

### *Capital Punishment*

on this side has a conscience everyone on the other side has not. Let us assume that we all have a conscience and act according to that conscience. I know many of the members of this House personally, and have no hesitation in saying that they act on the basis of their own conscience, whether or not they agree with my decision. I do believe that hon. members are making a mistake when the results of polls have much bearing on their decision. I say that for two reasons.

It is important not to take these results as being representative of public opinion. It is far more important, in my view, to sit down with these people and ask them what they really mean and what really bothers them about the situation. When you do that you get a much different impression from the one you get on the basis of what the polls indicate. I suggest you will find that the people of Canada are not in favour of hanging. After explaining the complexities of the situation to members of the public you often find they have a different view, usually one that is softer and more understanding.

I find that many individuals are confusing problems in respect of parole and prison escapes with the concept of capital punishment. When you talk with them you find they are not worried about capital punishment, but are worried about permissive courts, paroles and other things of that type. When you point out that the one has not much to do with the other, they want to be assured that these dangerous people will be kept in jail, will not be allowed to escape and will not be paroled. I am not suggesting we get tough in respect of parole but that we should be wiser. We must learn from our mistakes. Most people will agree that a good parole system is a necessary part of society, but we must separate clearly the one problem from the other. When you give people an assurance that these dangerous people will be removed from society, and no longer will be a menace, their feelings in respect of capital punishment undergo a degree of change.

Before I became a Member of Parliament I had an instant opinion, as I am sure other hon. members had, about various things. If you asked me a question I would give you a quick answer. It is rather easy to have an instant opinion when your hand is not on the lever that opens the trap door. Our hands are on that lever in that we are making this decision. I have the opinion that if my constituents were in my place, in possession of the evidence and information I have, and given the opportunity to listen to the debate taking place in the House, and had the same responsibility of exercising the small degree of power to send a man to his death, they would feel somewhat different from what the polls indicate.

My reservations about capital punishment, and perhaps in this sense I am different from some of my colleagues, are not the result of any squeamishness or reluctance to kill when necessary. In common with other hon. members of the House, I served five years during the war, and I suggest that if you had any squeamishness you lost it after that period of time. If the evidence before us demonstrated that capital punishment protected society and saved lives, I would not hesitate to support it. No such evidence exists, and to kill for unnecessary reasons is wrong. Perhaps killing is never necessary, but certainly if there is no

[Mr. Saltsman.]

evidence to support the belief it is, one should not take another person's life.

What is it that we must consider during this debate? We must consider whether hanging is a deterrent. At the very best, I suggest the evidence leads to a standoff. The statistics available do not support the fact that hanging is a deterrent. If anything, the statistics indicate that during the years when capital punishment was abolished the incidence of serious crime declined. Should we take a life for the sake of vengeance? There was a time in society when those in authority did take life for vengeance. Many of us have forgotten the real meaning of the eye for an eye and tooth for a tooth concept. I had to draw on my experience as a young man studying under my rabbi to realize that you were not being asked to be more harsh or to require more in the way of retribution, but rather require a minimum. In those days if someone insulted you, you look his life. If someone punched you too hard you killed a member of his family. The meaning of the concept of an eye for an eye is that you do not take greater vengeance than is absolutely necessary.

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In a society like that the fear was that if the authorities did not take vengeance on behalf of the population, the population would take it itself. We are talking about lynching, stoning and other acts of instantaneous violence. Therefore, violence by government was necessary to preserve the cohesion of that society. Is that the kind of society we are living in today? Are we afraid that if two or three lives are not taken over a period of years there will be riots in our streets, and that people will take things into their own hands, that blood victims will take blood and that children will kill child murderers. I think we have progressed over these thousands of years to the point where vengeance does not have to be taken in that particular way. It may be that some day—and I hope it never comes—our society will become so concerned that there is this danger of public violence that those who are abolitionists will have to reconsider their position. However, I see no evidence of that now and I do not think the time will come.

I was remarking to my colleagues, in recalling the debate which took place some five years ago, that one thing which strikes me about this particular debate is that it is being conducted in an infinitely calmer way than the debate of a few years ago. While the polls show that this is a hanging society, this is not being reflected in this House. The debates here are marked by a more logical and more reasoned approach from both sides of the House. There is less anger and more concentration on argument in support of positions.

Perhaps one would argue that justice demands capital punishment. I wish to speak for a few moments about justice and what it is. First of all, we can never be sure, so long as we have capital punishment, that the state does not make or has not made an error. As the speaker before me said, I think the possibility is small, but the possibility does exist and justice on the part of the state demands that that possibility not exist. As people, we cannot condone the law that may take a man's life unfairly or a life which should not be taken. That is always a possibility