

That is the end of the quotation, and that, sir, is my case.

[Translation]

Mr. Auguste Choquette (Loibinière): Mr. Speaker, I listened very respectfully to the previous speaker and I must congratulate him on his ability to elaborate on a subject without preparation. I found in his remarks the best argument that could be put forward to show that the government is entirely justified in bringing back before the house, this year, a bill designed to abolish the death penalty.

The hon. member for Winnipeg South Centre (Mr. Churchill) expressed his opinion, but he used the following expression: "unless otherwise convinced". He admitted that his opinion was liable to change and that he was prepared to listen to other speakers, to follow closely the arguments that will be presented which might cause him to alter his present views on such a crucial matter as capital punishment.

That is precisely why this year the government—I will not say is taking the risk—shows enough mettle to try and have this problem definitely solved in a perfectly clear manner.

If opinions are so pliable and subject to change within a very short time, it is clear that today, with the assurance that this bill will be adopted, the government is perfectly justified in throwing off a load that was becoming more and more intolerable concerning the fate of those persons who are under a death sentence and who are waiting anxiously until parliament has reached a decision.

Mr. Speaker, last year I had the opportunity to take part in the debate and to oppose the abolition of the death penalty, because I was sincerely convinced that the existence of such a drastic measure was an efficient and imperative means of protecting society from the villainy of those parias who do not and will not respect anything but the threat of a radical punishment, and of the scum that works for organized crime, content with living according to the risks of their vile trade, and to whom life imprisonment is but another way of shirking the responsibilities of life and the obligations which fall on honest people.

This year, my philosophy has not changed much, but the context is different: The government is in a quandary. This is a non-partisan debate; we must say things as they are, see facts as they present themselves. And

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when I say the government is in a quandary, I mean the whole government machinery: Members of the opposition as well as government members are stuck, due to the fact that persons sentenced to death are waiting to know their fate. I think that the bill as drafted constitutes an ingenious enough compromise to have good chances of being agreed to. It is meant to get the administration out of trouble, as it now is, since to all intents and purposes, the death penalty was abolished in 1962. Legislation may as well sanction the existence of a fact, because otherwise it is hypocritical. A legislation which is never applied cannot give confidence to citizens.

I repeat that this difficulty which the whole administration is facing—and that includes the opposition as well as the government—results from the fact that the death penalty does not exist, to all practical purposes, despite the provisions of an act to the effect that it still exists. As the legislation is constantly disregarded, it may be just as well to amend it accordingly. That is the reason why I will support the measure as introduced.

In the framework of my remarks, I would like to point out that, in addition to maintaining the death penalty when police officers or prison guards are killed, there is another case when the death penalty remains and sections 46 and 47 of the Criminal Code provide for it. Section 46 reads in part as follows:

- (1) Every one commits treason who, in Canada,
(a) kills or attempts to kill Her Majesty, or does her bodily harm tending to death or destruction, maims or wounds her, or imprisons or restrains her;

Section 47 says:

- (1) Every one who commits treason is guilty of an indictable offence and is liable
(a) to be sentenced to death—

If it is the offence under section 46(a), namely to kill or attempt to kill Her Majesty or do her bodily harm, then the death penalty will not exist only in the case when police officers or prison guards are killed by a criminal.

● (4:50 p.m.)

I would like to add that, under that section could be included, also under treason, any successful or unsuccessful attempt made on the life of the Governor General and the Prime Minister of Canada, for the very good reason that this section obviously wants to show special respect for those who stand in authority, and since, in Canada, the Governor General and also the Prime Minister are