

*Amendments Respecting Death Sentence*

chamber as well as on the opposition side? This, sir, is little short of scandalous. I think it is a travesty of parliament, and a prostitution of the concept of the free vote.

The members on the government side—and I state this just as my own opinion—would appear in many instances to be paying only lip service to the principle, the compromise principle embodied in the legislation which is being piloted through the house by the Solicitor General. To me they do not appear to be speaking with any sincerity, with any conviction, with any conscientiousness, where the basic question of capital punishment and its abolition is concerned. This factor, combined with the compromise aspect of the bill itself and the compromise philosophy behind it, makes me feel that if I vote for the bill I am allowing myself to be used by government in a cynical travesty of parliamentary honesty.

And yet, as an abolitionist, how can I vote against this bill? How, in all conscience, can I vote against a measure that, no matter how cynical, takes us at least partially along the path of what I consider to be progress, along the path to total abolition? But it leaves an unsavory taste in my mouth as I participate in this debate and as I subsequently will rise to participate in the vote on this question. It puts me in an excruciating position as far as my conscience is concerned.

I am not concerned here, at this moment, with the pros and cons of the capital punishment argument. They were argued knowledgeably, in a scholarly fashion and most eloquently 19 months ago in this house, and again during the past few days by experts in jurisprudence, experts in social work, and experts in living. These speeches have contributed an expertise, knowledgeability and impact to the argument that I could not hope to match. I said what I had to say on this subject 19 months ago.

• (9:30 p.m.)

As I said, I believe in the abolition of the death penalty in all cases and I believe in a sentence of life imprisonment which means life imprisonment. So far as I am concerned the aspect of the bill which calls for cabinet review of any parole possibility satisfies me substantially on the question of the meaning of the term "life imprisonment", the question of the validity of the penalty and the enforcement of the same.

The two positions pro and con the death penalty have been well, adequately and interestingly argued. I do not intend to go

[Mr. Sherman.]

into that argument again tonight. At the moment I am concerned only with the propriety of the action and the position of the government in bringing in a bill of this kind. I have great respect for the hon. Registrar General (Mr. Turner), but as I listened to him this afternoon I almost decided to change my position from abolitionist to retentionist. I thought that he dealt in rampant superficialities. He seemed to be rationalizing all the way through his speech. I have heard him give much more compelling and impressive speeches than the one he gave this afternoon, and I am left wondering what faction or element in the Liberal party the Registrar General was trying to accommodate in that exercise in legalistic convolution.

He spoke of compromise. Why is it that the Registrar General, who is one of the rising stars in Canadian public life, or perhaps I should say one of the risen stars, should be so concerned with compromise. He spoke of logic and raised the argument that people still can be sentenced to death for treason, and therefore we should not concern ourselves with the abolition of the death penalty in cases of murder unless we go all the way and include treason. I believe there is a good argument for including treason in the overall umbrella. I believe, however, that all these things are diversionary tactics, smoke screens, red herrings and side issues. There are not nearly as many people in this country who go about overtly or accidentally committing treason as there are people who for one reason or another commit murder. We are dealing with a subject which is far more urgent and compelling. I do not know whether there is anyone who is incarcerated in an institution in this land today under sentence of death for treason; there may be.

This question of treason came up only this afternoon. I had not considered it until the Registrar General raised it and I have not had an opportunity to investigate it. I submit, however, that there must be far fewer people in this country who have been sentenced for treason than have been sentenced for murder. In my question to the Registrar General this afternoon I suggested that in any event I doubt that it would be possible for a man to commit treason inadvertently, because by definition treason is a deliberate, premeditated act. Murder, in most cases, is neither deliberate nor premeditated. So we are dealing with an entirely different situation. When the Registrar General drags in these other issues I think he is obscuring the basic agonizing confrontation of conscience with