

Criminal Code

never be let out of jail because they have committed the type of murder which indicates they are sick. Society has to be protected and if this means that these people must be kept in jail for the rest of their lives then that must be so. But the record in Canada proves that the majority of homicides are committed in the heat of passion, through fear, emotion or in trying to escape.

Many people in Canada would be amazed to know how many criminals, having served 12 or 20 years, have had their sentence commuted and are now living as responsible citizens of Canada. They have never been in trouble again and they do not get into trouble again because they are on life parole. One slip puts them back in jail until they die.

This, Mr. Speaker, is a most important matter. I know I have spoken with emotion, as I am sure will others. But I hope that when it comes to the final analysis we will deal with the problem as a Christian and civilized country. I hope we will deal with it on the basis of modern penology and on the basis of facts and the experience, going back in some cases almost a century, of other countries which have abolished the death penalty. I sincerely hope, sir, that intelligence will guide our thinking and our vote when the debate is finished.

[*Translation*]

Mr. Jean-Charles Cantin (Quebec South): Mr. Speaker, I do not intend to speak at length on this matter. I simply wish to express my views briefly, because I am one of those who believe that the old rule "To fit the punishment to the crime" has long been abandoned in favour of more modern methods providing that a sentence should fit the accused, while considering the protection of society.

It is undeniable that the theory concerning sentences has evolved. One only has to read the discussions held during conferences on criminology, such as the one held in Sweden last summer and the other held in Montreal last September, to realize the efficient work done by criminology societies, social and rehabilitation services.

After taking part in those conferences, I became aware of the rapid development indicating that some progress is being made in this field compared to the great civilizations of the past which, in other respects, could be envied by our own civilization.

The present federal program on penal and correctional reform is more advanced than in many other countries and, no doubt, the recommendations of the committee set up by the government to investigate this entire field will provide the Department of Justice with valuable information about the standards which will help to effect a more thorough reform.

However, the question of abolishing or maintaining capital punishment is a difficult one, the white paper made available to the members provides as many reasons for the retention as for the abolition of the death penalty.

When the scales are equally balanced by two sets of arguments, the member responsible for weighing them may express either his own feelings or those of his electors. In casting this vote entrusted to him by his electors, the member remains free to express a personal opinion when his electors leave him free to do so or when his conscience is deeply involved to the point where he prefers to ignore their wish.

In my case, Mr. Speaker, and without my requesting it, the voters in my riding, according to a reasonable sampling, are 97½ per cent in favor of retention of capital punishment, all the more so since this penalty no longer applies save in exceptional cases.

Consequently, I feel it is my duty to vote for the retention of capital punishment. In so doing, I shall cast my vote conscious of fulfilling my mandate in accordance with the wishes of my electors, all the more so since this vote in no way goes against my own conscience. On the whole, I am giving full play to the democratic rules I respect and under which I was elected. I should add that this expression of common sense by my electors did not fail to counterbalance the arguments of the proponents of abolition who have set up their headquarters here in Ottawa in order to influence the present debate, having failed to enlighten public opinion according to their own views.

Public opinion still feels that excessive clemency would tend to make us forget those who suffer the disastrous consequences due to the conduct of those criminals who choose their own penalty, for in Canada, those whose crime is not premeditated are already protected by law.

Social progress is not necessarily the result of excessive weakness.