

*Criminal Code*

speeches are easy. They stem from good nature and sentiments. But, Mr. Speaker, so far as I am concerned, I shall not tolerate the implication in this house that those who rise against the abolition of capital punishment are not up to date, are still deprived of charitable feelings which the abolitionists naturally bear in their hearts.

This principle is based sometimes on the Bible, sometimes on the sacred right to life, but too much optimism is shown when one relies on the services which a convicted person could eventually render to society.

I was amazed that in the course of the present debate, not four, not even three abolitionists said a few words about the murderers' victims. They commiserated, and this went on again today, with the convicted offender, but forgot the unfortunate victims of those who went as far as to commit the terrible crime of murder.

The abolition concept is completely out of context in our present day society. The death penalty argument for capital, passionate or non premeditated murders has been defeated ever since 1961 because the law itself provides otherwise.

Abolitionists point out to possible miscarriage of justice. Although they cannot dig up one serious example in the past decades in support of their argument, they question the country's judicial system, the good faith of our police forces and the established principle that the innocent shouts his innocence, that innocence always creates a reasonable doubt permitting acquittal. One has to be quite imaginative to presume that a crime was committed and that, under the circumstances, an innocent person could be convicted without a doubt being cast if he explains those circumstances, and one would be rather naive to think a person charged with murder would refuse to testify at his own trial when he is innocent and when there are only circumstantial evidence against him.

It is also said that capital punishment will in no way influence the criminal as he does not think of it when committing a crime. Who can tell? This is an important factor. Who really knows? I wonder whether there is in this house an abolitionist who would agree to support the abolition of capital punishment for twenty years if he knew that the murder of an innocent man would have been avoided had capital punishment been retained? What would be his attitude? It is possible that the criminal does not think of capital punishment when committing his crime. This may very

well be true for the unpremeditated crime, for which the law provides punishment other than death.

I also find weak the argument of religious scruples; I think it shows a false conception of virtue and, although it stems from natural goodness, it is totally removed from the basic subject matter of this debate which is the fundamental obligation of society to protect itself against dangerous individuals, organized crime, contract crime and traitors to the state.

One of the basic methods of society to ensure the protection of life and property is the police. Can a police officer do his duty properly if he is not morally convinced that whoever makes an attempt on his life while he is on duty will pay with his own?

Nowadays the policeman on duty is on a battlefield. If you want to abolish capital punishment, you have to disarm him. At least, the criminal will know then that he does not have to shoot him down to avoid being captured and so the policeman will not use his weapon unduly.

Have you ever stopped to think that, if capital punishment is abolished, the policeman on duty will use his weapon at the first sign of danger in the discharge of his difficult duties?

Now what about the prison guard—I am aware, Mr. Speaker, that those arguments have already been used—who has to keep an eye on murderers sentenced to life imprisonment? The prisoner will be continually tempted to kill him in order to escape. In any case, he would have nothing to lose.

The reply given to that is that nearly all the guards killed were killed by convicts other than murderers. Does it not rather mean that, having already had his sentence commuted once, the murderer is sure that this would never be repeated?

Our country, Mr. Speaker, is not without subversive elements. In this world of ours, sedition is always possible. I am willing to close my eyes and believe that never again will anybody be evil enough to plan to murder his neighbour. But then I would be dreaming and forgetting that I am living in a country where, more than elsewhere, people are killed in cold blood.

• (7:10 p.m.)

The death penalty is a deterrent. Even if that provision of the act only protected the life of a single innocent victim in 20 years, who would dare remove it?