

*Criminal Code*

It is not only the question of playing with statistics, of setting forth a number of pros and cons, of appealing to our civilized spirit, but also there is another factor, which is one of personal feeling and what we feel deeply in our soul and conscience.

In regard to this issue, Mr. Speaker, we must ask ourselves whether we really want to protect society; whether we are not becoming more sympathetic to the criminal than to his victim or eventual victims. It is our responsibility to provide this additional protection to our policemen, to our law officers and to our prison guards. This is a very risky job, the danger is sometimes great and these people, who also have wives and children, risk their lives to protect society. Should we be selfish enough to deprive them from the maximum protection, even though certain groups or associations, in the name of civilization, term the death penalty as barbaric. Have you ever talked to a prison guard. Have you ever thought of gangland activities within and outside the walls of such institutions? Is there any difference, as far as a murderer is concerned, between one, two or three life sentences? He only has to say: "Put it on my bill" and he will be ready to start again the day after.

● (7:40 p.m.)

It is ridiculous to see what is being done and said in the name of liberty, human rights and civilization in this 20th century. One wonders who has more rights; the respectable, quiet and law-abiding citizen, the forces of law and order, who have the responsibility to pass and implement laws? I wonder, when I look at the activities of some of our fellow citizens. Even here in this house, Mr. Speaker, certain groups of members show more eagerness in defending criminals, spies, incorrigibles, than in defending the reputation and the integrity of the public servants; and they sometimes are prone to denounce police forces.

Another thing that strikes me is that many abolitionists are among those who are against our maximum security institutions. We saw it this week when a group of women called on us. They are against building fortresses to hold those who cannot be reformed, who cannot be saved—and there are some, believe me—but how is society going to protect itself? It is all very well to talk about rehabilitation, but it must not be done at the risk of endangering the life of the peaceful and law abiding citizens.

Coming back to the death penalty itself, those who preach its abolition are doing so mainly in the name of respect for human life. They are right, life is a sacred thing, it comes from God, and criminals should begin by respecting it. Did Marcotte really have that respect when he retraced his steps to finish off police officer Brabant, already seriously injured?

What do you think of gang killings in the underworld, like the recent ones in the United States? We also have our own underworld in Canada, in Quebec. What about the fraudulent bankruptcies and the elimination of witnesses? We are not dealing with school children and I am not ready to say that they are all mental cases.

Mr. Speaker, I start from the principle that life is sacred and that it does for an individual to dispose of it. Whoever deprives another of his life is liable to lose his own. And I add that society, through the authority which comes to it from above, has the power and right to decide if such an individual deserves to live and how he must pay his debt to society.

I do not see in this statement anything to contradict the evolution principle in our civilization but rather a protection for that civilization.

I am conscious of the fact that in many cases there is need to ask oneself to what extent a murderer is responsible for his act. After the changes made in the law of 1961, I think we can leave it to our judicial system to define responsibility and to prove premeditation in cases of qualified murder. Most lawyers admit themselves that the danger of judicial errors is now eliminated by the changes made in the law. I do not accept either the argument that an individual who commits a murder is always in an abnormal state, it is too easy a way to make excuses for the murderers.

Mr. Speaker, I agree that we should endeavour to improve the world to the extent where capital punishment would no longer be required, but we have a long way to go. In my view, retention of the death penalty in the Criminal Code in no way interferes with the efforts already launched to rehabilitate criminals, to improve our social environment and to administer justice equitably.

Even with the eventual regression of crime, as a result of the evolution of social conditions and legislation, there will always be criminals. That is why I favour retention of