

*Criminal Code*

meet with the general approval of many of our citizens who, while favouring capital punishment, oppose just as strongly our present repulsive system.

As I said earlier, I commend the hon. member for bringing this matter to the attention of the house. But again I say that we must not allow sentiment to turn our thoughts away from the plain fact that cold-blooded, ruthless, callous, heartless killers must be punished in a manner, and the only manner, that they will ever understand.

I think every member in the house, in his own heart, would hope that justice could be served by not taking another life. Nevertheless I cannot help feeling that, owing to the fact that we have capital punishment, men are alive and in their homes tonight with their wives and families who might otherwise have been the victims of assassins' bullets.

No one has yet convinced me that the fear of the death penalty is not infinitely greater than the fear of life imprisonment. This has been proven many times, because in practically every instance we find that when sentence of the court is the death penalty, appeal is entered in the hope that a life sentence will be the final decision of the court.

Again I say that we should maintain capital punishment; but as people who are living in 1953 rather than 1853, I believe we should change to a less inhuman method that would eliminate for all time any such distressing situation as that which arose recently in Toronto, when it took two men almost an hour to die on the scaffold.

Again I commend the hon. member for Moose Jaw for bringing this matter to the attention of the house. As was said by the hon. member for Burnaby-Richmond, I would hope that some of our members learned in the law would take part in the debate so that we may have the advantage of their views. This is an important question, and one that should be discussed in detail. I trust there will be a full debate in which many hon. members will take part.

**Mr. O. L. Jones (Yale):** Mr. Speaker, I wish to express my support of this bill for one or two reasons which I shall attempt to explain to the house. First, I think the hon. member for Moose Jaw (Mr. Thatcher) has rendered a public service to the Dominion of Canada by bringing this bill before the house and giving us a chance to discuss it. I believe he has placed evidence on the record, both today and on the previous occasion he introduced this bill, that is overwhelmingly in support of his contention that

capital punishment should be abolished. We have not time in one hour to go into all these details, so this evening I shall just give one or two reasons why I think capital punishment should be abolished.

First, we are living in a Christian civilization, which about 2,000 years ago replaced a civilization which operated under the old Mosaic law. The Mosaic law upheld the theory of punishment on the basis of an eye for an eye and a tooth for a tooth. The coming of Christianity scrapped that law of revenge, replacing it with the principles enunciated in the New Testament, of love and tolerance. Therefore I believe that capital punishment, being based as it is on the Mosaic law, should be replaced by a Christian method of punishment which definitely would not include the extreme penalty as carried out today.

Secondly, facts are now available as to the experience of other states and countries, 30 of them, I believe, where capital punishment has been abolished, which prove that the incidence of violent crime has not increased since that abolition. Some claim there has been a large decrease in serious crime as a result of the change.

I am not satisfied that capital punishment acts as a deterrent to others. In the rare premeditated crime it may be a factor while the premeditation was taking place, but the fact that the act did take place proves that it was not a very strong factor. As a child I was told, as probably everyone in this house was, that I should follow the principle that God gave life and God only should be allowed to take it away, not even the state. I think that is the basic principle of Christianity today.

Some of those who favour the death penalty claim that it is cheaper for the taxpayer than maintaining a prisoner for life. That may be an argument more against our correctional institutions than against the abolition of the death penalty. Could not the policy of our prisons be changed so that life prisoners could be employed at useful work which would provide not only for the prisoner's keep but for the maintenance of his dependents outside the prison? I feel that that could be done.

Modern psychology and sociology accept the principle that human behaviour is largely unplanned and habitual rather than calculated and voluntary. This is supported by the evidence which is presented in the majority of criminal cases where men have been judged as suffering temporary insanity. Men who are otherwise normal have become