

Capital Punishment

in effect, one of the pioneers in this country in the last few decades who set in motion the evolution of the debate to the point where capital punishment was abolished in 1976.

He was able to capture that argument in his quotes from John Donne and John Bright. Incidentally, John Bright was a Grit Member of the British Parliament at the time. He was a non-conformist, protesting Member in the tradition of the Grit Party. It is a tradition in which I still strongly believe and perhaps have demonstrated by recent examples. The point they were making is that the purpose of a legislature or parliament is to show a basic respect for the sanctity of rules and laws. If we revert to the kind of system that has been practised in Iran, Chile or in the Soviet Union, it will not provide the enlightened example that will provide a model for our children.

That is why it is so important we speak out in this debate. I only hope and trust that the views of the Hon. Member for Gatineau, as she speaks from her side of the House, will be taken into account by her colleagues. The arguments of the John Diefenbakers, John Brights and John Dunns of this world are in a very great tradition which I hope we will not break by supporting this resolution.

[*Translation*]

Mr. Ferland: Mr. Speaker, I would have a question for my colleague. I would like to tell him that I also am against capital punishment, but I am quoting Andrei Sakharov, a very well known Soviet dissident, who said:

I consider capital punishment as a savage, immoral institution. If a state, through its officials, usurps the right to commit the most horrible and irreparable act—the deprivation of life, such a state cannot expect an improvement in the nation's moral environment.

As a responsible politician of this country—because all Members, whatever their party, are responsible for managing the country and for making legislation—does the Hon. Member think that supporting capital punishment then transferring that supreme power of life and death to civil servants—since the House is never involved in the actual sentencing of murderers—is in fact an improvement or a regression for society?

Mr. Axworthy: Mr. Speaker, I am once more in agreement with the Hon. Member, but his statements about symbols relating to amendments in the Bill are quite important for the understanding of what society would have for itself.

● (1320)

[*English*]

I want to point out the importance of the decision we take in this House because the debate will not stop here. One of the most grinding and excruciatingly painful results of the restoration of a capital punishment motion would be the transfer in part of the same kind of debate time and time again to the Cabinet of Canada to exercise its so-called royal prerogative for clemency. The history of this country has shown over time, from statements of members of the Cabinets of past years, just what a deep and incredibly gut-wrenching

responsibility that was for Cabinet repeated over and over again, to say nothing of all the other people in the system. I think it debilitates the system after a while. It begins to erode the sense that if there is a law, there is a law, and if there are all kinds of ways of getting around the law by clemency or by finding other ways of sentencing, then the value of what they are proposing would be lost over time.

On the other hand, I would say, like Zakharov, that the fact the Government itself stands up against it, is a step forward. I use the example of my Leader that it was only a 100 years ago that some 200 crimes were punishable by death. The fact that we have now eliminated that is perhaps the best example of the progress this society has made. That is why in a way for Canada to become the first country which abolished capital punishment and then gone back to it would be a terrible statement to make for future generations.

Mr. John Reimer (Kitchener): Mr. Speaker, my position on the resolution before this House arises out of a very careful consideration of the various issues surrounding this most difficult and divisive subject. During the past few months, I have made particular effort to make myself available to the constituents of Kitchener, participating in four debates and attending some 15 different meetings. Additionally, I have conducted an admittedly unscientific sampling of my constituency through a household questionnaire. Of approximately 2,600 respondents, 55 per cent are in favour of the resolution before this House and 45 per cent are opposed.

While I have learned much from these very sincere people on both sides of this debate, I must now cast my vote with a simple “yes” or “no”. Briefly stated, I am convinced that there are compelling theological legal and social reasons for providing the state with the option of exercising capital punishment in cases of first-degree murder, with judicial discretion for mercy where circumstances warrant.

Section 212 to Section 215 of the Criminal Code defines first-degree murder as, first, all planned or premeditated murder; second, the killing of a police officer; third, the killing of a prison guard; and, four, the killing of one or more persons while committing another offence such as rape or theft. I am not in favour of capital punishment for second-degree murder or manslaughter.

I should now like to elaborate on my position by responding, within the limited time available to me, to those concerns invariably raised in any discussion of capital punishment. It is often argued that capital punishment is state-endorsed murder and that all murder is wrong. This viewpoint is expressed by the popular slogan: “Why kill people who kill people to prove that killing people is wrong?” However, I would submit that this position rests on the false premise that all killing is murder. It is a premise which is simply not true. Historically, a clear distinction has been made between killing in situations such as accidental death, self-defence, war, the killing of a policeman in the line of duty, on the one hand, and a planned and deliberate murder on the other.