

opposed to capital punishment being part of our penal code.

● (2010)

I spoke against capital punishment the first time I was a candidate in a federal election. I spoke against it in other election campaigns. The first time I spoke against it during an election campaign was 35 years ago. I have been quoted. I have made my position clear. I have spoken during every election campaign, not raising the issue on my own but answering questions when asked. I have made it quite clear that so far as I am concerned, I have been and continue to be opposed to capital punishment.

I have made public speeches on this question in and out of my constituency. I have spoken in debates in the House of Commons and I have been, am now and will continue to be in favour of abolition. So when I had the honour to be re-elected to this House on October 30, I was elected as a person whose views were plainly known. I have received 11 letters from my constituency. Six of these were in favour of the retention of capital punishment, one was undecided and four were against. I mention this, not because I am not affected by the views of my constituents. I say it, however, to those hon. members who during the course of this debate have expressed concern, have shown a measure of doubt and difficulty and even mental anguish in having to decide issues regarding which the opinions of themselves and their constituents might not coincide.

It is not for me to make up the minds of these hon. members or exert pressure upon them, but I suggest to them that the trends and weight of opinion in respect of issues of this kind can vary, will change, and the views of people today which exist, as I propose to show, for a specific reason will not be the same years from now. I believe I am right on moral, legal and philosophical grounds. Much has been said in this and other debates about capital punishment being a deterrent. There are figures available. Members on both sides of the House have taken advantage of those figures because they are capable of being adjusted. I do not suggest that they are twisted or distorted, but they are capable of being used on either side of the argument.

In my view, after the closest possible examination, it would seem evident that the statistics do not establish that homicide coming within the meaning of murder has had any significant increase terms of percentage of population since 1967. The information in other jurisdictions seems to bear this out. I shall not go beyond this. Others have taken a different view, and I respect those who support retention. I hope that they, in turn, will give me and those whose views are the same as mine credit for honestly believing that fear of hanging has not in the past been an effective deterrent. I suggest that every time the hangman springs the trap and sends the hooded and pinioned, condemned person spinning down to dark eternity, this is a clear example of the failure of capital punishment as a deterrent.

In addition to this I have a sort of statistical score of my own. No one, I suppose, is an expert on the question of murder and capital punishment, but in the course of my professional career I have defended a very large number of

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people charged with homicide. In the course of the trial, the Preliminary hearing and the investigations which I always found it essential to be involved in, as well as the studies I made, I became pretty well acquainted with these people. I am using this information because I believe today we have been sort of engulfed in the problems connected with social difficulties which are creeping into this debate. I think we of the present are justified in using the periscope of the past to look into the future. After all, one cannot be associated with these people day after day, particularly during the course of a trial, and with them three or four times a day briefing them, talking to them and obtaining their reactions, without having a reasonably accurate opinion of their motivation, their course of action, why they did this thing, how it came about—in fact, the whole background.

In each and every one of these cases I can say categorically that it is my belief the thought of the punishment did not enter into the calculation or the consideration of those who committed the crime. To that extent I use my own personal observations, my understanding and my interpretation of the discussions I have had with these people to support the comfort I take from the statistics which have been made available. So this knowledge, added to my own views and the reading I have done, has placed me where I stand in this debate.

In passing, I refer to the fact that a short time ago the parliament of the United Kingdom, by a very substantial majority, abolished capital punishment in Northern Ireland. I was of the opinion that the debate which took place about two or three months ago—which, by the way, it is interesting to note was dealt with and disposed of in two ten-minute speeches for and against—dealt with capital punishment in the United Kingdom, but apparently it did not apply to Northern Ireland. Just two or three weeks ago the United Kingdom Parliament, which apparently has legislative jurisdiction in this respect over Northern Ireland, passed a bill which had the effect of abolishing capital punishment specifically in Northern Ireland.

When one looks at the sad and tragic history in these dark days of Northern Ireland, the mass, deliberate killings and the violence in that country, it is interesting to find that the legislature which has jurisdiction over this issue is so little taken with the view that capital punishment constitutes a deterrent that it has seen fit, by a non-partisan vote involving all parties in the United Kingdom House of Commons, to legislate the abolition of capital punishment at this time specifically in Northern Ireland. That is a fact which I urge my colleagues not to ignore.

I do not want to leave this issue without a final comment on a related issue, for it is not sufficient for me to simply indicate my position and let it go at that. I do not believe that ordinary Canadians are blood thirsty, violent or revengeful by nature. They are not anxious to take human life even by an act of parliament. However, something must be wrong when such large numbers of people in this country wish to restore, or even think about restoring the practice of legal killing by hanging.

There is unease, anxiety and deep unrest abroad in this land. It has been manifested in many ways, particularly in this debate, not only in the House but in the country. The