

Amendments Respecting Death Sentence

is somewhat irregular and, to say the least, an unusual procedure.

I therefore ask myself what is the reason for this debate. In his argument the Solicitor General gave no reason for the great urgency. Neither did he give us a reason why the decision that was arrived at by this parliament 18 months ago should be ignored completely. In the course of his eloquent remarks he made a lot of good points in support of his contention, but he did not tell us the reason for the urgency of this debate, and why he was disregarding a decision already made on the matter. I hope he will deal with this question when he concludes the debate on second reading.

This debate is not an argument as between one party and another in this house. I am sure everyone is anxious that out of the deliberations and consideration of this bill shall come something of benefit in solving this problem. Any criticism I have to make of the government is not for the purpose of scoring a point against it. I make the criticism in the hope of turning something to the advantage of the people of Canada.

I repeat, Mr. Speaker, I should like the minister to tell us why he is disregarding the decision made 18 months ago by this same parliament. Had we had an election and a new parliament had been called since that time, then I would say the government was quite justified in asking us for our opinion. But it is the same parliament and the same members of that parliament who are discussing this same question.

The amendment that we voted on, as reported at page 3910 of *Hansard* for April 5 last year, was defeated on a division of 179 to 74. The main motion, which moved that it was expedient to do away with the death penalty, was defeated by a vote of 143 to 112. Since we have decided the matter, why is it before us again?

My reason for not supporting the motion for second reading is summarized in the remarks I made 18 months ago. It is also based on one word, and that one word is the "protection" of society, the protection of helpless women, children and old men. I think, for example, of the elderly storekeeper on the outskirts of Fredericton who two or three months ago was brutally murdered for a few dollars. This is the type of protection that I am interested in.

If my hon. friend the Solicitor General were arguing with me about this, I know he would say "Yes, but capital punishment will

[Mr. Flemming.]

not be a deterrent". That is where he and I do not agree. I submit that in this day and age of violence and crime any tampering with penalties is most dangerous. It is the criminals and the members of the underworld who are anxious to have the death penalty abolished.

Mr. Bell (Carleton): No.

Mr. Flemming: My hon. friend to my right does not agree, but I am as much entitled to my opinion as he is to his. That shows that this is not a matter of political leanings.

The Solicitor General has told us that the death penalty is no deterrent. However, I am sure he will agree with me that crime is on the increase.

Mr. Pennell: I hesitate to interrupt the interesting remarks of the hon. member, but it is a deterrent. My point is that it is not a special, unique deterrent. I acknowledge that it is a deterrent.

Mr. Flemming: I can assure my hon. friend that I am anxious not to do him an injustice.

Mr. Pennell: I realize that.

• (8:40 p.m.)

Mr. Flemming: I am anxious only to state the facts. I feel it is and has been a deterrent. I feel strongly too about law enforcement. We ought to support our law enforcement officers. When I was a member of the New Brunswick government, I remember one of the first matters that came up for our consideration in cabinet had to do with the remission of a seven day sentence. Anyone who hunted deer with a light, and a light induced deer to come to it, was liable on conviction to a mandatory term of seven days in jail. The government decided that it could not be lenient. If we were lenient, we decided, that statute could be enforced no longer. The man, who happened to be a supporter of our government, served seven days.

On another occasion, when a young man was sentenced to 30 days for interfering with an officer discharging his duty, we were besieged by many people, but not by those whose opinions I valued. Finally I found that those whose opinions I respected had not come forward because, as one of them said, "We feel that though the officer is to be criticized for the way he carried out his duties, as an officer he is entitled to our support because he is the symbol of law and protection."