

### *Capital Punishment*

**Mr. Ian Arrol (York East):** Mr. Speaker, capital punishment should certainly be extended to more cases than are now covered by Bill C-2, which provides for capital punishment in the case of murder of policeman and prison guards. When speaking of rape, the previous speaker said that often it is committed as a result of invitation rather than a person seizing an opportunity. I remind the hon. member that the purpose of the amendment is not to have capital punishment for rape, and rape alone; it is for rape plus murder.

**Mr. Brewin:** I made that clear.

**Mr. Arrol:** The extension to include capital punishment for kidnapping plus murder is one which all members could well support. One of the main reasons capital punishment is necessary is that the public must feel that the power it has given to the government will be exercised for its benefit. The main purpose of capital punishment was a progressive step rather than a regressive one.

● (1550)

In olden days, if murder was committed—this goes back a century or two in the United States—involving a member of one family against another, than a blood feud was on. If murder was committed in the wild days of the west in the United States, without proper law enforcement in the vicinity, the public took it upon itself to lynch the murderer. Lynching is bad, yet it relates to a strong feeling within everyone that justice must be done. If there is a strong community feeling that a wrong has been committed against society, the community concerned will have either lynching or vigilante gangs, or will entrust justice to a government which is out to protect society. When this is not done, when you have the death sentence repeatedly commuted and when, in many of the states of the United States, you have capital punishment repealed, then you have a feeling among the public that society is not being protected. The result is that in another way the public takes the law into its own hands. When this happens, the public regards it as a democratic and constitutional right for each individual to carry a gun.

When justice does not appear to be done, and capital punishment is abolished, you then have the feeling among the public that it is not being protected by the government. Then, as in many areas of the United States, you find people with a little armoury in their homes: they have guns upstairs, downstairs and in the living-room, in order to protect themselves.

We in Canada do not have this form of individual protection, but we might well think in terms of what might happen in the future with the extension of social problems, with the feelings of one segment of the community against another, and with the general feeling of being fed-up about world situations today. It may well be that Canada, in the absence of a firm law on capital punishment, will itself become a land where there exists cities such as those now condemned in the United States. Unless we make clear to the public that we intend to protect it, there will not be a feeling among the people that their protection and security has been taken into account.

Whenever I make a speech in favour of capital punishment, I receive letters from those who speak about the

[Mr. Brewin.]

hangman's noose, asking me how I would like to take over the next hanging, and so on. I should like to say that although the purpose of the bill is not to change the method of punishment, unfortunately an amendment which would change it has been disallowed on good procedural grounds. But capital punishment need be nothing more than the removal of a person in the most humane way.

When I speak in favour of capital punishment, I do not necessarily speak against a certain segment of society or look upon those who might be murderers as different from myself. I think each and every one of us in his heart, and sometimes in his actions, could be capable of murder. I think there is not one of us who has not said at some time, "I could kill that guy." If the opportunity had been present at the time of that resolution, it might well be that many more of us would be guilty of murder.

If we look into the hearts of men, and the whole idea of good and evil, we will see that in fact evil largely develops in the context of a particular time, place and society. I can see that a youth of 16, 17 or 18 in the Germany of Hitler, a youth who looked at his country and saw it was going nowhere, and whenever it made some advances having to pay money to the other side in war reparations, might well respond to the call of Hitler. That youth might be looking for an affirmation, a focus or some way in which he could be positive. He might respond to Hitler's request to follow him, and become a person dedicated to violence. That same youth of 15, 16 or 17 years living 2,000 years ago, looking for affirmation, for a purpose or for some positive way in which to live, might have responded to the call of Christ going by the shores of Galilee who said, "Follow me." Each of us has the capacity for good and evil and each of us, given the circumstances, might have answered the call 2,000 years ago to follow an individual with some purpose, while each of us in Hitler's Germany might well have become a young Nazi or a young thug.

This is why many people feel it is society that is to blame and that it is society which creates particular circumstances. Many people feel it is a person's upbringing and his home that might be to blame, and that to understand is to forgive. Yet I would say that if I ever became guilty of murder, despite the fact that I might understand why I committed the crime, and that if I were to speak to some others they might feel they understood the circumstances, knew how this built up and why I committed murder, I would still hope that somewhere, objectively, I would see the need in society to exact the supreme penalty for the supreme crime.

We can go too far in allowing democracy to go wild and in believing that everybody is as good as anybody else. We can go too far in saying that even a cruel and vicious murderer who has had a lifetime of robbery, a lifetime of being a vicious animal, someone who has robbed and who has beaten people up, if only understood and given proper encouragement could be a proper individual. I take the stand, and I think it is a true one, that there are those, no matter how you might understand their actions, who are incorrigible. They are beyond the point of being saved. To treat them well is to be regarded as a sucker.

Unless we realize there is such a thing as evil in society, then we reach the peculiar situation in which we say that