

Criminal Code

We all agree with this, but supporters of capital punishment argue that it is in the name of God that the state exercises this right.

It is true that authority comes from God and that exercises its power in the name of God, but nowhere has it ever been said that the state should put murderers to death. After the exostulations of my colleague to my right, the hon. member for Prince (Mr. David MacDonald), in his brilliant speech of last Thursday, I shall steer clear from the Holy Scriptures, but my recollection is that the Lord did not sentence to death Cain, murderer of his brother and the very model of heinous criminals (Genesis 4, 9-15). On the contrary, the Lord set a mark upon him, lest any finding him should kill him and said: "Whosoever slayeth Cain, vengeance shall be taken on him sevenfold."

Considering these four points, Mr. Speaker, we may then conclude, first, that capital punishment is not essential and necessary to the protection of society against murder and above all that it is not the only means to that end; second, that the retention of the death penalty is a step backwards in the march of civilization and social progress; however, I make haste to add: provided that an alternate punishment is found.

This is precisely where the difficulty lies. I followed closely the argument of the hon. member for Hochelaga (Mr. Pelletier) and I agree with him, save when he suggests that any change involves some risk. If the risk is too certain and too great, I shall not follow him at all.

If we are deciding on change for the sake of change, as I feel we are now doing, the risk is too great. What is the alternative to the motion we have before us?

If paragraph (a) suggests a definite move on which agreement could be reached, paragraphs (b) and (c) are vague, indefinite, without specifications, without the least suggestion or indication of the means to be taken to implement this substitution for capital punishment or even a definition of the words used.

Is this not the weakness of this procedure? Up to now, the government has taken no responsibility whatever, has no alternative to suggest and it is significant that only two members of the Cabinet have spoken to date. Personally, I cannot accept proposal (a) without knowing in advance the provisions which will be made under (b) and (c), the judicial reforms which will influence these provisions

[Mr. Regimbal.]

and the institutions to which the condemned will be sent.

But in fact, why the hurry? I feel, Mr. Speaker, that it is advisable to refer this whole question to a parliamentary committee which could secure experts in all areas concerned and present the house with an informed opinion on the appropriate alternative to capital punishment. Therefore, I suggest that debate on this motion be adjourned and that items (b) and (c) be further seriously studied after which the government can introduce a public bill properly drafted with all the necessary shadings.

Unless this is done, I believe that many honourable members will find themselves, as I am, forced to vote against the present motion which is unacceptable in its present form and incomplete in substance.

● (7:40 p.m.)

[*English*]

Mr. Speaker, I must confess my inability and incompetence to propose an amendment to the motion, and I am sorry for it because it seems to me that if we could so arrange the motion that paragraph (a) could be accepted in principle, we would have accomplished a great step forward in progress. And if we could amend paragraphs (b) and (c) to give us the assurance that no implementation shall be carried out until a majority of members are satisfied, through expert counsel, that adequate and complete substitution as well as judicial and penal reforms are completed, we might then allay the legitimate fears and premonitions of retentionists.

Mr. Raymond Rock (Jacques-Cartier-Lasalle): Mr. Speaker, in speaking on the resolution which refers to "abolishing the death penalty in respect of all offences under that act," there have been many speeches made for and against the abolition of capital punishment, all made conscientiously by hon. members after seriously studying all information available.

During the last session of parliament members received an abundance of literature from various religious groups and other associations, together with many publications on the pros and cons of capital punishment. We have all read and carefully studied this literature. In most of this literature on capital punishment it has been found that, although the impression made is that the authors were looking at both sides, the statistics shown were assembled by abolitionists to support their conclusion that the death penalty be