

Capital Punishment

I have received many letters on both sides of the issue of capital punishment. I have read them all and have tried to give them all due consideration. They have been very helpful. Most public opinion polls tell us that capital punishment is supported by a majority of Canadians. I would guess that while there is still a majority, it is not as overwhelming as it was a year or so ago.

Why do I say that? Because for me and all other individuals who think carefully on this, it is very difficult subject and certainly one which tears people apart. But at the same time, it is a question society must decide. I have an obligation to inform myself as to the thoughts and opinions of my constituents. I must weigh them carefully, but I believe that in the end I must act in a way responsible to myself and in the best interest of the people I represent.

I would like to say a few words about the conduct of this debate. I said earlier that questions such as this tear people apart. That is most unfortunate. I have noted in some of the speeches on this subject an excess of rhetoric on both sides. One of the most unfortunate facets of the debate is the imputation of wrong or bad motives by one side to the other. For instance, I disagree with those retentionists who characterize abolitionists as "bleeding hearts" who would wreck the criminal justice system and let killers out on the street. That has not been helpful. On the other hand, I disagree with those abolitionists who question the sincerity of those who would support the motion. It is wrong to suggest that their decision is based on a whim or that they are just simply rubber-stamping the uninformed views of their constituents. I am sure that most Members like myself have spent many hours thinking about this subject with a view to doing what is best for our country.

For those who support the motion and for those who oppose it, the subject of deterrence is always raised. I have heard and read a plethora of statistics, all attempting to either prove or disprove on the basis of statistics that capital punishment does or does not deter individuals from murdering other individuals. I reject that kind of analysis. I would guess that the statistical base in Canada is too small and our history too short to prove anything one way or the other.

In addition, trying to compare American States which have capital punishment with those which do not, is like comparing apples and oranges. There are just too many factors to make the analysis simple or reliable. To prove complex human behaviour on the basis of such statistics is chancy and something I will not even attempt. At the same time, it has been widely suggested that sanctions, penalties or punishment itself is a deterrent to certain behaviour. Whether the gravity of the punishment is a deterrent is another question. I would guess that the kind of individual who is prepared to murder another individual is not going to be deterred by the threat of capital punishment, but there may be exceptions.

One of my colleagues pointed out that in the Emanuel Jacques murder in Toronto, the case of a 12 year old boy being

systematically abused and then murdered by several individuals, one of the killers indicated that if he thought he might himself be executed he would not have carried out the gruesome act. God only knows if that is true. Therefore, I must look at other arguments put forward as to why capital punishment should be returned.

One argument that I think has been made effectively is that capital punishment is necessary to restore public respect for the criminal justice system. I am sympathetic with those who believe that respect for the criminal justice system in Canada is declining. I think, as well, that the consequences of that can be devastating if people come to the conclusion that penalties for breaking the law bear no relation to the crime.

● (1220)

Respect for our court system is what separates us from those countries where law and order has broken down completely. The rise in vigilantism on this continent is an alarming trend. The growing belief that the criminal justice system does not protect individuals is perhaps the most serious question we face in the criminal justice field. When people decide that they will take the law into their own hands, we are heading for chaos. We must do what we can to restore respect for our system of justice and to convince people that it works on their behalf as well as on behalf of the accused.

I believe for a majority of Canadians having the option of capital punishment would help to restore their faith in the criminal justice system. But that alone would not be enough to convince me of the need for capital punishment. I argue that the protection of the public from individuals who consistently demonstrate a disregard for the life of others is the only reason upon which this issue should be decided. I will give you certain examples, Madam Speaker.

It has been said in the House of Commons and elsewhere that there are 14 individuals who once having been convicted of one murder have committed another while still in prison or after their release. For those individuals who commit multiple murders capital punishment should be an option. Certainly, on balance, we owe more to prospective victims than we do to those who refuse to live by society's laws.

I am reminded of the contract killer, the individual who was described in a recent trial in St. Catharines as being ready and willing to kill anyone for the sum of \$10,000. I ask the House this. How do we adequately protect ourselves against that kind of individual? It is too easy to say that rehabilitation is the answer when a person has consistently acted in a way that shows he is not prepared to live within society's laws and will continue to endanger innocent victims.

In the cases I have described we would have removed doubt as to the possibility of executing an innocent individual through the multi-layered process by which the courts review each case before sending the matter to the Cabinet and the Prime Minister for possible commutation. There is no doubt in my mind that on the narrow ground which I have described