

have been of the view that the maintenance of capital punishment in cases of the murder of police officers and prison wardens would have the effect of deterring a certain type of criminal. It is argued that these are hazardous occupations and they need the special protection afforded by the provisions of the bill as it stands now.

An examination shows beyond doubt that capital punishment is not, in fact, a deterrent even in the minority of cases covered by the bill as it stands. Neither I nor any other person supporting the principle of total abolition is careless or thoughtless of the lives or security of police officers or wardens, but in those states in which capital punishment has been abolished it has been discovered there has been no increase whatever in the risk that applies to those in this special category. It is illogical, it is wrong, to select a special class of persons and give them a protection which is denied others.

There was very little in the speech made by the hon. member for York-Humber the other day with which I agree. However, I do agree with the point he made about the illogicality of one person who may murder seven people at a time not being subject to capital punishment and at the same time providing that if one of the victims happens to be in this special class then capital punishment will apply.

The Solicitor General, in introducing this bill, spoke very eloquently but the very arguments he used apply with equal force to those who murder police officers and prison guards. The Prime Minister spoke with eloquence and feeling on this subject. Every argument he used was in favour of total abolition of capital punishment. The bill itself constitutes a compromise. We were prepared to accept and vote for the compromise because we felt it was the maximum we were able to obtain at that time and we were not prepared to defeat the bill simply because we felt it did not go far enough.

We propose in our amendment, Mr. Chairman, to provide an opportunity for those whose consciences are opposed to capital punishment as useless, barbaric and unnecessary in all cases to register their conviction on that particular point. The amendment which I propose is that we delete or repeal the whole of section 202A of the Criminal Code, the section passed in 1961 which separated the crime of murder into capital murder and non-capital murder. We then propose to amend section 206, which is the section that

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deals with penalties for murder, and to substitute therefor a simple section reading as follows:

● (4:10 p.m.)

Everyone who commits murder is guilty of an indictable offence and shall be sentenced to imprisonment for life.

When I say life, Mr. Chairman, I mean life, subject to the rule of law passed by this parliament in respect of parole and clemency.

All of the arguments on this question have been fully rehashed and I do not think there is any point in prolonging the debate. This amendment is designed to give those who believe in the total abolition of capital punishment the right to register their opinions at this time. The arguments in favour are the arguments which have been repeated again and again in this house and I am not going to reiterate them now. Therefore, Mr. Chairman, I move:

That Bill C-168 be amended by deleting therefrom the present clause 1, and by substituting therefor the following new clause 1:

"1. (1) Section 202A of the Criminal Code is repealed.

(2) Section 206 of the Criminal Code is repealed and the following substituted therefor:

"206. Everyone who commits murder is guilty of an indictable offence and shall be sentenced to imprisonment for life."

Mr. Mackasey: Mr. Chairman, the hon. gentleman who has just introduced this amendment quite accurately pointed out that in the debate on second reading which we have just concluded most of the arguments for or against the principle of abolition were placed on the record. Last year I voted for total abolition of the death penalty. However, I intend to vote against the amendment presented by the hon. member for Greenwood and, very briefly, these are my reasons.

One of the reoccurring themes in most of the contributions we have heard in the present debate, one that has a certain degree of justification, is that 18 months ago this house had an opportunity to express an opinion on the first measure presented on the question of total abolition. It was recognized at the time that many people voted against abolition because of the reservations they had concerning the so-called deterrent or psychological factor in so far as law officers are concerned. Many of the people who voted for retention a year or more ago voted for the bill on this occasion because of the retention of the death penalty in so far as law officers being killed.

In all fairness to these people, Mr. Chairman, what this amendment would do if