

Capital Punishment

wonder how those great proponents of capital punishment opposite can justify the hanging of an innocent person. These seeds of injustice cannot be eliminated, despite the elaborate safeguards which have been built into our system of criminal justice.

Mr. Taylor: What about the innocent victim?

Mr. Dionne (Northumberland-Miramichi): The hon. member for Bow River is squawking again. He wants me to tell him about the innocent victim. Let him tell me about the innocent victim of capital punishment. Let him tell me how hanging someone will bring back the life which has already been taken. Where is his sense of justice? It must be in the backwoods someplace.

Mr. Taylor: I would like to tell you that they will never do it again. They will not be killing three and four like they are now.

[Translation]

Mr. Cousineau: Mr. Speaker, out of courtesy for the speakers this afternoon, I refrained from shouting or interfering otherwise. I listened very carefully to the hon. member for York North (Mr. Gamble) and would also like to hear my hon. friend, if only the hon. member for Bow River (Mr. Taylor) would shut his trap.

[English]

Mr. Taylor: Tell the hon. member not to ask questions, then.

The Acting Speaker (Mr. Blaker): Order, please. First, any hon. member seeking the floor and who wishes to be recognized by the Chair should wait until he is recognized before he speaks. Second, heckling is not going to disappear and I know of no way to reduce it. Third, it is six o'clock and the House is adjourned until eight o'clock.

At 6 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

Mr. Dionne (Northumberland-Miramichi): Mr. Speaker, when we adjourned for the dinner hour I was trying to discuss some of the moral issues involved in capital punishment and the uneven application of the law. I will continue by saying that punishment which carries with it such possibilities of injustice in terms of its actual application cannot possibly be defended on principles of justice or morality.

One commonly heard argument is that the punishment must fit the crime, and that the most serious and heinous crime in our society merits the most serious punishment. On the surface, this principle seems logical. It also suits very well as criminological or penological principle. The more serious the crime, the more serious the punishment. However, that principle is not the same as saying that one must punish in exactly

the same way the crime was committed, which is the issue before us in terms of capital punishment.

Those in favour of capital punishment say that murder by an individual requires, as punishment, murder by the state. That is erroneous reasoning. The fact that it is erroneous is demonstrated easily enough. For example, there are many instances of assaults and woundings in this country in which the victims are injured, to a greater or lesser extent. If, for example, a victim receives a stab wound, does it necessarily imply that the state must inflict a stab wound on the perpetrator of that crime? Does it mean that if someone commits a robbery, he must, be robbed; or that if he commits rape, he must, in turn, be raped? Of course, it does not. We would think the person who would suggest such a thing to be ridiculous or uncivilized. That kind of reasoning smacks of revenge more than justice.

In this country in the western world, we have evolved a complex system of justice to deal with these matters. It is the purpose of the courts to decide upon the appropriate penalties within the law which are tolerated within Canadian society. Generally speaking, the more serious an offence, the more likely it is that the offender will be given a term of imprisonment, deprivation of freedom being considered a very serious penalty by Canadians. Proponents of capital punishment do not argue that for crimes other than murder the offender must receive the same degree of injury or damage that he inflicted on his victim. Why do they then do so for murder?

I repeat, it is not logical to conclude that murder must be recompensed in kind by a murder by the state. If the state is involved in violence, it seems to me that the state is, in fact, encouraging violence. I think of that old quote from Sir Arthur Conan Doyle: "Violence does in the truth recoil upon the violent, and the schemer falls into the pit he digs for another."

A second type of moral argument which is put forward is that the majority of Canadians want capital punishment, and therefore the government must respect their wishes. I am also sure that a majority of Canadians do not want to pay taxes and they do not want regulations; but no one has suggested that we stop paying taxes or that we stop regulating the activities of the people at large.

An hon. Member: We suggest you reduce them.

Mr. Dionne (Northumberland-Miramichi): That is a totally different argument. The hon. member says, "We are suggesting that you reduce regulations and taxes." That is a totally different argument. However, every town and city in this country has zoning regulations. No one likes them particularly when they run afoul of them, but everyone likes them when someone wants to put a tract beside their houses.

The argument appears to be that if one has a head count on a certain issue, representatives in Parliament must carry out that issue. The hon. member who spoke previously made that very point. This is, in fact, a rather tenuous moral argument but one which is based more on a view of what government is, on what democracy means and what the role of a member of Parliament is. I contend that because polls, seemingly, show