

bers, partly as a result of their votes, will not come back to this House one day.

Mr. Joseph-Philippe Guay (St. Boniface): Mr. Speaker, I should like to say a few words in this debate as one of the few who has abstained from speaking on the bill so far and yet has listened to all the speeches given on the matter.

Miss Bégin: Poor you.

Mr. Guay (St. Boniface): The abolitionists have not changed my mind with the weak arguments they have brought forward. I feel it is important to place on the record that on second reading and report stage I voted as a retentionist, as I shall vote again on third reading. I am prompted to speak by the remarks made by the leader of the New Democratic Party (Mr. Broadbent) in his speech on June 15. As reported at page 14497 of *Hansard*, he said:

Our constituents do not have the time to weigh the evidence and consider the arguments. They are preoccupied on a day-to-day basis with earning their livelihood. That is their serious, immediate and pressing concern. They do not have the opportunity that we in this chamber have to look at the evidence and listen to each other in order to formulate a final opinion. We, therefore, must make the decision. As elected members of parliament, we must take the consequences, not only on capital punishment but on all other issues.

I was rather surprised at that, Mr. Speaker. I would answer the hon. member for Oshawa-Whitby that at least my constituents are human beings with souls, intelligence and compassion. They know what is going on in Ottawa and around the country, and they can make up their own minds. Surely to goodness, if any member of parliament assumes that constituents cannot make up their minds on matters as serious as the death penalty, or in fact any other matter, there is something wrong.

Some hon. Members: Hear, hear!

Mr. Guay (St. Boniface): The people of my constituency are good living, honest people. They are concerned with the subject of capital punishment. I feel they are as smart as any member of this House, and as capable of making a rational decision. The volume of correspondence that I have received indicates this very clearly. Yet they do not always necessarily vote along party lines.

● (1250)

To answer the hon. member for Oshawa-Whitby, let me tell him that I was committed to the retentionist cause before my election to this House. When I was mayor of my city and chairman of the police commission, I was convinced that capital punishment was a necessity. My decision at that time was not based on whether the majority of Canadian citizens wanted, or did not want, capital punishment. It was based on the experience I had gained in my particular position, and that is still my personal conviction. I was convinced then of the validity and effectiveness of capital punishment, and I have yet to be convinced that there is a better way to deal with certain types of crime.

Some say that the death penalty is immoral. Mr. Speaker, I honestly feel that we commit a greater immorality when we put people in cages for 25 years and treat them like dogs.

Some hon. Members: Hear, hear!

Capital Punishment

Mr. Guay (St. Boniface): Nobody calls that immoral.

Mr. Dinsdale: It is a living death.

Mr. Guay (St. Boniface): Yes, it is a living death. It is even worse. We know what goes on in this country's penitentiaries. We hear about escapes, about orgies, sex scandals, and so on. Why do we tolerate it? Yet we are to imprison some people for 25 years. I am concerned about the ability of some people to obtain parole or to leave prison.

At least the death penalty has one effect; it protects society from the risk of a second offence committed by the same criminal who, if not executed, may subsequently be released or escape. The death penalty is thus based on the principle of self-defence. Since the death penalty is the only means of eliminating the offender altogether, this penalty is necessary, at least provisionally, when the public peace is endangered by certain particularly dangerous forms of crime.

I say that public opinion remains generally favourable to the retention of the death penalty. The public as a whole, particularly the police and prison officials, believe in its effectiveness. I say that this sincere belief should be respected in its own right, especially since it may be correct. It would be virtually impossible to find another penalty to replace capital punishment. Imprisonment, even for a long time, is inadequate and its effects are minimized by anticipated release. A man sent to jail for 25 years knows he has been given the maximum penalty and knows that he will not receive a greater penalty if he kills a prison guard. Even if he kills a prison guard and is given another 25 years, what is there to prevent his killing another prison guard, and yet another? How many could such a man kill?

Mr. Clarke: One a day.

Mr. Guay (St. Boniface): Has nobody thought of this? Mr. Speaker, I could say much more on the subject, but I will try to limit my remarks. I say that the death penalty would safeguard the police, because in the absence of the death penalty a criminal seeking to avoid arrest would have much less to fear from the consequence of the use of firearms or violence. The punishment inflicted for a grave crime should adequately reflect the revulsion felt by the great majority of citizens. The ultimate justification of any punishment is not that it deters, but that it is the emphatic denunciation by the community of a crime. From this point of view, some murders demand the most emphatic denunciation of all, the death penalty. The law should not ignore the public demand for retribution which a heinous crime understandably provokes. Further, it would be dangerous to move too quickly, far in advance of public opinion.

Many abolitionist speakers have recited statistics to prove that the death penalty is not a deterrent. Mr. Speaker, statistics which ordinarily fail to demonstrate the deterrent effect of capital punishment are, for the most part, assembled by people who want to abolish the death penalty. In other words, such statistics are not compiled for the purpose of reaching a conclusion; rather, they are compiled to support a conclusion already reached morally, philosophically or intuitively. Statistics, as we know, are susceptible of different interpretations and are unreliable