

### *Capital Punishment*

The people from whom I hear now, of course, are those who are opposed to the reinstatement of capital punishment. I have received virtually every letter and card that has been referred to in the House, virtually every one of which opposes the concept of the reintroduction of capital punishment.

Throughout these debates, and particularly since the reinstatement motion was introduced in the House, all sides of the debate have raged in the press and the media. In my view, virtually every conceivable fact was reviewed and discussed, and latterly most of those facts have been contrary to the concept of the reintroduction of capital punishment.

This was a troublesome issue for me during the election campaign. As I said, I resolved in my mind that the best way to deal with it was to have a national public referendum which would be binding on Parliament, the Government and the people of Canada. That is the position I personally put forward during the election campaign. After the campaign was over and the Prime Minister made the statement that there was to be a free vote at some time during the term of this Parliament, it became obviously clear that the concept of a referendum was *passé*. So at that time I made the commitment that the next best thing to a referendum would be a poll of my constituents. If their views were very clear, regardless of my own views on the subject, I would vote in support of the views of the majority of my constituents.

At the same time, I indicated to my constituents that originally I had been a proponent of capital punishment but laterally, on all of the evidence, I had swung around and had come to oppose it personally. However, I said that if there was a clear expression of majority opinion on this issue, notwithstanding my own views, I would vote in accordance with the views of my constituents.

I would like to read into the record what I put in my Householder. I stated:

The results of both the questionnaire survey and the poll are extremely important. Please answer the questions as if you were making the ultimate decision on the life or death of a fellow human being because regardless of my personal feelings and regardless of the fact that many will accuse me of copping out, I will cast my vote in accordance with my understanding of the wishes of the majority of the residents of our constituency, if there is a very clear majority. If there is no clear majority, I shall feel free to vote my own conscience.

I decided that a survey was not good enough as far as I was concerned. There were too many ways a survey might be rigged or tampered with by individuals who would want to slant it one way or the other. I undertook at the same time to do a professional poll, fortunately paid for by my constituency association. I decided to base my conclusion on those two criteria as long as there was a clear-cut understanding.

You may be aware, Mr. Speaker, and if you are not, many others are, that I personally have been severely criticized for that view in the press. *The Toronto Star* ran an editorial aimed directly at me and one other Hon. Member who was mentioned by name two or three times. In addition to that, one of my former municipal council colleagues wrote an open letter to me in his regular column in a Sunday issue of *The Toronto*

*Star* attacking the position of voting for one's constituents' wishes. The basis of that criticism is one that has certainly been reported in *The Toronto Star* several times, but one I have heard in the House many times during this debate. I will not refer to individuals by name, but I have heard this referred to today and that basis is the great principle enunciated by Mr. Edmund Burke.

What was it that Mr. Edmund Burke said? He said:

Your representative owes you, not his industry only, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion.

That has a nice ring to it. It certainly seems to be the very essence of what a politician, a parliamentarian, is supposed to be. However, I think we must all remember that Burke wrote those words back in the 1700s. It was a time when the French Revolution was raging in Europe. Burke wrote those words at a time when there was no television, there was no radio, there were no libraries, there was no public education system, there were few newspapers and there were few books. He wrote them at a time when very few people could even read or write and he wrote them at a time when only very substantial land owners could vote.

In my view, Burke's statement was a product of its time. It was an elitist statement reflecting disdain for the opinion of others. His views are the views that are always quoted by a politician who is trying to rationalize why he has disregarded the views of his constituents. It is an I-know-better-than-you approach to one's role as a parliamentarian and representative of the people. That is a viewpoint which I personally have always rejected.

That is not to say that there is not a kernel of truth in what Mr. Burke said. He talked about owing one's constituents one's judgment. I certainly believe that I owe my constituents my judgment and I certainly believe that I exercise my judgment on all issues. I believe that I am exercising my judgment on this issue as well by utilizing my constituents' views in coming to my conclusions.

I say that bearing in mind the fact that on most issues and perhaps virtually every issue except this one, I have a great deal more information at my command than any of my constituents. I have at my command reports, material, library references and all sorts of different inputs that my constituents do not have.

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In my view that is not the case on this issue. This issue has been debated publicly for years and years. In fact, serious debate in this House started at least 30 years ago. Over that time every single fact and figure one way or another has come out. More recently, the press and media have debated it backwards, forwards and sideways. In my view, my constituents know every single fact of this issue just as much as I do. I have heard all the pros and cons debated. I have heard the very substantial reasons put forward for being against capital punishment and the very substantial reasons for being for