

Capital Punishment

It is important that the members of this House distinguish between principle and method.

For all these reasons, Mr. Speaker, it is my feeling, that of my constituents and of the majority of Canadians, that this House must without further delay fully reinstate capital punishment in Canada. Certainly, the last hope for the protection of our innocent citizens is that the death sentence be fully retained and fully enforced. Capital punishment is necessary. This ultimate penalty is, unfortunately, the only penalty that can possibly suffice for such a horrendous and ultimate crime as murder. It should be applicable regardless of whose life is taken, be it that of a criminal, guard, policeman or any other human being. In this connection I speak not only as member of parliament but as a lawyer, having practised as a defence counsel, prosecutor and in the capacity of chief magistrate of a city and thus involved with the police department and as a representative of responsible citizens. I ask hon. members to vote, not emotionally, not on party lines but responsibly for the retention and complete reinstatement of capital punishment for all premeditated murders, and its full enforcement.

Mr. Speaker, the general public of Canada—the people who we as members of parliament represent—are fed up with the horrible results of a socialistic, permissive society foisted upon them to a great extent by politicians in a hurry for the opportunity to obtain votes. The country is looking for moral, economic and political stability. The nation is in need of leadership and an adherence to basic fundamental principles. They cannot be obtained or sustained with a continuation of the soft permissiveness evident in our penal and parole systems.

This bill to abolish capital punishment, Bill C-84, is aligned with soft permissiveness and is repugnant to the wishes of the majority of Canadians. If any bill were to be presented to this House on capital punishment, it should be a bill for the complete reinstatement of capital punishment and a realization that it must be fully enforced. The solidarity of the federal cabinet will prevent a free vote on this subject. The solidarity of the federal cabinet will mean a complete reversal of the needs and wishes of the people of Canada. The solidarity of the federal cabinet will, again, leave a bad taste in the mouths of Canadians and will result in further cynicism toward parliament and our so-called system of parliamentary democracy.

Surely, we must be responsible to the people of Canada. Either we abide by their wishes or we put the subject of capital punishment to the people of Canada by way of a referendum. It need not be an election referendum, but a referendum to be held now, between elections. I suggest that the federal cabinet does not have the courage not to commute the sentence of murderers and let them suffer the death penalty; likewise, it does not have the courage to put the issue before the electorate by referendum. What do they fear? They fear the decision of the people. Mr. Speaker, there should be no fear. People are usually right and they know what is going on. People know the difference between right and wrong, and they have given us the message for full reinstatement of capital punishment.

I will vote against Bill C-84, and in so doing it will be not only a truly free vote but one representing the collective,

[Mr. Jones.]

majority conscience and view of my constituents and the majority of good-thinking, decent Canadians.

Mr. Ken Hurlburt (Lethbridge): Mr. Speaker, I am pleased to have the opportunity to take part in this debate. In 1973 I voted to retain capital punishment. I believe that on an issue of such grave importance one must reassess one's position. During the past three years I have done a great deal of soul-searching on the issue. I have studied statistics on the causes of crime and the ever-increasing crime rate. More important, I have consulted with and listened to the views expressed by constituents. The majority of my constituents favour the retention of capital punishment, as do the vast majority of Canadians. Therefore, Mr. Speaker, I will again vote for the retention of capital punishment.

The legislation as it now stands is a complete farce, as was pointed out by my colleague for Calgary North (Mr. Woolliams) who said, and I quote:

The law will be obeyed only when it is respected. The law will be obeyed only when it is just. The law will be obeyed when those in high office respect and carefully guard our traditions and constitution, the dignity the law demands, and the dignity which we expect from the judiciary, the executive, parliament and the administration of justice. Nothing short of that standard is acceptable to us on this side of the House.

Mr. Speaker, where are our priorities? According to the government's own statistics there were 185 murders in Canada in 1961. By 1974, the number had risen to 545. Yet the government chooses to ignore the recommendations set forth by Canada's various police forces, including those of the RCMP, the world's most renowned law-enforcing body.

Let us now look at Bill C-84, an act to amend the Criminal Code, which was introduced into parliament on February 24, 1976. It provides for a minimum sentence of imprisonment for life for a conviction of first degree or second degree murder. First degree murder is defined as a murder which is planned and deliberate and includes the murder of a police officer, a prison official or a murder committed during the commission of certain offences. Second degree murder is defined as any murder which does not amount to first degree murder. The bill provides that where a person is sentenced to imprisonment for life in respect of conviction for first degree murder, he is to be sentenced to imprisonment for life without eligibility for parole until he has served 15 years of his sentence. In respect of a person who has been convicted of second degree murder, he is to be sentenced to imprisonment for life without eligibility for parole until he has served at least ten years of his sentence or such greater number of years, not being more than 25 years, as is determined by the sentencing judge.

Since December 29, 1967, the death penalty for capital murder has been limited to cases where the accused, by his own act, has caused or assisted in causing the death of a police officer or a prison officer acting in the course of his duties, or counselled or procured another person to do any act causing or assisting in causing the death. Since 1967, 33 policeman and two prison guards have been slain, but the cabinet has not permitted the convicted murderers of these officers to be put to death. They have either had their sentences commuted to life imprisonment or are awaiting such commutation. No matter how you look at it, capital