

totally lost in our direction in life. Imagine, if you will, a ship setting out on a journey across the Atlantic. The captain wants to know where he is, so he measures his position by another ship, or by an iceberg or any other floating object. How absurd! He may get away with it as far as any accident is concerned. He may never flounder or shipwreck. But he will never know where he is, and he most certainly will not end up where he had planned to go. That is the way it is when we guide our lives by situational ethics.

That, too, Mr. Speaker, is the way it is with moral issues. If we are going to know where we are going, we must have some fixed reference points to let us know where we are. We need a law to warn us, long before we approach the danger zone, when we are headed for trouble. It is not simply a question of whether the death penalty has made an impending murderer stop to think of the consequences before he commits a capital crime. It is just as much a matter of a well-defined law, with its well-defined implementation, saying to every one of us, "This far, and no farther." Who knows how many people have stopped earlier in a life of crime because they began to realize what the ultimate penalties would be. Statistics will never measure that. It is easy enough to find out how many people have been killed by speeding, but we will never know how many have been saved because the speed limit sign or the radar trap was there. We will never know where we are going if we, at the same time, do not know how we are going to get there.

Another point that has been made frequently is that capital punishment is murder and that you cannot correct one murder by committing another one. Mr. Speaker, that is the kind of oversimplification that, again, is supposed to intimidate the retentionist and frighten him from becoming involved with so-called legal murder. Usually, those who argue this quote one of the Ten Commandments which says, "Thou shalt not kill."

In every other issue, Mr. Speaker, we are encouraged to eschew the oversimplified generalization. It is no credit to any intelligent, thinking person when he participates in thoughtless repetition of any oversimplification. Man simply is not satisfied with that, which is why we have built universities and why the best universities inevitably have the best libraries. The libraries are one of the most important elements of any place of learning. It is no coincidence that the best libraries are those that have the most original manuscripts. If we are going to examine any statement, we must begin with what it says. To be sure of that, we must go back as far as we can to the original, to make sure that the statement is accurate.

When we check the earliest manuscripts of the Ten Commandments, we find that it does not say, "Thou shalt not kill"—that is inaccurate. It actually says, "Thou shalt not commit murder." Immediately, someone says, "That's the same thing." No, it is not. It cannot be. Linguists tell us that it is impossible for two words to mean exactly the same thing. If that ever happened, one would become redundant and pass into oblivion. Since both words have been with us since the beginning of time, there must be a difference between them. And there is. All killing is not murder, any more than all sexual intercourse is rape. Rape is the violent rejection of, and rebellion against, the insti-

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tution of marriage. It is the rejection of order, and there is not a culture in the world that tolerates it. Murder is the rejection of order at an even more intense level. As I said previously, it is rebellion against the right of the state to impose and to maintain order. Capital punishment is not murder but, rather, the restoration of order.

Justice, historically, Mr. Speaker, has been pictured as a lady seated and holding a pair of balance-scales in exact equilibrium. Murder does violence to that equilibrium and throws it off balance. The death penalty restores the equilibrium and gives society the assurance that, to a degree at least, harmony and balance will be restored to our everyday lives. To illustrate further, frontier justice sometimes was enacted by way of a lynch mob. It may well be that the lynch mob condemned the guilty party; but that kind of retribution disturbs the balance-scales almost as much as when the guilty go free. It is the function of the state to deal in a non-emotional, non-vindictive way by basing convictions on fact and law and thereby restoring equilibrium to the balance-scales of justice in society.

● (1210)

There are some members among us who have said that they must vote by their conscience and this may mean that they will have to vote against the majority wishes of their riding. Who could argue against the right to vote by conscience? I would simply point out, however, that conscience, by itself, is not a dependable faculty. Our conscience depends, for its expression, completely and totally on the information fed into it. It is only an accurate and sensitive reflector of all we have learned about moral values. To illustrate, mothers in India for centuries threw the babies they loved into the Ganges River. They did it with the highest of motives because their conscience told them to. Meanwhile, mothers in other countries protected their babies from drowning, sometimes at the cost of their own lives. Again, for conscience sake. We must all vote according to our conscience; but we also owe it to ourselves to examine the reasons our conscience convinced us of a decision.

However, to vote against the wishes of the majority of the constituency is another matter. A number of speakers have justified this by quoting Edmund Burke who felt he had to do that. Edmund Burke, however, does not provide very good refuge in this case. He lived just after the high point of the age of rationalism, the time when man seemed to have an almost unshakable faith in the powers of reason. One of the spin-offs of that age was a very elitist attitude, on the part of leaders, toward the common people. For example, it led Burke to support the American revolution as an act of independence, but oppose the French revolution because it was an uprising of the commoners against the aristocracy.

The American ideal of this spirit was Thomas Jefferson, Burke's contemporary. Jeffersonian democracy is the hallmark of all that is good in a free society. But I would remind hon. members that while Jefferson championed the popular franchise, he also designed the electoral college. Why? Because he wanted all men to be free to vote, but he did not trust the masses to elect a president. So they elected an elector, one a little more sophisticated than the rabble, who could be trusted to elect the president. You see, both Jefferson and Burke were, in a real sense, elitists.