

Amendments Respecting Death Sentence

accepted would be to change completely the principle of the bill upon which we have just voted. The principle is not that we abolish the death penalty but that we retain the death penalty in cases of murder of law officers.

While I am fundamentally an abolitionist, Mr. Chairman, I think we owe it to those members who voted a year ago against abolition and who have gone along with the principle of the bill on second reading today, to reject this amendment. Its purpose is to change the principle of the bill and it gives conclusive proof for the eloquent arguments advanced that this bill would then be nothing more than a replica of the measure introduced 18 months ago.

Finally, Mr. Chairman, I am sure that the hon. member who moved the amendment realizes that if it were accepted it would jeopardize the passage of the bill on third reading, because the acceptance of the amendment would change the whole principle of the bill.

The Chairman: The Chair has some misgivings about the validity of this amendment. It feels that it does encroach upon some other parts of the Criminal Code, but the Chair also feels that this is the matter the committee should decide upon. I therefore accept the amendment. Is the committee ready for the question?

Some hon. Members: Question.

Amendment (Mr. Brewin) negatived: Yeas, 37; nays, 106.

• (4:20 p.m.)

The Chairman: I declare the amendment lost. Shall clause 1 carry?

Mr. Churchill: Mr. Chairman, since the house wishes to exact a penalty from those who murder policemen or others as listed in clause 1, the house might also wish to take into account the children of this country who from time to time are murdered by those who have little regard for human life.

The hon. member for Greenwood used an inelegant expression when he said that the arguments in this debate had been reshaped. I think that arguments on a matter as serious as this cannot be too frequently put before the house and the people of this country. I regret that in this debate the arguments of those who do not favour the bill were not answered by those who do. I was disappointed with the way the Prime Minister treated the matter. He said that the sole argument the retentionists were advancing was that of deterrence and then he advocated the adop-

[Mr. Mackasey.]

tion of a bill which includes in its provisions a deterrent.

The arguments I advanced a year and a half ago and this year were not based on the theory of a deterrent; nevertheless, I question those who suggest that our populace has no fear of death. I advanced my argument on the basis that those within our society who are unable to protect themselves ought to be protected. I mentioned, previously women and children particularly and suggested that when the state had made adequate protection for its defenceless people it would be high time to abolish capital punishment. I said that when the state can guarantee that a man of criminal tendencies will not be released on parole and given the opportunity of murdering the women and children of the country I will be prepared to consider the abolition of capital punishment, but I will not be prepared to consider it until that assurance is given. That argument was never dealt with by the Prime Minister or those who advocate the adoption of the present bill.

I think it would be wise if we took a few minutes to consider the protection of the women and children of this country. I shall put to the committee an amendment which will ask that Bill C-168 be amended by adding to new subsection 2 in clause 1 a new paragraph (c) reading as follows:

(c) a person 16 years of age and under.

The Chairman: Is the committee ready for the question?

Amendment (Mr. Churchill) negatived: Yeas, 53; nays, 80.

The Chairman: I declare the amendment lost.

• (4:30 p.m.)

Mr. Woolliams: Mr. Chairman, we are still considering clause 1 which seeks to abolish capital punishment for the crime of murder except when it relates to police officers, sheriffs, wardens and certain others in this category. It seems to me that if these people are to be placed in a special class we should add another group to that class, the women-folk of this nation. I feel that this must be done in order to protect females against the kind of people who, whether sexual deviates or not, attack females and kill them in the course of such attacks.

I intend to be brief this afternoon because a great deal has already been said with regard to the bill now before us. I realize that hon. members opposite wish to interrupt but I think they should be fair enough to