

Capital Punishment

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".

Hon. Jack Murta (Lisgar): Mr. Speaker, I rise this afternoon to speak against the motion to reinstate capital punishment. I do so for three reasons which I will briefly describe now and elaborate on in some detail later.

First, I do not believe that a return to capital punishment is a deterrent to murder. The facts and figures do not substantiate such a belief and I hope to be able to demonstrate that in a few minutes.

The second reason I do not support capital punishment is on moral and religious grounds. From a personal point of view, I could not support a return to capital punishment in Canada.

The third reason is that the possibility always exists that a mistake will be made. As long as human beings are in the courts and judges are making decisions, there is always the possibility of a mistake being made.

Before I explain my reasons in greater detail, I want to preface my remarks by saying that in 1976 when we voted on capital punishment in this Chamber I was in favour of capital punishment. The main reason for my support at that time was that I believed capital punishment would be a deterrent to premeditated murder. I feel that I was wrong and I think the statistics show unequivocally that it is not a deterrent. Furthermore, I have a deeper conviction from a moral and

religious point of view which, of course, is my own, that capital punishment is not the way to proceed.

There are too many variables to allow the state the right to take a human life. I believe that allowing the state to take lives, even under certain circumstances which some Members have suggested, sends the wrong signals to society in general. I believe it is wrong from a moral point of view.

First, I want to explain the reasons why I believe capital punishment is not a deterrent. When one talks to the experts, the sociologists and so on, and reads what they have written, one sees three main classes of criminals. The first class is described as the professional criminal. That person never intends to kill, but when he or she does kill it is usually because of being surprised at various events, in other words, a policeman drives by, gets out of his car and goes to see what has happened. The person is surprised and reacts in a violent manner. Obviously, capital punishment was not in the mind of that particular individual at that time, so in my opinion it would not act as a deterrent.

• (1210)

The second class of criminal is the amateur, the person who is more fearful and unpredictable. They are considered dangerous in the extreme. In many cases life has no meaning for them and, as a sociologist would say, they could kill at the slightest provocation. That type of individual commits the kinds of crimes which get the headlines. These crimes are committed without thought, and, of course, without thought there is no premeditation, so once again capital punishment would not necessarily be a deterrent in that case.

The third class of criminal, into which fit most of the so-called killers or people who kill, is called the "domestic" killer. It could be anyone, a neighbour, a friend, someone working in a grocery store, a doctor, anyone at all. He or she kills out of passion spontaneously and without thought or care. By far the greatest number of criminal deaths are of this particular class, and when that kind of situation arises there is no thought of deterrence. Therefore, I do not believe the thought of execution will hold back any of these particular individuals.

The truth is that there is no evidence to show that violent criminals are deterred by the death penalty. In fact, the lowest murder rates are found in countries where the death penalty has been abolished for a long time, such as the United Kingdom, Sweden, Austria, Italy, and in the States of Wisconsin and Main in the United States.

In the State of Florida there have been 16 executions since the ruling of the Supreme Court in 1976 that the death penalty was not cruel and unusual punishment. These executions are exceeded in number only by the State of Texas which has a total of 20 executions.

Florida's death row houses approximately 260 convicts, which is more than any other state at the present time, yet Amnesty International has noted that Florida's murder rate is higher now than it was during the period between 1964 and