

*Amendments Respecting Death Sentence*

and the most recent Harris survey of July, 1966, public approval of the death penalty in the United States dwindled from 62 per cent to 38 per cent, whereas abolition sentiment grew from 33 per cent to 47 per cent. We can conclude that the American nation has changed virtually within a generation from overwhelming support of the death penalty to a near majority in opposition to it.

I think a much more noteworthy feature is the shift in public posture within the department of justice in Washington. For many years the most outspoken defender of capital punishment in the United States was the director of the F.B.I., J. Edgar Hoover. His views on the subject have often been released to law enforcement personnel through official F.B.I. publications and have been reported to royal commissions in this country and in the United Kingdom. But two years ago, in a letter to Congress, Ramsey Clark, who is now attorney general in that country, wrote: "We favour the abolition of the death penalty." He reiterated these views at his first official press conference in March, 1967. Mr. Speaker, that great scholar Hugo Bedau sums up his judgment on the issue of capital punishment in these terms:

—the trends in public opinion, the views of government spokesmen, the unmistakable decline in executions and the piecemeal abolition of death penalties across the nation—all these are clear signs that whatever the facts and the consequences, the death penalty is now in the twilight of its historical role as a mode of social defence against crime in America.

If the figures which I have read into the record are correct, that in 1948 the rate in the United States was 5.8 per 100,000 population whereas the figure for Canada was 1.2, this indicates a far greater American problem; yet even there we can discern no progressive increase toward homicide. The problem has remained quite constant there and here. In 1966 the Americans were able to get by with one execution only with a population of approximately 200 million. I ask, does it seem too difficult for us to completely abolish the death penalty in Canada, where it is demonstrably shown that we have far less crimes of violence?

The hon. member for Chapleau (Mr. La-prise) and the hon. member for Red Deer (Mr. Thompson) referred to the British experience. This of course is something that we must face frankly. We are mindful on the rate of increase of murders in the United Kingdom since total abolition of the death penalty was enacted in 1965. But let us look at this in perspective. First of all, there is no

[Mr. Matheson.]

reliable evidence that there is any relationship between the abolition of capital punishment and the increase in the number of murders. Moreover, no matter in what law area we may study at any particular time, there are always short term fluctuations in the murder rate. If we look at our own statistics in Canada we will find that in 1956-57 a total of 18 persons were convicted of murder, but in 1958-59 the number of convicted persons jumped to 33. This is an increase of 80 per cent. In 1960-61 convictions however settled back to a total of nine. Therefore, in our consideration of homicide we must look at it both in the short and middle run.

• (8:10 p.m.)

The royal commission in the United Kingdom suggested that after abolition there might very well be, for a short time, a slight increase in homicide, but it would appear that as soon as the country has become accustomed to the new form of extreme penalty, abolition will not, in the long run, lead to any increase in crime. I believe that this is supported by the best scholarly evidence there is on this subject.

Reference has been made to the work of Thorsten Sellin, a person whom many of us in this chamber have come to know and whom we have heard speak. I wonder if it might be useful to inform any members who may not know Dr. Sellin that he is a professor of sociology, born in Sweden but best known for his scholarly research at the University of Pennsylvania, doctoral work at the University of Minnesota and post graduate and post doctorate work in Paris and Uppsala. He has been an important visiting professor, at such institutions as Princeton, Columbia and Cambridge. He has served as a consultant in criminal matters to governments virtually all over the world. From 1959 to 1964 he was president of the international penal and penitentiary foundation. He was chairman of the governors commission on penal and correctional affairs in Pennsylvania. He has won so many awards of distinction in the field of penology that when we mention the name Sellin we do not do so lightly. He is an expert who frequently has been called away from his chair in Pennsylvania to give evidence around the world. We rely with some confidence on the thorough work that he has done.

As will be recalled, he appeared before the joint committee of the Senate and the House of Commons on capital punishment, the