

I was impressed by the speech of the hon. member for Red Deer (Mr. Thompson) and by the speeches of other hon. members. My hon. friend from Leeds (Mr. Matheson), on the other hand, asserts that capital punishment is ancient, that it is not modern and that we should keep up with the times. If I have misquoted him I apologize, because that is not my intention. I submit that the careful definition of capital murder in the Criminal Code and the distinction brought forward by the hon. member for Kamloops (Mr. Fulton), when he was minister of justice in 1961, between capital and non-capital murder, have done away with the danger of a miscarriage of justice. As defined, capital murder must be deliberate, planned and premeditated. These elements of the crime must be present and they have been included in the code for the protection of criminals.

I am arguing that citizens ought to be protected; helpless people must be protected; those who cannot look after themselves and who need protection must be protected. That is the point my hon. friend ought to remember.

Mr. Churchill: Hear, hear.

Mr. Flemming: I contend that parliament has already expressed its will; it did so on April 5, 1966. We ought not to be asked to go over old ground again. This government has many problems to face, as the hon. member for Bow River (Mr. Woolliams) enumerated this afternoon. I shall not enumerate them, but they are many. Speaking for myself, I am anxious to assist in the solution of our problems and we should be working toward solutions rather than debating something about which parliament already has expressed its will.

I feel strongly about this bill being placed before the house. Very likely it will carry, since any bill the government sponsors pretty well has to carry. Not many government supporters will vote against the government; that should be borne in mind. Though the Solicitor General talked of a free vote, I submit that when the cabinet introduces a bill there is not much danger that any of its members will vote against it; that is not practical. I do not see how they can vote against it, and I do not think that many government supporters will vote against it.

Lest there be any mistake about where I stand, I stand on the side of protection. I do not wish to punish anybody; that is not my disposition. But I want to protect people; I want to see those who are helpless and who

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live outside the so-called built up areas fully protected by the law. I am anxious that a man who lives in a lonely spot and who leaves his wife and family in order to go to work may feel, with confidence, that his loved ones are protected by the law of the land.

A few days ago we talked about broadcasting. We see much violence today, and I am convinced that part of that violence is occasioned by television, and the violence depicted on television screens much of the time. By not being severe with criminals we shall not help matters.

I seek to protect the law abiding citizens of the country by voting against second reading of the bill. That is my duty, as I see it.

Mr. Harold E. Winch (Vancouver East): Mr. Speaker, may I first say that I commend the Solicitor General (Mr. Pennell) most highly for his remarks on introducing second reading of the bill. Speaking with obvious sincerity, he spoke from the heart and from the head. I have studied the subject matter of this bill for some 34 years and in my estimation the minister's presentation calling for the total abolition of capital punishment was the most magnificent I have heard or read in support of total abolition of capital punishment. There is no question about it.

Unfortunately the bill itself does not call for the total abolition of capital punishment. I hope and anticipate that before the bill is read the third time it will have been amended to abolish capital punishment totally in this country. Nevertheless this bill is a major step forward in Canada to the total abolition of the death penalty, and on second reading I shall endorse its principle by voting for it.

● (8:50 p.m.)

I was particularly interested in the view of the Solicitor General that he hoped members would be able to discuss the important principle embodied in the bill without passion and without emotion. I concur in that view, although I most certainly recognize that passion and emotion can be in the hearts and in the minds of all, whether they are abolitionists or retentionists. That is definitely understandable. We can all view with concern and understanding the feelings of the loved ones, the relatives, the friends, indeed everyone, when a murder is committed in this country. We can particularly understand the passion and emotion when it is a brutal murder, such as the one that occurred in the lower mainland of British Columbia just two or three days ago, where an innocent seven year old