

Criminal Code

some, then it must be retained even if it would deter one potential murderer. This is a very serious argument, but it fails to consider that the abolition of capital punishment also has a positive effect. It is my belief that when the state abolishes the death penalty, it creates an atmosphere of greater respect for human life and that this respect has a diffusive and educational effect on society. As a result, when you ask the question, how many innocent victims could have been saved if capital punishment still existed, you also would have to ask the question, how many would have hesitated from violence due to the influence of a state order which will in no circumstance directly take human life. Of course we can give no specific answers to these questions; we can look only at averages, and the averages seem to indicate that in those countries where the death penalty has been abolished the rate of murder does not increase and is often lower.

Mr. Speaker, I have said that capital punishment is not justified as self-defence, because there are other more direct means of preventing murder. There are some people, and some hon. members, who have said that if we abolish the death penalty, we will be left unprotected, that there will be no safeguard for society; but I maintain that there is little real relationship between the existence or non-existence of capital punishment and the rate of murder. Nobody has indicated the real cause or effect between the incidence of capital punishment and the diminution or increase in murder.

There are real causes of murder; it is these causes which have to be dealt with, if we are to have protection and safeguards. Sociologists and criminologists will point out that the causes of crime and murder are inadequate housing, inadequate slum clearance, inadequate recreation, and inadequacies in education, moral guidance, economic and social stability, police protection, crime detection, weapons and arms control, as well as

inadequate prison and parole reform. These are some of the causes. It is these causes which must be attacked if we are to protect society and create safeguards.

To discuss the protection of society against crime solely in terms of capital punishment is to becloud the real issue. Several hon. members, including the hon. member for Kamloops (Mr. Fulton) and the hon. member for Sherbrooke (Mr. Allard) have referred to referendums or surveys in their ridings; they have indicated that this should be some criteria for our decision here. However, Mr. Speaker, I would like to suggest, when we are sent here as members of parliament, we have to make our decision not on referendums in our ridings, not on the total yes's or no's, but rather on the weight of the arguments given on either side of the question. When we are elected they count up the votes, but once we are here we study the weight of the arguments.

Many hon. members have indicated that those of us who speak for abolition are more concerned for the murderer than for the victim. This is not true. I think we all care very much for the victim, and that is why I think we should act toward the elimination of the real causes which would do more to eliminate crime.

I support abolition and am ready to vote for it tomorrow. I have not heard any arguments which would convince me that we should retain capital punishment. I suggest the burden of proof is on the retentionists, because they are proposing the exception to the rule: Thou shalt not kill.

● (11:30 p.m.)

Mr. Churchill: Mr. Speaker, I move the adjournment of the debate.

It being thirty-two minutes after eleven o'clock the house adjourned, without question put, pursuant to standing order.