

# Canada Weekly

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## Abolition of death penalty – second reading approval

The House of Commons approved in principle – by an eight-vote majority – a bill to abolish capital punishment on June 22. With only three Members of Parliament absent, who are known as retentionists, the count was 133 to 125.

Bill C-84, which now goes to the Justice and Legal Affairs Committee for detailed study and possible amendment, is expected to be back in the House for third reading and final vote before Parliament recesses for the summer.

In a statement during the debate on second reading on June 15, Prime Minister Pierre Trudeau said that if a majority of Members voted against abolition, the 11 men now in prison under sentence of death would be hanged and that “their death would be a direct consequence of the negative decision made by this House on this bill”.

“While Members are free to vote as they wish,” he said, “those who vote against the bill...cannot escape their personal share of responsibility for the hangings which will take place if the bill is defeated.”

Passages from the Prime Minister’s statement to the House follow:

\* \* \* \*

Longer mandatory sentences, and the tightening of parole regulations in relation to convicted murderers will give society the assurance it needs that those who have unlawfully taken the life of another will be removed from our midst for a very long time.

Other provisions are designed to restrict the availability of guns, the most common murder weapons, and to strengthen the ability of our police forces to prevent and solve crimes.

There is every reason to believe that such measures will effectively inhibit criminal activity, whereas capital punishment offers no such assurance. That is why the time has come for Parliament to decide whether we should remove capital punishment from the Criminal Code.

\* \* \* \*

### Practical, not moral judgment

The deterrent effect of capital punishment is at the very core of the issue, and since one’s moral view of the justification of capital punishment is entirely determined by one’s judgment of its deterrent effect, the proper focus of this debate is factual data and logical induction, not moral philosophy. In that sense, the issue before us must be resolved by a practical rather than a moral judgment.

I know there are those who say that execution is justified because it prevents a murderer from ever again committing the same crime. It certainly does. But if you rely on that reasoning, you are killing a man not because his death may deter others from following in his footsteps, but because of what he might possibly do at some future time. To justify such a preventive execution, there would have to be some reasonable grounds for believing that a convicted murderer, if released into society, would murder again. In fact, the probability lies strongly in the other direction.

We know of only four people who have been found guilty of murder by a Canadian court, and convicted of murder a second time. In order to be absolutely sure that no murderer would murder again, we would have to take the lives of all persons convicted of either first- or second-degree murder, even though the probability is that an infinitesimal percentage of them would ever commit murder again if allowed to live. That’s an unacceptably high price to pay in human lives for a sense of security insignificantly greater than we have now. I might ask those who would execute a person to prevent a future murder how they could logically avoid advocating the execution of mentally ill people who are found to have homicidal tendencies?

### Stop press

Late afternoon, June 28, Canadian air services resumed flights after the Government, pilots and air-traffic controllers agreed on a full study of the use of French for traffic control over Quebec.

A third member had been added to the commission of inquiry and a free vote will take place in the House of Commons on the recommendations of the commission.

Ken Maley, president of the Canadian Air Lines Pilots’ Association, expressed confidence that the inquiry would prove two-language air control was less safe than unilingual English air control. (See “Airlines on strike”, P. 5.)

### An act of revenge

Well, you may say, let's execute the murderer for the crime he has committed. Let's take a life for a life. Let's remove a savage animal from the human race.

I do not deny that society has the right to punish a criminal, and the right to make the punishment fit the crime, but to kill a man for punishment alone is an act of revenge. Nothing else. Some would prefer to call it retribution, because that word has a nicer sound. But the meaning is the same.

Are we, as a society, so lacking in respect for ourselves, so lacking in hope for human betterment, so socially bankrupt that we are ready to accept state vengeance as our penal philosophy?

Individuals who strike back at the murderer of a loved one, and kill him in a frenzy of passionate grief have sometimes been excused by the courts because they were thought to have temporarily lost control of their reason. I have received letters from the parents and relatives of murder victims, demanding the death penalty for the murderer, and have been deeply sympathetic to the suffering of those who have suffered such a tragic and cruel loss of a loved one.

But the state cannot claim the excuse of blind grief or unreasoning passion when, long after the provocative act, and after calm and deliberate consideration, it kills a man.

My primary concern here is not compassion for the murderer. My concern is for the society which adopts vengeance as an acceptable motive for its collective behaviour. If we make that choice, we will snuff out some of that boundless hope and confidence in ourselves and other people, which has marked our maturing as a free people.

We will have chosen violence as a weapon against the violence we profess to abhor. Who is so confident that he knows for sure that such an official endorsement of violence will not harden the society we were elected to improve, will not pervade gradually many different relationships in our society? Who is so confident that he knows for sure that acceptance of state violence will not lead to the greater social acceptance of lesser forms of violence among our people?

Vengeance and violence damage and destroy those who adopt them, and lessen respect for the dignity and rights of others among those who condone them.

### Protection sole justification

There is only one other possible justification for capital punishment – the one we started with – the belief that execution of murderers will protect society by acting as a deterrent to the commission of murder by other people.

There are some who adopt an experimental approach to the question of deterrence, like a scientist experimenting with different combinations of chemicals in the search for a new healing drug.

Let's try it, they say, and see if it works. If it does, we'll keep it. If it doesn't, we can always stop using it. Let's not slam the door, they say, on a possibly effective weapon against murder, on some specious philosophical grounds. There are innocent lives at stake. If capital punishment prevents just one murder, they say, it will be adequately justified.

That's compelling rhetoric, but it contains a fatal flaw, namely that we would be experimenting with human lives. Respect for human life is absolutely vital to the rights and freedom we all enjoy. Even the life of the most hardened criminal must be accorded some degree of respect in a free society. If we take that life without proven purpose, without proven necessity, then we weaken dangerously one of the fundamental principles which allow us to live together in peace, harmony and mutual respect.

That is why free peoples have always insisted that the onus is on the person who would interfere with another's life or liberty to prove that such interference is necessary for the common good. Strictly speaking, therefore, it is not up to me, as an abolitionist, to prove that the execution of murderers will not prevent other murders. It is up to the advocates of capital punishment to prove that it will. If they cannot, their case must fail.

\* \* \* \*

### Deterrent theory not proved

Show me the evidence that capital punishment anywhere, at any time, has deterred other people from committing murder. My own reading of the speeches

made here on this issue since the first week of May, together with the Solicitor-General's daily monitoring of the debate, have indicated that no such evidence has been placed before the House.

The evidence does not exist, neither in the Canadian experience nor in the experience of any other jurisdiction. At best, the statistics are inconclusive. They prove nothing. There is no evidence proving that the use of non-use of capital punishment has had any effect whatsoever on murder rates anywhere in the world.

I must confess I cannot understand why anyone would agree to kill a man without the least shred of assurance that his death would accomplish any worthwhile social purpose.

If penalties applied by the state against law-breakers cannot be justified for their rehabilitative, punitive or deterrent value, they cannot be justified at all – not in a civilized society. Capital punishment fails on all three counts.

To retain it in the Criminal Code of Canada would be to abandon reason in favour of vengeance – to abandon hope and confidence in favour of a despairing acceptance of our inability to cope with violent crime except with violence.

\* \* \* \*

### Fisheries agreement with Spain

Canada and Spain have concluded an agreement regulating their bilateral fisheries relations, which comes into effect immediately.

Negotiated in Ottawa in January and February, the pact was signed on June 10 in Madrid by the Canadian Ambassador to Spain, G.H. Blouin, and the Spanish Foreign Minister, Jose Maria de Areilza, Count of Motrico. It sets out the terms and conditions that will govern continued fishing by Spanish fishing vessels in areas off the Canadian Atlantic coast to be brought under Canadian jurisdiction beyond the present limits of the Canadian territorial sea and fishing zones off the Canadian coast. The agreement will permit Spanish fishing vessels to fish in the area concerned, under Canadian authority and control, for resources surplus to Canadian requirements.

**Canada at the "Salute to Nations" in Philadelphia**

Two hundred years after the beginning of the American Revolution, on May 29 the "redcoats" again marched the streets of Philadelphia – but this time they were greeted enthusiastically.

Canada's participation in the United States Bicentennial celebrations in Philadelphia included performances, May 29 and 30, by the Royal Canadian Mounted Police Musical Ride; the



*Canadian Ambassador to the U.S., Jack Hamilton Warren, stands beside "Inukshuk", an Eskimo sculpture, which he presented to the World Sculpture Garden in Philadelphia on behalf of Canada.*



*RCMP Musical Ride – a favourite with audiences everywhere, at home and abroad. At this performance in Phila-*

*delphia, part of Canada's salute to the U.S. Bicentennial, spectators were no exception to the rule.*

100-man strong Massed Pipe Band of the Canadian Forces (comprising four regimental bands); the brass reed bands of the Royal Regiment of Canada and the Governor General's Foot Guards; the precision drill teams of the Fort Henry Guard and by singers and musicians. Ambassador to the United States, Jack Hamilton Warren, headed the Canadian delegation.

After unveiling an "Inukshuk" (Eskimo sculpture) which he presented to the World Sculpture Garden on behalf of the Canadian Government, Ambassador Warren went to Independence Hall, where he was greeted by civic

dignitaries of Philadelphia, under their "Salute to Nations" program. The Canadian units, passing in review, were cheered on by thousands of Philadelphians, who lined the four-mile parade route through the centre of the city to Fairmount Park. Canadian singers, John Allan Cameron and Gabrielle Bugeaud, the Maxville Highland Dancers, "Les Violoneux" from Quebec, the Fort Henry Guard, from Kingston, military bands and the Royal Canadian Mounted Police put on a show there that was received warmly.

The same evening the military bands, with the Fort Henry Guard and the Maxville Highland Dancers, performed at Veterans' Stadium just before the Philadelphia Phillies-Montreal Expos baseball game. Some 18,000 baseball fans cheered as Miss Canada, Sylvia McGuire, threw in the first ball.

Ambassador Warren was host at a dinner with several hundred in attendance, including many well-known Philadelphians. They were also entertained by the Canadians.

Bagpipes and brass bands were heard for a final time at the Devon Horse Show on May 30, when Ambassador Warren took the salute before returning to Washington. Earlier in the day, he laid a wreath at the Tomb of the Unknown Revolutionary Soldier.

Canada's Bicentennial salute in Philadelphia was described in one local newspaper as "a grand salute, a spectacular people-to-people festival".

Photos by L. Storsater



*The Massed Pipe Band of the Canadian Forces, comprising four regimental bands, march past Philadelphia's his-*

*toric Independence Hall on May 29 in the "Salute to Nations" parade in honour of the U.S. Bicentennial.*

### NEXUS drums it up in Japan

The Canadian percussion ensemble, NEXUS, is touring Japan from June 22 to July 11, under the Department of External Affairs' program of cultural relations with foreign countries.

NEXUS was invited to open the "Music Today" series in Tokyo, a festival of contemporary music organized by the popular Japanese composer and concert-presenter, Toru Takemitsu. Their performances in Tokyo include a ragtime concert, a program of improvised music in a marathon session with Japanese musicians; and a concert of new music to include works by Canadian composers, R. Murray Schafer and John Wyre. The ragtime performance will include Canadian pieces by John Arpin: *The Maple Leaf Rag*, and a new work commissioned for the tour by the Canada Council.

### Recordings

Following the performances in Tokyo, NEXUS will appear in Osaka, Kyoto and Sapporo. They will also be making a recording for the Japanese National Network (NHK TV) and a recording with Deutsche Grammophon in Japan.

The six musicians: Robin Engelman, Robert Becker, Russel Hartenberger,



Michael Graden, William Cahn and John Wyre, represent a collective background that encompasses symphonic and contemporary music, and affiliations with the University of Toronto Faculty of Music, York University Faculty of Music and the Toronto Symphony.

NEXUS has made numerous radio and television recordings for the CBC. With flutist Robert Aitken, they produced the sound track for the Oscar-winning film, *The Man Who Skied Down Everest* by Crawley Films, Canada, and

have recently released an album in collaboration with flutist Paul Horn. NEXUS performed recently with poet Earle Birney in the "Canadian Sound" series in Toronto.

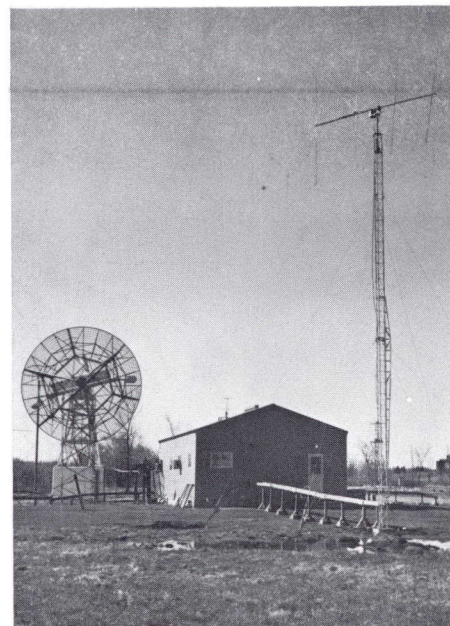
Instruments used by NEXUS have been collected in Japan, the Philippines, Hong Kong, Indonesia, India, Africa, the U.S.S.R., Mexico and the Caribbean. Many have also been home made — including drums, xylophones, metallophones, a pedal musical saw and bell cages.

### Search and rescue by satellite

The Communications Research Centre (CRC) of the federal Communications Department in Ottawa has successfully demonstrated the feasibility of a new search-and-rescue system aided by satellite that could reduce the time, fuel dollar and other costs associated with conventional methods of finding downed aircraft.

Recent experiments using the Radio Amateur Satellite Corporation (AMSAT) OSCAR-6 satellite and simulated distress signals have shown that a relatively economical, low-altitude polar orbiting satellite could pinpoint crash sites in Canada and elsewhere in the world to accuracies as good as one mile, and generally within five miles, in as little as 15 to 20 minutes after the spacecraft first "hears" the signal.

It would operate with conventional emergency locator transmitters (ELTs) mandatory for aircraft in Canada and



In the centre of this photo is the Sarsat ground station and at left, the tracking station.

the United States. Operating on an international distress frequency of 121.5 MHz, the ELT is designed to go off by itself on crash impact and provide a signal for at least 100 hours for search-and-rescue aircraft to "home in" on. At present, the "home in" range is within about 30 miles of the crash site, usually achieved by flying criss-cross patterns involving many planes and often dozens of costly and sometimes risky flying hours.

The CRC system now proved depends on two vital things: exact knowledge of just where the spacecraft is at any given instant and sophisticated computer processing of distress signals relayed to a central ground station. It works by measuring the Doppler shift in the frequency of the ELT signal as the satellite passes over the crash. (Doppler effect may be observed by anyone standing at a railway crossing as a high-speed train approaches, its whistle bellowing. While the sound

frequency of the whistle doesn't change, its *apparent* frequency or pitch is higher as it approaches and lowers as it passes and pulls away.)

Since May 1975, when the demonstration project began, the locations of some 60 "crashes" simulated by transmitters at locations as far away as Winnipeg have been fixed by CRC computer processing of signals from OSCAR-6 with increasing degrees of accuracy.

**Possible program**

An operational system might involve three satellites with a lifetime of seven to ten years, costing about \$30 million including launch and space craft. (Over ten years, the \$3-million annual cost would be only a small fraction of what Canada spends today on aerial search and rescue.)

As soon as the nearest satellite to a crash location appeared over the horizon visible from that site, it would alert ground stations that it had received an alarm. About 15 minutes later, at the conclusion of its pass, an immediate initial "fix" to within about 70 miles accuracy could be obtained. An optimized position, fixing the crash site to within one to five miles, would be delivered in anywhere from two to

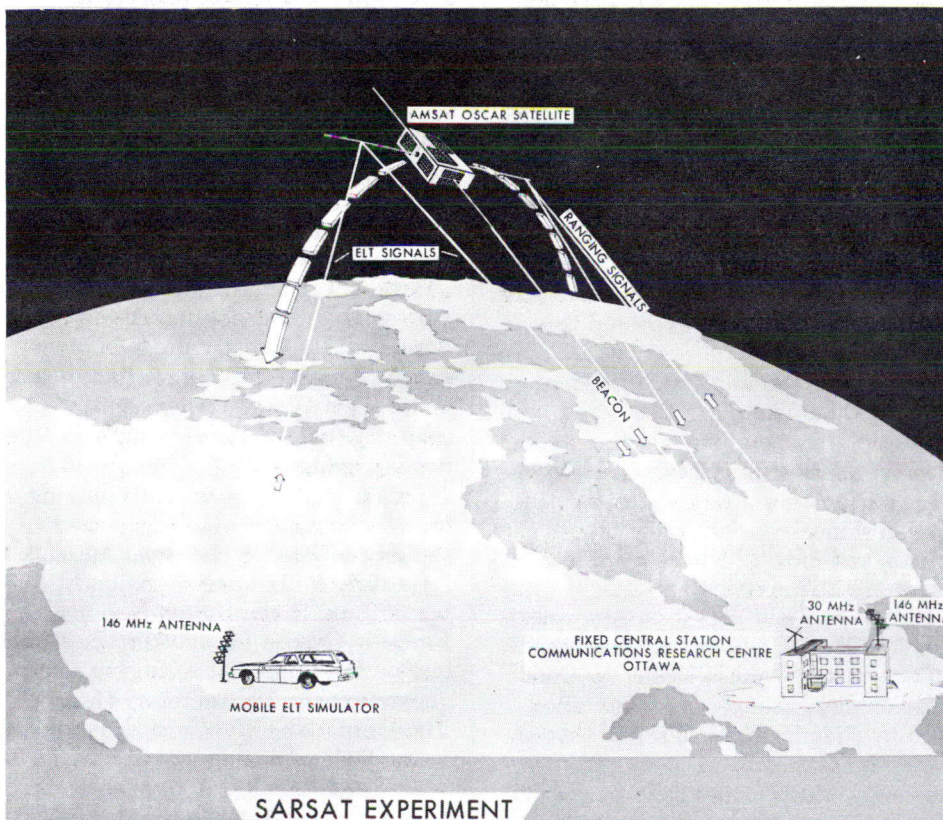


*The Emergency Locator Transmitter (ELT) is held by a field researcher.*

15 minutes later, depending on the capacity of the computer employed.

The satellites would fly at an orbital altitude of about 700 miles – low enough to get fairly good signals from the low-powered ELTs, yet high enough to cover about 2,000 miles with each pass.

Such a system could cover the entire earth. CRC scientists say Canadian industry would be in a good position to build the necessary ground stations for both domestic use and export.



**International poetry prize**

Quebec poet Paul-Marie Lapointe has become the first Canadian to receive the annual prize of International Poetry Forum, a United States organization sponsored by the Carnegie Library and based in Pittsburg, Pennsylvania.

One of the aims of International Poetry Forum is to introduce to people of the U.S. the works of poets from other countries. Each year it chooses a poet whose language is other than English, translates extracts of his or her works, and publishes them in the United States.

A collection of poems by Paul-Marie Lapointe, translated by D.G. Jones, will be published this autumn in the United States under the title *The Terror of the Snows*.

**Paul-Marie Lapointe**

Paul-Marie Lapointe, currently director of the French-language news service of the Canadian Broadcasting Corporation, was born in 1929 in Saint-Félicien in the Lac Saint-Jean region of Quebec. After working as a reporter with the press, he was for a short time a television writer. In 1964, he became editor-in-chief of *Le Magazine Maclean*.

His first collection of poems, *Le vierge incendié*, appeared in 1948. Poems which he wrote between 1948 and 1965 were published in *Le réel absolu*, which won a Governor General's Award in 1971. His two latest collections are titled *Tableaux de l'amoureuse* (1975) and *Bouche rouge*.

**Airline strike**

At press time, June 28, Canadian airline pilots had been on strike for ten days over the possibility that the Government would extend the use of French in Quebec air space. Air-traffic controllers, who had also been on strike, had reluctantly obeyed a federal injunction to return to work. The pilots contended that, because the controllers were preoccupied with their dispute with the Government, the control system was unsafe. They maintained that the situation and the use of French at five Quebec airports endangered the lives of their passengers, for whom

they were ultimately responsible.

Air transport within Canada was almost non-existent and international flights were either cancelled or re-routed to the United States.

The Prime Minister, speaking on national television on June 22, said that the extended use of French in Quebec air space would not be implemented until a commission of inquiry had completed studies on safety and bilingual air-traffic control.

Transport Minister Otto Lang and representatives of the airline pilots and air-traffic controllers were holding discussions to try and resolve the situation.

### Canada helps Mexican farming

In an effort to cut the cost of milk and meat to Mexican households, Government scientists there are starting a three-year program to increase forage production in an experimental area, which can serve as a production model for the whole country. Canada, through its International Development Research Centre, will support the project with a grant of \$330,000.

Although Mexico has large grassland resources, these have so far not been developed and the country imports large quantities of animal products, as well as feed concentrate for its own livestock. As a result, consumer prices are higher than they might be if the domestic dairy and beef industry were developed.

Experiments will take place mainly on land at the Torreón research station in northern Mexico, and at five sub-stations. But there will be close links with the University of Alberta, which will provide a project adviser, a consultant and will offer postgraduate training to three Mexican scientists involved in the project.

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*Ähnliche Ausgaben dieses Informationsblatts erscheinen auch in deutscher Sprache unter dem Titel Profil Kanada.*

### Special train to the opera

"Opera train" package tours will be available from Montreal to Ottawa this July on the afternoon of every night of grand opera at the National Arts Centre during this summer's Festival Canada. Price will include return transportation, hotel accommodation and choice seating at one of the Centre's three Festival operas.

The 14 nights of Festival opera include six performances of Mozart's *The Marriage of Figaro*, five of Tchaikovsky's *The Queen of Spades*

and three of Rossini's *Le Comte Ory*. Transportation will be provided from Ottawa Station to one of the city's best hotels within walking distance of the NAC, and patrons may return to Montreal on any of five trains daily. Return transportation, accommodation and a seat at the opera are being offered for \$38.50 a person, based on a shared double hotel room; single rooms are \$13.50 extra.

This service, while unique in Canada, is similar to that enjoyed in other countries — the opera train between Chicago and Ravinia Park, in the United States, for example.

### News briefs

- British Columbia's new minimum wage, effective June 1, at \$3 an hour, is the highest in Canada, followed by Saskatchewan and Quebec, at \$2.80.

- The 11 employees of the student society of Simon Fraser University, B.C., have negotiated a unique contract benefit — five days off with pay in the event of marriage breakdown.

- Bell Canada proposes to issue \$60 million (U.S.) of debentures in Europe, with a coupon rate of 8.75 per cent. They will be dated July 15, 1976 and will mature July 15, 1986.

- The Federal Government spent \$4.04 billion and had revenues of \$2.01 billion during the first month of the 1976-1977 fiscal year, the Finance Department announced June 21.

- Alberta announced a new coal policy, June 21, which includes a complex system of royalties that could net the province \$23.2 million in the first year, compared to \$900,000 expected this year.

- The Metro Toronto Zoo, with more than 3,000 animals and 710 acres, will be complete when the Canadian animal domain opens this month. Among new acquisitions are a rare \$52,000 male Indian rhinoceros, two baby black rhinos and dall (Arctic) sheep. In all, there are 367 species.

- Eighty-year-old Salvation Army member Ann Byles, who refused recently to accept her Ontario Medal for Good Citizenship, changed her mind when told by Premier William Davis that she would be representing many other unsung workers in her field by accepting it. Miss Byles' reason for refusing

was because the only thanks she would accept would be from God. She has been helping chronically ill patients for 43 years.

- Saskatchewan expects revenue from uranium mined in the province to reach \$120 million by 1981, according to provincial Mineral Resources Minister Edward Whelan.

- The Ste-Therese, Quebec, plant of General Motors of Canada Ltd, Oshawa, will become the sole source of production in North America for GM's 1977 subcompact cars.

- The CBC television network is quoting rates for 30 seconds instead of one minute for commercials, recognizing the trend towards shorter advertising time.

- A new ice-cutting rig, capable of year-round operation in Arctic waters, is being designed for use by Panarctic Oils Ltd for an expanded program of exploration and development.

- Bank of Canada Governor Gerald Bouey says the Bank intends to revise downward its target growth for money supply because the current target range of between 10 and 15 per cent for narrowly defined money supply is "becoming outdated."

- Canada will continue participating in the United Nations Disengagement Observer Force in the Golan Heights for a further six months ending November 30, and in the United Nations Force in Cyprus for another six months ending December 15, following a request from the UN Secretary-General. There are about 150 Canadians serving in the Golan Heights and 515 in the peacekeeping force in Cyprus.