

Criminal Code

If this responsibility is clearly established, and if extenuating circumstances are definitely inadequate, the judge may have to condemn the accused, but never in a vindictive spirit or according to the "eye for an eye" philosophy.

On the contrary, he must do it only to protect society and with a feeling of suffering and humiliation, for the whole of society must also feel partly responsible for the wrongdoings of the accused and if the state is denied the right to take the life of one of its members, it should, by the same token, be denied the right to deprive a man of his freedom forever, leaving him without hope of freedom or rehabilitation. The argument for the substitution of life imprisonment to capital punishment is thus deceptive. However, I would favour a less inhuman means of execution than hanging.

In conclusion, Mr. Speaker, I may say that I have tried to present my personal views, freely and according to my own conscience. Before resuming my seat, may I take this opportunity, since I could not do so earlier, which explains my lateness, to congratulate you on your appointment, which I do as warmly and sincerely as those who spoke before me.

● (9:20 p.m.)

[English]

Mr. Melvin McQuaid (Kings): Mr. Speaker, in rising to take part in this debate I do so with a full realization of the fact that the matter of the abolition or the retention of capital punishment can be the subject of much emotional sentimentality and argument which in the final analysis will contribute very little to the final determination of the question. This, of course, is a very controversial issue in respect of which attitudes in many cases are deeply rooted and highly motivated in the minds of the respective advocates. They are capable of arousing powerful emotions. We must, therefore, be careful not to stigmatize the abolitionist as necessarily being on the side of crime and castigate him for wasting his sympathy on cold-blooded killers by the same token, those who favour retention must not be stigmatized necessarily as being heartless and lacking in mercy.

This, as I said, is a very controversial issue in respect of which good people honestly are divided, all having high motives in their respective convictions and each advocating that which he thinks is best for society. You

might ask yourself why anybody from the province of Prince Edward Island would even interest himself in the question of capital punishment, because in the four year period from 1961 to 1964 inclusive we have had only one murder in that province, resulting in one victim. As a matter of fact, statistics will indicate that we have the lowest incidence of crime of any province of Canada. In the last year for which Dominion Bureau of Statistics figures are available we had only 81 persons charged with indictable offences, resulting in only 75 convictions—one in every 1,440 people, the lowest by far of any province in Canada.

We are justifiably proud of the law-abiding tendencies of the people of our small province, of the very effective work done by our police forces in suppressing serious crime, and the very efficient work done by our social agencies in diverting in some other direction those who may have a possible propensity to crime. We have approximately 21,000 young people in our province between the ages of 10 and 19 years and of that number, during 1965, we had only 35 brought before the juvenile court. This represents only one in every 600 between the ages of 10 and 19. I suggest this is a remarkable record and a very clear indication that fathers and mothers are giving more than mere lip service to respect for the law, and are instilling this same respect in their children. I am sure that had we more of this, the retention or abolition of capital punishment might not loom so large on the Canadian horizon today.

I am very interested in an article which appeared recently in an issue of *The Christian Science Monitor*, entitled "Are you a delinquent citizen?" It asks the question "Where does crime start?" and continues to state that the answers are almost unanimous.

Whether couched in psychiatric terms, in the scholarly language of the educator, or in the hard vernacular of the professional policemen, all point in one direction: the home.

Another major institution that can and does help prevent delinquency is the church.

These factors, as I say, are important; if we had more direction from the home base, we might not be so concerned about the abolition or retention of capital punishment. I am convinced, however, that we in this house have an almost inescapable obligation, irrespective of where we come from, to speak out on any social problem of such magnitude and importance as this. I think the government is to be congratulated for bringing the question before us in such a manner that we are able to vote on it without regard to party lines.