

Capital Punishment

We insist on the retention of capital punishment not in a spirit of revenge but of legal reparation for the greatest of crimes, and also to protect the lives of the people in the interest of the public and of order.

I already pointed out that the method of execution could be changed either for the gas chamber or any other method deemed appropriate. Considering the tremendous increase in the number of crimes of various types and the attitude of our leaders regarding the means available to reduce the number of crimes and allow a greater number of people to earn a decent living, a rather severe sentence must be maintained to give cause for reflection to those who, because of their behaviour, are likely to take the lives of others if they feel they stand in the way of their crimes.

It must be kept in mind that any individual who respects the life of his neighbour will never have to fear the death penalty if it is retained. In the part of the brief from the executive director of the Canadian Association of Chiefs of Police dealing with the attitude expected from the Solicitor General, the following was mentioned, of which I would like to quote two paragraphs:

Such a philosophy is of deep concern to us, because even if the period proposed in Bill C-84 remains in effect, it involves a much greater threat and danger for our society, and more particularly the prison guards in our institutions.

In view of that attitude, we submit that the minimum sentence of 25 years, as proposed in Bill C-84, is a flagrant hoax since, to all intents and purposes, a convict will have the right to ask for a remission after his first 15 years in prison.

Recently, I read an article published in Quebec City's *Le Soleil* dated July 4, 1976. Take good note of the title:

U.S.A. Supreme Court Retains Capital Punishment

No fewer than 582 prisoners on death row, of whom 10 are women, from 30 different states, may be executed as a result of a long awaited decision of the Supreme Court.

By a majority of seven votes to two, the Supreme Court has rejected the request filed by the attorneys of six persons who were condemned to death after having been found guilty of murder in Florida, Louisiana, Texas, Georgia and North Carolina.

The attorneys did not deny the convicts' guilt, but they argued that the death penalty was a cruel and unusual punishment and therefore that it was unconstitutional. It was actually a test case for which the League for the Abolition of Capital Punishment tried to stir up public opinion.

Only Justices William Brennan and Thurgood Marshall were in disagreement with their seven other colleagues who rendered their decision after studying the files for three months. In their majority judgment, the justices considered that capital punishment was not unconstitutional.

I am surprised at the attitude of the Canadian abolitionists who usually keep abreast with the situation prevailing south of the border. They will probably answer that capital punishment has been abolished in several states. This parallel shows the necessity of retaining capital punishment considering that the majority of the Supreme Court judges after pondering over what has happened in the states where capital punishment has been abolished, are favourable to its retention in the states where it still exists.

From the strictly religious point of view, with respect to the concern of the accused for his fate in the hereafter, the murderer sentenced to death can always rely on the assistance of a religious adviser. If he wishes to, he can always beg for God's mercy and prepare himself to die. But his victims seldom have had such an opportunity. In concluding, let me quote from an article published in *La Presse* of

[Mr. Dionne (Kamouraska).]

June 2nd, 1976, and written by Mr. Arthur Piché; I may add that I agree with him.

Man has a right to life. Fine. But this is not equally true for the honest citizen and the murderer. To suggest the opposite would be denying a social and religious tradition which goes back to a thousand years and which has not yet been proved groundless or unfair even if abuses are unfortunately to be deplored. And when we say that capital punishment is not an effective deterrent against crime, we labour under a delusion.

Like anyone else, criminals fear death. It is evidenced by the fact that in order to protect themselves they carry arms and have often a whole stock of guns hidden somewhere.

And it has not been shown that a greater permissiveness and an absolute respect for the lives of murderers do help in curbing criminal activities. Indications would rather be to the contrary. We should therefore be wary of statistics purporting to show that the fear of death is not a deterrent, and that criminals do not value their own lives. If they do not why are we so concerned about saving them, once they are caught?

I also note that various press articles dealing with the subject illustrate on occasion what is going on. They should be food for thought to those who have the responsibility of deciding, because this is a very serious matter we are now discussing. I have here this other article that appeared in *La Presse* of April 17, 1975. It refers to the increasing rate of crime and the decreasing rate of case solving.

We would like some evidence that the government is making real efforts to try and reduce the crime rate in a way acceptable to the people, to provide jobs and adequate salaries. But no, such evidence is lacking. In this country, we are living under a system that is totally upside-down. We are struggling between inflation and unemployment crises, without any solution whatsoever. It is that kind of situation that provides the ideal conditions under which discouraged people often feel compelled to do things that sometimes lead them to murder.

Clearly, in that kind of situation, over and above trying to improve the economic situation in Canada in general, and until there are more adequate ways of life, we must try and protect those who are paid to maintain law and order in Canada.

● (1720)

[English]

Mr. Sean O'Sullivan (Hamilton-Wentworth): Mr. Speaker, I rise to speak briefly in support of the amendment before the House.

Some hon. Members: Hear, hear!

Mr. O'Sullivan: I take cognizance of the endorsement and appreciation for my position shown by two members of the Liberal party. I hope it is reflected in their votes later this day.

Some hon. Members: Hear, hear!

Mr. Peters: They were only applauding because you said you would speak briefly.

Mr. O'Sullivan: On May 22, 1973, I had to make a speech which, while not brief, was the most difficult I ever had to make. Certainly much preparation, thought and soul searching went into it. That speech dealt, as well, with