peace and security.

I have been asked why I favour the use of the death penalty. For certain types of crimes I believe it is indispensable. For example, a federal prison in the United States has had custody of a man sentenced to life imprisonment who, since he has been in prison, has committed three more murders on three separate occasions, both of prison guards

[Mr. Parent.]

and inmates. There is no further punishment he can receive. In effect, he has a licence to murder.

● (1630)

Let us take another case. When a man is threatened with life imprisonment for a crime he has already committed, what reason has he not to kill the arresting officer in an attempt to escape? His punishment would be the same anyhow. In short, there are many cases where the death penalty is the only penalty available that could possibly deter.

I will go a step further. I hold life to be very sacred, and because I hold it sacred I feel that anyone who takes someone else's life in a premeditated, cold-blooded fashion should know that thereby he forsakes his own and should not just suffer the inconvenience of being put in prison for a short time. Could the same effect be achieved by putting the criminal in prison for life? At the present time, life imprisonment means anything from a few months to a few years. Even if it were real life imprisonment—and I dealt with this in the survey—its deterrent effect will never be as great as that of the death penalty. The death penalty is the only irrevocable penalty and because of that it is the one that people fear the most; and because it is feared the most, it is the one that is most likely to deter.

Authorities seem to differ on whether the death sentence really does deter crime. Usually the statistics quoted were compiled more than ten years ago and seem to indicate that the absence or presence of the death penalty makes no difference in the murder rate. However, in the last ten years there have been additional investigations. The results indicate, according to Isaac Ehrlich's recent article in the *American Economic Review*, that over the period 1933 to 1969 an additional execution per year may have resulted, on the average, in seven or eight fewer murders.

In New York, in the last six years, the murder rate went up by 60 per cent. Prior to the abolition of the death penalty in that state, about 80 per cent of all murders committed there were so-called crimes of passion, defined as crimes in which the victim and the murderer were in some way involved with each other. Right now, only 50 per cent of all murders in New York are crimes of passion. As long as the death penalty existed, largely only people in the grip of passion could not be deterred by threat of the death penalty. Now that there is no death penalty, people who previously were deterred, who are not in the grip of passion, are no longer deterred from committing murder for the sake of gain. Murder is no longer an irrational act, least of all for juveniles for whom it means, at most, a few months of inconvenience.

Even if you assume the evidence for the deterrent effect of the death penalty is not clear, you have two risks. If you impose the death penalty and it does not have an additional deterrent effect, you have possibly lost the life of a convicted murderer without adding to deterrence, and thereby sparing future victims. If you fail to execute the convicted murderer and execution would have had an additional deterrent effect, you have failed to spare the lives of a number of future victims. Between the two risks I would much rather execute the convicted murderer, a man who premeditated, planned the killing and went