

*Criminal Code*

where death was not a stranger. They learned to live with it, they learned to abide with it. If we thought the maintenance of the death penalty for crime in this country could save lives, I do not believe there would be any squeamishness on anybody's part about retaining the death penalty.

However, I am convinced from the evidence I have seen that the death penalty does not serve this purpose, the death penalty does not preserve the victim from those who would attack. If I thought that the justice for which this lady asks could be accomplished by the maintenance of the death penalty, I would maintain that penalty. But we have to ask if the taking of the lives of those who would murder really constitutes justice, whether the drunk who kills with a car is guilty, whether the child is less dead, whether that crime is less premeditated.

I am sure that if I, and other members who are in favour of abolition, thought that the stupid criminal described in this letter would understand the death penalty, was in some position to make a reasonable, rational judgment before he committed his crime, and that the death penalty acted as a deterrent on him at that moment, then I would say the death penalty would have to be maintained. Apparently this is not so. We have heard from people who have talked with criminals in prisons who have indicated that at the moment they were about to commit a crime they were not thinking about being caught or paying the penalty. I am not in favour of society taking vengeance, but even if society had to take vengeance to recall a life or to save another, I think it would be incumbent upon society to do that. I believe there may have been a time in our civilization when society had to do that sort of thing in order to preserve the peace. Under present circumstances I do not know that the carrying out of capital punishment saves any lives in our civilization.

I feel that capital punishment not only fails to accomplish the purpose it is supposed to accomplish, but its very presence may contribute to further murder because society, out of shock and abhorrence, makes a ritual of murder and pretends justice has been done, society has been protected. No such thing has happened. We cannot shirk the real task which must be carried out, that is to seek out the sick and potentially deadly before they commit their crime. This is the only way to cut down on death and murder and deviationist attacks. We have to rehabilitate those

[Mr. Saltsman.]

we release from prisons who are serving terms as dope addicts and as haters of the world. We must be certain, regardless of the crime for which they were incarcerated, that when they are released they are ready to face the world. Many of these people come out of prisons unreformed, not ready to serve some purpose in society, but as a potential menace to everyone they encounter.

● (8:20 p.m.)

Our society and our prisons are frequently the spawning grounds for further violence and for murder. Unless we tackle this problem at the source children will continue to die despite all the people we may hang. It is expensive to prevent crime and to cure the sick. Perhaps this is one of the reasons we have never done it. Perhaps this is one of the reasons we have taken the easy and the cheap way out and simply hanged a few people to assuage our consciences that justice has been done or that we have accomplished something in our society.

The hon. member who preceded me gave us the reason horse thieves were hanged. The reason was so that horses would be protected, so people would not steal horses, or something along that line. We do not hang people any more for stealing horses; and not too many horses are stolen, not even in the west where there are still a fair number. This is because times have changed and do not require this kind of penalty for that kind of crime.

In times when there was no bread for the people, when society could not provide it, a 12-year old boy was hanged for stealing a loaf of bread. We no longer have to do this because there is bread for the people. The cure was not hanging the 12-year old boy; the cure was making bread available.

When society could not tolerate its weak it exposed them as an ancient Spartan on the mountain, and that was the solution. But we have become too humanitarian for this. We can tolerate them nowadays; we do not expose them any more. Society has undertaken this task.

As mentioned by former speakers, when society could not support its old it left them to die at the roadside. They were left there, not out of some perverse form of cruelty; society left them there because it was one means of preserving that kind of society. We have now gone beyond that stage. We no longer leave our old to die. Today we look after our old, and we have taken this upon ourselves as the cost of being civilized.