

*Amendments Respecting Death Sentence*

**Mr. Speaker:** Order, please. We do not want to become involved in another procedural debate today. I will not prevent the hon. member for Lotbinière making a reply in respect of this matter, but I suggest to him that I understand the situation very well and am prepared to answer the point raised by the hon. member for Winnipeg South Centre.

[*Translation*]

**Mr. Auguste Choquette (Lotbinière):** Mr. Speaker, briefly and calmly, I should like to say, in order to assist you in making a ruling if it were at all possible, that when we put a question which is judged by you as not being urgent, it is normal to postpone it until 10 o'clock. I think that, in the cases referred to by the member for Winnipeg South Centre (Mr. Churchill), the questions were of national concern but were not deemed urgent, and normally they were postponed until 10 o'clock.

Moreover, the member greatly exaggerates when he says that I attacked him. Mr. Speaker, on this point I think I am entitled to say that I have never attacked him; I had the misfortune of telling him that he had supported the concept of two founding peoples. That he considers that as an insult, I understand, Mr. Speaker.

**Mr. Speaker:** Order, please.

**Mr. Choquette:** I understand that he may consider this as an insult—

[*English*]

**Mr. Speaker:** Order, please. This is what I was afraid of when I suggested to hon. members that we should not get into a further procedural debate. I am in full sympathy with the point made by the hon. member for Winnipeg South Centre. On the other hand, I do not think much could be gained by reviewing in detail the two incidents to which he has referred. There is no question but that the rule specifies that a question can be debated at the time of adjournment at ten o'clock only if the hon. member who has asked a question is not satisfied with the answer given or if the Speaker rules that the matter is not urgent.

The difficulty is that very often under pressure the Chair will call a question out of order meaning that it is out of order because it is not urgent. I am sure it would be helpful to all hon. members if this distinction were made by the Chair. On the other hand, I can assure the hon. member for Winnipeg South Centre that a special effort will be made by

[*Mr. Churchill.*]

both those at the table and the Chair to police the questions perhaps a little more closely.

• (3:30 p.m.)

**CRIMINAL CODE****AMENDMENTS RESPECTING DEATH SENTENCE AND LIFE IMPRISONMENT**

The house resumed, from Friday, November 10, consideration of the motion of Mr. Pennell for the second reading of Bill No. C-168, to amend the Criminal Code.

[*Translation*]

**Mr. Auguste Choquette (Lotbinière):** Mr. Speaker, to continue my remarks of a few days ago, I should like to suggest that it is normal to accentuate curative justice rather than punitive justice although the latter does not exclude the former.

Penalty is a form of therapy and in a society wishing to be more civilized than vindictive, it is proper to eliminate any revenge factor in the application of any sentence.

Nevertheless, Mr. Speaker, the corrective viewpoint, in the light of rehabilitation within which any good system of justice must try to operate is not inconsistent with the retention of a penalty to fit the crime.

Human sciences have progressed immeasurably in the past decades but have never gone and never will go far enough to uproot the major principle of individual responsibility.

Sociology, psychiatry, criminology have thrown light on a multitude of human phenomena; they often are the X-rays of the conscience of the individual. They make transparent reasons for the exoneration or the extenuation of guilt. But the day those sciences attempt to encompass all human acts within rigid determinism or airtight fatalism, I say those sciences will then betray their mission, betray their ideal, that is leading man towards ever greater heights of dignity.

That is the danger that threatens our society today, Mr. Speaker. That is the trap that lies open to our modern society: that of explaining everything, that of justifying everything outside man's free will, of reducing all human activity, all individual behaviour to a science of phenomena, abstracting the concepts of responsibility, the concepts of reward and punishment, which are intrinsically bound to the exercise of one's free will.

We all agree, Mr. Speaker, that society must aim at the highest degree of civilization