

*Criminal Code*

favour of abolition, because they are reasonable and sensible people who I think will approach this matter without emotion and look straight at the facts.

What are the facts? Here are some of them. First of all, the right hon. Leader of the Opposition gave them very, very clearly this afternoon as did some later speakers. We have seen from the facts that whether or not a country or a state has seen fit to retain or abolish capital punishment the rate of murder has remained practically unchanged, has remained virtually the same. All right then; I would say to the member who spoke this afternoon, if the rate of murder is virtually the same whether you retain or do away with capital punishment, we have the right and the obligation to say to our constituents that capital punishment does not protect them any better than a method of keeping the criminal in custody safely away from society. We have the right and the obligation to take away from our constituents a false view; that is, that capital punishment somehow protects them just because we always have believed that. We should give them the facts and figures to support this.

I believe we have the right to let them know in respect of the policemen and the prison guards who have been killed, that in no over-whelming number of cases has that killing of policemen and prison guards been done by murderers. It has been done by a hard core of criminals, just as many of whom were non-murderers as were murderers. I think we have the obligation to tell that to Canadians. I believe that once the people realize these are the facts, we do not need fear their reaction. I am not afraid of any feeling on the part of Canadians. I believe they would want to have the truth in front of them and would want to know what it is.

There is one bit of scripture which I always have believed, "And ye shall know the truth, and the truth shall make you free". If we can get the truth to the people, I am not afraid of the result.

Hanging does not bring the dead back to life, nor does it help the survivors. In my view—and I think I am saying something which nobody else has said yet in this debate, and this is hard to do—I cannot see why it would not be an excellent thing, while the murderer is retained in prison, to employ him at some useful work, the result of such work being directed to help the family of his victim. In that way his rehabilitation can be

a useful way of making a measure of restitution. There never could be complete restitution. However, I think he should be given an opportunity to make up to the family and relatives of the victim as much as he can. I believe this is in line with the thinking of modern penology.

In my view when a murderer commits a crime, if the state snuffs out his life the state compounds the crime and commits a second one. What happens when a boy kicks his younger brother and the father turns around and kicks the bigger boy? This does not help the little fellow and it implants in the bigger boy a feeling that he wants to get a little older so that he can get back at the fellow who kicks him. That is the type of thing we want to get away from.

We have been struggling through all this miasma of fear; I have seen this in the house. Of course we are afraid, because we are on the frontier of evolution in this matter. This is the reason in many ways it is a thrilling debate—because it is new for Canadians. But it is not new for other people. The whole trend in the world today is towards the abolition of the death penalty. This has been brought out by one or two other members, but I wish to bring it out again, because I think it is important. The fact is that country after country—and Europe is the place where one finds it most frequently—has reached a point today where capital punishment has been done away with. Luxembourg began the process in 1822, Belgium in 1863, Portugal in 1867—100 years ago when we were beginning as a country—the Netherlands in 1870, Italy in 1890, Norway in 1905, Sweden in 1921, Denmark in 1930, Switzerland in 1942, and Great Britain in 1965. All the enlightened, forward looking countries, when at last they reached the stage where they got it through their minds that capital punishment was barbarism which belonged in the middle ages, did away with the death penalty.

• (7:10 p.m.)

It is interesting to note that during the Mussolini regime Italy again brought in the death penalty and that during Hitler's regime Germany also brought back the death penalty. When Hitler and Mussolini brought barbarism back to these two countries the death penalty also returned. Italy and West Germany have subsequently abolished the death penalty. East Germany does not belong to that part of the world that we consider advanced in these matters.