

territorial economy. However, the number of members cannot be fewer than 12 nor greater than 200.

Mr. Nielsen: Would the hon. member permit a question?

Mr. Guay (St. Boniface): Yes.

Mr. Nielsen: My question is more in the nature of clarification. I do not think the hon. member would want that last statement to stand. He was not on the committee, but there was a discussion between the minister, the representatives of the Yukon council, and myself during the committee proceedings on that bill, at which time an undertaking by myself and the elected representatives of the council was given the minister that the size of the council would not be increased beyond 12 until after the 1978 election. That is where we stand on the fixed undertaking, that the size of the council will not be altered. That has a bearing on the aspect of the bill to which the hon. member refers.

Mr. Guay (St. Boniface): I do not know whether the hon. member for Yukon heard me properly, Mr. Speaker. He can read what I said in *Hansard*, or I can repeat it. I said that Bill C-9 also provided for the council to increase or decrease its size in line with future changes in the Yukon's population. This will provide more flexibility, especially in view of the significant population fluctuations which may occur as a result of changes in the largely resource based territorial economy. However, the number of members cannot be fewer than 12 nor greater than 20. That is what I said about Bill C-9 a moment ago.

Mr. Nielsen: But my only point is that we are frozen until 1978 by our own undertaking.

The Acting Speaker (Mr. Turner): Will the hon. member for St. Boniface (Mr. Guay) accept a question?

Mr. Guay (St. Boniface): No, Mr. Speaker, I would rather finish what I want to say.

The Acting Speaker (Mr. Turner): The hon. member for St. Boniface has the floor.

Mr. Nielsen: Let's take the vote, Joe.

Mr. Guay (St. Boniface): I should like to conclude by saying—

The Acting Speaker (Mr. Turner): Order, please. The hour appointed for the consideration of private members' business having expired, I do now leave the chair until eight o'clock p.m. later this day.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

Capital Punishment

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

MEASURES RESPECTING PUNISHMENT FOR MURDER AND OTHER SERIOUS OFFENCES

The House resumed consideration of the motion of Mr. Allmand that Bill C-84, to amend the Criminal Code in relation to the punishment for murder and other serious offences, be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

Mr. Arnold Malone (Battle River): Mr. Speaker, at five o'clock when I was part way through my speech on Bill C-84 I had been talking about the essential cultural formula that exists in all societies where we in essence have sets of established behaviour that are either rewarded or punished. We have to view the whole concept of behaviour, reward, and punishment as a package, and in fact it is folly to think we can focus on any one aspect of this formula and create a situation in which we have a society that is well behaved or one within which we would have what you could call established societal norms.

Perhaps it is in order again to point out one of the questions which ought to have been considered prior to the discussion of Bill C-84, and that is the method of execution, should the bill happen to fail. This makes a tremendous impact on the views of many people. I think there is no doubt about it, after all the historical references that led to the very concept of execution, the practice of hanging was developed in a period of time when the sole intent of the practice was to be punitive and torturous. Its purpose originally was not simply to execute a person, taking him out of society for some ill-founded behaviour, but in fact to make him suffer as painful a death as possible. Prior to adopting the practice of execution by hanging it was the practice to draw and quarter, to burn at the stake, or to do whatever else might be deemed to effect a very miserable death.

In view of the perspective as to how society should view the practice of capital punishment in more modern times, we need to consider not only whether we do or do not retain the practice, but also what method of execution there will be if capital punishment is retained.

I did mention before, and I want to put it on the record at this time, that the statistical data in respect of this question are, by and large, irrelevant. I say that because there has not yet been established in this House an empirical relationship, in the cause and effect sense, which correlates capital punishment to an improved cultural system of human behaviour.

We are talking then about shaping and changing behaviour, which in fact what must happen. We are considering what we must do in respect of the influences and stimuli that shape and mould the behaviour of human beings. To take this position one necessarily has to believe there are only three factors that influence human beings' behaviour; one of these has to be generic heritage, another has to be the state of health at the present time, and the third has to be the sociological and physiological environment in which human beings live. It is in that latter area that we can