

*Capital Punishment*

Can we as parliamentarians honestly say that we have examined all the pieces and that we understand all the implications of the pro-capital punishment stance? Or are we, as Burke warned us, betraying our constituents by limiting ourselves to reflecting their opinions? Even those opinions are not sending as clear a message as some would have us believe.

A recent poll, the results of which were printed in this week's *Maclean's* magazine, began by stating that 61 per cent of Canadians polled said they supported or leaned toward the death penalty. In fact, only 37 per cent of those who said they favour capital punishment were convinced that it is the best solution. A full 24 per cent were only "leaning" toward that final solution.

Also, individuals may have developed their own view on the issue only to have that belief challenged by an event or personal experience. One of my Thunder Bay constituency assistants, a good friend, Rosemary Cox, had for a long time supported the death penalty and therefore the return of it. However, this spring she was called up for jury duty in Thunder Bay. Not only was she selected but she became the foreman of the jury. As a result of that personal experience as a member of the jury and as its foreman she has changed her mind on capital punishment. She no longer supports the return of the death penalty. She said:

As a jurist I was presented various bits and pieces of information and with them asked to construct a picture of what possibly occurred.

There were conflicting bits of evidence that required a subjective decision to choose this bit and ignore that other bit. There were holes in the picture to be filled in by each jurors' subjective imagination. No one's life should depend on subjective opinions.

We owe our constituents our judgment and perception of the whole, not just the parts, and definitely not just the easy, obvious solution.

I would now like to turn to the words of our future, our young people. Last Tuesday evening as I left the House at ten o'clock I was greeted by a small group of students from Niagara-on-the-Lake. They handed me a leaflet, and this is what it states:

What the Students from Niagara on the Lake say

We are students from Niagara District Secondary School in Niagara on the Lake, and we are opposed to the re-introduction of the Death Penalty.

We believe that the death penalty is barbaric, and a cruel and unusual form of punishment. We believe that the death penalty destroys life and the moral fabric of our society.

We believe that it is not a deterrent to murder. We believe that the risk of error is great enough to make the death penalty an unacceptable punishment.

We ask you as young people who do not have a vote, that you members in whose hands our future lies, will give us a Canada free of the death penalty; a Canada that can hold its head high among the civilized nations of the earth.

Last night, at my summer camp in Thunder Bay, there was a group of young people who were there to attend my daughter's seventh birthday. I was watching the news while they were gathering in the living-room to play cards. The item about tonight's vote came on and they asked me what my stance was. I told them that I would be speaking against the

return of capital punishment and voting against it. They said that that was great. They paraphrased the phrase that a number of people have been wearing proudly on their chests. I saw some of those people in a restaurant where I was having supper tonight. They said: "Why kill people who kill people to show that killing people is wrong?"

I believe that this debate has been, on the whole, necessary and beneficial, particularly if we defeat the motion tonight. It has brought up those questions that are of a deeper nature than just capital punishment. It has put our whole penal system under the spotlight. It has forced us to take good long looks at it. It has also forced us as individuals to look at our moral commitments to our constituents.

I would like to conclude my remarks with another quote from Mrs. Richardson who said:

Please do what you can to uphold moral decency and to prevent regression to a retributive model of justice. Also, as you have the opportunity, please point out to your parliamentary colleagues, that it is not the function of the judicial system to be the conscience of the Canadian people.

The judiciary is not at fault in this regard. It is the people who must cease expecting the law to tell them what they ought to do, as well as what they ought not to do.

Our country's leaders must help their constituents to understand the consequences of that most prevalent notion that 'it's wrong if you're caught, and right if you're not'.

Please throw your weight in the direction of educative measures to prevent violence.

I wish to speak for an additional moment directly to those Members of the House who are legitimately undecided as to how they will vote later this morning. There are times when we know that voters go into the ballot-box or the voting booth in general elections and do not make up their mind until the last minute. But in this case Members of the House will not be choosing who sits in this place but whether or not we will return the country to a state in which we will kill those convicted of capital crimes.

If the vote is as close as people on both sides of the issue suggest it will be, it is conceivable that one of the undecided Members will actually make the decision. I wish to ask them this. If the decision goes in favour of the return to capital punishment can they in all conscience decide now in the last minute to vote in favour of it? Should they not be deciding to err on the side of life, to err on the side of caution and say no, no to the return of capital punishment?

In conclusion, to Mrs. Richardson, Mr. Saunders, Ms. Tett, the young people of Niagara-on-the-Lake, my daughter Susan and her friends, and the constituents of Thunder Bay—Atikokan and the people of Canada I would like to say one last thing.

• (0030)

I have listened to the arguments, seen the easy solution, and have rejected it. I will not support capital punishment, and I will not vote for it. I urge all Members of this House to consider their respective positions and, when called upon later