

Capital Punishment

"Blessed is the man who takes your babies and beats their brains out against a rock". Yet, as I read these verses, I am convinced not only that they are diametrically opposed to everything that is best about Judaism and Christianity, even though they are in our Holy Scripture, but also that these verses are pathetically honest and even understandable in the context of a violent world.

What do these words have to do with the return of the death penalty to Canada in 1987? The connection lies in the sense of anguish and outrage that people feel at the time of some particularly vicious murder, especially one involving the sexual assault of children. Murders like that leave us feeling somehow unclean, as though our own humanity were under attack, just from hearing or reading about them. We want to assert our own humanity by denying any connection with the murderer. How can we possibly share any sense of humanity with a diseased creature who perpetrates that kind of an act? It raises the question, what must it be like for the immediate family of the victims?

Looking at these words from the One Hundred and Thirty-Seventh Psalm, 2,500 years after they were written, and living in the relative security of a country like Canada, we know that these words fall tragically short of what is required to put an end to the cycle of violence and hatred which destroys the lives of helpless children. We can understand the desire for vengeance but we cannot agree that it represents justice.

In a literal sense, these verses from Psalm One Hundred and Thirty-seven are simply an extension of the *lex talionis* from the twenty-fourth chapter of Leviticus which says:

He who kills a man shall be put to death. He who kills a beast shall make it good, life for life. When a man causes a disfigurement in his neighbour, as he has done it shall be done to him, fracture for fracture, eye for eye, tooth for tooth; as he has disfigured a man, he shall be disfigured. He who kills a beast shall make it good and he who kills a man shall be put to death.

These words represent a surrender, rather than a solution to evil and violence.

The depth of suffering on the part of victims should warn us that we have no right to extend easy forgiveness to murderers. That adds insult to injury as far as the victims are concerned. Perhaps the families of murder victims can find it in their hearts to forgive the murderer, and I hope that they can, but that is their business, not ours. It is not something that society can do on behalf of the families.

We need to find another approach, somewhere between this false desire for vengeance and the equally false idea that society can forgive. Perhaps we should begin with our concept of justice. How do we achieve justice in a world where murder, assault and violence shatter innocent lives and communities?

We sometimes picture justice as a blindfolded woman holding balance scales in her hand on which the merits of each case are to be weighed in an impartial way. This concept of blind justice operates without fear or favour on the basis of an impartial standard determined by law. In the administration of law, this impartiality has some very obvious merits. But we all

know that it falls woefully short of providing full justice in many cases.

All of us as Members of Parliament have been involved in tax cases or immigration cases where a strict application of the law or regulation would lead to greater injustice. All of us have intervened with Ministers, asking them to get involved in specific cases so that justice would not be blind but would be wise and compassionate.

The biblical understanding of justice involves much more than blind impartiality. Rather, the spirit of God intervenes for good in human affairs and human beings are invited to share in that work. Sometimes the most unlikely human beings play the greatest role in bringing about justice. We should remember that Moses began his career by murdering an Egyptian foreman who had been beating an Israelite slave. Later Moses was a fugitive slave, running because he feared the death penalty. But then he became the person who freed the people of Israel from slavery in Egypt.

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Certainly, the Bible speaks of retribution and there are many situations in addition to murder where the Bible calls for the death penalty. Blasphemy (Leviticus 24:16) requires death by stoning. The daughter of a priest who played the harlot was to be burned according to Leviticus 21:9. Sorcery, bestiality and false worship (Exodus 22:18) and contempt of court (Deuteronomy 17: 8-12) all called for the supreme penalty, as did selling a fellow Israelite into slavery (Deuteronomy 24:7). Being a stubborn and rebellious son or a non-virgin bride (Deuteronomy 21:18 and Deuteronomy 22) called for the death penalty. Deuteronomy, Chapter 20 called for the death penalty for the male inhabitants of any fortified city who had the temerity to resist invasion by the Israelites.

These examples come from a very early and primitive stage of Israel's development and its understanding of God. While the great ethical and spiritual prophets of Israel and Judah still believed in retribution, their vision of God's spirit and justice went far beyond retribution. They saw God as patient and long suffering with human evil and shortcomings, moving beyond retribution and punishment to restoration, new life and a new society.

Jesus radicalized the law by pushing it to its logical extreme. Jesus said that looking at a person with lust was committing adultery in the heart. He condemned not just murder but the contempt which destroyed another person's self-image by calling them a fool. Which of us has not been guilty of that kind of contempt of other people, particularly in this House of Commons?

In doing this, Jesus was really underlining the human solidarity we all share, even with those who commit murder. He said the way in which we treat one another with contempt, robbing another person of his or her sense of themselves as an important human being, is really equivalent to murder. So we all share a certain solidarity even with those who commit