

uses it. Capital punishment stands for and teaches the moral that human life ceases to be sacred when its usefulness is questioned. This is a particularly dangerous lesson in troubled times such as ours. What our time cries for is a lowering of the level of violence in our society.

I mentioned causes of violence and there are many, but by and large I believe that violence is to a great extent the product which results from the placing of too little value on the worth of life. Those who truly respect life do not take it. The antidote for violence is therefore to emphasize the worth of life.

There has, alas, been an unhappy increase in the rate of violent crime, but there has been a parallel increase in the incidence of violence in our physical and cultural environment. The atomic bomb which was heralded as the culmination of scientific genius by its makers, brought to the survivors of Hiroshima the macabre spectre of on-going contamination and debility. From there we have moved to another, less dramatic, but more insistent seeping of violence—the kind we see daily on our TV screens—a cultural nourishment fed in indiscriminate doses to our children. Are we, as parents and educators, so innocent of our offsprings' guilt?

One of my favourite Canadian authors, Eric Nicol, has summed up the situation much more eloquently than I could:

The person who actually pulled the trigger, must accept his share of the guilt, but how large that share is, no one has established with any degree of accuracy. This is why justice is such a distant relative of law and order. For starters the condemned should be accompanied to the gallows by Mum and Dad. Something went seriously wrong between the cradle and the noose. Somehow the cuddly little kid got transformed into "an animal". The chances that his parents are totally innocent, genetically and sociologically, in that strange metamorphosis, are extremely remote. Okay, so we have the killer, Ma and Pa in the death cell. Maybe Grannie and Grandpa too—right? There is still lots of guilt to go around. For example, should we not demand a share of the death penalty for the mongers of violence? The cold-eyed characters who push TV violence like *Kojak* and *Cannon*, and the motion picture violence of the various "Godfathers", "Mandingo", "Rollerball", "Jaws"—how do you measure their cumulative effect on a susceptible mind?

The trap-door is getting a bit crowded. The hangman can use the services of a commissionaire to handle the queue. Yet the list of the guilty is barely begun, even after we include those of us who shout "Kill Him". At the football game, then look shocked when one of our team's linemen relaxes by dismantling a civilian. The prisoner strapped to the electric chair affords only so much room for others to sit on his lap. But we cannot, in all fairness, omit the culpability of developers, urban planners, politicians and others with a vested interest in the kind of depersonalized environment that abets the crazed sniper on the roof of the high rise, the senseless strangling in the park. We may wonder how a society can become so dichotomous in its philosophy as to see determinism as the main factor in illness, unemployment, divorce, abortion and a host of other crying shames, yet sees the killing of a policeman as 100 per cent an act of free will. Perhaps the answer is that society is so uptight with the frustrations of daily living that many of us are frantic for a sacrificial goat. Hang a few people, they feel, and maybe we can arrest the decline and fall of our mutual fund. If we can't kill inflation, dammit let's kill **SOMEBODY!**

Now let us look at those who have paid the supreme penalty in a society very similar to ours. Are they usually the well-educated, the well-bred, or those who can fully afford the luxury of expensive legal ingenuity, well versed in plea bargaining? An examination of sentences imposed by California juries in first-degree murder cases over an eight-year period in the 1960's revealed that 42 per cent of

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the blue-collar workers convicted of murder received death sentences while the comparable figure for white-collar workers was 5 per cent. Does this imply that people have died only because they could not afford a lawyer who was specialized and highly skilled in criminal defence? Discovery and proof of mitigating circumstances and the rebuttal of evidence of aggravating circumstances may require costly investigation.

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With reference to this latter point, former Governor DiSalle writes:

I have never seen a person of means go to the chair. It is the well-heeled gangster, the professional killer who can afford the best legal talent to defend him, who gets off with a lesser sentence. It is the poor, the illiterate, the under privileged, the member of the minority group—the man who, because he is without means, is defended by a court-appointed attorney—who becomes society's blood sacrifice.

The court-appointed defender, diligent though he may be, is always handicapped. Sometimes he is inept—there is no criterion of experience in criminal law to guide a court appointment—and always he lacks the staff and funds available to the prosecution. Without funds and personnel to investigate the background of jurors and witnesses, to check alibis and examine the evidence before trial, the court-appointed attorney and his client have two strikes against them before they even enter a plea.

Then, of course, there is the possibility of error. Which of us does not shudder to remember the fate of Timothy John Evans who, in 1950, was hanged in Britain for murders actually committed by John R. Christie? Sixteen years later society acknowledged its horrendous mistake and granted Evans a posthumous pardon. His body was then exhumed and finally laid to rest in consecrated ground. Cold comfort!

Perhaps Canada can benefit from the experience of other countries and recall a statement made by the Belgian minister of justice in 1930, after 67 years of abolition of capital punishment:

The lesson has been learned that the best means of inculcating respect for human life is to refrain from taking life in the name of the law.

I would like to rebut yet another argument frequently advanced by retentionists who hold the view that a 25 year mandatory jail sentence is less humane than the death penalty. But is it really? To put forward such a thesis is surely to debate the quality of life, but is this not a secondary consideration if the primary requisite, life itself, does not exist?

Mr. Leonard C. Jones (Moncton): Mr. Speaker, I speak on this subject of capital punishment having knowledge of murder cases in my own constituency. Upon reading Bill C-84, which proposes to abolish capital punishment for persons convicted of murder and to replace it with a sentence of so-called life imprisonment, I have found it to be merely another instance in which the federal government has chosen to disregard the rights of truly innocent citizens.

Where is the conscience of our government and its officials? Continually they overlook public opinion. Today I have heard people reacting to public opinion in the wrong manner. Public opinion is very important, but in this instance it has been overlooked. The government is overwhelmingly ignoring the obvious wishes expressed by the majority of constituents across Canada. The petition pre-