

*Proceedings on Adjournment Motion*

those who have not erred as well as of those who have erred.

Finally a justice that will no longer kill.

In closing, the horrible murders quoted by my retentionist colleagues were committed while capital punishment was in force.

When capital punishment is inflicted, the guilty one is not the most punished it is the following generations, and this is important.

I should like to give you an example and appeal not only to your heart but also to your intelligence, because your decision will be very significant in the future. When I was at school in my riding, I remember with emotion two young men whose father was hanged. Those two fellow-students attending the same college were bright and had a fine future before them. They lived in the beautiful riding of Shefford I represent, and after dropping out of school because of this horrible situation, they left for an unknown destination. I feel that even though they might still be living today, a truly deep feeling was extinguished in them, that is, the hope for a better world, for a better society.

That is why, and for all the other reasons given as well, I am in favour of the abolition of the death penalty.

In conclusion, I remember the most famous condemned to death, Christ made man. Even though he was mistried, he accepted to ascend Calvary and to be crucified in spite of his power to appeal to his father to reduce to silence those who had insulted him. He was deeply hurt. Naturally, he could have put his enemies to confusion, but in his agony, when he addressed himself to his father, he did not say: Lord, kill them, but rather: Father, forgive them, they know not what they do.

That is why I shall vote for the abolition of the death penalty.

#### PROCEEDINGS ON ADJOURNMENT MOTION

SUBJECT MATTER OF QUESTIONS TO BE DEBATED UNDER ADJOURNMENT MOTION

**The Acting Speaker (Mr. Rinfret):** Order. Before giving the floor to the hon. member for Halifax (Mr. McCleave), it is my duty, pursuant to provisional standing order 39A, to inform the house that the questions to be debated at the time of adjournment tonight are as follows: the hon. member for Kootenay-West (Mr. Herridge): Finance—Reported discrimination against women requesting bank loans; the hon. member for Okanagan-Revelstoke (Mr. Johnston): Increase in

[Mr. Neveu.]

pulmonary tuberculosis; the hon. member for Notre-Dame-de-Grâce (Mr. Allmand): Penitentiaries—St. Vincent-de-Paul—Suicide of a prisoner.

[English]

#### CRIMINAL CODE

##### PROPOSED AMENDMENT REGARDING CAPITAL PUNISHMENT

The house resumed consideration of the motion of Messrs. Byrne, Nugent, Scott (Danforth) and Stanbury:

Resolved, that it is expedient to introduce a measure to amend the Criminal Code for the purposes of

(a) abolishing the death penalty in respect of all offences under that act;

(b) substituting a mandatory sentence of life imprisonment in those cases where the death penalty is now mandatory; and

(c) providing that no person upon whom a mandatory sentence of life imprisonment is imposed shall be released from imprisonment without the prior approval of the governor in council.

**Mr. Robert McCleave (Halifax):** Mr. Speaker, in taking part in this intellectual and stimulating debate, surely one of the most interesting this house has had in recent years, I first of all want to take issue with what I regard to be a serious mistake in the very foundation of the arguments of those in the abolitionist camp. The argument goes something like this: The philosophy of an eye for an eye and a tooth for a tooth is set forth in the Hammurabic and Mosaic codes. Therefore, building on this foundation, society is pictured as becoming an avenger and as seeking vengeance. I think this a mistaken view. I think that the philosophy of an eye for an eye and a tooth for a tooth in the Hammurabic and Mosaic codes was not an incentive to vengeance; it was not a request that society go out of its way to become brutal.

It has been suggested that society ought to be modern. In the codes I have referred to it is held that an eye ought to be taken for an eye and that two eyes ought not to be taken in return, that one tooth should be taken for a tooth and not that a whole mouthful of teeth should be knocked out in reprisal. I think that the Hammurabic and Mosaic codes, which stand at the dawn of our civilization, were a deliberate and intelligent attempt to bring some order to society. Hammurabi and Moses were telling the gangs and clans of those days that if a member of one of their clans was killed other members of other clans ought not to go forth and exact two lives