

Criminal Code

the same house, was arrested and convicted of having murdered several women, including Mrs. Evans, for whose murder her husband was hanged five years before. This particular case was the subject of an analysis by judges and members of the bar, which was presented on a C.B.C. television program known as "Background" on April 23, 1962.

A royal commission on capital punishment was appointed by the government of Great Britain in 1949 and after four years of study it made its report to parliament in May, 1953. I wish to quote a brief extract from its report:

Capital punishment has obviously failed as a deterrent when a murder is committed. We can number its failures. But we cannot number its successes. No one can ever know how many people have refrained from murder because of the fear of being hanged. For that we have to rely on indirect and inconclusive evidence. We have been told that the first thing a murderer says when he is arrested is often: "Shall I be hanged?" or "I did it and I am ready to swing for it", or something of that kind. What is the inference to be drawn from this? Clearly not that the death penalty is an effective deterrent, for he has not been deterred; nor that he consciously considered the risk of the death penalty and accepted; still less that the death penalty was not so effective a deterrent as some other punishment might have been. The true inference seems to us to be that there is a strong association between murder and the death penalty in the popular imagination.

In my view, Mr. Speaker, the questions to be considered are these. First, do hangings offer protection to society? This appears to be the sole reason advanced by those opposed to abolition. Second, do hangings deter other murders? This is the only logical reason for retaining the death penalty. Third, do hangings give the families of victims satisfaction? I honestly believe the answer to all these questions is no. Eminent criminologists, prominent lawyers and people dealing with rehabilitation also say no.

I am convinced now more than ever that by advocating the abolition of capital punishment I am serving the best interest of justice and the interest of humanity, and if it were possible for me to plead with greater force at this moment I would gladly do so.

This question is being treated on non-party lines and above politics, as indeed any measure of humanitarianism should be, without any partisan bickering. Last June, at a special dinner meeting in Confederation Hall attended by Members of Parliament and Senators, I heard a member of the British House of Commons conclude an eloquent

address on capital punishment with a quotation from one of Bernard Shaw's plays:

And so to the end of history murder shall breed murder, always in the name of right and honour and peace, until the gods are tired of blood and create a race that can understand.

The United Nations report of 1962 on capital punishment indicates that the great majority of criminologists, sociologists, penologists and psychologists favour abolition. The death penalty not only brutalizes society but actually promotes a disregard for human life and thereby helps create an environment which encourages further violence and crime. As someone once said, "Capital punishment, while pretending to support a reverence for life, does in fact tend to destroy it".

I cannot think of a more fitting conclusion to my remarks than to quote a paragraph from an editorial in the *Ottawa Citizen* of June 28, 1965:

The *Citizen* stands for abolition because it does not believe capital punishment deters murder, and because it believes that executions degrade society, whereas abolition would to that extent enoble it and thereby enoble every individual member of society.

And again from the editorial page of the *Citizen* dated March 7, 1966:

The trend in the western world is to abolish the death penalty as a barbaric relic of the past. Studies carried out in those countries where abolition has taken place show that the hangman's rope cannot be regarded as an effective deterrent to murder. A private member's bill was recently the vehicle for getting rid of capital punishment in Britain. It is to be hoped that this action is repeated in Canada.

I express the hope that after the division bells have ceased to ring next Monday night in this house a majority of members will place Canada on the list of enlightened nations by outlawing the death penalty.

● (6:10 p.m.)

[Translation]

Mr. Réal Caouette (Villeneuve): Mr. Speaker, the resolution now before us is a delicate matter since every member has received from all over Canada petitions, letters from organizations, personal letters, in short, letters of all kinds, some advocating or suggesting the abolition of the death penalty, others arguing that the retention of capital punishment is absolutely essential.

That resolution, in my opinion and in the opinion of many members who have spoken since yesterday, contains some very delicate aspects. Are we for or against the abolition of the death penalty?