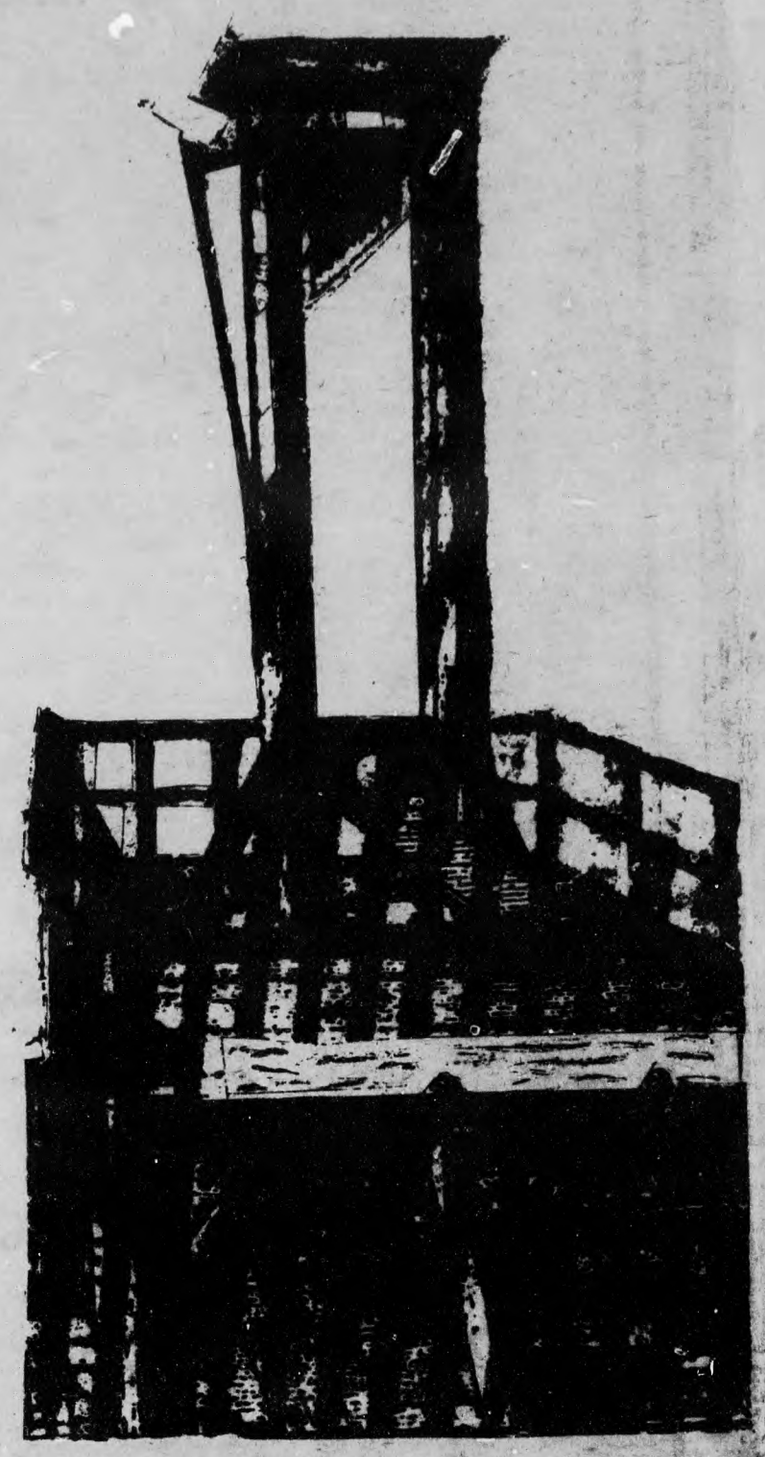
The death penalty; "vengeance is mine"



By JUDY STEEVES and BILL INNIS

The last execution in Canada took place at midnight on Dec. 11, 1962.

The hangman and his assistant had spent the afternoon at the Don Jail in Toronto obtaining the weight and physical characteristics of the condemned:

"These vital statistics are ciritical. They determine the length of the rope.

"If the rope is too long, the victim will spring up with a jolt that can decapitate him. This happened to a woman executed at Montreal's Bordeaux Jail in 1935.

"If the rope is too short, the hangman's knot, placed under the chin and the left ear won't be driven against the neck with enough force to break it. The victim will strange.

"The executioner wore a black hood with eye-slits . . . [he] motioned to two chalk-marks on the floor. The men stood on the marks. Their legs were bound at the ankles and knees. They were back to back.

"The hangman pulled a lever and two halves of the floor crashed downwards . . . . It took 45 minutes for Arthur Lucas' heart to stop beating. Turpin's heart gave out after 35. They were both left hanging for an hour to make sure."

—condensed from a story in the Star

Hanging is not always an instantaneous death. In its earliest forms the prisoner was pushed or jumped off the limb of a tree. Death came from strangulation. It was not uncommon for a condemned man to ask his friends to come to the execution and pull down on his legs, to speed the process. The 'long drop' did not come into use until the 19th century.

Our modern method entails dislocation and rupture of the spinal cord, causing death. Sometimes this does not happen, but death can be caused by a rupture of the jugular vein. Strangulation is the third effect.

The death penalty brings out strong emotional responses:

"When the hangman springs the trap door to leave his victim dangling by the neck until dead, he does so on your behalf and mine. It must just as well be your hand on the rope, your fingers on the button, your hand on the lever."

—Fraser Kelly

"Crime must be treated not on the gallows, but in the slums, in the ghettos and in the clinics."

—Lester Pearson, '67

"It is all part of the perverted philosophy which is spreading across the land, the idea that the criminal, not the victim, merits sympathy. And the tragedy is that it is emanating from the highest echelon of government, the Cabinet of Canada."

—The Gleaner, '71.

This article is an attempt to review the Government's handling of capital punishment to date and suggest some alternative approaches. It is a matter that should be given thought by all Canadians. It is not a political issue. It is basically a moral issue, centering on the priorities of this country in the 20th century.

Since December of 62, every death sentence handed out in Canada has been commuted by the Cabinet. The recent killings in Vancouver and Toronto have yet to reach that stage. In 1962 any planned or deliberate murder of any person; or assisting, counselling or procuring the death of any person; was punishable by hanging. All other forms of murder entailed life imprisonment.

In response to a great deal of public pressure (at the time there were 17 Canadians under sentence of death) the Pearson government in 67 introduced the following amendment to the Criminal Code:

1. Subsection [2] of section 202A of the Criminal Code is repealed and the following substituted therefor:

"[2] Murder is capital murder, in respect of any person, where such person by his own act caused or assisted in causing the death of

[a] a police officer, police constable, constable,

sheriff, sheriff's person e preservat ance of acting in duties, o [b] a warden, gaoler, officer employe acting in duties, or counse another pe causing or the death.

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