

Criminal Code

I think that such an approach would be in any way helpful to a dispassionate consideration of this issue.

● (4:20 p.m.)

It often embarrasses me to use personal experience—I mean this—to attempt to rationalize my position as one who without equivocation or reservation is a committed abolitionist. It even embarrasses me somewhat to attempt to rationalize my position as a totally committed abolitionist, without equivocation or reservation. It happens that I am the son of a Supreme Court judge who, during his years on the bench, presided over several murder trials. He became a judge in 1935 at the depths of the depression when despair and despondency easily gave way to violence for the solution of man's problems.

Each member of my family shared in his or her own way our father's mounting distress during the course of a murder trial and when guilt was found and the inexorable result had to be given effect to, we shared his agony. Many wise people have told me since that my father was not cut out to be a judge, that he was a man of transcending sympathy and compassion, that trials took too much out of him, and so on. I have never agreed with this assessment, first of all because it would have meant he was somewhat different from the other people of his time and generation, and I mean that in the broadest sense of the word.

He happened to be very much part of the milieu in which we lived—tough and competitive in sport, courageous in war, reasonably firm as a parent and, like so many of his generation, one who feared God and honoured the King. In other words, he was very similar in his attitudes and outlook to many others of his time. He did, however, abhor capital punishment. He was repelled by the inherent defeat of society in its attempts to balance its accounts by a life for a life.

But one cannot simply rely on one's childhood memories and experience for considered opinion many years later and I, I hope like many others, began to study what others had to say about the subject. I read Koestler and Camus, and now Pelletier, in the philosophical area, Sellin and Gowers on the sociological aspects of the problem, Martin and Gardiner—that is J. Arthur Martin Q.C., although perhaps the Secretary of State for External Affairs (Mr. Martin) may also be added to the list of abolitionists—devastating in their legal analysis.

Camus wrote:

—the survival of such a primitive rite has been made possible among us only by the thoughtlessness or ignorance of the public, which reacts only with the ceremonial phrases that have been drilled into it. When the imagination sleeps, words are emptied of their meaning: a deaf population absentmindedly registers the condemnation of a man.

It is our duty, Mr. Speaker, to dispel the public ignorance about this subject. Here indeed is the place for this consideration to be given because we, with our opportunities for careful study and attention to the subject—I mean no discourtesy to the public at large—we, because of the avenues available to us for a study of this subject, are surely the ones who have the ultimate responsibility to make this decision for our country whether or not our constituents are retentionists or abolitionists.

I am grateful to the newspapers and other media for their publicspirited contribution to our knowledge of the subject of capital punishment. Many churches in Canada, the Anglican, United Church, Lutherans, Mennonites, Unitarians and the Society of Friends, have added well documented statements in support of abolition. Many thoughtful Catholics, including Rev. Father Kelly, President of St. Michael's College, Toronto, who gave one of the most important speeches I have ever heard on this subject, have made their revulsion for hanging clear and unequivocal. But those who take refuge for their prejudices in finding Biblical quotations to fit their, I think, restricted point of view ignore other equally persuasive admonitions gratifying to the point of view to which I subscribe.

I do not know whether one is allowed to anticipate debate in the house. Presumably I should not refer to hon. members but I shall make a calculated guess that the Bible will be pulled out at convenient times when it suits particular prejudices, and I do the same.

As I live, saith the Lord God, I have no pleasure in the death of the wicked; but that the wicked turn from his way and live.

That is Ezekiel, chapter 33, verse 11.

I presume we will hear excerpts from other chapters that express other points of view, but if those who look to Deuteronomy for the eye for an eye business would also read on in that chapter and list those things for which Deuteronomy gave an injunction that the death penalty be continued, including—but perhaps I had better not go into that.

Some hon. Members: Go on.