

*Amendments Respecting Death Sentence*

of the assaults by violence were committed by those whose death sentences had been commuted. The two offenders who in this period had killed a guard and an inmate were 18 and 27 years of age and were serving sentences of 12 and 21 years for robbery.

I do not wish to bore members of the house with statistics, but this is significant. In the states where capital punishment has been retained, nine out of ten police officers believe in the protective value of the death penalty. The significant factor, however, is that in the abolition states three out of four do not share that view at all. So where in fact the death penalty has been abolished the police officers themselves become convinced by that experience that they are not protected by the continuance of the death penalty.

It is not because we do not place a high value on the importance of protecting police officers in their hazardous occupation that we do not wish to retain the death penalty in the cases covered by the present bill. It is because we believe it is a delusion to imagine that the existence of the death penalty in respect of police and prison guards will in fact protect them. Indeed, it is not unreasonable to assume that where the state itself recognizes more clearly the sanctity of human life by not itself imposing a penalty of death, the hazards of the police will actually be reduced. This seems to have been the case in the many jurisdictions which have in fact abolished capital punishment.

It is therefore perfectly clear, in our view, that the exceptions provided by the bill with regard to the abolition of capital punishment detract from the principle which we believe should be embodied in the bill. We do not, however, for that reason believe the bill should be rejected. It would seem to us to be quite irresponsible, if we can get the substance of abolition of capital punishment, to reject it because the bill itself provides for exceptions applicable only in a minimum of cases. I would appeal, therefore, to all the members of the house, who believe in the total abolition of capital punishment and are not happy with the form of the present bill or the exceptions which it contains, to support the bill nevertheless and join with us in seeking to have it amended at the committee stage.

There is an ancient expression which I believe is applicable here—half a loaf is better than no bread. In the present case it might well be said by those who favour abolition that the present bill provides for ninety-nine one hundredths of the loaf and that

[Mr. Brewin.]

it would be wrong for us to reject it. If, in the opinion of certain members, these exceptions make it easier to support the bill, if, in other words, there are members who previously voted against the resolution favouring abolition because of their belief that capital punishment did or might act as some measure of protection for those engaged in the hazardous occupations of police officers, prison wardens and guards, then we think it is both sensible and morally right to accept their support so that the great advance made by this bill may be realized. We believe that the bill represents an important step forward in achieving a more civilized, more compassionate and more humane approach to the whole subject of dealing with criminals.

In Canada we are not pioneers in this field at all. Many nations in the free world have abolished capital punishment without any ill effects. We know very well that there are murders which raise instinctive horror in our minds. But in this and in all matters having to do with punishment it is our conviction that a combination of compassion and cool and practical calculation of the consequences of various forms of punishment are our best guide, not indignation. Indignation, even if it calls itself moral indignation, does not produce good judgment.

● (5:00 p.m.)

Therefore I commend this bill to all those who believe in total abolition as well as to those who believe that the limited exceptions embodied in the bill are necessary, which we do not believe.

The question of the sentence of death is a solemn and fundamental matter. It is symbolic of our whole attitude to society. I say to my fellow members, let us take gladly this opportunity which is given us to advance down the road toward progress and humanity in this field.

[Translation]

**Mr. Gérard Laprise (Chapleau):** Mr. Speaker, I shall take only a few minutes to express my opinions on the bill under study, since we dealt with this matter barely a year ago. That is why I shall limit myself to a few remarks, to a few arguments only.

I listened closely to the speech made by the hon. Solicitor General of Canada (Mr. Pennell) who, very brilliantly and eloquently, I must say, introduced his bill. But in spite of his eloquence, it was but a rehash of the debate held in March and April 1966. The Solicitor General dug up old arguments to urge us to adopt his bill which, as far as I