

*Amendments Respecting Death Sentence*

I do not say that this measure is not important. Of course it is tremendously important. But I think we are all realistic enough to know that for some time we have had in this country *de facto* abolition. I think we know, too, that had nothing been brought before this parliament, this government as long as it remained in office for no matter how many more or how few months would have commuted every single death sentence no matter how heinous the crime which brought about the conviction. I think we all know this in our hearts.

There is something slightly unrealistic about what we are doing now, and also perhaps something slightly insulting. I believe all of us 18 months ago gave to this matter the full measure of our thought. We consulted our conscience with sincerity and arrived at our decision only after the deepest reflection. I find it rather disturbing to have the measure thrust before us once again, no election having intervened and the self-same parliament which dealt with the measure some time ago taking it up again.

Also, Mr. Speaker, I must observe as a realist that I have no belief that the government, the executive armed with the commutation authority, is overly solicitous of the attitude of the legislative branch, namely of parliament. I was sorry that the Prime Minister (Mr. Pearson) spoke the other night—

**An hon. Member:** Obstruction.

**Mr. Macquarrie:** I am disturbed, also, at the tone this debate has been taking. People who are getting to their feet are being told to sit down. I resent the suggestion that giving my views is in any way obstruction. We are not responsible for this measure having been brought before us, and I will not be accused of obstruction because I am giving my views on it. Let those who have brought this measure before us take that into consideration. The other night I heard several members being told to sit down. We are not going to sit down until we have expressed our honest views. We did not bring this measure before the house and do not take responsibility for its being on the order paper at the present time.

As I say, Mr. Speaker, I was very sorry that the Prime Minister spoke as he did the other night. Believing that true greatness in any man requires a measure of humility, I hope that the Prime Minister regrets his reference to mental barbarism. I certainly

[Mr. Macquarrie.]

regretted hearing him make it. We differ on this important question, but nothing is gained by the intellectual arrogance which casts condescending opprobrium upon the views of those who differ.

I was disturbed also by the suggestion that it is up to the retentionists to prove their case. In a matter of this kind you do not advance proof. I have consulted and have been consulting for years the findings, facts and figures of the sociologists and criminologists. We know that there is nothing that leads clearly to proof. You do not, in dealing with questions of human behaviour, come up with one answer which is totally right and another which is totally wrong. Indeed, some cynics say that sociology is all data and no conclusions, and yet much of our knowledge in this field is sociological.

• (4:00 p.m.)

I should also like to say that many highly civilized communities have had second thoughts about the death penalty. I do not think the people of the United Kingdom are a group of mental barbarians. Many of the people there are disturbed about the effects of abolition.

I was impressed by the suggestion that the death penalty is invoked for punishment and revenge. I cannot believe that it is there merely for punishment, and I hope it is never there for revenge. It is there because some people, applying their best mind and their best heart to the question, believe that it offers a greater measure of protection for society. I presume that the bill itself is offering a better measure of protection to a portion of society, namely those who are police guards and wardens.

I wonder how we can find proof of the validity of the argument when we seek to evaluate the deterrent value of life imprisonment as against the death penalty. If the Solicitor General (Mr. Pennell) would consult the great files down through the years of those unfortunate and tragic individuals who pleaded with the persons who had the authority to commute their death sentence, he would see the difference they discerned between continuing imprisonment and the termination of life by the state. If that were not sufficient, I would think that on grounds of logic the Solicitor General might consult his own bill because, as many speakers have mentioned, if the punishment for the killing of police guards does not enhance the deterrent force, I see no reason for its being there. Otherwise, if the deterrent force were equal,