

Criminal Code

be considered concerns the lack of employment now experienced by thousands of people across Canada and especially in the county which I have the honour of representing. I am of the opinion that the government should also co-operate to bring about the solution of this problem.

As far as lotteries are concerned, the Criminal Code should be amended so as to allow the provinces to organize lotteries, the proceeds of which would be used to give help to hospitals, as well as for relief and, more particularly perhaps, educational purposes.

If my memory serves me right the government of the province of Quebec unanimously adopted—not very long ago—a motion in favour of state lotteries as a means of subsidizing education. Millions of dollars leave this country every year which could be used with advantage right here in Canada and of which our people are being deprived. No one will ever stop our people from gambling. They will never give up the pleasure of betting. In the meantime we are losing millions of dollars to other countries which could otherwise be kept here and be of immense service to education, public welfare and hospitals.

Consequently, I am definitely for the setting up of this committee to ensure that the Criminal Code be amended not to abolish capital punishment but, if possible, to allow for lotteries under provincial sponsorship which would enable us to give our universities, for example, the money they need to meet their obligations and at the same time prevent the federal government from interfering in matters which come under the exclusive jurisdiction of the provinces.

Mr. Jean-François Pouliot (Temiscouata): I shall be brief; I shall say in a few words what I think of this motion.

(Text):

Mr. Speaker, I want to be understood by all my hon. friends. We must consider this matter with an open mind because it is a serious matter. What strikes me is that those ladies and gentlemen who are in favour of the abolition of capital punishment are without any experience in law. They are kindhearted people who consider it wrong to punish a murderer by putting him to death. They have the best intentions in the world, as have those who favour capital punishment. It works both ways.

But they forget that those who have committed murder have not abided by the law and have had no consideration for the neighbour whom they have killed or for the relatives and children of the murdered man. It

[Mr. Dufresne.]

is a serious matter. Some people seem to be under the impression that if things are left as they are, if there is no change made in the provisions of the Criminal Code with regard to capital punishment, then the members of parliament—I include the members of both houses—will be indicting any man charged with murder and sentencing him to death. That is not the case at all. Far be it from me to think that with the experience I have had as a member of the bar appearing before the bench and the jury box.

What about the jury? The jury is one of the most remarkable and useful institutions in British *corpus juris*, the right of a man to be judged by his peers. The members of the jury are selected for the panel by the attorney general of the province, or under his authority by the local people.

What happens? A murder is committed, not always in connection with theft as was suggested by the hon. gentleman who just spoke. A murder may be inspired by passion, by love, by vice, in connection with kidnapping and rape and the defilement of children. A murder may be committed for many reasons and for many objectives. Are we to be so tenderhearted that when a man commits murder we will be more indulgent toward him than he has been toward those who have suffered at his hands? Shall we forget that by being indulgent toward a man guilty of murder we encourage the idea in the minds of those who may be inclined toward committing murder?

What about the stories we read in the newspapers glamorizing murderers, showing their pictures, describing the colour of their shirts? That is often the treatment given by the newspapers to the man who has killed another man or woman. The press is hideous in giving yellow details about these men who should be ignored, who should be hanged in secret and seclusion. Instead our press appeals to the morbid feelings of the crowd, which is often more rapacious than the people to be found in the wildest part of Africa.

In what sort of age do we live? Why is it that the first thing read by young people is often the headline of a murder trial, the trial of a man who is unworthy of having been born? What about the women who are shameless enough to pack our courtrooms in order to listen to all the details of a murder? In what age do we live? Capital punishment should remain on the statute books as a protection for society. In the past, Mr. Speaker, death was the penalty for rape but the courts have been rather indulgent—is indulgent the word? The courts have been weak in not applying capital punishment to rape. What is the result?