

*Capital Punishment*

Our friend whom I will call "Rick" was in his early 30's. He had been a gold medalist at U. of A. and had his own consulting firm.

He and his wife and three small children were asleep in their beds in a good area of Calgary when Rick awoke about midnight to realize that there was an intruder, armed with a knife, in the bedroom. Rick told his wife to run for help; as she passed the assailant, he slashed her. Rick struggled with him and was stabbed to death. If you had seen your wife wounded and knew your three small children were also in danger, how would you have reacted?

The murderer was apprehended and given 13-1/2 years imprisonment. He had entered that home quite prepared to kill. I maintain that the death penalty would have caused him to think twice before committing the crime.

Rick's mother has lost her only son, his wife has lost her husband, the three children have lost their father. Yet in a few years the murderer will be free; even now he sees the sunrise and the sunset, the greening grass, and hears the birdsong. Is this fair?

Please vote 'yes' for capital punishment. Lethal injection would be my choice.

In the course of the examination of these issues, because there are many sub-issues in this very fundamental one, I have received some interesting proposals. I have heard variations on conventional thought. One of them was that when a person has been convicted of murder, then a panel of distinguished legislators of all people should examine the record of that person's life and should determine whether he or she has been a good person, whether or not there was, I suppose, an extended life-long *mens rea*. I received the following idea from Liverpool, Nova Scotia under the heading "Capital Punishment, A Middle Position".

I advocate the death penalty on the Second Capital Crime by the same person separated from the First Crime by time and distance.

This position would:

1. Eliminate the danger of punishing by death the wrong person.
2. Allows us as God fearing people to forgive the first crime after suitable punishment.
3. Strengthen our prison guards positions in dealing with first time convicted murderers.

In order to try to get some kind of focus on what my constituents thought of this issue, I held a town hall meeting on May 16 which went on for three and a half hours. Our objective was to shed as much light and to radiate as little heat as possible. I think in that ambition we succeeded.

There were four panelists present, a chaplain from the University of Alberta, a criminologist, the founder of Victims of Violence who happens to be the stepfather of one of the child victims of Clifford Olson, and the Acting Chief of Police of the City of Edmonton. There were many views expressed during that three and a half hours. There were statements from individuals who had lost loved ones through crimes of violence. There were statements, passionately felt statements, that it is not up to the state to take a life. However, the one common denominator emerging from the day's deliberations was that we must, whether or not we have the death penalty, improve the criminal justice system so that those who are to be set free in society at some point will be at the least risk of repeating their crimes or indeed of harming others.

There have been numerous references to statistics through the course of this debate. The criminologists to whom I

referred earlier have drawn up a chart entitled "Homicide and First Degree Murder Rates per 100,000 Population, 1961 to 1985, Source, Statistics Canada". The chart clearly shows that the rate of homicide or deaths caused by others deliberately increased dramatically from 1961 to 1976 when it began to gradually decline. However, the same chart also shows that the rate of first degree murder has been on the steady increase since 1976 to the present.

There is the question of religious objection to the death penalty. Does capital punishment violate the law of love? Believers are admonished to love their enemies, to turn the other cheek. I submit, though, that to use this argument against capital punishment is to overlook the fact that two different matters are under consideration. One is personal, the other is official. The judge functions as an officer of society and has a different relationship with the criminal than does the individual who has been wronged by the criminal.

Another objection to capital punishment that is sometimes held is that no one has the right to take human life except God. This idea is related to the belief that the person who executes a criminal is as guilty of murder as the one he executes. It is, I know, not always constructive to quote at random from the Scriptures, but I would cite Romans 13:1-7 and I Peter 2:13-17 to indicate that God does approve of certain individuals being his instruments of justice on the earth.

So the question comes up, does the state have the right to put aside the duty? Does the state have the right to inflict the death penalty? A noted theologian has said:

I do not think one can deny to the state, as the moral person responsible for the common good of society, the right to exact the death penalty if it is deemed necessary for the common good, just as anyone has the right to self-defense and the state has the right to engage in defensive war.

When then should the state intervene, if at all? After giving this question considerable thought and after examining the views of others, I have come to the conclusion that the state should reserve the right to intervene in the most extreme cases. In just a moment, Sir, I will cite those cases.

Finally, in my research, I went to the views of the public in my own city. Last year, in 1986, 82.9 per cent of the adult population of Edmonton said that they favoured capital punishment. That in itself, Sir, is not the principal reason why I would vote for this motion because I do believe that there are certain issues on which we as elected Members should reserve the right to go by our own consciences, and this is one of those issues.

I want to be fair and so I will give a brief breakdown of that 82.9 per cent. When it is analysed, this apparently strong position fractures somewhat.

• (2010)

Four questions were posed. First: I am opposed to the death penalty under any circumstances. Some 6.9 per cent responded yes. Second: I am opposed to the death penalty except in a few cases where it may be appropriate. Some 24.1 per cent