

*Capital Punishment*

We have heard the views of members from both sides of this issue, but certainly those favouring abolition, justify their position by saying that this is a free vote, a matter of individual conscience. What has always bothered me about this type of reasoning—the hon. member for Vancouver-Kingsway certainly met head-on a couple of the specious arguments of the abolitionists against the retentionists, such as, “Will you pull the trap?” and in some cases which I know about, I think I could pull the trap—is that it is the same type as that which says, “Let the abolitionists go to prison or walk the streets at night with a policeman.” What she said about legalized execution, if you believe in retention, was a good argument in rebuttal. If you believe that retention is legalized killing, then it can be said that if you arrest someone and put him in jail where he will be making baskets, you are in favour of legalized kidnapping and slavery. This is how ridiculous these arguments have become.

Let us come back to the individual conscience. I do not know whether the motion of the hon. member for Middlesex-London-Lambton will pass and there will be a summer lull in the debate—the realities of numbers may prevent that happening—but I know members of parliament who over the July 1 long weekend deliberately did not go home to their ridings because they did not want to encounter, during the July festivities, a public which was not so favourably disposed to their vote in favour of abolition. Well, I went home.

● (1230)

**Mr. Boulanger:** Name them.

**Mr. Nowlan:** I am not going to name them.

**Mr. Boulanger:** I do not think what you say is the truth.

**Mr. Nowlan:** You are entitled to believe what you believe. I can tell you what I know.

**Mr. Boulanger:** Prove it.

**Mr. Nowlan:** I know my hon. friend very well, and respect him. He has a conscience, and I have a conscience; but the constituents who sent us here also have consciences and I have been bemused, even though it is rather serious, by the fact that the individual conscience of hon. members dominates the collective conscience of their constituents. As hon. members who have spoken on this matter, certainly from the retentionist point of view, have said, rarely has there been an issue where the collective conscience, reasoning or verbal expression of constituents from coast to coast, regardless of whether they are Liberal, Conservative or NDP, has been as clear as on this issue. Never has it been as clear, although every hon. member will say something else. Instinctively, I do not think they are right, although I cannot prove my case from statistics or figures.

The abolitionists certainly cannot prove their case from statistics or figures, no matter how preconceived some of the studies have been on this issue. We should not try to confuse the Canadian public with statistics, facts and figures, legal reasoning or logic to which they could be exposed only if they came before the justice committee or heard some of the lucid arguments put forward on the floor

of this House. We all know that on this issue, that type of logical assessment of facts and figures just does not apply and it does come down to an individual conscience situation.

I said that it bemused me to hear hon. members, albeit sincerely, stand up for their individual consciences, and I agree with the hon. member for Vancouver-Kingsway that this is not the day and age of Edmund Burke, who wrote a letter to the electors of Bristol to tell them that he stood, not just for the people of Bristol but for all the people of England. Hon. members who referred to that quotation failed to point out that he was not elected at the next election.

I agree that hon. members must lead on public issues, but it is a paradox, to me, that when in this House we say we have a free vote and there will not be pressure applied by the government to lead government members—and we had a good example today of two government members who spoke out for retention—we are nevertheless deliberately defying the larger context of the collective conscience of Canadians by voting for this bill. I just cannot rationalize that paradox. If it is good enough for hon. members to vote according to their individual consciences in a free vote, why are we ignoring the collective conscience as expressed in the polls and by the people who have written to us? I defy any hon. member, including my hon. friend, to say to me that his correspondence has been heavily in favour of abolition. I would say, conservatively, that it is the other way around. It certainly has been for me.

In any event, this will become a focal point of alienation and the people will feel more removed from the government. I say “government” in generic terms; I mean the government of the present Prime Minister (Mr. Trudeau). If things keep going this way, we will obviously have a government of another kind when we have another election. However, this issue has become a focal point of alienation, and if Bill C-84 carries by this type of vote, that alienation will be increased. It is a paradox that the individual conscience of hon. members reigns supreme because they are members, but they deny the collective conscience of their constituents who sent them here. Some of those hon. members who are abolitionists are my best friends, but I sincerely believe this will not be like the other capital punishment debates and the public will not forget, because it has become a focal point of alienation. I do not think the public will forget about this, because they will continue to feel alienated.

This is not the final time the question of abolition will be before us. It will be before us every time a policeman makes a raid on a house and a suspect is shot. That will bring the issue back through the newspapers and the question will be asked: Did the shooting occur because the policeman knew that if the suspect ended up with the protection of the judicial process, he would never pay the supreme penalty anyway? Thus the policeman may decide who should live and who should not live. That is a horrible thing, no matter how sincerely motivated the officer may be. A colleague of his might have been shot to death, but there is no way that type of thing should be substituted for the judicial process. If we have policemen and, more especially, prison guards in the next two years before an