Capital Punishment

judicial errors are made—that is a fact—though seldom, it does not mean that we should depart from the basic principle.

However, to those who uphold the absolute right to life, it must be replied that murderers do not respect that right of others. If that right is absolute, the soldier who kills an enemy would be a criminal. The right to life is not absolute; it can be denied to those who do not respect it. The murderer who takes the life of another cannot claim absolute right to life to escape the death penalty.

Mr. Speaker, many people, in the past, have made representations to the government and I myself—and some of my colleagues as well—have suggested a referendum throughout Canada to ascertain public opinion and in order not to impose in an autocratic or dictatorial manner a measure which the people reject, which the people do not accept.

Let us go back to the years 1960, 1961, 1962, and examine statements made by the hon. member for Saint-Hyacinthe (Mr. Wagner), for instance, who was then Minister of Justice of Quebec. You could read in the papers: "Fantastic increase in murders in Quebec since 1961, (Mr. Claude Wagner)". And the hon. member for Saint-Hyacinthe invited the public to write the federal government that the death penalty should not be abolished.

Mr. Speaker, those were lawyers.

Another, a former federal Member of Parliament, Mr. Rémi Paul, a former Minister of Justice of Quebec, stated: "The death penalty is necessary for the protection of society". Not for purposes of revenge, but for purposes of justice, and in order not to encourage criminals at large, or potential criminals who, because the death penalty has been eliminated, have no respect for the life of others and, when they are caught, feel they must solicit clemency on the basis of their right to live.

Mr. Speaker, hon. members in this House assume quite peculiar positions concerning the death penalty. I actually heard members of this Parliament make a stand against those fighting abortion, openly advocating abortion. I have in mind members of the New Democratic Party, Progressive Conservatives, Liberals who accept abortion as a good thing and say that the solution or decision must rest with the mother or the woman and her doctor.

Mr. Speaker, abortion is a crime amounting to killing a child who never did anybody any harm. Some want to legalize it by way of legislation in this House of Commons and they have had a certain degree of success. However, the criminal, the killer, the thug, the assassin who takes life away after planning his crime, in the name of humanity, in the name of society, in the name of the right to live must be handled gently, spared the rope because he is a human being and we must not exercise vengeance against a human being.

Mr. Speaker, how can those people reconcile their stupid reasoning by saying you can kill a child before he is born but you have no right to kill him if he becomes a criminal later on.

Mr. Speaker, several studies have been made across Canada. I received letters from all parts of this country, as I said earlier, urging me to ask for the restoration of capital punishment. Some of my colleagues also received

[Mr. Caouette (Témiscamingue).]

similar letters from their electors. I received one in January 1973—so it is not too long ago—from the Sept-Iles Chamber of Commerce, which is not located in my riding. That letter was addressed to the Prime Minister (Mr. Trudeau), and read as follows:

> Find enclosed a sworn compilation indicating the results of an official poll taken by the Sept-Iles Chamber of Commerce last December in the suburb area of the Manicouagan-Duplessis county on the subject of capital punishment.
>
> The results of this poll lead us to think twice about—

I tell you quite honestly that if we conducted the same poll we would get similar results. And now this government wants to impose that legislation on us under the cover of freedom of vote, while saying: Vote with us!

I go on with the quotation:

> The results of this poll lead us to think twice about the advisability of your government holding a national referendum to have the population express its opinion on the abolition or retention of capital punishment.

● (1530)

Now, if the referendum said: Yes, abolish capital punishment, then I would vote for that. I am all in favour of an innocent man not being condemned to the gallows, as soon as there is the least doubt concerning the culpability of a murderer, because he must be given the benefit of the doubt. But, when it has been proved that the murder was premeditated, that the criminal cannot possibly be rehabilitated, even if he were to be freed after 20 years, he must pay with his own life for having taken the life of another. And that is why we are in favour of polls being held across the country.

To quote again Mr. Jean L. Mailloux, the director of the Chamber of Commerce:

> Many citizens are worried about your government's indecisive position on capital punishment for it is one of the most fundamental questions in a democratic country such as ours. We believe that, before taking a final decision, your government should consult the people of Canada.
>
> Yours faithfully, etc.

And here are the main results of the poll in the Sept-Îles area:

> 1. In favour of abolishing the death penalty. Comments: Yes 35; No 210.
>
> 2. In favour of retaining the death penalty as enforced formerly. Comments: Yes 206; No 25.
>
> 3. Do you think that murders have increased in Canada over the last five years? Comments: Yes 220; No 17.

This is corroborated by the former Quebec Minister of Justice, who said in 1967 that murders had increased more than threefold in the province of Quebec alone.

I continue to quote:

> 4. Are you in favour of parole . . .

This is something rather different, but 63 were for it and 80 were against.

To continue:

> 5. Have you ever been a direct or indirect victim of the activities of a murderer? Comments: Yes 30; No 208.

This means that 208 Canadians have never been bothered by a murderer, but they nevertheless use their intelligence to judge the government's actions in this field.