

have presented their case very fairly and with great ability.

I feel that this, like most other laws, has no particular finality to it. It is an indication that most members of the House feel that society does not demand a death penalty to deal with its criminal element; but if the situation changes, then another day the other side might win.

**Mr. Bill Clarke (Vancouver Quadra):** Mr. Speaker, I was interested in the comments of my colleague from Timiskaming who said that in Canada a rich man could never hang. It reminded me of the policy of capital punishment instituted by this government over the past eight years or so. This policy does not relate so much to the life of a man as to a man's capital.

The government across the way has determined upon a new way of capital punishment. Its members tax the industrious people of this country in order to raise huge government revenues, and they then turn around and invest the revenue in businesses which compete with the businesses of the taxpayers from whom they took the money in the first place. However, that is not particularly relevant to this debate and I would not want to be anything other than relevant.

I should like to refer to the preparedness of the government in this debate. It was evident earlier today, I think, that the government was completely unprepared, even though the bill has been before the House, before committee, and then has been brought back again to the House over a period of many months. The calendar this year is very similar to the calendar last year. The government knew very well when July was going to begin and it could very well have determined when the session would end or the recess was going to commence.

This morning we witnessed what I would call a spectacle of incompetence when the government House leader tried to short-circuit the well-established rules of the House. One member cannot, of course, control the House. Even the four House leaders found that they were not completely in control this morning. Therefore I have no real complaint when I find the government House leader has finally succeeded in putting his motion and getting it approved by the House in my absence. They are the rules, Mr. Speaker; I understand them within the limit of my ability after four years in this House, and I accept them.

The point I want to make to the House, Mr. Speaker, is that the government had no need to pass this bill on any particular day. It makes not a particle of difference to anyone in Canada whether Bill C-84 is passed today, next Wednesday, July 29, or indeed October 12. Although capital punishment has been on the law books of Canada for goodness knows how many years, there has not been one instance during the last 14 years of capital punishment being carried out; every single death sentence has been commuted or deferred.

This is a typical example of the attitude taken by the government. Its members feel they can order things just as they wish to have them ordered. I hope that once in awhile they continue to get a few surprises. As I said on second reading, there is absolutely no need for this debate in the first place since the present law on capital punishment

### *Capital Punishment*

does not expire until December, 1977, a year and a half from now.

When I first came to this House in 1973 following the 1972 election the House then considered a bill on capital punishment, the reason being that the government at that time had let things go for too long. The government does not know what timing is, it seems, except perhaps when it comes to winning elections. In 1973 the capital punishment provisions had expired and so we considered a bill. We are now being asked in 1976 to pass a law that will replace a bill that does not expire until 18 months from now.

I made what I thought was to be my only contribution in this debate on second reading, but I find myself compelled to make some summary remarks regarding the issue of capital punishment itself. I was, of course, disappointed at the result of the votes to date. I do not say this for any political or personal reasons but because I have the genuine belief, though I think some others in this House have not, that society deserves the protection that capital punishment provides.

● (1530)

Many questions have been raised during this debate and in committee on how the state is to protect the innocent members of the public. The government says it will put the murderers in jail. The very people to whom we have entrusted the jail-keeping and the enforcement of our laws have told the government and members of parliament on all sides, time and again, that there must be some ultimate penalty for murder in this country. I am going to use the word murder, although in the debate so far it has been obvious that a similar penalty has been called for in respect of high treason, treason, and other serious crimes such as the hijacking of aircraft.

I do not know whether it is appropriate at this time to mention the incident at Entebbe, but there was a case of air piracy, pure and simple. There is no question about it. Hundreds of innocent peoples' lives were put into danger. There was no government in a position to impose a penalty on those hijackers that was suitable or at least sufficient to ensure the safety of those hostages. What happened in that case? We had what we might describe as an international incident. Really it was a matter of a minor war in which a force from one country made a sudden, middle-of-the-night invasion of another country.

There was all sorts of killing and the world in general praised that act, although one or two were moved to call it an act of supreme aggression. The Secretary of State for External Affairs (Mr. MacEachen) said in this House that he, if not welcomed, at least admired the action of the Israeli force that went in there in an admitted act of bravery and rescued those innocent people. Yet the Government of Canada assumes no action is needed to protect the innocent of this country. The state has a duty to protect the innocent, and what has been proposed in Bill C-84, which has been unchanged to date, is that we will take despicable murderers and imprison them for life.

Perhaps we should divert for a moment and define for ourselves what is a murderer. We are not talking about someone who in the heat of passion kills, or one who kills accidentally one way or another. There are lesser penalties