

*Capital Punishment*

controls which we had imposed some years ago, or on any other question because the polls say it?

I say to the Hon. Member that I am not prepared to have him or anybody else choose the subject on which I or any other Member must follow the dictates or advice of the Canadian people because there is a poll.

What was the question asked in the poll? Who decided that that was the question to which every Member had to pay attention and had to follow? I say to the Hon. Member that if he really believes that the views of the people as expressed in polls should be followed by Members of Parliament, then let him propose a fundamental change to our system of representative democracy, such as in place in Switzerland. If we debate that topic, approve of it and put it into our system of democracy, then and only then would I be prepared to follow the views as expressed in polls. But I am not prepared to let the Hon. Member for Halifax West, or any other Member, or the general public, say to me that because on one subject or another the polls state that I must do this or I must not do that I should be prepared to accept that as a valid reason for voting for or against any question.

**Hon. Walter McLean (Waterloo):** Mr. Speaker, in entering this debate and in speaking against the motion on the restoration of capital punishment I would like to say that I do so this evening speaking in concurrence and, indeed, in support of the position outlined by the Prime Minister (Mr. Mulroney) in his speech in this debate a few moments ago. I come to this decision because I believe that the right to life is the most fundamental human right. I believe it is a gift of God. I strongly believe that it is the state's foremost duty to protect this right for all citizens, not to take it.

I do not believe that men and women have the right to decide who should live and who should die. As the Anglican Archbishop of Canterbury, Dr. Donald Coggan, said in 1975: "—there is an ultimate sense in which justice must be left to God". I oppose capital punishment not because I do not recognize the monstrosity of murder and the need to mete out appropriate punishment but because I believe in the absolute sanctity of life.

I know that my colleagues who have spoken so eloquently against capital punishment share the same abhorrence for all crime, and murder in particular. But let me emphasize that no one has gone soft on crime. I was particularly encouraged a few weeks ago, in fact on May 15, to see in *The Globe and Mail* that my colleague, the Hon. Member for Ottawa West (Mr. Daubney), outlined very succinctly five points to consider in rejecting the death penalty. He laid before the Canadian public some of the importance to the moral fabric of our country behind this debate.

He asked questions and invited us to consider whether the death penalty is a genuine deterrent to murder; the effects on juries; the brutalization effect; the risk of executing the innocent; and the matter of retribution. I think that what the

Hon. Member for Ottawa West was underlining as he wrote and spoke of his growing convictions and those of an increasing number of Canadians is that a 20th century society such as ours cannot seek solutions to social problems by returning to past history but rather should do so by looking to today and on to tomorrow. I cannot accept the logic of a morality that teaches that the state should commit murder to demonstrate that murder is wrong.

Clearly, I believe that restoring capital punishment would be a retrogressive step. By performing such an act I believe we become less than human, proclaiming not only the worthlessness of the offender but of ourselves as well. Capital punishment debases and brutalizes all society, in my experience.

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Executions draw the interest of the morbid and can have a criminogenic effect on unbalanced minds. I believe the goal of a civilized society should be to reform and to deter criminals, not to cry out for vengeance.

Sociologists, psychologists, and other experts have suggested that the causes of murder lie in a multiplicity of factors. They tell us they lie in the slums, broken homes, poverty, drug addiction, and drunkenness, along with the lack of opportunity and education. The effects of these backgrounds on individuals are heightened by the general affluence of our society and by television depictions of violence as being acceptable.

As those who are watching by way of television switch their channels in the evenings, they can ask themselves tonight how many people they have seen blown out of the water or blown off the streets. How acceptable are the pictures across our channels of violence? Such explosive combinations of course produce cataclysmic results for our society.

The vast power and resources of the Canadian state should be utilized to find ways and means of dealing with the fundamental issues of social dislocation. Canada's Catholic Bishops, in reaffirming their opposition to capital punishment, have called for an improvement of our correctional systems. They have called for an attack upon the social factors which spawn delinquency and crime. The Bishops, Canadians will have noticed, rejected the four reasons which are often given as a justification for capital punishment—retribution, an example to society, deterrence, and protection of society.

According to the Bishops, and I quote:

It is now recognized that these reasons are problematic and cannot serve as a basis for moral judgment. Solutions that people once considered natural, just, and even necessary for social order, have thus come to be seen as radically unjust and inhumane.

The Bishops recognized the following:

The death of a murderer cannot make good the suffering that crime brings, as it destroys lives, ruins families, and crushes the hopes of innocent people.

Many churches—and this has been alluded to by many Members who spoke in the debate today—including my own