

deterrent to murder than life imprisonment. The case for retention cannot be proved by personal opinions or the vague generalizations of those who have expressed their desire to retain capital punishment.

Parliament has a responsibility as the supreme legislative body. We must not be sidetracked by any false assumption. To do so is to abdicate our basic responsibility. We must never assume that capital punishment is right just because it exists.

The fact is that the statistics available indicate that life imprisonment is as effective a deterrent to murder as capital punishment. If this is so, it is our duty to abolish capital punishment. We must make certain that punishment for any crime is never excessive. The appropriate sentence is the minimum civilized penalty which is sufficient to achieve the objectives of the criminal law. We must go no further. This is the very essence of a democracy. It is for this reason I emphasize that the onus is on those favouring retention to prove that capital punishment is a more effective deterrent to murder than life imprisonment.

● (2:50 p.m.)

It has often been said that Canadians resist change. I hesitate to think that we will be the last free nation to abolish capital punishment. To date 45 jurisdictions have abolished the death penalty, in whole or in part, for the offence of murder. A United Nations report states that there is a major trend toward the abolition of capital punishment and urges member nations to question the death penalty as a means of discouraging crime.

The British royal commission of 1949 to 1953 studied the whole problem and concluded that there is no definite evidence that the abolition of capital punishment has led to any increase in the murder rate, nor its re-introduction to a fall in that rate. Furthermore, I do not know of a noted criminologist who has set out any convincing proof that capital punishment is a unique deterrent to murder.

I respect the personal opinions and feelings of the retentionists. In a matter which is as basic to our democracy as this, we must not sidestep the expert opinions of the criminologists and sociologists of our age and the wealth of experience of other nations in this field in favour of our own personal opinions without the facts to substantiate those opinions.

Amendments Respecting Death Sentence

Fear was expressed by many hon. members who spoke in favour of retention of the danger of paroling a murderer. In general they are the least likely to recidivate. To my knowledge there have been in Canada only two cases of convicted murderers who have murdered the second time. Professor Sellin, in the speech I mentioned a few minutes ago, put it this way:

The belief that a prisoner serving a sentence for capital murder presents a special danger is another myth. Experience shows the contrary. Homicides do occur in prisons, but they are almost never committed by those serving life sentences but by people committed for robbery, forgery or what have you.

Professor Sellin went on to say:

Paroled murderers everywhere have the best record of all parolees. Very few of them are again convicted and then usually of relatively minor offences.

I like to think that our civilization is progressing. We can never show the world that we have a respect for human life if we pay only lip service to it.

Mr. F. J. Bigg (Athabasca): Mr. Speaker, I wish to begin my remarks by congratulating the minister on the very non-partisan manner in which he presented his bill and his very eloquent address in favour of the abolition of the death penalty. The minister has been criticized by some who have said he is unworthy of being a minister seized with the responsibility of carrying out the law of Canada to its final conclusion. The same criticism can no doubt be levelled at anybody who is a dyed-in-the-wool retentionist. I hope the debate will continue in this vein and that hon. members will refrain from making partisan remarks because we are endeavouring to consider both sides of the question fairly.

I am not impressed by the argument that because we decided this question 18 months ago we should leave the problem alone. Canadian jurisprudence is not bound by the laws of the Medes and Persians; rather, we are in an evolutionary process and I believe that the evolution in Canadian jurisprudence has been moving toward charity. If the evolutionary process has to move in one direction, I think that is the positive direction in which it should move.

Statistics can be used to prove any point. However, in all the correspondence, opinions and statistics I have read concerning murder I have not seen anything clearly proven except that the statistics do not make out a