

puts an end to the possibility of an irremedial miscarriage of justice. This brings us back to my point that cold blooded killers do not expect to be caught. They contemplate their crime from all angles and if they think there is a prospect of being caught, they do not go on with it. I would suspect that the prospect of life imprisonment would deter these people just as much as the possibility of capital punishment.

Mr. Churchill: Would the hon. member accept a serious question from me on a very serious subject? He mentioned that in the last 45 years only two convicted murderers on parole have committed a second murder. Does this not bear out my argument of last year that the state cannot yet guarantee the safety of its law abiding citizens? In the two instances the hon. member mentions the state let out two murderers, who had already killed two law abiding citizens, at the price of the lives of two more law abiding citizens.

Mr. Mackasey: The hon. gentleman has a valid point. But what he is saying is that because two out of 122 returned to this crime we should keep the other 120 in prison, forgetting that 90 of them, when on parole, led useful lives, rehabilitated as far as the law is concerned, and contributing to society. The hon. member could carry his argument further and say that anybody convicted of anything should be kept in goal for the rest of his life, because this would protect society, taking account of the undisputed fact that criminals do not normally stop committing crimes after a first offence. The hon. member said this was a serious question, and it is. His questions usually are serious. I do not recall his arguments of last year, but he has made a valid point and I am sure the minister will wish to answer it.

Mr. Terence Nugent (Edmonton-Strathcona): I should like to comment first on the question asked by my hon. friend from Winnipeg South Centre (Mr. Churchill). It seems to me he has a valid point when he says the state has failed in this case in its duty to protect citizens from murderers, even if only two paroled murderers have taken the lives of people who would not otherwise have been slain.

All I can say is: I wonder how many innocent people have been hanged on the basis of evidence presented in courts, because of the possibility of injustice which is always bound to exist. I suggest that having regard to the number of hangings and the possibility of error, society has murdered more than two

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innocent people in its anxiety to protect people, and if we wish to keep a score we had better stop hanging now.

I was most impressed by the presentation of the case for this bill on the part of the Solicitor General (Mr. Pennell). The argument I have always found most impressive is that a society which so respects human life that it will not take it, even after due process of law, is a society which will encourage respect for human life to such an extent that murder will diminish. This is an element in the protection of society against which no one can argue; the best way to protect life is to foster a society which believes in the sanctity of life.

I was not much impressed, however, by the way in which the Solicitor General and the government have been handling this question of capital punishment in the last couple of years. I spoke in favour of abolition last year. We had a debate about 18 months ago—a very good debate, I think, in which most of the arguments for and against abolition were put forward. There has been no startling change in the incidence of crime since then, as far as I can recall, which would create a necessity for this house to debate the subject again—other than the handling by the government of cases involving the royal prerogative. Yet here we find the same people, the same House of Commons, the same parliament, debating the question again. As we were reminded last night by the hon. member for Victoria-Carleton (Mr. Flemming), the house has already made a decision, one which this government has refused to accept; it has refused to carry out the wishes of the people of Canada as expressed by a majority in this house.

● (3:50 p.m.)

Surely the Solicitor General can appreciate the cogency of the argument that respect for human life as shown by the state is likely to have a good effect on the conduct of its citizens, so that it is a powerful force in itself in deterring the taking of human life. This government should be able to comprehend that respect for the wishes of the people—because the supporters of this government form a majority in the House of Commons—is also a very powerful influence on the thinking and behaviour of the citizens of this country. I can think of nothing which is more harmful to a society than when the respect of the populous for the government wanes; nothing is more harmful in a country than bad justice, unless perhaps it is the bad