

*Criminal Code*

fact that those men chose to speak so loud and to inform so little. I finally deplore the fact that they worked to raise doubts about the authority of the federal parliament in this regard.

I feel it is important, Mr. Speaker, to stress the fact that, in matters of criminal law, the federal authority is beyond question and that only complete ignorance of the constitution could explain any doubt about that. I find it passing strange, therefore, to see a provincial minister who is jealous, and rightly so, of provincial prerogatives, take it upon himself to question publicly the power held by this house to amend the criminal code.

That power certainly entails one of the most awesome responsibilities we have to bear as members of the House of Commons. In my opinion, that responsibility is the second most important among all those that are handed to us, since I do not believe it is surpassed by any other except the even more awe-inspiring power to declare war and make peace. But it is obvious, even beyond question, that this is our responsibility and I find the time quite ill-chosen to question it just when the house is getting ready to assume all the risks of a difficult choice.

Far be it from me, Mr. Speaker, to question anyone's right to voice his opinion on capital punishment. In passing, I wish to thank all those who took the trouble to inform me of their position during the weeks preceding this debate.

But I consider it improper for a provincial minister to forget the limitations of the duties assigned to him and state publicly his own opinions without making the necessary distinctions. Indeed, in this field as in any other, we are doing a disservice to the citizens of this country each time one of us, whether he be a private member or a minister, at the provincial or at the federal level, goes beyond his jurisdiction to encroach upon that of another authority.

Having said that, Mr. Speaker, I would now like to examine two aspects of the question: first of all, and briefly, I would like to review some of the most widespread opinions on the problem of capital punishment; then, and mainly, I would like to develop what I feel is a fundamental argument in favour of abolition, that is social progress.

I will admit right now, Mr. Speaker, that most of the traditional arguments in favour of capital punishment seem obsolete to me

today. The exemplary value of that punishment and its alleged effectiveness as a deterrent for the eventual murderers are reasons—and other speakers will prove this better than I can—which do not bear up under scrutiny. In fact, if statistics prove anything, they prove precisely that maintaining or abolishing the death penalty has very little influence on the number of murders, so little in fact that it cannot be clearly established whether it increases or decreases the frequency of such crimes.

And it will take more than the statistics given by the hon. member for Swift Current-Maple Creek (Mr. McIntosh) to change my mind, because I think that covering such a short period of the world's history, they cannot lead to any valid conclusion.

It is not a matter of believing or disbelieving the effectiveness of the punishment; it is not a matter of faith or impressions. If the deterrent effect existed, it could be measured and proved, which is something no one has succeeded in doing satisfactorily so far. Claiming that one believes in the deterrent effect of the rope does not make sense, unless one can prove with figures what one is saying.

I also find it strange that some are still trying hard today to convince us that the victims' blood is crying for vengeance and that society, by putting the murderer to death, is doing its duty with regard to the survivors of the victim.

We know very well, Mr. Speaker, that such revenge is useless, that the wrong committed by a murderer is irreparable and that the execution of the murderer will never bring the victim back to life. Recently, a Quebec labourer whose young daughter was the victim, several years ago, of the most odious crime we have ever witnessed, said simply in reply to some newspapermen who, after the trial, asked him if he wanted his child's murderer to hang: "That will not bring my little girl back." And this comment, to me, is more eloquent than all the speeches in the world.

Finally, Mr. Speaker, I am amazed that even today the Christian doctrine is called upon in the defence of capital punishment. Yet, it is common knowledge that most religious authorities have expressed views favouring abolition, while the rest were satisfied to say that the matter was a political problem about which Christians remained