

Criminal Code

that the question of capital punishment should not be discussed, but I think in keeping with the motion in connection with which it is now being discussed it would be more appropriate and helpful if it could be discussed at this stage in as noncommittal a manner as possible.

Mr. Knowles: Mr. Speaker, I do not know whether this is a point of order on which Your Honour feels compelled to rule.

Mr. Speaker: I think what the minister has in mind is that hon. members in speaking to the substance of various points which are later to be examined by the committee should not oppose the principle, and that not too many members who might later be selected as members of the committee should declare that they are opposed to certain principles and therefore go with blind eyes or very open eyes along the lines they intend to follow and have announced in the house they intend to follow. I think he had in mind citation 529 of Beauchesne's third edition, where it states that a member who is totally opposed to certain particulars of a bill or a motion may be excluded from a committee. His point was perhaps not so much one of order but rather a point of wisdom.

Mr. Knowles: I think there is wisdom in the position that you have taken, Mr. Speaker, with respect to this point of order, and I think also there is much to be said for the contention by the Minister of Justice that the water has been muddied a good deal today. As a matter of fact, although it is a very common expression on the part of members that they did not intend to speak, I did not intend to speak myself until the Leader of the Opposition (Mr. Drew) waxed so warm on the other side of the question than that which I take.

I said when I started that I did not intend to repeat any of the arguments put forward already today by my colleagues to whom I have referred, but there is one point that kept coming to my mind as I listened to the hon. member for Temiscouata (Mr. Pouliot) and the Leader of the Opposition. They and other members say that before we abolish capital punishment we must consider society; we must be concerned with the protection of society, and we must not, if I may quote the hon. member for Temiscouata, be too indulgent with murderers.

I could not agree more. I am not asking for indulgence for murderers; I am not asking that we disregard the rights of society. What I am concerned about, and I can say it very briefly, is what the practice of capital punishment does to society.

[Mr. Garson.]

I am far more concerned with that than I am with what it does or does not do to the convicted murderer. The hon. member for Temiscouata referred to some of the recent instances of trials for murder and the newspaper publicity that was given to the executions that took place, and he used the word "barbarous" in relation to the way people act at such times. That is what capital punishment does, regardless of what it does to the accused or convicted murderer. It makes society that much more barbarous.

I think there are other ways of dealing with this question and protecting society from further murder by the same individuals. I think there are other ways in which to try to get rid of murder and that is through reforms, through the removal of some of the causes that lead to murder, for even after it has taken place capital punishment does not bring back the life that has been taken. Whatever it may or may not do for the murderer it brutalizes society; it makes us a barbarous group of people, and I think we have moved on to a point where for our own sake we can devise a better way of dealing with this serious question.

Mr. Colin Cameron (Nanaimo): Mr. Speaker, it was the hon. member for Temiscouata (Mr. Pouliot) who brought me to my feet. I did not intend to speak, but I felt it was time to protest when I heard the hon. member suggest that only those who are members of the legal profession really have an opinion that is worth anything on this question. I would submit to you, Mr. Speaker, that this is not a legal question; it is a statistical and moral question. As far as I am aware the legal profession does not give any particular study to the study of statistics, and I think it would be a very bold member of the legal profession who would suggest that they are entirely the palladium of all moral virtues.

It has been suggested by those who have spoken in this debate that we must bear in mind the suffering and bereavement of the family of a murdered man or woman. That is quite right. We should certainly bear that always in mind. But I am at a loss to understand just how their condition would be improved and how their woes would be relieved by hanging the person who was directly responsible for their tribulations. I think we should face that fact quite plainly, and those who suggest that as an argument for capital punishment should realize they have one motive and one motive only. That is the motive of revenge, because it serves no useful purpose and does no good to the