

*Capital Punishment***MOTIONS FOR PAPERS***[English]*

Mr. J.-J. Blais (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand at this time.

Some hon. Members: Agreed.

GOVERNMENT ORDERS*[English]***CRIMINAL CODE****MEASURE RESPECTING PUNISHMENT FOR MURDER AND OTHER SERIOUS OFFENCES**

The House resumed, from Monday, May 3, consideration of the motion of Mr. Allmand that Bill C-84, to amend the Criminal Code in relation to the punishment for murder and certain other serious offences, be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

● (1530)

Mr. Norman A. Cafik (Ontario): I should like, Mr. Speaker, to resume my speech on capital punishment which I began on Monday. At that time I was concluding that aspect of my speech respecting the impact of TV on the perception of violence in our modern society. In this latter connection I wish to continue for a moment.

It appears to me to be abundantly clear that we in Canada live in one of the most peaceful societies in the world, bar none, yet in the many meetings I have held in my own riding I have found, like so many of my colleagues, that many of my constituents are convinced that we live in a volatile, violent, and highly dangerous society.

I have already indicated that television has played a considerable role in this disproportionate impression of a violent world, but I have said nothing to date of the significant impact of news coverage, particularly when any atrocity or act of violence or of inhumanity, wherever it may happen in the world, is played up in the most dramatic and often bizarre way possible. It is no wonder that, being constantly bombarded and exposed to this sort of news coverage, we conclude, often subliminally, that the violence we see distilled and capsulized from around the world on a daily basis is really the condition in our country and neighbourhood.

It is astounding that so many who think that our streets and homes are unsafe and that there is a thief or criminal on every street corner have themselves rarely ever met one. Their essential fear is not based on personal observation or experience at all, but on hearsay, and the impact of the media upon them. Our minds are constantly focused on the abnormal and we begin to believe it is the normal condition of society.

[Mr. Lee.]

Many have become partially, and others almost exclusively, the victims of the modern media and we are now beginning to see the fruits of the fear and apprehension that is being created in society as a whole. Such impact has become the condition of society living almost exclusively on a diet of media realism, devoid of substantial reality. I am not blaming the media nor a gullible public. I am simply saying that perhaps we are beginning to perceive an insight into ourselves and our relationship with the media that had been hitherto inadequately appreciated.

The present demand for capital punishment as a solution to violence is only the beginning, because when it is discovered that capital punishment does not solve the problem the public believes is the fact, the public may well clamour for a type of law and order which would attack the very fabric of our judicial system and the sacred and historic provisions upon which it is based.

This exaggerated fear, based in part on fantasy, is already beginning to express itself through many who suggest that perhaps we can no longer afford to presume the citizen innocent until proven guilty. That is too awkward an approach when we want instantaneous justice. Many want a highly expeditious justice, which is more reminiscent of frontier days of old than of civilized civilization. I believe that in the past the pendulum may have swung too far in favour of the criminal with inadequate consideration for the real need to protect society. I do not think we can correct the situation by swinging the pendulum too far in the other direction, paying too little attention to the rights and privileges of citizens in our society who may be rightly or wrongly charged with a criminal offence. We really need a proper balance in our society; a balance in considering this highly emotional and divisive question.

It will be a sad day when, through a false perception of reality, we end up destroying some of the more fundamental freedoms of rights and protections that have been built up over the years on behalf of individuals simply because the public thinks it is essential in order to protect itself from a perceived but artificial and unreal world.

People advocate capital punishment as though it would spell the end to violence. Such is self-evidently not the case. I am not suggesting in any way that all is well in the world and that there is no need for changes in our present law, nor indeed that the proposed law before us is in fact perfect. Obviously changes are required not only in the law but in the administration of justice and in the enforcement agencies which are responsible for enforcing justice in our society. This we can achieve, but I do not think we need to over-react.

As I have said earlier, as politicians we must deal with the perceptions the public has, but surely as members of parliament and as legislators our first obligation is to deal with the condition as it in fact exists.

The fourth element of my speech today deals with the hard facts relating to crime in our society and what effect capital punishment would have on the occurrence of these crimes. Quite evidently, and as a caveat before dealing with these hard statistics, I should indicate that there is a shortage of hard information. It is extremely difficult to do