

Capital Punishment

We have not been elected to this House to act as puppets, but because the people of our constituencies trusted us to make decisions on their behalf.

Naturally, the opinion of those we represent is very important and constitutes a major argument in this debate, but it must not be the basis of a decision which we must make following our own conscience.

Another argument which is often used by the advocates of the death penalty is that justice should be done and that murderers should receive a punishment commensurate with their crime.

In 1962, when we had the last execution in Canada, two men were hanged in the Don prison in Toronto.

However, that same year, 40 people had been officially condemned to the death penalty. Two out of these 40 were executed. Why do you think these two individuals were executed, but not the other 38 who were on death row? The answer is obvious: our judiciary system is such that the various social classes make individual inequalities even more apparent. The poor and the destitute are definitely at a disadvantage when they seek to defend themselves before our courts. Such flaws in our judiciary system take awesome proportions when a human life is at stake.

How can we, in the name of justice, claim a murderer's life when knowing full well there is blatant discrimination against the poor and the destitute? Similar injustices are sometimes done at other levels, true enough, but let us not lose sight of the fact that we are talking about the death penalty, which is both discriminatory and irrevocable. The possibility of error is undeniable. How would we react were we to discover that an innocent man, one of our fellow citizens, has been unjustly murdered by the state we represent? There are no two ways about this, it is bound to happen sooner or later if we restore capital punishment. We would all be somewhat responsible for this. Let us reflect seriously before seeking justice through shed blood. Violence begets nothing but violence.

In a recent article published in *La Presse* the President of Quebec's Association professionnelle des criminologues made a statement on capital punishment in the name of his association. Here are its concluding remarks:

To reinstate the death penalty in Canada would, to us, mean that society would be abdicating its responsibility to deal with crime and criminals. In our view, the death penalty is the easy way out from the thorough soul-searching we should engage in with respect to the phenomenon of crime. It is too easy to let a few scapegoats take the blame for all our social ills. Quite frankly, our crime rates reflect the kink of society we are and show how far we are still removed a better world.

I believe that coming from an organization with its level of expertise, this is a very important statement and reflects a great sense of moral duty.

Today, in all countries in Western Europe, the death penalty no longer exists. Other countries such as Nicaragua, Argentina, Brazil and Uruguay have recently abolished the death penalty.

Personally, I would rather not think what the impact of reinstating the death penalty in Canada would be on the international community, at a time when other countries are abolishing the death penalty in far more dramatic circumstances. All these decisions to abolish the death penalty are part of a general movement towards a new judicial policy that makes the State responsible for protecting the individual and guaranteeing the human values recognized by the community of civilized nations.

There may still be some fluctuation, but the end result of this movement is not in doubts, and all enlightened individuals have a duty to encourage this development by speaking out against the reinstatement of this unjust, cruel and useless punishment.

Mr. Jean-Luc Joncas (Matapédia—Matane): Madam Speaker, because of my profound respect for human life, whatever the circumstances, I am radically and fundamentally opposed to the motion before the House today for reinstatement of capital punishment in Canada. My motives for a total rejection of the death penalty are probably the same as those of many people who, in arguing their case, try to make a distinction between the concepts of right to life, right to justice, right to retribution, and so forth. There are no cut and dried truths or absolute dictates on a subject as sensitive and serious as capital punishment.

Madam Speaker, my philosophy is as follows: If no one has the right to voluntarily kill someone, can we, in the name of justice, and with a clear conscience, afford to execute someone as though we had some divine right to do so?

• (1610)

At a time of general concern about human rights, the question arises whether the right to life should not be considered as sacred and as a right to be respected by the legislator. In that case, it should be proclaimed that the State shall not have the right of life and death over its citizens and that society shall not have the right to dispose of the lives of its members.

Whatever people may say, the purpose of the death penalty is basically to do away with a human being. In fact, the State should set an example by recognizing that human life is sacred and that killing is wrong. By doing away with a citizen, the State does not get rid of crime, it merely perpetuates it.

Madam Speaker, in most countries where the death penalty exists, the primacy of the State over the individual is practically a dogma. By denying some of their citizens their absolute right to the respect for human life, these countries are implicitly setting a very relative value on the individual. Implicitly, they give society, or rather to State, the supreme right to dispose of human life.

Madam Speaker, increasing fear owing to crime, hostage takings and political terrorism, is not conducive to a more considerate relationship between the individual and the State.