

Capital Punishment

condone nor will interpret the Bible to give comfort to those who would use it to justify a return of capital punishment.

I have also heard from the Newfoundland Association of Social Workers which is indeed working with individuals and families in stress, those who have fallen on the wrong side of the law, those who live in economic and social circumstances which breed and often give rise to violent crime, and is opposed to capital punishment.

Many Hon. Members have said that if we restore capital punishment we can ensure that it is at least a deterrent for those who have committed murder once that they will not murder again. Those who are opposed have said that if we bring back capital punishment we may put to death an innocent person and therefore it is wrong. The issue is not whether or not we ensure that somebody who has murdered once will never murder again or that we be careful not to put to death an innocent person. That is not the issue.

The issue is whether we as a Canadian society in 1987 will find it necessary to throw up our hands in defeat, to say that our criminal justice system is flawed and beyond reform, and to respond to the will of what I call the pack—the will of the pack. All of us have experienced that whenever emotions run high.

I think Canadians who have thought about the matter, not with their hearts and with their stomachs in the grip of the horror of the crime of a loss of a life, want us as parliamentarians to see beyond a simple emotional response. They want us as parliamentarians to reflect the Canada of 1987. They want us as parliamentarians not to throw up our hands in defeat, in frustration at a criminal justice system which is perhaps flawed. They want us not to take the simple solution or the easy route merely to move that capital punishment be restored and to seek some tribal remedy to the ills of our criminal justice system. They want us to tackle the hard questions. They want us to ensure that the punishment fits the crime.

● (0050)

I have heard from a Margaret McDonald of Portugal Cove Road, St. John's, Newfoundland. In her letter in opposition to capital punishment she quotes from the Bible:

I also ask that you would seriously consider the following:

"I am now giving you the choice between life and death, between God's blessing and God's curse, and I call heaven and earth to witness the choice you make. Choose life."

For those Members in the House who more than any of us bear the burden of decision in this debate, for those who still are not sure as we stand here a scant 10 or 15 minutes before the vote what kind of choice they will make this evening, I say to those Members that I understand the struggle they have. I understand the forces that pull them one way or the other. I ask those Members who are going to decide this issue tonight to search not the front page of *The Globe and Mail*, to seek not their answer in what their constituents told them last weekend, to seek not their answer in what a pollster told them

is popular this day or this week. I ask them quietly in the dying minutes of this debate to go away somewhere quiet and to consult their souls, to consult their consciences and to ask themselves whether or not they could truly say that capital punishment, if it is restored, will be a deterrent, and if in bringing that kind of deterrent—and I reject the notion that it is a deterrent—back to this nation, Canada, it will improve the lot of this society.

They must ask themselves what kind of a message Canada will send as the only country in the western world that will have, as part of its criminal justice system, such punishment, state-sanctioned murder. What kind of message will we as Canadians be sending to the world? More important, Mr. Speaker, what kind of message will we be sending to the children of Canada?

It becomes a cliché and perhaps a tiresome one some days to say that the children are the future. To borrow the phrase of the Haida Indians of British Columbia, we did not inherit this land from our ancestors, but we borrow it from our children. Let me say that in borrowing it from our children, let us be mindful of what kind of society we shall leave them. Let it be a civilized compassionate society that believes it can be better, that it can grow, not a society that throws up its hands in frustration and says that the state must have the right to murder as a way of responding to a criminal act of violence.

Hon. Herb Gray (Windsor West): The Order of the House is clear. No Member shall rise to speak after the hour of one o'clock in the morning and all questions shall be decided forthwith. But the question before us is not simply whether this House approves in principle the restoration of the death penalty. It is whether we will rise to express the best in ourselves or do the reverse. The question is what should the impact of the power of the state be on an individual life? The question is also how Members of this House will deal with this kind of fundamental matter.

I ask Members of this House to consider my views and those of others that the evidence does not support the argument that the death penalty is a deterrent to murder. I ask the Members of this House to consider my views and those of many others in recognizing the imperfections in our own criminal justice system, such that there is the risk of error, irreversible error, if the penalty of death is invoked. I ask the Members of this House to recognize that the restoration of the death penalty will put Canada in the company of Iran, Iraq, South Africa and the Soviet Union. Surely not good examples for us when it comes to justice.

I ask Members of this House to recognize that most of those in this country who are calling for the return of the death penalty are actually expressing concern about violent crime in Canada and whether our criminal justice system deals effectively with it. They must recognize, as we recognize, that the death penalty is not the answer to concern about violent crime. In modern times, it has not been the penalty invoked on conviction for all such crime.