

### *Capital Punishment*

available for study, for testing and diagnosis, not simply when they come into the prison system but on a regular basis. In this way if they are dangerous then that can be pinpointed and extra-special precautions can be taken.

In the interests of society as a whole, in the interests of creating a society in which people can feel free to walk the streets, we need to continue the effort in our prisons to rehabilitate people. In fact, we have to increase our efforts in that direction. Rehabilitation cannot simply take a second place to our fear of certain criminals. When there are criminals who have very clear dangerous tendencies then protection has to take first place. But we cannot as a blanket policy say that rehabilitation should take second place. I think that we have always to keep rehabilitation at the forefront of our criminology procedures. Where there is very clear evidence that someone is dangerous, then extra protection has to be called for.

**Mr. Stackhouse:** Mr. Speaker, I wish to say how much I appreciated some of the remarks made by the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) in his address, particularly those with respect to reminding other Hon. Members of how scripture can be used and misused. He rightly quoted passages that would not be welcome by everyone in the House, whether they support capital punishment or decry it. I hope that his message will also be taken to heart by those who oppose capital punishment, by those who have their favourite text to quote, including, "Father, forgive them for they know not what they do", which is a particular favourite. They might fully comprehend the wisdom of his remarks and understand scripture not in terms of citing this verse or quoting that text but in dealing with larger themes.

In that connection I was also impressed by the way in which the Hon. Member dwelt upon the whole subject of deterrence and the difficulty with which society has been able to deter murder, regardless of what penalty has been invoked. The point which needs considerable emphasis is that, yes, societies that have had capital punishment have not eliminated murder. That is true. Societies that have not had it have not eliminated murder, which is true as well. Societies that have been rich have not eliminated murder. Indeed, societies with socialist governments have not eliminated murder either. It is possible that there is no deterrent that any Parliament or Government can devise that will eliminate murder. What we have to do is focus on the real nub of the issue, I submit, which is whether or not capital punishment is just or unjust.

**Mr. Manly:** Mr. Speaker, I agree with the Hon. Member when he says that scripture has to be taken into its total context and one cannot pick out proof text to prove one thing or another. We must look at the total thrust of where scripture is going and what the biblical concept of justice is. I think that it is leading us toward trying to build a non-violent society. So the concept of justice that we are working for is a concept of justice that works for non-violence.

When we look at the statistics in the short run there can be debate; one can look at one state or one country and say that in this place they had capital punishment and the murder rate went up. It can be said that in other places capital punishment was abolished and murder rates went down, or vice versa. In the long run I think the Member opposite would agree with me that violence begets violence. Those who take the sword will perish by the sword. I do not say that as a proof text but rather as illustrative of a general truth that violence does indeed beget violence.

How can we create a non-violent society? How can we create a peaceful society when we feel that we have the right to take the lives of certain people because they have violated the norms of society? I think that if we have as a concept of justice not an impartial weighing of offences but, rather, the concept of a dynamic movement toward the kind of society that we all want, then the kind of justice we want will see the death penalty as being unjust.

**The Acting Speaker (Mr. Paproski):** The time allotted for questions and comments has now terminated. The Chair recognizes the Hon. Member for Ottawa West (Mr. Daubney) on debate.

**Mr. David Daubney (Ottawa West):** Mr. Speaker, I was one of those people who went into the last election campaign torn between the desire to protect the innocent victims of crime and my very real concerns over the effect I felt executions would have on the heart, the soul and the spirit of our country. During the last election campaign I said that I was not in favour of general reinstatement of the death penalty but that I wanted to know whether the death penalty would deter the killings of police officers and prison guards. I believe that these men and women taking special risks to defend the rest of us against violent crime and violent criminals deserve in return whatever protection and assistance we can give them and their families, the families they may leave behind when they die in our service. If it could be determined that the death penalty deterred killings of law enforcement officers and prison guards, I pledged to support its reinstatement in those limited circumstances.

Since then I have spent many long days and nights thinking about this, thinking about my feelings, my conscience, my attempts to grasp the nature of the problem, batting it back and forth by reading news reports about public opinion, the rising numbers of homicides and the falling murder rates. I have seen the conflicting claims on deterrence, the reports about the death rows of convicted criminals executed in the United States and the horrifying, enraging stories of innocent people dying at the hands of murderers in Canada.

I resolved some time ago that I owed my constituents, my colleagues in this House and my conscience more than a superficial review of press reports, more than a reading of public opinion polls or a response to organized letter-writing campaigns. I resolved to go beyond these reports, to go directly to the very large number of detailed studies by criminologists,