

prove very much, but I think they do disprove the statement of the Solicitor General that the weight of the statistics supports his case for abolition. I think the reverse is the situation.

The statistics which have much more value from any point of view are those showing the homicide rates for different countries and these are to be found at page 86 of this same book. Homicide death rates per 100,000 of population are shown in two tables. Beginning with El Salvador, which has by far the highest rate of any country with 44.3, here are some rates in various countries where the death penalty exists: Bolivia, 6.6; U.S.A., 5.8; Spain 1.4; Canada, 1.2; Australia, 1.1; New Zealand, 1.1; France 0.8; Ireland, 0.6; Scotland, 0.6; England and Wales, 0.5. I wonder why there should be such a difference between the situation in Spain and the situation in Italy, a country without the death penalty, where the rate is 2.4. In many respects these are similar countries. The indication is that the absence of the death penalty in Italy is a factor to which the difference might be attributed.

In the next column we find a list of countries where the death penalty is not imposed. The rates are: Columbia, 15.9; Puerto Rico, 14.1; Costa Rica, 5.0; Dominican Republic, 4.9; Finland, 4.6; Italy, 2.4; Austria, 2.1; Portugal, 1.6; Belgium, 1.4; West Germany, 1.2; Denmark, 1.0; Switzerland, 1.0; Sweden, 0.8; Norway, 0.5; The Netherlands, 0.4. These statistics are not conclusive in terms of evidence but in my opinion they demonstrate strongly that where a tradition of respect for the law is strong the homicide rate is low, and that where a tradition of violence exists the homicide rate is high. We note this particularly in the United States where there is a low rate in the New England states and a much higher rate in the southern and some of the western states where a tradition of violence has existed since pioneer days.

If we turn from statistics, as I think most of us do when considering this subject, as a means of proving the value of capital punishment as a deterrent to murder, we are left with the question: What is there to fall back on? I suggest that what we have to rely on chiefly is the application of common sense to our own reactions and the reactions of other people we have observed throughout our lives in connection with the effect of deterrents on them in dissuading them from entering on a life of crime or breaching regulations and laws in any way. I submit that the chief reason the majority of people do not

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break the law is fear of the consequences. I further submit that the greatest fear known to a human being is the fear of death.

The argument has been advanced that the fear of life imprisonment is just as great as the fear of death; some have suggested it is even greater. I do not believe that those who argue in this way have examined their own reactions and their own thinking. If they were to do so I do not think they could possibly put forward such an argument honestly. No one who has had experience in a war and has seen men under fire can fail to be convinced that the fear of death is the greatest fear there is so far as the vast majority of people are concerned. There may be the exceptional individual who does not fear death but such people are few indeed, and I have yet to see one when under fire.

It has been argued that the criminal mind does not fear death. I reject the idea that there is a criminal mind as such. I believe that all human beings react to basic situations in the same way and that criminals have the same reactions as the rest of us. In my opinion their fear of death is just as great as that of any other individual. They may overcome that fear and carry out certain actions just as soldiers do in a war but nevertheless the fear is there, and I am convinced in my own mind that in a large number of cases it serves as a deterrent to crimes of murder which would otherwise be committed.

I reject the argument that life imprisonment is just as great a deterrent as capital punishment. I reject it because along with the punishment of life imprisonment there is always hope. Hope is the emotion which keeps people going in any type of activity and as long as a prisoner has hope that he will one day be free a life sentence will not be nearly as powerful a deterrent as the death penalty, particularly since the so-called life sentence very rarely amounts to that. The Solicitor General himself knows that practically every one of these sentences has been reviewed and the prisoner paroled in the course of time. Again, there is always the hope of escape. For these reasons I reject the argument that life imprisonment is anywhere near as powerful a deterrent to the commission of murder as the fear of death, particularly the fear of death by hanging which is a particularly repugnant way to die according to most people's thinking.

Another argument put forward by the Registrar General is that an innocent man might be executed in error. An instance of