

Capital Punishment

One might say that an offender who is going to commit an armed robbery did not premeditate murder, he does not know who he is going to kill. But when an offender arms himself with a fully loaded machine gun, he may not know who he is going to kill, but he has made up his mind to kill anyone who will be in his way and try to stop him from getting what he wants.

In my view, Mr. Speaker, this offender must be considered as the one who has deliberately committed a murder.

One might also say that—as I have already mentioned when I spoke of the flexibility of our laws—if we cannot prevent abortion and homosexuality in some cases, we have legalized them up to a point and if we cannot prevent murder, we should abolish capital punishment. Then, why not say: If we cannot prevent theft, arson and rape, let us legalize them. And if we cannot enforce the law, let us simply abolish it.

Mr. Speaker, I think the trouble is not with those responsible for law enforcement. This uneasiness does not exist in our police forces which have many times shown their efficiency. The trouble is elsewhere. The suggestion is to abolish for 5 additional years capital punishment for murderers. And yet, in our society, we forget that we have still not abolished the life penalty for thousands of people who have to make do with crumbs from the social welfare. Those people are living in the most abject poverty and almost like animals. When they complain to civil servants, they are often treated like dogs.

Quite often those people protest because our society is sick and does nothing to enable them to lead an honourable life, as they have done until then. When they find how much we pay to maintain a prisoner, I wonder whether they are not justified in protesting.

The building only of the Sainte-Anne-des-Plaines prison cost on the average more than \$32,000 per inmate, for lodging only. Some reports indicate that an inmate's maintenance costs on the average are \$7,000 or \$8,000 per year.

Many families must content themselves with a scanty pittance because some of its members are crippled or sick, while people who have chosen to live on the other side of the fence are often treated like kings.

Mr. Speaker, no wonder that our society is sick, something is missing somewhere. As long as it has not been proven to me that abolition of the death penalty can improve society, I will feel compelled to promote its retention in the case of premeditated murder and in that case only.

Mr. Speaker, in due time I will vote against Bill C-2.

[*English*]

Hon. Otto E. Lang (Minister of Justice): Mr. Speaker, in the course of this debate you have heard a great deal about individual incidents and specific cases which raise a great deal of concern about law and order in our society. From time to time some hon. members suggest, I suppose, that they are more concerned than other members of this House about law and order in our society.

The hon. member for Abitibi (Mr. Laprise) has just completed his remarks which seem to me to clearly suggest he has serious doubt about the views of the govern-

[Mr. Laprise.]

ment on this issue and whether members on all sides of the House who favour the abolition of capital punishment really are on the side of law and order, on the side of the good and decent. I would remind you, Mr. Speaker, of a statement during the course of this debate on corporal punishment when a Conservative, whom I will not name because he is not here—but you can check *Hansard*—suggested, in effect, that we were probably on the side of the rapist because we were abolishing the whipping of rapists. I tried to make the point that it was the circumstances in which that kind of punishment took place that was particularly relevant to our view that it should be abolished, and I personally stated that I see a place for corporal punishment, particularly in family or similar circumstances, but not in prison circumstances.

The hon. member for Abitibi says he will not be convinced that capital punishment should be abolished until he is convinced about a lot of things, about how it will improve law and order in our society and how it will result in less murders. That is a case no one will easily try to make. I do not know that I follow the hon. member's logic, where he drew his lines, and why he does not want to go back to the fourteenth century when capital punishment extended to minor theft and where perhaps it had a deterrent effect because of the minor nature of the offences which it was linked. That, I think, is significant and is something we should bear in mind.

I was distressed in listening to the hon. member for Abitibi—I regret referring to him so often, but I am following him in this debate—if I understood him correctly, when he said there were times when the garbage of society should be disposed of. That is a term I do not think we should apply to any human being because it suggests there is never forgiveness, never a change of opinion or never a change of attitude. I presume that if the hon. member had been with Christ on the day when the adulteress was present and Christ said, "He that is without sin, let him throw the first stone," the hon. member would have in fact thrown it because he is more righteous than Christ was in that context. I do not think he would agree to any version of that situation which says that was not an offence of a serious nature. That was not the issue. It is a question of one's attitude toward the whole approach of a human being in our society.

As I approach this question I want to say that there are some, as the hon. member for Hillsborough (Mr. Macquarrie) said this afternoon, who find it straightforward and easy; they say there must, or must not be capital punishment on a doctrinaire basis. To the extent that one can be basically philosophical or doctrinaire on the question, let me state at once that I would, in a theoretical way, defend the right of the state to take the life of a person when that is necessary, reasonable and useful.

Some hon. Members: Hear, hear!

Mr. Lang: I would not translate that into a duty, and I would particularly demand of the state an examination into the premise that it is in fact reasonable or useful to take a life. Some may wonder why that is a burden which should be put upon those who would argue for the taking of a life. I personally see a great deal in the whole attitude we have toward life, the dignity of the person and the