

*Capital Punishment*

[English]

"Why is it wrong to restore hanging" asks a *Toronto Star* article. As I said before, the death penalty is biased against the poor and the visible minorities.

"Whether somebody received the death penalty very often seemed to be a function of the quality of their lawyers," wrote Clifford Sloan, a former clerk at the U.S. Supreme Court . . . "By and large, the people who receive the death penalty are dirt poor."

The death penalty is irreversible. Since our justice system is run by human beings it is subject to human error, that is, we sometimes convict the wrong man. If we then hang him there is no turning back. Imagine if Donald Marshall, the Micmac Indian wrongfully convicted of murder in Nova Scotia, had been sentenced to death. It is bad enough that he served 11 years for a crime he did not commit.

[Translation]

My colleague for Charlevoix said earlier: "Let us trust our judicial system; I have every confidence in our legal system; I have confidence in the jury; we are acting like mature people by condemning someone to death for making a mistake." However, mistakes can also be made by condemning innocent people.

[English]

The death penalty is barbaric. Most western industrial nations, including even France—

[Translation]

—which was the country of the guillotine—

[English]

—have abolished it. The major exception is the United States, home of the Saturday night special. Other nations where it is still in practice include Iran, South Africa, and the Soviet Union, whose examples we do not normally follow.

The death penalty places an immense strain on our institutions. If it is reinstated, all death sentences will, as a matter of course, be appealed to the Supreme Court and, thence, to the Cabinet. The nine justices and 40 Ministers had better be prepared to devote extraordinary amounts of time to each and every case. If they did not, they would not be fulfilling their duties.

[Translation]

The advocates of the death penalty are therefore supporting a system of social values which can be termed moral order. This concept is often closely related to the reason of state, and involved as a kind of eraser for all political ills. At times, moral order is uncompromising towards those who go against its dictates. At others, it turns a blind eye to breaches of the most basic moral standards. Moral order is a part-time moralizer—

—according to lawyer Jean Fortin, of the Pepper & Associates law firm.

This is therefore a moral debate, Madam Speaker, where we have to ask ourselves these questions: What kind of country do we want to leave our children and grandchildren? What kind of country could we take pride in? What kind of country could we hold as an example to others? Finally, as parliamentarians,

at the end of this mandate, and in the expectation of being given a second one, would we be preparing a better Canada for our children if we voted to reinstate the death penalty? I firmly believe that we would not, Madam Speaker.

[English]

**Mr. John Parry (Kenora—Rainy River):** Madam Speaker, it is with profoundly mixed emotions that I rise to make my contribution to this debate which I think all who participate in it, whether it be for or against, must view as historic. Like the Hon. Member for Gatineau (Mrs. Mailly), I too was first elected to this place in 1984.

In facing the question of the possible reintroduction of capital punishment in Canada I feel somewhat like the pilgrim in *Pilgrim's Progress*. "Though with great difficulty I am got hither, yet now I do not repent me of all the trouble I have been at to arrive . . ." While I have that profound sense of sadness that this debate should ever be necessary in a society that proclaims itself or believes itself civilized, I have a pride and a profound sense of the personal privilege that is granted to me in allowing me to be part of this debate and allowing me to have my say against the possible reintroduction of capital punishment.

There has never been an execution in Canada in the 17 years that I have had the privilege of living in this country, and for eight years before that. The effects of demographics, of immigration, mean that over one-half of Canadians cannot claim to have the slightest personal memory of an execution ever having taken place in this country. They literally cannot remember the time that this was carried out in our country.

In entering this debate I would like to salute those who I see as the heroines and heroes of this debate, those who, like my hon. friends from Bourassa and Saint-Michel—Ahuntsic, have had the courage to change their views in the course of the debate as they listened to the arguments. I salute also those on the government side who, in the face of an overwhelming majority of their colleagues, have clung to, propounded and proclaimed their own faith that this is a measure that would be a stain on the country of Canada and a stain on the Government of which they are part.

I would like, too, to nail a lie that has been put about, that there has been discipline exercised within the New Democratic Party to have everybody oppose this resolution. That is absolutely false. There has never been the hint that it might be used. It is totally unnecessary. We are of one mind. That is a reason we are, after all, in the same Party.

Why the debate? I understand the reasons why, and I do not want to make cheap political points out of them. I understand that as part of the election campaign the Prime Minister (Mr. Mulroney) promised a free vote. I do not judge on his now fulfilling that promise. Yet, having listened very carefully to his speech, I see a man who is torn between the promise and his principles. I can only say that I am glad that this does not