

We are elected to look at the evidence in every case, whether it is capital punishment, taxation, or any other matter. We are elected to look at the evidence, to consider the well-being of mankind, including our constituents, and to make an honest decision.

The current leader of the Progressive Conservative Party of Canada, the hon. member for Rocky Mountain (Mr. Clark), said in the 1973 debate that 49.1 per cent of his constituents indicated that they would support a policy which meant the imposition of prison terms which really meant life imprisonment, or long imprisonment, instead of the death penalty. He went on:

It is important to reassert and respect the responsibility of parliamentarians to decide ourselves, in the final analysis, what course the country should take . . . The member of the Canadian parliament has a different and more difficult duty—the duty to be responsible to his constituents—to act in the way in which his judgment and conscience direct, and then to be judged. Our job is to judge; our fate, and restraint, is to be judged.

The new leader of the Progressive Conservative party is an abolitionist too.

The Progressive Conservative party is the only party in the House with three current or former leaders sitting in the House. I can go back to the remarks of the right hon. member for Prince Albert (Mr. Diefenbaker), who gave the famous Edmund Burke quotation of 1774:

Certainly, gentlemen, it ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence and the most unreserved communication with his constituents. Their wishes ought to have great weight with him: their opinion high respect: their business unremitting attention.

But, his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you—to any man, or to any set of men living.

We have those words in the records of the House of Commons.

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The last Prime Minister of Canada, the former Prime Minister of Canada from the Progressive Conservative party, and two other leaders of the Progressive Conservative party have come out and supported the idea that we have a right to our own views and a right to reach a conclusion. There must be some significance in the fact that all these various men chosen as leaders by the people of their political philosophies from across Canada, have taken this position in recent years and are abolitionists. Surely their judgment, which was considered as the basis for giving them the leadership of their parties, is the same kind of judgment which has led them to be abolitionists.

Some hon. Members: Hear, hear!

Mr. Fleming: In conclusion, I simply want to state that my position on this matter has been established since long before I became a member of parliament. I am answerable to my constituents. It will be no easier this time to vote for abolition of capital punishment than it was in the past to fight for it. But I do have a responsibility to carry out a trust and not to echo a mood or entrench a misunderstanding. I do gain some strength from the fact that many other people of greater experience, wisdom and respect, share my view. However, I support this legislation as it is before parliament on this occasion particularly because I truly believe it will be more effective in providing the Canadian public with safety and security.

Capital Punishment

Some hon. Members: Hear, hear!

Mr. Bill Jarvis (Perth-Wilmot): Mr. Speaker, this bill, C-84, proposes to abolish capital punishment. I shall vote against the bill, and by so doing of course I shall vote to retain the death penalty for those who commit premeditated, first-degree, cold-blooded or capital murder, call it what you will.

I say to you and to my fellow members of this House, Mr. Speaker, that no single issue, certainly since my first election over three and a half years ago, has caused me more personal concern and torment, and I do not think that is too strong an expression, than the issue of capital punishment.

There have been more complex issues during this period. I have only to think of our efforts to deal with the economy and inflation. There have been more frustrating issues, and I think of unemployment insurance and the energy crisis. There have been more heated issues, and we only have to go back as far as the recent so-called judges' affair.

However, in over-all terms the death penalty or its abolition is such a tremendous mixture of values and considerations that it defies, at least for me, a logical or rational approach to the problem and, frankly in my judgment, is incapable of a solution that will continue to be acceptable to all segments of our Canadian society and to all regions of our country.

Likely most of us have by now, and maybe have had for some time, a definite opinion on this issue, but the considerations that prompted us to formulate this opinion are not nearly so definite. A great deal of opinion has been based on religious considerations, and I think quite validly so. Much of my mail and personal representations that I have received have this basis. What is difficult for me, and I am sure some of my colleagues share this difficulty, is that we find different church groups taking diametrically opposite views on the retention or abolition of the death penalty.

Similarly, I have many constituents, and I am sure I am not unique, who are members of a certain church who will disagree firmly and openly with the official view that the church has taken. I suppose, therefore, I should not be too confused or even too surprised when I see two individuals in support of completely opposite positions quoting me the same holy scripture. That is the nature of capital punishment.

Another consideration involves the general concern regarding law and order, and in many cases it goes certainly far beyond concern. I detect a very real fear. Are our Canadian cities destined inevitably to become the Detroit of tomorrow? People see an increase of some 25 per cent in the number of murders committed in roughly a five-year period, and they want a solution. Generally people who are in fear look for a quick, simplistic, and understandable solution.

The abolitionist, on the other hand, will say with some justification that we should not have an emotional reaction to the problem but that we should work to create a society where law enforcement agencies, penal institutions, and rehabilitation officers work to eliminate the necessity of execution.