

Capital Punishment

Mr. Dyer added:

[English]

Northern Ireland had a population of about 1.5 million people, and so has the City of Detroit. In Northern Ireland, in addition to the normal quota of murders committed by frightened thieves and angry spouses, there is a terrorist war in which Catholic and Protestant gunmen murder each other, members of the police and army, and innocent civilians. And there is no death penalty.

In Detroit, where there are no terrorists and where the death penalty does exist, there were 10 times as many murders last year (646) as there were in Northern Ireland. The murder rate in a particular society seems to be determined far more by the political and cultural traditions of the people and the availability of firearms than by the presence or absence of the death penalty.

[Translation]

On February 18, 1960, famed criminal lawyer Arthur Maloney, then a Member of the House, speaking against the reinstatement of capital punishment, against the imposition of capital punishment, quoted the words of a great writer, Anatole France. Madam Speaker, he quoted him with irony and said:

Anatole France once said that the law had a majestic equality. The law equally forbids the rich and the poor from doing the following things: from sleeping under bridges, from begging alms on the street and from stealing a loaf of bread. That may be the only thing he ever said that I will ever agree with—

—said Mr. Maloney—

but it is a statement that causes one to sit back and to think. As legislators we should ponder less about the need for the penalty of death, and we should ponder more about co-operating with government to eradicate some of the roots from which crime stems; help clear up the slums in co-operation with provinces or municipalities; help build recreational centres to which underprivileged boys and girls can come to find opportunity that they are denied at home, to find friendship and affection that they are denied at home. Those are the sorts of things we should all be doing. We should be placing emphasis on prisons; we should be encouraging a continuance of the development of the present policy to modernize and humanize those places, places in which the emphasis will be upon the reformation and the reclamation of the people who live within them, places from which the graduates will leave restored to dignity and prepared to take their place in society.

My colleague, the Hon. Member for Charlevoix (Mr. Hamelin), mentioned a while ago “these unpunished crimes”, the criminal who finds himself back on the street because a police officer has been unable to make a case stick and who ends up killing this same police officer. But he did not say that it was because of the flaws in the prison system. The death penalty is not going to eliminate these flaws, far from it! He mentioned also that a great many countries had not adopted a charter of rights and freedoms, and he was proud to say that we had such a Charter in Canada. But the Charter of Rights and Freedom forbids cruel and unusual punishment. I feel, therefore, that he should try to be consistent in his remarks. He mentioned finally the need to respect the rules of the game. That is why he said he was for capital punishment: A person who does not respect the rules of the game has to face capital punishment. Madam Speaker, I feel that life and death are not a game. How can anybody talk about the rules of the game when a human life is involved?

According to many newspaper clippings and articles, recent studies have shown just how discriminatory capital punishment

is against the poor and the visible minorities. That is something very serious to take into account.

In an editorial published in *Le Devoir* newspaper on May the 1st, Pierre Tremblay stated:

Bury this pointless debate

What is more, society has duties towards all its members, including helping those who misbehave mend their ways. Capital punishment does not rectify anything; it is a refusal to face a problem by eliminating it. It is a sign of immaturity and irresponsibility.

How strange, Madam Speaker, that Mr. Tremblay and I should reach conclusions which are exactly the opposite of those reached by the Hon. Member for Charlevoix. He insisted on the need to reinstate capital punishment to show responsibility and maturity. Yet, this is the way a great many people feel—they are not intellectuals who are anxious to find something to say, as he claimed—who, like I do, love very much this country which is doing its utmost to be civilized, who love also their children very much and want to leave them a country which is better than the one they inherited. And here is what Mr. Pierre Tremblay said in another editorial:

Popular pressure. There is no mistake about it; scientific opinion polls tell us rather bluntly that a convincing majority of Canadians are in favour of reinstating capital punishment. A “convincing majority”: the phrase is appropriately used in marketing, but does it define the real mission of legislators? No. Opinion polls are anonymous; they give us a picture of the average constituent who may express his deeper feelings or, alternately, simply voice his superficial prejudices. We expect from members of Parliament a more responsible conduct.

Under the circumstances, Madam Speaker, I found it gruesomely fascinating to note that according to a poll on the preferred means to execute criminals if capital punishment is reinstated, the most popular method was an injection given to the criminal so that he can die peacefully without screaming or struggling as if for example he was suffering from a fatal disease and that he was merely being given a painkiller.

When we looked at that poll, it made us shudder, Madam Speaker, because here is what it said:

● (1340)

[English]

“Most Canadians want lethal injection to replace noose.”

[Translation]

If we consider the totals, those who were undecided were some 18 per cent. Those against the death penalty in that poll taken in March 1987 were some 20 per cent. Those who were in favour of an execution before a firing squad were about 1 per cent. Those in favour of the gas chamber were some 3 per cent. However, those who were in favour of that gentle and easy method were about 50 per cent. With that gentle injection, nobody will hear him scream and realize that he has died. There was a 19 per cent support for electrocution and less than 10 per cent for hanging. Therefore, as we are often told, the execution performed at early hours when nobody is around, is apparently what the people have in mind when they think about capital punishment. We are told why it is so.