

Criminal Code

human justice because I have spent a great deal of my life working in the courts and engaged in the administration of justice. This experience has convinced me that the rules of the law and their application by an independent judiciary, is one of the greatest achievements of civilization and one of which we are justly proud. But, Mr. Speaker, it has equally convinced me that like other human institutions, it can go wrong and make serious errors.

Human beings are not free from blindness and prejudice—

Mr. Deputy Speaker: Order. I must advise the hon. member that the time allotted to him has expired.

Some hon. Members: Continue.

Mr. Deputy Speaker: There has been no request from the hon. member to continue.

Mr. Brewin: I only have two or three minutes more, and I crave the indulgence of the house.

Mr. Deputy Speaker: Does the house give unanimous consent to the hon. member for Greenwood to continue?

Some hon. Members: Agreed.

Mr. Brewin: I wanted to add a very few words to what I have already said.

Human beings are not free from blindness and prejudice merely because they are chosen to serve on juries, nor are lawyers, just because they are appointed judges, infallible. Should we not all shrink from any authorization of the retention of the death sentence or from any responsibility for authorizing it when, through the inevitable fallibility of all human justice, the sentence of death may be executed on innocent people? There may not be many of these cases, Mr. Speaker, but there should not be any.

So, amongst the other reasons I urge the house to consider for deciding in favour of this resolution, I urge this ground, the ground of the established fallibility of human justice. I urge the members of this house to take an important step forward by passing this resolution. I urge them to take this important step forward to what I believe is a more civilized, more humane approach. Many nations in the free world have abolished capital punishment without ill effects. They are among the leading, the most civilized countries in the world.

[Mr. Brewin.]

I recognize, Mr. Speaker, that many murders which are committed arouse natural instinctive horror and indignation. In those cases, capital punishment may appear to some to be the appropriate remedy. I suggest however that in these matters, perhaps as in all matters, a combination of compassion and cool and practical calculation of the evidence is the best guide, and not human indignation.

Mr. Howard Johnston (Okanagan-Revelstoke): At the outset, I should like to express my appreciation of the opportunity of participating in this debate on this very important subject. I should like to have it clearly understood that the opinions I express in this debate are my own and the responsibility for them is mine.

A few years ago I visited the Tower of London, that ancient institution, and came upon a huge black block, attached to which was a large axe. This instrument had been used on many occasions for execution. I was struck by another visitor to the tower, a young, attractive woman who had a small and very lovely daughter with her. The woman brought her daughter to the block and showed it to her. She spoke of it in awe-inspired tones and took particular pains to point out to the small girl that this was the axe. I wondered at the time whether the small girl would have nightmares. I watched her reaction and decided she was too young to understand what was being pointed out to her, so she would sleep well that night. Whether or not she was brought back to the tower to look again at that grisly instrument, I do not know.

However, I do know that when I left the Tower of London and stood outside once more, I felt I had returned to a different age, a different time. I do not know whether I was right because, here we are, four years later debating whether or not we should abolish capital punishment. I am sure that there would be a public outcry in Canada today if we put on public display the instruments we use now. I do not believe we would tolerate a museum for the instruments of capital punishment. Times are changing and the children who are coming along today are changing more rapidly than we did as children or our ancestors did.

I should like to read the words of a present-day prophet who happens to be a prophet from our own country and therefore may or may not be without honour. He is speaking of the rapidity of the change in the