

according to the consciences of the thousands of Canadians in their ridings.

Another letter, signed by 12 responsible and respected constituents, states that opinion polls indicate that the vast majority of Canadians want a return to capital punishment for capital murder as a deterrent to the rise in terrorism and murder. Another writer says that Canadians are not motivated by a wish for revenge when they demand the return of the death penalty, but rather because they realize that a law is only as strong as the penalty prescribed and imposed for infractions of that law. Still another writes: "I wonder how the Solicitor General would feel about coddling murderers if some of his own kin were murdered."

In conclusion, I would like to point out that there is a very great concern in our country that murder will become a status symbol among criminals if we continue to allow murderers to escape the consequences of their actions. As we lessen the severity of the penalties for violent crimes, and especially murder, the commission of murder is not the risky business that it ought to be. I am concerned about the evidence that already exists that cop killers are considered peers among the criminal fraternity. It is a sad commentary upon our government when it becomes a symbol of status in a segment of our society to be convicted of beating up a policeman, or even murdering a policeman.

● (1150)

We can remove this status symbol through the simple expedient of executing these people. It would not take more than one or two executions to eliminate this cancer from the side of our society. I say to this government that, while it would be an extreme measure, we cannot do any less than that if we are to live up to the mandate that we have been given by the people of Canada, a mandate from parliament is a mandate from the people. We cannot ignore them.

Some hon. Members: Hear, hear!

Mr. Benno Friesen (Surrey-White Rock): Mr. Speaker, I rise to speak on the subject of capital punishment with mixed feelings. Even as a freshman member of this House I recognize that this subject has been debated by more members of this chamber than any other subject. It would seem from this that there is nothing left to be said; that any avoidable repetition is thereby also a waste of the valuable time and energy of members of this House. There are two reasons at least, however, why I feel compelled to contribute to this debate.

First, the nature of the subject is such that all of us are urged on by the sobering effect of its dimensions, as well as the strength of our convictions, to make personal representations. In this debate more than any other we recognize again that "no man is an island unto himself" and as we continue in this debate we become subtly aware that to some measure at least we are talking about ourselves as we recognize the possibilities for violence within ourselves. Perhaps that helps to explain why every thinking and feeling member of society yearns for a time when capital punishment will be no more. All of us cling to immortality and none of us embraces the prospect of death; therefore when someone else dies a part of me also dies. So,

Capital Punishment

because I am inextricably joined to the subject I must participate in its discussion.

The second reason I entered the debate rests in the fact that I believe a number of arguments favouring the abolition of the death penalty have been based on false arguments or a false premise. One argument, which on the surface seems indisputable, is the fact that most convicted murderers come from the lower half of the social economic scale. Statistics would support this. It is an argument of inequality in our system of jurisprudence. There is no doubt that the rich can have legal counsel which is unavailable to the poor. There is no doubt, in my mind at least, that with the influence of money on the side of the accused he may be freed by means of trickery or by means of minor technicalities. In all too many cases legal counsel is just as interested, if not more so, in the legal fees as in justice. In this way justice becomes not so much blind as blindfolded. Caught in the act of winking, it sees only one guilty party and not the other.

But this argument is directed to the system, not the penalty. Do we take away or reduce the penalty for embezzlement because a few have been sharp enough never to get caught or, when caught, get off on a technicality? No, Mr. Speaker, if that argument, the argument of reducing the penalty because of inequality before the law, were applied to every level of criminal justice, there would be chaos in our entire system of jurisprudence. And, furthermore, it would remove the necessary incentives to remove those inequalities.

What the government needs to do, Mr. Speaker, is to make sure that in our courts no one will have special advantages. Penalties must be based as much as possible on rightness and on justice, not on the identifiable and gross inadequacies of the system which we could improve if only we had the moral courage to do so. And it does no justice to logic to seduce the debate by talking of the wrongness of the penalties when all the while we are talking of the wrongness of the system.

Another argument which has been voiced here is that there is always the possibility that an innocent person will be convicted. We cannot take such a charge lightly; it has happened within our lifetime, although the Solicitor General (Mr. Allmand) says it has not happened in Canada in the past several decades. But, Mr. Speaker, we must keep in mind that the present law carries the death penalty only for those convicted of killing police officers or prison workers while in the line of duty. We are no longer talking about the death penalty for all murderers. We are talking about murders which take place under completely different conditions from former years, and about the kind of crime that completely rules out a conviction based solely on circumstantial evidence. The argument that innocent people might be convicted was no doubt valid at one time, but we can no longer accept that argument with the narrow terms of reference in the act now.

A third argument voiced frequently is that capital punishment is uncivilized and a holdover from a more barbarian age. Now to begin with, Mr. Speaker, that argument has an element of psychological blackmail in it. No one wants to be thought of as barbarian; all of us want to be, and want to be seen as, enlightened. So anyone with any kind