

Capital Punishment

should be pursued as closely as possible. Not until they are found impossible to accept should this nation subscribe to capital punishment.

If all of us gave a total commitment in this regard, Mr. Speaker, if all of us gave a total commitment toward solutions that those ten themes beg, then would we be faced with this bill on capital punishment? Would members of parliament be concerned about whether or not we will be returned if we vote either for or against the bill? We would not have had to bother with such a measure as this.

We have received letters which can be counted by the hundreds from our constituents, Mr. Speaker. Statistics and other material do not mean a thing in deciding this issue. All we know is that there has been an increase in violence, the blame for which lies in the home, the school, the church, our political system, television—I could go on and on. Yet I am asked to vote against this bill.

Let me quote a letter written by a man whom I do not know, but I will put his name on record. All of my colleagues have received letters both pro and con. These letters allow us the opportunity of forming an opinion. Putting aside rhetoric, passion, and questionable motives, we look for letters that are responsible and sincere in order to assist us either up to make up our minds or to maintain the position we took some time ago. I wish to refer to a letter from Thomas David Birmingham, from R.R. 3, Courtenay, B.C. He writes:

Proponents of the death penalty accuse abolitionists of undue sympathy for the murderer, and have spent long happy hours thinking up such terms of "bleeding hearts", "sob sisters", and even "monkey-faced religionists" to describe all who disagree with them. The truth is that many of us seek nothing but a better Canadian society; and concern for the murderer, while real and genuine, is far down on our list of priorities. But we have become convinced, after long and careful consideration of all factors, that executions, far from preventing murder, are actually a contributing cause both of murder and violence. . . .

A point often overlooked is that, because capital punishment is irrevocable—the prisoner cannot be freed if further evidence turns up that proves him innocent—many jurors will not convict while even a shadow of doubt remains. The result is that dangerous men are turned loose who would otherwise be in jail.

Did we not hear the Solicitor General make a similar statement? I do not want to give the Solicitor General all the credit; he, together with other members of the government, has helped frustrate this whole issue. But let me stop there, Mr. Speaker, since I said I would not become partisan. This debate should be beyond partisanship. Let me quote another important statement in this letter:

All studies based on fact have proved time and again that hanging is not an effective deterrent to murder. Why, then, the demand for a return to capital punishment? My first reaction, and that of many Canadians, on learning of some senseless murder is a desire to hurt the killer as he has hurt society. Our sense of outrage demands that they hang someone to make us feel better! This, then, is a revenge reaction to which the light of sober second thought has never been applied. The vital question here is: are we mature enough to base our decisions on fact and reason, or will they spring from motives of hate and revenge? Are we, in short, capable of building a civilized society?

There are problems and dangers in today's world that can only be overcome by a society that is no longer ruled by emotions of hate or fear. So it is that I hope we abolish the death penalty; for what would indicate at least a future, and even the possibility that we have the character and intelligence to make that future bright.

I want to thank Your Honour for your indulgence, and I want to thank all hon. members for giving me so much of

their time. I hope I have raised some question in their minds and cast some little doubt. If I have, Mr. Speaker, all I can say is that that doubt should be cast in favour of respect for life and the sanctity of life.

Mrs. Simma Holt (Vancouver-Kingsway): Mr. Speaker, I enter this debate in opposition to Bill C-84. My position is that capital punishment must remain in the Criminal Code so that society, and society's agents, have the basis on which to move against killers who plan and carry out ruthless murder.

We as a parliament must make it clear to Canadians what our priorities in justice are. We must make it clear that we care about our law-abiding citizens above all else. Victims and their families—families often permanently injured emotionally, economically and spiritually by the brutalization of the murder of a loved one—must be assured that the state will put their right to life above that of their killers. The survivors of murder in a family have a right to expect, not only protection, but knowledge that the punishment of the killer was equal to the crime. We must decide quickly whose priorities to safety and life in this nation must be first.

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I have fought for the lives and paroles of killers, have been deeply involved with many of them during the death watch, and in commutation or execution. Despite this, or perhaps because of it, I still put the rights of these people second to that of society and to their victims' families.

The public mood should also dictate to all of us—on both sides of this House—our duty. It may be that the anger, the fear, even a seeming disillusionment with parliament is over the public impression that members of parliament seem to disregard their wishes. Some quote Edmund Burke, an arch-Tory who lived 200 years ago, before television, Xerox, space and jet travel, who could not get to his constituency because it was too far, 100 miles away, and who was elected by only a few upper class males. We live in a different age—one of universal suffrage, universal education; a quickly informed nation. Yet we use Burke's principle to pretend that we have the right to superimpose our consciences over those of the Canadian people. It is sheer folly, snobbery, elitism—and the public, our constituents, rightly resent this. Certainly we must make decisions. We cannot have them here to help us make decisions, but when their view has been so clear on this issue certainly we must not treat that view with contempt.

Confidence in parliament is already being sorely tried. It does not matter who leads it, what party is in power, there is a deliberate campaign abroad to assure contempt for all established authority. It began among students and academics in the late 1960's. It was against authority—parents, police and everybody over 30. Now it is parliament itself. We should not aggravate the situation by pretending somehow that we 262 people here, common people elected by common people, have superior wisdom, superior judgment, and the right to act against the expressed wishes of the public.

The fabric of our entire community, of the relationship between those who govern and those who are governed, can be in jeopardy if we ignore the 80 per cent who