



ARCHIVED - Archiving Content

Archived Content

Information identified as archived is provided for reference, research or recordkeeping purposes. It is not subject to the Government of Canada Web Standards and has not been altered or updated since it was archived. Please contact us to request a format other than those available.

ARCHIVÉE - Contenu archivé

Contenu archivé

L'information dont il est indiqué qu'elle est archivée est fournie à des fins de référence, de recherche ou de tenue de documents. Elle n'est pas assujettie aux normes Web du gouvernement du Canada et elle n'a pas été modifiée ou mise à jour depuis son archivage. Pour obtenir cette information dans un autre format, veuillez communiquer avec nous.

This document is archival in nature and is intended for those who wish to consult archival documents made available from the collection of Public Safety Canada.

Some of these documents are available in only one official language. Translation, to be provided by Public Safety Canada, is available upon request.

Le présent document a une valeur archivistique et fait partie des documents d'archives rendus disponibles par Sécurité publique Canada à ceux qui souhaitent consulter ces documents issus de sa collection.

Certains de ces documents ne sont disponibles que dans une langue officielle. Sécurité publique Canada fournira une traduction sur demande.

THE CANADIAN PUBLIC AND THE DEATH PENALTY

A STUDY OF A SOCIAL ATTITUDE

BY

EZZAT A. FATTAH, PH.D

Chairman, Criminology Department
Simon Fraser University
Burnaby, B.C.
V5A 1S6

HV
8699
.C2
F3c
1976
c.2

HV
8699
.c2
F3c
1976
c.2

THE LIBRARY
MINISTRY OF THE SOLICITOR GENERAL
340 LAURIER AVE. WEST
OTTAWA ONTARIO

This study was carried out under contract
with the Research and Systems Development
Branch of the Ministry of the Solicitor
General

The views of the author do not necessarily
represent the views of the Solicitor General
of Canada

Copyright of this document does not belong to the Crown.
Proper authorization must be obtained from the author for
any intended use.
Les droits d'auteur du présent document n'appartiennent
pas à l'État. Toute utilisation du contenu du présent
document doit être approuvée préalablement par l'auteur.

LIBRARY
MINISTRY OF THE SOLICITOR
GENERAL
NOV 3 1982
BIBLIOTHÈQUE
MINISTÈRE DU SOLICITEUR GÉNÉRAL

ABSTRACT

Results of Canadian Gallup Polls on the death penalty show a strong support for the ultimate sentence in the nineteen forties and early fifties. After a steady erosion in public support in the late fifties and early sixties, a resurgence seems to have taken place in the late sixties and early seventies.

Americans have always been less in favor of the death penalty than their Canadian neighbors. Also, in Canada, the degree of support is not uniform in the different provinces, with the province of Quebec usually reporting a higher support for the death penalty than other Canadian provinces.

Attitudes to the death penalty vary widely, according to certain socio-demographic variables. Support for the death penalty is stronger among the male sex, older people, Roman Catholics, the less educated, certain occupational groups, people with right wing political beliefs, etc.

Psychological variables seem to influence attitudes to the death penalty, with a higher degree of support to be found among authoritarian, dogmatic, prejudiced personalities. Support also seems to be high among people who are insecure, who were severely brought up, and who are maladjusted socially.

Attitudes to the death penalty do not seem to be a function of violent crime rates, of the subjective estimates of the incidence of violent crimes, or of the degree of fear of crime.

Further research is needed to measure the strength, intensity, saliency and stability of public attitudes to the death penalty, to unravel their sociological, cultural and psychological determinants, to find the right explanations for such attitudes, and to indicate the possibility and means of changing those attitudes.

Changing public attitudes to the death penalty depends on how deep-

seated those attitudes are. It seems difficult, however, to change those attitudes simply by means of factual information.

Public opinion is neither an adequate nor a solid basis for policies of social control. Thus, an uninformed or irrational public opinion on the death penalty is not a justification for bringing back the noose in Canada.

SUMMARY

The results of the different Canadian Gallup Polls reveal that in the nineteen forties and early fifties, more than seven in ten Canadian adults felt that the death penalty (for murder) should be retained in the criminal code, while only two in ten were against it. In the late fifties, a steady erosion in public support of the death penalty took place, and by 1960, only half of Canadian adults (51%) were in favor of capital punishment, while 41% were against it. The abolitionist trend reversed itself following the October Crisis and the international climate of political unrest which characterized the late sixties and the early seventies. In 1975, the level of support for the death penalty is back to what it was in the forties and early fifties.

During the past thirty years, Americans have always been less in favor of the death penalty than their Canadian neighbors. However, the trends and patterns of public opinion observed in both countries are similar.

Since Gallup Polls on the death penalty have been conducted in Canada, the province of Quebec has usually reported a higher support for the death penalty than the rest of the country. Quebecers also seem to adopt a more rigoristic attitude towards criminals than other Canadians.

Support for the death penalty seems to be stronger among farmers than among people in rural non-farm areas. The least support can be found in urban areas.

Support for the death penalty seems to be stronger in provinces with homogeneous populations, lending credence to the Durkheimian notion "*that sentiments in areas in which the population is homogeneous are likely to be more repressive.*" However, the trend is not consistent, and further studies are needed to verify the hypothesis.

Support for the death penalty does not seem to follow crime rates. Also, the widely assumed link between the degree of fear of crime and the degree of support of the death penalty does not seem to exist.

There does not seem to be an inverse relationship between the degree of respect for human life (as measured by suicide rates, or by the degree of opposition to mercy killing) and the degree of support for the death penalty. In some Canadian provinces, there is low support for capital punishment and strong approval of mercy killing, suggesting that both reflect liberal and humanistic attitudes. However, this finding is not consistent.

Attitudes towards the death penalty seem to vary widely, according to sociodemographic, socioeconomic and sociopolitical variables.

Public opinion polls in Canada and the U.S. show consistently that there is less support for the death penalty among women than among men. Since the fear of violent crime is much stronger among the female sex, it would seem that the fear of crime is not an important influence variable in the attitudes toward the death penalty. On the whole, it seems that women are more humanistic than men.

Data from Canada and the U.S. shows that the older people become, the more in favor of the death penalty they tend to be. This seems a part of a general trend toward increasing rigorism and decreasing humanitarianism, with advancing age. Since a higher percentage of younger people believe that there is more violence in Canada and around the world today, it would again seem that opinions on the death penalty and attitudes to crime and punishment are neither functions of objective crime rates, nor of subjective estimates of the incidence of crime.

Roman Catholics are less opposed to capital punishment, and seem to be, on the whole, more rigoristic in their attitudes than Protestants are. There also seems to be a positive relationship between being religious and tending to approve of severe punishment and of the death penalty.

Since most French Canadians are Roman Catholic, it is hard to say whether the wide popularity capital punishment enjoys among French Canadians is mainly due to their Roman Catholic religious affiliation or to the combined effect of religion and other particularities of the French Canadian culture.

Results of American polls show that there is a consistently strong opposition to the death penalty among the non-white population.

While the results of Canadian Gallup Polls do not show any marked difference in attitudes to the death penalty by income, recent American polls seem to indicate that the support for the death penalty increases with increasing income, while the strongest opposition to it is to be found among the lowest groups on the income scale. This pattern is in conflict with the general pattern revealed by the Prévost Commission survey in the province of Quebec in 1968, according to which, people with a higher level of education, with a higher socio-economic status, and with a higher income, tend, on the whole, to be more in favor of a humanitarian and less punitive penal policy.

It seems that the better educated tend to be more tolerant in their attitudes toward punishment, and more opposed to the death penalty than the less educated. If this is correct, then it should be expected that as the proportion of the Canadian population with higher levels of education increases in the future, the percentages of those opposed to capital punishment will go up.

There seem to be fairly consistent attitudinal patterns regarding the death penalty within certain occupational groups. For example, support for the death penalty is quite strong among law enforcement officers. It is difficult, however, to say whether the determinants of such an attitude are related to police work or to the personality of those who choose a career in law enforcement, or to both.

Results of the surveys of attitudes suggest that beliefs about capital

punishment are an aspect of a complex of political and social beliefs, that there is a certain association between political preference and views on the death penalty. Strong support for the death penalty seems to be quite prevalent among people with right wing preferences, while the opposition to it seems to be strongest among people leaning toward the left, with the centrists divided on the issue. This is confirmed in both Canadian and American data.

Most public opinion polls and surveys of attitudes are limited to socio-demographic variables, because of the difficulty in including psychological traits or attributes. The few studies which attempted to examine some psychological determinants of attitudes to the death penalty tend to show that people who approve of the death penalty are people who are insecure, who were severely brought up, and who are maladjusted socially. People who are opposed to it are people who feel secure, who were brought up by mild disciplinary methods, and who are pleased with life.

It also seems that authoritarian persons tend to be more punitive toward others, and to express greater degrees of retributive motives in attitudes toward criminal punishment, than non-authoritarian persons.

Furthermore, support for capital punishment seems to be associated with prejudice, ethnocentrism, and with low regard for values such as equality, forgiveness and love. Finally, it seems that supporters of capital punishment are more dogmatic than those opposed to it.

A high percentage of those who support the death penalty give utilitarian reasons (such as deterrence, incapacitation, low cost, etc.) to justify their view. On the other hand, those who opposed the death penalty seem to do so as a matter of principle, and regardless of its value as a deterrent.

Psychologists and psychiatrists have tried to explain the popularity of punishment by the lack of identification with the offender, and by the cathartic

effects of vicarious punishment. It seems that the use of the criminal as a scape-goat helps to relieve guilt feelings of "innocent" individuals through the displacement mechanism, and serves as an outlet for inhibited aggression.

Further research on public attitudes to the death penalty is needed, in order to measure the strength, intensity, saliency and stability of such attitudes, to unravel their sociological, cultural and psychological determinants, and to find the right explanations for them. Only when such understanding is achieved will it be possible to influence or modify those attitudes in a desirable direction.

The possibility of change depends on whether, for the majority of people, the attitudes toward crime, criminals and toward capital punishment in particular, are deep-seated, and thus difficult to change, or whether they are only at the simplest level, and can easily be changed.

The possibility of changing public attitudes to the death penalty by means of information also depends on the extent to which such attitudes are based on factual information. But, there are reasons to be skeptical about the possibility of changing attitudes by means of information. Nevertheless, information is likely to reduce ignorance and misconceptions regarding the death penalty, which are shared by a large segment of the public.

While it is necessary that public attitudes to the death penalty be taken into consideration before the final decision concerning capital punishment in Canada is made, it should be kept in mind that an uninformed or irrational public opinion is not a justification for bringing back the noose. A democratic government should not simply reflect uninstructed opinion, but should actively help to shape moral sentiments to rational common ends, should not follow, but should lead and help enlighten public opinion.

Social scientists have learned that public opinion is not an adequate basis for policies of social control. Public opinion, as the polls indicate, is

subject to wide swings, is changeable from moment to moment, and it would be unwise to use it as a foundation for social or criminal policy. Basing the final decision regarding the death penalty on the state of public opinion would amount to basing economic policy on public feelings about the strength of the dollar, or basing foreign policy on public sentiments toward Russia or China, or basing defence policy on what the public thinks of the effectiveness of antiballistic missiles.

TABLE OF CONTENTS

CHAPTER

PAGE

<u>ONE</u>	<u>TRENDS IN CANADIAN PUBLIC OPINION ON THE DEATH PENALTY.....</u>	<u>1</u>
	1) Evolution of public opinion in Canada regarding the death Penalty.....	1
	2) Public opinion on the death penalty in the province of Quebec.....	6
	3) Public opinion on the death penalty in Ontario.....	8
	4) Public opinion on the death penalty in British Columbia.....	9
	5) Canadian and American views on the death penalty.....	10
<u>TWO</u>	<u>VARIATIONS IN PUBLIC ATTITUDES TO THE DEATH PENALTY.....</u>	<u>11</u>
	1) Regional variations in Canada and the U.S.A.....	11
	a) Differences between the Canadian provinces.....	11
	b) Regional variations in the U.S.A.....	14
	c) Rural and urban differences in Canada.....	15
	2) Degree of population homogeneity and attitudes to the death penalty	16
	3) Respect for human life and attitudes to the death penalty.....	18
<u>THREE</u>	<u>SOCIODEMOGRAPHIC, SOCIOECONOMIC, SOCIOPOLITICAL VARIABLES AND ATTITUDES</u> <u>TO THE DEATH PENALTY.....</u>	<u>20</u>
	1) Sociodemographic attributes and attitudes to the death penalty.....	20
	a) Sex and attitudes to the death penalty.....	20
	b) Age and attitudes to the death penalty.....	23
	c) Ethnicity, language, religion and attitudes to the death penalty	27
	2) Socioeconomic variables and attitudes to the death penalty.....	31
	a) Socioeconomic variables and attitudes to the death penalty.....	31
	b) Education and attitudes to the death penalty.....	34
	c) Occupation and attitudes to the death penalty.....	39
	3) Sociopolitical variables and attitudes to the death penalty.....	43

...continued ii

	a) Political preference and attitudes to the death penalty.....	43
<u>FOUR</u>	<u>FEAR OF VICTIMIZATION, CONCERN ABOUT CRIME AND ATTITUDES TO THE DEATH</u>	
	<u>PENALTY.....</u>	47
	1) Attitudes to the death penalty and crime rates.....	47
	2) Fear of victimization and concern about crime.....	48
	a) Discrepancy between fear of victimization and concern about crime.....	50
	b) Sources for fear of victimization and concern about crime.....	51
	3) Fear of victimization, concern about crime and attitudes to the	
	death penalty.....	53
<u>FIVE</u>	<u>PSYCHOLOGICAL VARIABLES AND ATTITUDES TO THE DEATH PENALTY.....</u>	57
	Authoritarianism, Conservatism, Dogmatism and attitudes to the death	
	penalty.....	58
	a) Authoritarianism and attitudes to the death penalty.....	58
	b) Conservatism and attitudes toward the death penalty.....	59
	c) Dogmatism and attitudes to the death penalty.....	60
<u>SIX</u>	<u>REASONS FOR FAVORING OR OPPOSING THE DEATH PENALTY.....</u>	63
	1) Reasons for supporting capital punishment: utilitarian v.s.	
	retributive motives.....	63
	2) Explaining the urge to punish.....	67
	a) Why are some people more punitive than others.....	68
	b) Reasons for the popularity of punishment.....	69
<u>SEVEN</u>	<u>CHANGING PUBLIC ATTITUDES TOWARD THE DEATH PENALTY.....</u>	73
	The role of information in changing public attitude to the death	
	penalty. A case study: The National Campaign for the Abolition of	
	Capital punishment in the U.K.....	79

CHAPTER

PAGE

<u>EIGHT</u>	<u>PUBLIC OPINION AND PUBLIC POLICY.....</u>	82
	1) Public opinion as a basis for social and criminal policy.....	82
	a) Public opinion polls as indicators of public sentiment.....	82
	b) Public knowledge of capital punishment.....	85
	c) Public opinion as a guide for legislators.....	88
	2) Leadership vs. followership.....	92
	<u>CONCLUSION.....</u>	94
	<u>BIBLIOGRAPHY.....</u>	97
	<u>TABLES.....</u>	105

LIST OF TABLES

<u>TABLE NO.</u>	<u>TITLE</u>	<u>PAGE</u>
1	Evolution of Canadian Public Opinion Regarding the Death Penalty, 1943-1975.	105
2.	Evolution of American Public Opinion Regarding the Death Penalty, 1936-1974.	106
3.	Regional Variations in Public Opinion Regarding the Death Penalty in Canada (Differences Between the Provinces).....	107
4.	Regional Variations in Public Opinion Regarding the Death Penalty in Canada (Rural and Urban Differences.....	108
5.	Attitudes of Canadians towards the Death Penalty by Region (N = 1042).....	109
6.	Variations in Public Opinion on the Death Penalty by Language, Ethnicity and Religion - Canada.....	110
7.	Regional Variations in Public Opinion on Matters Related to Crime and Punishment, 1969 - 1971.....	111
8.	Regional Variations in Public Opinion on Matters Related to Crime and Punishment, 1974.....	113
9.	Regional Variations in Public Opinion Regarding the Death Penalty in the U.S.A.....	114
10.	Punishment for Murder by Region (Province of Quebec, 1968).....	115
11.	Cultural Homogeneity and Attitudes to the Death Penalty - Canada.....	116
12.	Variations of Public Opinion in Canada on Matters Related to the Death Penalty.....	117
13.	Variations in Public Opinion on the Death Penalty by Sex - Canada.....	118
14.	Variations in Public Opinion on Matters Related to the Death Penalty by Sex - Canada.....	120
15.	Variations in Public Opinion on the Death Penalty by Sex - U.S.A.....	122

... continued page 2

<u>TABLE NO.</u>	<u>TITLE</u>	<u>PAGE</u>
16.	Variations in Public Opinion on the Death Penalty by Age - Canada.....	123
17.	Variations in Public Opinion on Matters Related to Crime and Punishment by Age - Canada.....	125
18.	Punishment for Murder by Age (Province of Quebec, 1968).....	126
19.	Variations in Public Opinion on the Death Penalty by Age - U.S.A.....	127
20.	Punishment for Murder by Language Spoken (Province of Quebec, 1968).....	128
21.	Variations in Public Opinion on the Death Penalty by Language Spoken in the Home - Canada.....	129
22.	Variations in Public Opinion on the Death Penalty by Religion - Canada.....	130
23.	Variations in Public Opinion on the Death Penalty and Related Matters by Religion - U.S.A.....	131
24.	Variations in Public Opinion on the Death Penalty and Related Matters by Race - U.S.A.....	132
25.	Variations in Attitudes to the Death Penalty by Income - Canada.....	133
26.	Variations in Attitudes toward Matters Related to the Death Penalty by Income - Canada.....	134
27.	Variations in Public Opinion on the Death Penalty by Socio-Economic Status - U.S.A.....	136
28.	Variations in Attitudes to the Death Penalty by Education - Canada.....	137
29.	Variations in Attitudes toward Matters Related to the Death Penalty by Education - Canada.....	139
30.	Punishment for Murder by Years of Schooling (Quebec, 1968).....	141
31.	Variations in Public Opinion on the Death Penalty by Education - U.S.A.....	142
32.	Variations in Public Opinion on the Death Penalty in the Province of Quebec by Occupation (1968).....	143

... continued page 3.

TABLE NO.	TITLE	PAGE
33.	Variations in Public Opinion on the Death Penalty by Occupation - U.S.A.	144
34.	Variations in Public Opinion on the Death Penalty by Political Preference in Canada.....	145
35.	Variations in Attitued to Matters Related to the Death Penalty by Political Preference in Canada.....	148
36.	Variations in Public Opinion on the Death Penalty by Political Affiliation - U.S.A.	150
37.	Regional Variations in the Degree of Fear of Crime - Canada.....	151
38.	Variations in Public Opinion in Canada on the Death Penalty.....	152

"PUBLIC OPINION ... THAT GREAT COMPOUND OF FOLLY,
WEAKNESS, PREJUDICE, WRONG FEELING, RIGHT FEELING,
OBSTINACY AND NEWSPAPER PARAGRAPHS."

Sir Robert Peel

(Quoted in Radzinowicz, *In Search of Criminology*,
p. 180, and in Silvey, *The Criminal Law and Public
Opinion*, p. 349)

CHAPTER ONE

Trends in Canadian Public Opinion on the Death Penalty

1) Evolution of public opinion in Canada regarding the death penalty

The available data allows an assessment of public opinion in Canada regarding the death penalty, for a period of over 30 years. The first Gallup Poll on capital punishment in Canada was conducted in 1943. The results of the last poll on the issue were released on April 16, 1975.

The results of the different Canadian Gallup Polls on the question of the death penalty are shown in Table I. The data reveals that in the forties and early fifties, capital punishment enjoyed very strong support among the Canadian public, well known for its conservative attitude in all correctional matters.¹⁾ In 1943, and again in 1953, more than seven in ten Canadian adults felt that the death penalty (for murder) should be retained in the criminal code, while only two in ten were against it. Movements for the abolition of capital punishment were either too weak to have an impact on public opinion, or were, as was the case in many provinces, non-existent.

With increasing political stability and economic prosperity, a steady erosion in public support of the death penalty took place. Following the publication of the report of the Royal Commission on Capital Punishment in Great Britain (1953), and the report of the Canadian Joint Committee of the Senate and House of Commons on Capital Punishment (1956), a dramatic change in public opinion could be easily noticed in the results of the Gallup Poll of 1958. The poll showed that the death penalty had lost the support of a sizeable segment of the Canadian public. From 71% in favor of capital punishment in 1953, the ratio had dropped to 52% in 1958. 33% wanted to abolish executions, while a larger number than usual were confused and undecided.

The Canadian Institute of Public Opinion points out that the reason for

1) See S. Ryan (1969) "Capital Punishment in Canada," *The British Journal of Criminology* 9(1), and C.W. Topping (1952) "The Death Penalty in Canada," *The Annals* 286, p. 147. Prof. Topping notes that Canadians "... have taken pride in the fact that the legal sanctions of the country have been severe beyond those of other nations."

the confusion and change in thinking was undoubtedly the fact that wide publicity had been given by newspapers and other news media to the subject. A joint committee of the Senate and the House of Commons had been set up to study the pros and cons of capital punishment. The Committee sat for nearly three years, and in the end (1956), its recommendation to Parliament was to retain the death penalty as mandatory penalty for murder, and to retain it as well for treason and piracy. Surprisingly enough, neither the recommendations of the British Royal Commission, nor the recommendations of the Canadian Joint Committee succeeded in stopping the abolitionist trend from manifesting itself in public opinion polls of following years.

In 1960, the percentage of Canadian adults in favor of the death penalty did not change much over that of 1958.¹⁾ Contrary to the pattern reported in the nineteen forties and early fifties, only half of the Canadian adult population still wanted murderers to be executed, while the percentage of those opposed to the death penalty increased steadily from 18% in 1943, 22% in 1953 and 33% in 1958, to 41% in 1960. A large number of those who were undecided in 1958 declared themselves in favor of abolition in 1960.

The two following polls, 1965 and 1966, did not show any substantial change, nor any considerable shift in public opinion on the death penalty. Slightly more than one-half of the adult Canadian population were still in favor of retention, while a little more than one-third were for abolition.

It was in 1965 that the British House of Commons adopted a Bill abolishing capital punishment for a five-year trial period, by a majority of 200

1) All sample surveys are subject to sampling error; that is, the extent to which the results may differ from what would be obtained if the whole population surveyed had been interviewed. The size of such sampling errors depends largely on the number of interviews. The Gallup Poll suggests plus or minus 3%, when making population estimates from their polls. Some authors consider a difference of more than 6% as reflecting a real population difference, while differences of less than 6% between comparisons are considered as not being significant (see Chandler, 1975).

votes to 98. The Canadian Gallup Poll was conducted in February 1965, while the British vote took place on 13 July 1965. Had the order been reversed, it is quite possible that the percentage of Canadians opposed to the death penalty might have been higher.

Such a hypothesis is, in fact, supported by the outcome of the Canadian Gallup Poll of February 1966, which showed (though the differences may not be statistically significant) a slight decline in the percentage of retentionists, and a slight increase in the percentage of abolitionists.

Shortly after the Canadian Gallup Poll of February 1966, the first major debate on the abolition of the death penalty took place in the Canadian Parliament. On 23 March 1966, four members tabled a resolution calling for the abolition of the death penalty, in respect of all offences under the criminal code. The motion was rejected by a vote of 143 to 112. An amendment by which the death penalty would be abolished only on a trial basis, for a period of five years, was defeated earlier by a vote of 138 to 113.

Following the defeat of the motion, the Government sponsored, and Parliament enacted, Bill No. C-168, aimed at abolishing the death penalty for a five-year trial period, except for capital murder, i.e. the murder of a police officer or guard, or any other member of a prison staff, acting in the course of his duties... .

On 30 November 1967, members approved by 105 to 70 the motion to send the Bill on for third reading, and then passed it on third reading. The Senate approved second reading of the Bill by 40 to 27. The Bill received Royal Assent on 21 December 1967, and came into force on 29 December 1967.

The abolitionist trend, which had started in the late fifties and had continued through the sixties, was reversed in the polls conducted late in the year 1970, and released early in 1971. In the wake of the October Crisis of 1970,

in which a British diplomat (James Cross) was kidnapped, and a Quebec cabinet minister (Pierre Laporte) was kidnapped and later killed by members of the FLQ, the first Canadian Gallup Poll since 1966 took place. In December 1970, the Gallup Poll interviewers asked the Canadians, not whether they were for or against capital punishment, but whether that punishment should be reinstated for the kidnapping of people in public or political life. 70% approved the proposition and asked for reinstatement, 20% declared being against it, and 10% were undecided. The percentages were in marked contrast to those reported in the four previous Gallup Polls.

The shock of the October Crisis, which demonstrated that the Canadian democratic society was not immune to acts of terror and political violence, and the strong impact it seems to have had on public opinion regarding capital punishment, were short-lived, however.¹⁾ Just one year after the poll of 1970/71, another Gallup Poll (1972), asking the general question whether the death penalty should be brought back or not, found 63% of the adult Canadian population for the restoration of the death penalty, 30% against it, and 7% undecided. Although the percentage of those favoring a return to capital punishment was considerably higher than that recorded in 1958, 1960, 1965 and 1966, it was much lower than that reported in 1971.

The comparison of the results of the polls in 1971 and 1972 might give the impression that the upsurge in the support for the death penalty recorded in 1970/71 (and possibly due to public outrage over the tragic events of October 1970), was only temporary. The results of the poll in 1972 might also suggest that the state of public opinion is gradually returning to what it was back in

1) The study by Sorrentino and Vidmar (1974), measuring public support for the government, and the specific measures it could use to deal with the crisis, confirmed that the impact of the Crisis on public opinion was transitory and short-lived. The results showed that support for the government and for special measures reached its highest levels at the height of the Crisis, but decreased to pre-Crisis levels in the final survey (carried out ten months following the Crisis) Sorrentino and Vidmar concluded that a major crisis event may have no lasting effects on public opinion.

the nineteen sixties. On the other hand, a careful analysis of Canadian public opinion on matters related to capital punishment, and a comparison with the trend in public opinion on the death penalty in the U.S.A., seems to indicate a hardening of attitude toward crime and punishment, and an increasing demand for harsher treatment and more severe penalties. This is totally confirmed by the most recent Canadian Gallup Poll on the death penalty.

The Canadian Gallup Poll of 1975 clearly shows that public mood has definitely swung from abolition to restoration. It shows that nearly seven out of every ten Canadian adults (69%) favor capital punishment, and that nearly eight out of every ten Canadian adults (79%) favor it for the killing of an on-duty policeman or a prison guard.

It would be impossible to understand the increasing support for the death penalty among adult Canadians in the late sixties and early seventies, unless such an attitude is situated within the socio-political context of the period.

The second part of the nineteen sixties was marked with great political turmoil in Canada, the U.S.A. and many other countries in the world. In March of 1963, the province of Quebec witnessed the beginning of the first wave of political violence. In 1966, an intermediary wave of terrorism was unleashed on the province. The third and final wave started in 1968, and continued through 1969, culminating in the October Crisis in 1970, with the assassination of Pierre Laporte on 18 October 1970.

During the same period, political assassinations in the U.S.A. were not uncommon. Martin Luther King was killed on 4 April 1968, and two months later, Robert Kennedy was shot and killed in Los Angeles on 5 June 1968. Governor George Wallace of Alabama, a presidential candidate, was shot several times in Laurel, Maryland on 15 May 1972, but survived his injuries. Millions of people all over the world witnessed these political assassinations on their T.V. screens.

The years 1968 and 1969 were marked with great student unrest and campus violence. In the U.S.A. alone, between 1 January and 15 June of 1968, there were 221 major demonstrations, involving nearly 39,000 students, on 101 American campuses. Buildings were dynamited, college presidents and deans were roughed up, obscenities were painted on walls and shouted at policemen. (See W. Manchester, *The Glory and the Dream*). Canadian universities had their share of student unrest, although on the whole, the turmoil was not as pronounced as it was in the U.S.A., France or the Federal Republic of Germany.

There was also a substantial increase in aircraft hijacking, starting from 1968, where in the U.S.A. alone, 22 incidents of successful or attempted skyjackings were recorded. These were followed by 40 incidents in 1969, 27 incidents in 1970, and another 27 in 1971. (See Turi, R.T. et al, 1972).

Political kidnapping and the taking of hostages became a common occurrence, and such incidents received wide publicity in the mass media. One of the incidents which received world-wide coverage was the kidnapping and killing of Israeli athletes at the Munich Olympic Games in 1972.

If we assume that the socio-political climate in a given country (and in the world) is likely to have an impact on public attitude to the death penalty in that particular country, then it would not be difficult to understand the Canadian mood and the Canadian sentiment regarding the death penalty, as reflected by the Gallup Polls of 1970/71, 1972 and, more recently, 1975.

2) Public opinion on the death penalty in the province of Quebec

Late in 1968, the Commission of Inquiry into the Administration of Justice on Criminal and Penal Matters in Quebec, better known as the Prévost Commission, requested a public opinion survey on criminal justice in the province of Quebec. The survey touched on capital punishment, among many other things.

When asked whether they wanted the death penalty to be retained or abolished, 52.5% of Quebecers opted for its retention, 46.5% for its abolition. In Montreal, a very slight majority were against capital punishment, with 51.1% calling for its abolition, compared to 48.4% wanting it to be retained. (See Table 32).

When asked more specifically about the punishment they felt was the most appropriate for murder, and given the choice of four different penalties: death, life imprisonment, term imprisonment or fine, only 44% of all Quebecers chose the death penalty, compared to 45.4% who chose life imprisonment. In Montreal, only 38.8% of the population declared capital punishment to be the most appropriate punishment for murderers, compared to 50% who chose life imprisonment. (See Table 10).

Such findings may suggest that Quebecers are more opposed to the death penalty than the rest of Canadians. However, such inference would be incorrect, since, in fact, the reverse seems to be true. As will be seen when regional variations are examined later in this report, the percentage of those in favor of capital punishment in the province of Quebec, as reported in the Gallup Polls, is usually higher than that in other Canadian provinces. The Gallup Poll of 1966 shows 70% of Quebecers calling for the retention of capital punishment, and the Gallup Poll of 1972 shows 75% calling for its restoration; both are, by far, the highest for all Canadian provinces.

It is possible that the difference between the results reported for the province of Quebec in the Gallup Poll of 1966, and those reported in the Prévost Commission survey of 1968, are due to differences in the design and composition of both samples used.

The strong support for capital punishment among French Quebecers was again confirmed when the Montreal French newspaper *La Presse* published, in its Saturday, 14 August 1971 edition, the results of a telephone survey conducted by

Sono-Pressé among people throughout the Metropolitan Montreal area who could speak French. 316 persons were questioned in French, on various subjects, including the death penalty. Of the persons interviewed, 80.2% said they were in favor of the ultimate penalty for murder. Of this group, 34.9% said that capital punishment should be imposed in all cases, while 45.3% felt that it should be imposed only in certain cases. Only 18% of the respondents were opposed to the death penalty in all cases. (See *Capital Punishment - new material*). The results are in sharp contrast to those reported in the Prévost Commission survey, and make one wonder whether there has really been such a marked shift in favor of the death penalty in less than three years. It should be noted, however, that although French-speaking Canadians have usually been more favorably inclined to the death penalty than English-speaking Canadians, or other ethnic groups in Canada (see below), the results of this telephone survey should be regarded with caution, since the sample may not have been as random or as representative of French-speaking Montrealers as the sample used in the Prévost Commission survey was.

3) Public opinion on the death penalty in Ontario

A survey of a random sample of heads of households in London, Ontario, was conducted by Boydell and Grindstaff (1972 and 1974). Questionnaires were mailed to the members of the sample, and 500 were returned (451 of which were usable), representing an effective return rate of 45%. In an attempt to assess public attitudes toward legal sanctions, the authors asked the respondents what they considered should be the most frequent, the minimum and the maximum punishment for a number of crimes, including capital and non-capital murder.

The findings regarding capital murder showed that in accordance with the present law, the killing of a law enforcement officer is viewed by the

respondents as the most serious crime among those included in the study.¹⁾ However, the most frequent penalties assigned by the respondents for this type of murder ranged from six months in prison (4%) to execution. Nearly 70% felt that the penalty they would most often assign is either fifteen years, or more, in prison, or execution. As the minimum penalty, one person in five (21%) favored execution for anyone who kills a law enforcement officer. As a maximum penalty, 70% of the respondents felt that execution is the appropriate sentence.

Regarding the murder of a private citizen, it was found that the relationships between most frequent, minimum and maximum penalties were the same as for the murder of a law enforcement officer, though the penalties were not as severe. Less than 20% assign execution as a most frequent, or as a minimum, penalty. A prison sentence of more than five years is the general response for this category of murder. The maximum penalty assigned most frequently is execution (51%), considerably lower than the 70% for the first category of murder.

Regarding manslaughter, one person in five thought the maximum penalty should be execution, while most respondents prescribed some type of prison term.

4) Public opinion on the death penalty in British Columbia

In 1965, a public opinion survey, limited to one area of Vancouver (the Vancouver-Burrard study), asked, among other things, whether the death penalty should be abolished. 47% of the respondents disagreed with the proposition. Nearly the same percentage (48%) agreed to a proposition stating that schools are too soft on children.

A more recent survey, conducted in 1973 by Professor Daniel Koenig of the University of Victoria, and using mailed questionnaires to a random sample of British Columbians (yielding a return rate of 38.6%), asked the respondents, among

1) This finding suggests that the law can have a considerable impact on public opinion.

other things, whether they favored capital punishment. 71% declared themselves in favor (53% without qualifications, and 38% said yes, but not for all crimes), while 23% said they were opposed, and 6% were undecided.

5) Canadian and American views on the death penalty

The evolution of American public opinion regarding capital punishment, from 1936 to 1974, is shown in Table 2. The data reveals that at least for the past thirty years, Americans have been less in favor of the death penalty than their Canadian neighbors. The patterns observed in Canada and the U.S.A. show strong similarities. As in Canada, support of the death penalty in the U.S.A. was quite strong until the mid-nineteen fifties. This was followed by a strong abolitionist trend, which twice saw the percentage of those opposing the death penalty exceed that of those favoring it. In 1957, 50% of adult Americans declared that they were opposed to the death penalty, compared with 47% in favor of it. In 1966, the percentages were 47% and 42% respectively. Near the end of 1972, the trend toward abolition started to reverse itself, and the polls conducted in November-December of that year, and again in 1974, showed an increasing number of capital punishment advocates.

The similarity between Canadian and American views on the death penalty, and the similarity in patterns and trends, is no doubt due, not only to geographical proximity, but to cultural and socio-economic ties, and above all to the shared sources of information.

CHAPTER TWO

Variations in Public Attitudes to the Death Penalty

1) Regional variations in Canada and the U.S.A.

a) Differences between the Canadian provinces

The state of, and the trends in, public opinion in the different Canadian provinces regarding the death penalty are shown in Tables 3 and 4. The most striking feature is the difference between the province of Quebec and other Canadian provinces. Ever since Gallup Polls on the death penalty have been conducted in Canada, the province of Quebec has reported (with only a few exceptions) a higher than average support for the death penalty.¹⁾ In recent years, the discrepancy between the stand of Quebecers on capital punishment, as compared to that of other provinces, seems to have widened. In the Gallup Poll of 1960 (CIPO 280), the percentage of Quebecers who wanted the death penalty retained (50.0%) was close to the national average (50.8%), while in the Gallup Poll of 1965 (CIPO 310), Quebec had 63.1% death penalty supporters, compared to only 55.8% in all of Canada. The following year (1966), the gap between Quebecers' stand on the death penalty and that of the rest of Canada widened further, with Quebec showing 70.1% supporting the death penalty, compared to a national average of 53.0%. Five years later, in 1971, the situation hadn't changed. According to the Gallup Poll conducted in November 1971 (CIPO 350), 75.0% of all Quebecers were calling for the restoration of the death penalty, compared to 63.1% of all Canadians. This was confirmed by the findings of a national survey conducted by CROP (Centre de Recherche sur l'Opinion Publique) during March and April 1972. The sample consisted of Canadians 16 years and over at the time of the survey, residing in a metropolitan area or a city of at least 10,000 inhabitants (as defined in the Canadian Census of 1966). 84.4% of Quebec respondents declared themselves in favor of capital punishment, either in all

1) For instance, the release of the Canadian Institute of Public Opinion (CIPO), dated 5 February 1947, states that the strongest support for the death penalty was voiced by Quebec voters, while higher than average sentiment in favor of imprisonment for murderers was found in the Maritime provinces.

instances, or in some instances compared to 63.6% in the Maritimes, 77.0% in Ontario, 73.8% in the Prairies, and 77.5% in B.C. The pattern revealed by this survey, namely that Quebec has the highest and the Maritimes the lowest percentage of capital punishment supporters, is strikingly similar to the one revealed 25 years earlier in the Gallup Poll of 1947 (see above). Not only did the CROP survey reveal that Quebec had, in general, a higher percentage of death penalty supporters than other Canadian provinces, but it also revealed that the percentage of those having a firm conviction that the death penalty should be inflicted for murder *in all instances* is much higher in the province of Quebec than in other Canadian provinces, and that the percentage of those opposed to the death penalty in all instances is much lower in Quebec than in any other part of the country. (See Table 5).

There are also reasons to believe that the support for capital punishment is stronger in the rural areas of the province of Quebec than it is in Montreal or other large cities of the province. (See Table 10).

It is not easy to explain the reasons for the popularity and strong support that capital punishment enjoys in Quebec, since it is difficult to disentangle the separate effects of French ethnicity, French culture and Roman Catholic religious affiliation on the attitude toward the death penalty of French Quebecers.¹⁾ Since Catholics, in general, are more in favor of the death penalty than Protestants, religious affiliation may be a partial explanation of why the support of capital punishment is, and has always been, particularly strong in the province of Quebec. Furthermore, the rigid religious upbringing of French Canadians in rural Quebec may also be partly responsible for their right wing political affiliation and their rigoristic and dogmatic attitude towards

1) One way would be to analyse and compare attitudes to capital punishment and other social and political issues, among groups who are of French ethnic origin, but are not Catholics, and among groups who are Catholic, but not of French origin.

offenders and punishment. Such a rigoristic attitude can easily be detected from the results of different Gallup Polls dealing with issues related to crime and punishment. (See Table 7). When asked, in 1974, about school discipline, British Columbia and Quebec had the highest percentages of people saying that it is not strict enough. In another poll, taken in 1969, and dealing with punishment for criminals, the percentage of Quebecers declaring that courts are not harsh enough on criminals, was much higher (68%) than the percentage recorded for Ontario (52%), or for Western Canada (55%). (See Table 7). In a later poll on the same issue, in 1974 (CIPO 364), Quebec again had the highest percentage of those calling the courts too lenient.¹⁾ (See Table 7).

In another poll, taken in 1973, and dealing with parole, French-speaking Canadians had the highest percentage of adults opposing parole: 57%, compared to 52% of English-speaking Canadians, and 54% of other ethnic groups. (See Table 7).

The more rigoristic attitude of Quebecers towards criminals, as compared to other Canadians, can also be seen in their wide support of hanging as the method of execution. When asked, in 1953, whether Canada should continue with hanging, or adopt some other method, 62% of Quebecers were for hanging, compared to only 20% in British Columbia, 32% in Ontario, 35% in the Maritimes and 36% in the Prairies. (See Table 7). The same trend was also evident a few years earlier, in another Gallup Poll, taken in 1947.

It should also be noted that there is more fear of crime in the province of Quebec than in the other provinces, although official statistics do not show that violent crime in Quebec (except maybe robbery) is more prevalent than it is in, let us say, the western provinces. In a poll taken in December of 1970, 36% of Quebecers declared that they were afraid to walk near home in the

1) Though the percentage for Newfoundland is higher, the small number of respondents compels us to exclude it from the comparison.

dark. In the Maritimes, the percentage was 32%, in Ontario it was 25%, and the same percentage (25%) was also recorded for the western provinces, who have always reported the highest rates of violent crime in Canada. In 1974 (CIPO 370), the answers to the same question revealed higher percentages of people who were afraid of crime in all provinces, except that in this recent poll, the percentages for the Prairies and for British Columbia were given separately, and not combined, as they were in the 1970 poll. (See Table 7). Again, Quebecers proved to be those who were most afraid to go out in the dark, with a percentage of 46%, followed by British Columbia with 43%, the Atlantic provinces with 42%, Ontario with 33%, and the Prairies with 23%. (See Table 7).

In Chapter Four of this report, the possible relationship between the fear of victimization, concern about crime, and attitudes to crime and punishment will be examined.

b) Regional variations in the U.S.A.

The U.S.A. has a geographic and ethnic composition substantially different from that of Canada. This makes it difficult to compare the regional variations in the two countries.

American Gallup Polls show that, in 1953, support for the death penalty was higher in the West and the East (75% and 73% respectively), than it was in the Midwest and the South (65% and 62% respectively). Twenty years later (1972), although the percentages of those favoring the death penalty were substantially lower in all regions, the pattern changed very slightly, with the Midwest replacing the South as the region least in favor of capital punishment.

When the category of "undecided" or "no opinion" was eliminated in the 1974 poll, the differences between the four regions nearly disappeared, except that the South, that in 1953, had the lowest percentage of supporters of the death penalty, now had the highest (though the difference may not be

significant), with 66% in favor of capital punishment, compared to 63% for each of the other three regions. (See Table 3A).

c) Rural and urban differences in Canada

Table 4 shows the rural and urban differences in public opinion in Canada, regarding the death penalty. The Gallup Poll taken in 1966, in advance of the parliamentary debate on the death penalty, did not reveal any marked difference between Canadian rural and urban populations regarding their attitudes to the death penalty.

On the other hand, the results of the Gallup Poll of 1971 showed clearly that farmers lent much stronger support to the death penalty (82.8% than people in rural non-farm areas (68.8%), or people in urban areas (59.6%). (See Table 4).

A similar trend was recorded earlier (in 1968), in the survey conducted in the province of Quebec for the Prévost Commission. The survey showed that the strongest support for the death penalty was in the rural areas of the province, while medium cities showed slightly less support for capital punishment than large cities. (See Table 10).

Since the fear of crime is much higher in the cities than in farm and rural, non-farm areas (see results of Gallup Polls CIPO 343, September 1970 and CIPO 370, November 1974, Table 37), it would seem that support for the death penalty does not closely follow the degree of fear of crime, or it may be that other determinants of death penalty attitudes are much stronger than the fear of victimization. (For a more detailed discussion, see Chapter Four).

Results of certain European polls tend to confirm that support for the death penalty is stronger in rural areas than it is in urban areas. A 1964 poll by DIVO in West Germany (see Erskine, 1970), showed 62% in favor of the death penalty in communities of less than 2,000, compared with 51% in cities of 500,000 and over.

Results of a Finnish survey (Mäkelä, 1966) lent only partial support to the hypothesis. The assumption that people from rural districts demand more severe penalties was confirmed only in the high income group, composed of persons employed by industry, either in cities or in the country. The author concluded that the influence of social strata appears to be different in the country and in the cities.

2) Degree of population homogeneity and attitudes to the death penalty

Is there a relationship between social homogeneity and repressive law? If we assume that the Durkheimian notion "*that sentiment in areas in which the population is homogeneous would be more repressive*" is true, then one would expect public opinion in homogeneous provinces to be more strongly in favor of the death penalty than it is in the more heterogeneous provinces.

Newfoundland, with 93.67% of its population belonging to the same ethnic group (according to the 1961 census), is the most homogeneous province in Canada. The province of Quebec follows, with 80.64% of its population belonging to the same ethnic group. P.E.I. ranks third with 79.80%, and Nova Scotia is fourth with 71.29%. New Brunswick has two large ethnic groups: British (55.17%) and French (38.82%), with the rest distributed among all other ethnic groups, and it can be considered fairly homogeneous. According to the 1961 census, Saskatchewan is the most heterogeneous province in Canada, with no more than 40.36% belonging to the same ethnic group. Manitoba follows, with 43.01%, and Alberta, with 45.17%. Ontario and B.C. occupy an intermediate position, with the first having 59.51% of its population belonging to the same ethnic group, and the second having 59.35%.

The high percentages of people in favor of the restoration of capital punishment, recorded in 1972 in Quebec (75%) and in Nova Scotia (73.3%), and the lower percentages recorded for the Prairies, B.C. and Ontario, tend to lend

credence to the hypothesis. But, the very low percentages of death penalty supporters in homogeneous Newfoundland and New Brunswick speak against it. However, the very low number of respondents in Newfoundland (10 persons), implies that we should view the percentages of that province with the utmost caution. Also, the relatively low number of respondents in New Brunswick increases the chances of sampling errors, and would allow only tentative conclusions. Finally, it may be that the province of New Brunswick is not to be considered as a homogeneous province after all. According to the index devised by Jayewardene (1960), New Brunswick is the most heterogeneous province in Canada, and this held equally true in 1951 and in 1971 (see Singh, 1973).

Jayewardene (1960) devised an index estimating the cultural integration of a given territorial unit, during a given period, and used changes in the size of the linguistic majority and the density of the population of the territory as the two components of the index. These two were seen as indices of cultural heterogeneity at any given time. Using this index, Singh (1973) classified the Canadian provinces according to the degree of their cultural homogeneity. Table 11 gives the classification of the provinces and the percentage of those favoring a return to the death penalty in 1971. P.E.I. is excluded because the residents were not polled on the issue of capital punishment in 1971. The data shows that N.B. ranks first on heterogeneity and on opposition to the death penalty, while N.S. ranks second on homogeneity and on support for the death penalty. Both provinces tend to lend credence to the hypothesis that homogeneous provinces are likely to be more repressive. However, the province of Quebec, though first in its degree of support for the death penalty, is fourth on the homogeneity scale. Again, B.C. ranks third on the homogeneity scale, and has a very low rate of support for the death penalty. These two provinces do not seem to follow the expected trend.

3) Respect for human life and attitudes to the death penalty

Do people who are more respectful of human life show less support for the death penalty than others? It would seem logical that those who feel the deepest reverence for human life would be opposed to, and even resentful of, the taking of such life in any circumstances. If such hypothesis is true, it is likely that attitudes towards the death penalty, mercy killing and abortion will follow the same pattern. It is also likely that where suicide rates are high, indicating less respect for human life, attitudes would tend to be more in favor of the death penalty than where suicide rates are low.

Although homicide rates may also be good indicators of the degree of respect for human life in a given community, it has not yet been established in which direction they are likely to influence, if at all, public opinion on the death penalty.

The available data does not seem to lend support to the hypothesis of an inverse relationship between respect for human life and support of the death penalty.

A study of suicide in Canada over a period of ten years (1962-1970) (Fattah, 1973), revealed a regional pattern similar to the regional pattern of violent crimes. The western provinces, in particular B.C., Alberta and Manitoba, have the highest suicide rates in Canada, but they are not the strongest supporters of capital punishment. The province of Quebec voices the strongest support for the death penalty, yet its suicide rate is much lower than that of many other Canadian provinces. On the other hand, Nova Scotia has relatively high rates of suicide, and a very high percentage of people in favor of capital punishment.

The hypothesis does not seem more plausible when opinions on capital punishment in the different regions are compared with opinions on mercy killing. The province of Quebec has the highest percentage of capital punishment supporters

and the second highest percentage of those who approve of mercy killing. Yet, the strongest approval for mercy killing is in B.C., where the support for the death penalty is relatively low, and the opposition to it is relatively high. In fact, the situation in B.C. suggests that a reformulation of the hypothesis may better succeed in explaining the attitudes on both issues in the different provinces. The low support for capital punishment, and the strong approval of mercy killing in B.C. suggest that people with liberal, humanistic attitudes are likely to be opposed to capital punishment and in favor of mercy killing, while those with rigoristic attitudes are likely to be in favor of capital punishment, and opposed to mercy killing. But, the situation in Quebec speaks strongly against such a hypothesis. The situation in Ontario also shows a great similarity between the percentage of people who approve of both capital punishment and mercy killing, and of those who disapprove of both.

Glaser and Zeigler (1974) examined homicide, capital punishment and parole data in the U.S.A., and found support for the argument that high execution rates and high murder rates both reflect low valuation of life, for both are associated with a state's readier forgiveness of killers as reflected in its willingness to parole them sooner. It was found that the states which have used the death penalty most are now the ones most lenient in the length of time they confine murderers before releasing them on parole. It was also found that where use of the death penalty is most frequent, there is less long-term outrage against killers than prevails in states that forbid any murder, whether by private parties or by the government.

CHAPTER THREE

Sociodemographic, Socioeconomic, Sociopolitical
Variables and Attitudes to the Death Penalty

1) Sociodemographic attributes and attitudes to the death penalty

After a thorough review of the literature, Vidmar and Ellsworth (1974) came to the conclusion that sociodemographic correlates of death penalty attitudes are rather consistent across polls. They found that, generally speaking, people who support the death penalty tend to be older, less educated, male, wealthier, white, and from urban areas. A greater percentage of white collar workers, manual laborers and farmers favor capital punishment than do professionals and business persons. Among Catholics, there is more support for the death penalty than among Protestants, and Republicans tend to favor capital punishment more than Democrats and Independents.

Does the Canadian data confirm these attitudinal patterns based mainly on the results of American polls?

a) Sex and attitudes to the death penalty

Public attitudes to the death penalty vary according to sex, and the trend seems universal. Public opinion polls in Canada, the U.S.A., and many other countries show consistently that there is less support for the death penalty among women than among men. Variations in public opinion on the death penalty in Canada by sex are shown in Table 13.

The Gallup Poll taken in Canada in 1956 showed that 59% of the adult male population were in favor of the death penalty (55% wanted it for murderers, regardless of sex, and 4% for men only), compared to 52% of the adult female population (48% of the women interviewed wanted it for murderers, regardless of sex, and 4% for men only).

In 1958, 53.3% of Canadian males opposed the abolition of the death penalty, compared to 50.0% of Canadian women. In 1960, the difference between the two sexes was greater, and was statistically significant: 56.7% of Canadian males did not agree with the proposition that capital punishment be abolished,

compared to 44.8% of Canadian females. Five years later (in 1965), 59.7% of Canadian males were opposed to the abolition of the noose, compared to 51.9% of females. The following year, the gap between the two sexes widened further, with 61.3% of Canadian men declaring that they would vote for retaining capital punishment, compared to only 43.9% of Canadian women. In 1971, 59.0% of Canadian women wanted the death penalty brought back, compared to 67.0% of Canadian men.

While the available data for the United States (see Table 15) consistently shows the same pattern, the difference between the two sexes in regard to their attitudes to the death penalty is even more pronounced than in Canada.

American polls which give the breakdown of percentages by sex and race show that the stronger support for the death penalty among males holds equally true for both whites and blacks (see Hazel Erskine, 1970, p. 297). And, while the same pattern is constantly confirmed among the different age groups of the white population; younger black males seem to approve of the death penalty in lower percentages than black females. This difference is easy to understand, since young black males in the U.S.A. are the strongest opponents of the death penalty.

International polls compiled by Erskine (1970) tend to show that the sex difference in attitudes to the death penalty is universal. Thus, an INRA poll, conducted in December 1958, showed that in Bogota, Colombia, 53% of men were in favor of the death penalty, compared to 28% of women. A DIVO poll in West Germany (December 1964) revealed that 57% of West German men were for the death penalty, compared to 53% of West German women. In Holland, in 1945, 76% of men and 69% of women declared themselves for capital punishment.

Conflicting data comes from South Africa, where in 1971, a sample of 104 respondents in a residential area situated near the commercial centre of the city of Cape Town was interviewed. Slightly more than one-half of the respondents

drawn in the sample were males. Among the male respondents, slightly more than one-half were in favor of retention. Among female respondents, on the other hand, no less than two-thirds favored retention. (See Midgley, 1974). Because of the serious limitations of the South African survey, its findings do not seem to cast any reasonable doubt on the universality of the sex pattern explained above.

Despite the fact that in all countries, men have been executed much more frequently than women have, why is it that women are more opposed to the death penalty than men are? Could it be that women, who bear and give life, have more respect for human life than men do?

A recent Canadian poll on euthanasia (CIPO 364, March 1974) revealed a higher opposition to mercy killing among women (37.8%) than among men (33.0%).

Available data shows that women are much more afraid of violent crime than men are. In a Canadian Gallup Poll taken in 1974 (CIPO 370, November 1974), 55% of females interviewed admitted being afraid to walk near their homes after dark, compared to only 19% of men. In another Canadian poll, conducted in 1974 (CIPO 369, October 1974), a higher percentage of Canadian females (87.7%) than males (82.5%) believed that there were more acts of violence here and around the world than there were previously. The same is true for the United States, where in March of 1972, 58% of women declared they were afraid to walk alone at night, compared to 20% of men. If people tend to favor the death penalty because they see it as an effective instrument of protection against violent crimes, and if capital punishment does really provide a stronger sense of personal security, then, logically, one would expect more women to favor it than men. But, since the reverse is true, it is fair to assume that attitudes to the death penalty are more dependent on other factors than they are on the fear of crime, or the concern for personal security. The available data also seems to indicate that, on the whole, women are more humanistic and less rigoristic than men in their attitudes toward criminals.

A Canadian Gallup Poll in 1966 shows a statistically significant difference between women and men in their assessment of court sentences. Nearly half of the adult males (49.5%) were of the opinion that the courts in their respective provinces did not deal harshly enough with criminals. The corresponding female percentage was 35.9%.¹⁾ This finding would, again, tend to confirm the assumption that attitudes to punishment in general are dependent on variables other than the fear of victimization or the concern about crime.

b) Age and attitudes to the death penalty

The general pattern that emerges from recent public opinion polls in Canada, the United States and elsewhere suggests an increasing support for the death penalty with advancing age. Respondents in the youngest age group are usually the ones most opposed to the death penalty, while those in the oldest age group are, in general, the ones most in favor of it, with those in the middle age groups taking an intermediary position.

Table 16 shows the variation in public opinion on the death penalty by age in Canada. In 1947, more young Canadians (21-29 years) believed the death penalty was the best sentence for convicted murderers (76%) than middle-aged Canadians (30-49 years) (68%) and older Canadians (50 years and over) (65%). Again, in 1958, the youngest age group of all respondents (20-29 years) had a slightly higher percentage of supporters of the death penalty (53.9%) than other age groups, and a slightly lower percentage of death penalty opponents (31.8%) than other age groups. The differences, however, were not statistically significant.

In the polls of 1960 and 1966, the pattern changed to become similar to the one described above, and is clearly and strongly confirmed in the poll of 1971.

1) On the other hand, Waller and Okihiro (1974), in their Toronto study of burglary and the public, found no significant difference in sentencing attitudes by sex.

In 1960 (CIPO 280), 47.8% of the age group 21-29 calls for the abolition of capital punishment, compared to 40.3% in the 30-39 group, 41.5% in the 40-49 group and 34.5% in the group of those 50 years and over. The same poll shows 46.6% of the age group 21-29 opposed to the abolition of the death penalty, compared to 48.9%, 52.6% and 55.0% in the three other age groups respectively. Only in the youngest age group (21-29) does the percentage of capital punishment opponents exceed the percentage of supporters (47.8% against vs. 46.6% for).

The poll of 1966 (CIPO 317) shows again that opposition to the death penalty is strongest among the youngest age group, 21-29 (42.9%), and that opposition decreases with advancing age (36.5% in the 30-39 group and 35.3% in both the 40-49 and over 50 groups). However, the opponents no longer outnumber the supporters in the 21-29 group, as was the case in 1960.

In 1971, the pattern is clearer than ever, and the difference is statistically significant. As we pass from the youngest age group (this time, 18-20 years old) to the 19-21 group and the following groups, opposition to the death penalty decreases and support for it increases, and the trend is very consistent. The gap between supporters and opponents of the death penalty widens with advancing age. While the 18 to 20 year olds are nearly evenly divided on the issue (49.2% for and 47.6% against), supporters in the 50 and over age group outnumber opponents three to one (68.6% : 22.0%).

Since 1960, the age group 50 and over has had consistently the lowest percentage of persons in favor of abolition, and in 1971, this percentage went down considerably (1960: 34.5%, 1965: 32.9%, 1966: 35.3%, 1971: 22.0%).

The Prévost Commission survey in the province of Quebec (1968) revealed a marked difference in opinion regarding the death penalty between young people (18-24 years old) and all other age groups. Only 26.8% of this age group chose the death penalty as the punishment most appropriate for murder, compared to 46% of those 25-34 years, 46.4% of those 35-44 years, and 49.1% of those 45 years and

over. Once more, the increasing support for the death penalty with advancing age is confirmed. (See Table 18).

On the other hand, in the Vancouver-Burrard study, Laponce (1965) found that people over 59 were not particularly in favor of retaining the death penalty, nor did they differ from the average in their opinion on the "softness" of schools.

The data for the U.S.A. is more abundant. Table 19 shows quite clearly that the support for the death penalty is less pronounced among younger age groups than it is among older age groups. It shows, beyond a doubt, that the older people become, the more in favor of the death penalty they tend to be. The polls taken in November-December 1972, 1973 and 1974 particularly show the increasing support for the death penalty, and the decreasing opposition to it, as we move from the younger to the older age groups. The percentages fluctuate from year to year, but the trend is very consistent.

International polls reveal a similar pattern to that observed in Canada and the U.S.A.

In South Africa, Midgley (1974) found that the younger age groups tended to support the abolition of the death penalty, while retentionist views were generally held by older respondents. 60% of the under-20's were in favor of abolition, but only 35% of the over-60's favored abolition.

In West Germany, the DIVO poll (December 1964) shows increasing support for the death penalty with age. 40% of the 16-24 age group were opposed, and 51% favored capital punishment, while the percentages for the 60 to 79 age group were 28% and 58% respectively. (See Erskine, 1970, p. 301).

How can such a trend be explained? Can the increasing feeling of insecurity and defenselessness against crime and violence, and the growing concern over personal safety that is characteristic of old age, be responsible for the strong support capital punishment enjoys among older age groups? Do attitudes toward crime and punishment become harsher and more severe the more people advance

in age?

In an attempt to check the consistency of the answers given to the different questions asked, the Prévost Commission survey (Quebec, 1968) rated the opinions and attitudes of the Quebec population on a continuum of humanitarianism/rigorism. It was found that although most Quebecers were not very consistent in their answers (thus, manifesting a certain ambivalence of opinions and attitudes to the system of criminal justice), there was an unquestionable trend toward increasing rigorism and decreasing humanitarianism, with advancing age.

Many other opinion polls confirm such a trend. In a Canadian Gallup Poll taken in 1969, it was found that a much higher percentage of older Canadians (40-49 years, 50 years and older) felt that the courts were not harsh enough on criminals, than younger Canadians (21-29 years, 30-39 years) did. (See Table 17).

A recent Gallup Poll, taken in 1975, found that young Canadians (18-29 years) are much more in favor of weekend leaves for prisoners convicted of serious offences, than older Canadians are. (See Table 17).

The same liberal attitude on behalf of younger Canadians was also recorded a year earlier (1974) in another Gallup Poll, which surveyed Canadian public opinion on the question of school discipline. A higher percentage of Canadians under 30 years declared that the school discipline was too strict, while a much higher percentage of people 30-49 years and 50 years and over labelled it as not strict enough. (See Table 17).

A similar trend is also apparent in a poll taken in 1974 on mercy killing. As can be seen from Table 17, approval of mercy killing decreases with advancing age.

Waller and Okihiro (1974) found that though there were no significant differences in sentencing attitudes by sex, education or by experience with the criminal justice system, there was a difference by age. Over 90% of those who were 25 or younger favored a lenient sentence, compared to 64% for the remaining

categories of population.

On the other hand, the strong support for capital punishment among older age groups was again confirmed, this time not through a poll or survey, but through the actual voting patterns of Californians on the death penalty issue during the 1972 elections. Analysis of voting patterns by Johnson and Newmeyer (1975) revealed that neighborhoods with a high proportion of persons over 65 were consistently pro-death penalty.

The data given in Table 17 seems to also indicate that opinions on the death penalty and attitudes to crime and punishment are neither functions of objective crime rates, nor of the subjective estimates of the incidence of crime. Liberal attitudes to the death penalty, and liberal penological views are more prevalent among young people than among older people, despite the fact that a higher percentage of the former believe that there is more violence both here and around the world today, than there was before. In fact, contrary to what one would expect, the belief in a higher incidence of violence among the different age groups follows exactly the reverse pattern of support for the death penalty. (See Tables 16 and 17).

c) *Ethnicity, language, religion and attitudes to the death penalty*

The geographical concentration of the French Canadian population in the province of Quebec, and the fact that the largest majority of this population are Roman Catholic, suggest that the differences already observed between the province of Quebec and the rest of Canada reflect differences in ethnicity, culture and religion, rather than anything else.

The fact that the death penalty is more popular in the province of Quebec than in the rest of Canada is consistent with a common finding of public opinion polls on capital punishment: that people of the Catholic faith are stronger supporters of it than Protestants are. This can easily be seen from the results of Gallup Polls in the U.S.A. (See Table 23). The different polls show

fluctuations in the percentages, but the trend is quite consistent. Limited polls, like the one conducted in Ohio in 1974, reveal even a larger difference between the two groups than that recorded in the national polls.¹⁾

Why is it that Roman Catholics are less opposed to capital punishment than Protestants are? Certain authors feel that the hierarchical authority orientation of the Catholic Church, with an emphasis on obligations and penalties, is likely to encourage a punishment orientation amongst members. Whatever the reason may be, the fact remains that many of the Protestant Churches in Canada and elsewhere have taken official positions opposed to capital punishment, declaring it to be contrary to the whole Christian concept of love, as revealed in the New Testament, while the Roman Catholic Church never officially opposed the "right" of the State to take life. However, *L'Osservatore Romano*, the Vatican City daily newspaper, which does not speak officially for the Roman Catholic Church, has on several occasions expressed opposition to the death penalty. And, the Canadian Catholic Conference, which is the association of Roman Catholic Cardinals, Archbishops and Bishops, took a position favoring the suspension of the death penalty in January of 1973.

It is difficult to say whether the wide popularity capital punishment enjoys among French Canadians is mainly due to their Roman Catholic religious affiliation, or to the combined effect of religion and other particularities of the French Canadian culture. The latter seems to be the case, since poll results tend to show that the French Canadian support of the death penalty is always higher than the total Roman Catholic support, and that the English support is always lower than the total Protestant support.

It seems that the more religious people are, the more rigorous and less

1) Two opinion polls conducted in West Germany in 1964 (DIVO and EMNID) show Protestants to be slightly more in favor of capital punishment than Roman Catholics. In South Africa, Midgley (1974) found that Jewish respondents were generally abolitionists, while Protestant and Catholic respondents were more retentionists. He further found that Christians of Roman Catholic, Presbyterian or Dutch Reform denomination show more support for the death penalty than Anglicans and Methodists.

libertarian their attitudes tend to be. Devall (1970) found that students who felt religion was very important in their lives, and attended church frequently gave fewer libertarian responses, on average, than students saying religion was of little importance in their lives.

Podgorecki (1965) also found a positive relationship between being religious and tending to approve of severe punishment (and of the death penalty) and between being irreligious and tending to approve of milder punishment (and disapproving of the death penalty).

Ethnicity and views on capital punishment in the U.S.A.

Table 24 shows the variations in public opinion on the death penalty and related matters in the U.S.A., according to race. As can be seen from the Table, poll results are only given starting from 1972, since the number of non-whites sampled in previous years in the Gallup Polls has been insufficient to report their responses separately.

The three most recent Gallup Polls on capital punishment (March 1972, November-December 1972 and 1974) and the Ohio Poll (1974) reveal, beyond a doubt, a racial difference of considerable magnitude. In March of 1972, 53% of sampled white adults were in favor of the death penalty, compared to only 24% of non-whites. Again, in November-December of the same year, there were 60% of whites in favor of the death penalty, compared to 32% of non-whites. The results of the Ohio Poll of 1974 and the Gallup Poll of the same year, again confirm the pattern, although the results of the latter poll give the impression that the margin between the two ethnic groups, in their attitudes to the death penalty, is narrowing.

Earlier polls conducted in the U.S.A. confirm the strong opposition to the death penalty among the non-white American population. In 1958, a Roper Poll found that 78% of the blacks sampled opposed the death penalty. In a study by

Harris and Associates (1970)¹⁾, a strong racial difference was also found to hold for both males and females. In response to the question "Do you favor capital punishment (the death penalty), or do you oppose it?", among female respondents, 40% of the whites and only 27% of the blacks, and 60% of the whites and only 26% of the blacks, among male respondents, reported that they favored the death penalty.

The California election study (Johnson and Newmeyer) provided more support to the poll results when it revealed, on the basis of actual voting patterns, that the "blacker" neighborhoods tend slightly toward higher proportions of anti-death penalty sentiment, while "whiter" neighborhoods lean in the opposite direction.

The difference between whites and non-whites in their attitude to the death penalty becomes even more striking when subjective beliefs about the incidence of crime, and when the degree of fear of violent crime are examined and compared for both groups. In 1972, a much higher percentage of non-whites believed that crime had increased over previous years. The same poll showed that the fear of crime was much higher among non-whites than it was among whites. Despite this, non-whites were less in favor of the death penalty, and gave less support to a proposition calling for tougher police and law enforcement, than did whites!

Why is it that non-whites adopt much less of a punitive posture than whites? Some authors offer, as a partial explanation, the fact that non-whites are disproportionately on the receiving end of treatments meted out by agents of the criminal justice system.²⁾ Others contend that the blacks' opposition to the death penalty in the U.S.A. stems, in part, from their lower economic position.³⁾

1) Louis Harris and Associates, Study No. 2050, N = 4,000 adults (21 years of age and older), quoted by M. Hindelang, *Public Opinion Regarding Crime, Criminal Justice and Related Topics*, 1974.

2) See M. Hindelang (1974), *op. cit.*, p. 515.

3) See M. Riedl, *The poor and capital punishment: some notes on a social attitude*.

As we will see later in this report, support for the death penalty in the U.S.A. has usually been stronger among the higher economic classes than among the lowest economic classes.

2) Socioeconomic variables and attitudes to the death penalty

a) Socioeconomic status and attitudes to the death penalty

Canadian, American and international data seems to suggest a certain correlation between support for the death penalty and socioeconomic level.

The variations in attitudes to the death penalty by income in Canada are given in Table 25. The data does not reveal any great or clear-cut differences between the different income groups. Moreover, the relatively high percentage of those who do not have an opinion or who are undecided makes comparisons more difficult and more hazardous.

Opinions expressed on matters related to the death penalty in Canada are shown in Table 26. Again, there is no marked difference between the different income groups in the degree of fear of crime (CIPO 343, 1970). But, more people in the lower income group than in the other two income groups believe that crime is on the increase (CIPO 354, 1972).

A larger percentage of the middle income group (\$6,000-\$9,999) than in both other groups feels that discipline in the schools is not strict enough, thus reflecting the relatively high incidence of repressiveness in the middle class culture.¹⁾ The same income group, however, has the highest percentage of those who feel that mercy killing should be allowed (CIPO 364, 1974). Thus, it seems that considerations other than liberalism and conservatism are behind people's attitudes towards euthanasia.

1) The general pattern of the findings in several studies appears to reveal that both the upper and lower classes are less moralistic and less repressive than the middle classes. See, for instance, Ranulf (1938) and Mäkelä (1966).

The Canadian Gallup Poll of 1966 (CIPO 317), asking Canadians about what they think of court sentences for criminals, would seem to suggest that the wealthy are less repressive than the average and the poor, since only 29.4% in the wealthy group declare that the courts are not harsh enough on criminals, compared to over 40% in each of the other three groups. However, the small number of respondents in the wealthy group (17) compels us to review this marked difference with care.

The variations in public opinion on the death penalty by income, in the U.S.A., are shown in Table .

The results of the American Gallup Polls from 1966 to 1974 reveal the following general pattern: support for the death penalty seems to increase with increasing income, while the strongest opposition can be found among the lowest groups on the income scale.

An earlier study by Elmo Roper and Associates, undertaken in February of 1958, also showed that in the lowest economic groups, 53% were *against* the death penalty, while 58% of the higher economic groups *avored* it.

It seems easier to explain the strong opposition to the death penalty among the low income social classes, than to explain the strong support for it among the richer classes.

Marc Riedl recommends that attitude toward capital punishment be broken into several components, which include an action tendency or behavioral readiness component, a feeling, and a cognitive component which is composed of beliefs about the death penalty. Among the poor, such cognitions about the death penalty are determined by other beliefs, among which are beliefs about the law. These cognitions include beliefs that the law exists for the protection of a privileged minority, that in a legal encounter, they, the poor, will be at a disadvantage, or that the law is "out to get them." If an individual of a lower economic position holds these beliefs, it is likely he will oppose the ultimate penalty of a system perceived as exploitative. Riedl suggests that on the one hand, economic

position may influence beliefs in opposition to the law, but, on the other hand, it may also influence beliefs which lead to beliefs opposing capital punishment.

On the basis of the available data, it is not yet possible to conclude whether the difference between American blacks and whites in their attitude to the death penalty is mainly a racial and cultural difference, or whether it is essentially a class phenomenon, since blacks are predominantly lower class (either objectively or consciously). Davis (1974) holds that the historical injustices inflicted upon blacks *under the law* (author's italics) in the U.S.A. have produced a black consciousness which views the law as simply another instrument for upholding white supremacy.

The American data showing a stronger support for the death penalty among the upper strata, than among the lower strata, is in conflict with the general pattern revealed by the Prévost Commission survey in the province of Quebec in 1968, according to which, people with a higher level of education, with a higher socioeconomic status, and with a higher revenue, tend, on the whole, to be more in favor of a humanitarian and less punitive penal policy. A Gallup Poll conducted in March 1973 confirmed this trend for the whole country. It was found that education and income levels affect opinions on parole considerably. Those with public schooling, were found to hold a three-to-one opinion that parole should be denied for those with a criminal record. Among those with university background, a minority (48%) said "No", while about a third (33%) said "Yes." Canadians in the low income levels (under \$6,000) were more convinced that paroles of this kind should not be allowed, than those with higher family income.

Because the economic class variable is too entangled with the education variable, it is difficult to assess each of them separately from the other. Moreover, there are more high income people among city dwellers than among country dwellers, and the difference in attitude between urban and rural residents is, thus, likely to enter into play, complicating things even further.

While certain studies have found country dwellers to be both more moralistic and tough-minded than city dwellers, other studies, in particular, American surveys, have reported that the members of the upper social strata are less tough-minded and authoritarian than the members of the lower strata. (See Mäkelä, 1966).

Mäkelä (1966) advanced the hypothesis that members of the upper social strata are likely to demand more severe penalties, in particular, for *offences against property*, than members of the lower strata. The Finnish data showed that the high income groups demand relatively more severe penalties for offences against property than for offences against morality, when compared with the low income groups.

b) Education and attitudes to the death penalty

Some authors feel that with more education, people will take a utilitarian, rather than a retributive, view of the death penalty, and will, in view of the absence of empirical evidence showing that capital punishment does influence the incidence of murder, lean more toward abolition than toward retention.

The results of certain studies seem to lend support to this hypothesis. The Prévost Commission survey found that the choice of the death penalty, as the most appropriate punishment for murder, was much higher among people with a lower level of schooling (0-7 years), than among those with a better educational level (8-12 years and 13 years and more). (See Table 30). Since people with the lowest level of schooling are likely to be concentrated in the rural areas, it is difficult to assess the importance of the educational variable by isolating it from the other factors related to the "rural" culture.

Among the other studies lending support to the above-mentioned hypothesis, is the study of Vidmar (1973), based on a randomly selected group of 144 adults, who were interviewed in London, Ontario in January of 1973. Vidmar reports a

statistically significant relation between having more education (some university) and being against the death penalty.

There is also considerable evidence that the better educated and the younger respondents tend, on average, to be more tolerant than less educated and older respondents. Stouffer (1966), for example, found that 47% of his respondents aged 21-29 years scored as more tolerant, compared with only 19% among those aged 60 and over, and that 66% of college graduates were more tolerant, compared with 16% of those with elementary education. (Quoted in Manzer, 1974).

In his study of attitudes towards freedom of speech in a city in Western Canada, Harvey (1972) found a strong correlation of both age and schooling with the degree of support for freedom of speech. (*Ibid.*)

Meisel (1968) found that the very tolerant group, which disagreed with all four items in the 1968 federal election survey (involving tolerance for communists, homosexuals, and ethnic and religious diversity), was younger and much better educated, on average, than the sample taken as a whole, and the intolerant groups, which disagreed with only one or none of the statements, were older and much less educated than the average for the total sample.

Manzer (1974) points out that the positive associations of age and education with attitudes toward civil liberties imply that university students, young and well-educated, should be highly libertarian in their attitudes.

A Canadian Gallup Poll conducted in 1973, on the question of parole, lends further confirmation to the hypothesis that libertarianism is stronger among the better educated than among the less educated. Asked whether "*Prisoners who already have a criminal record be allowed out on parole, as at present,*" 33% of those with university education answered "Yes", compared to 30% of those with high school, and to only 21% of those who had not gone beyond the public school. (See Table 29).

The same trend was evident a few years earlier, when a Gallup Poll

conducted in 1966 (CIPO 317) asked Canadians whether the sentences handed by the courts were too harsh, about right, or not harsh enough. Those with a university education, or with post-high school technical education, had the highest percentage of those who felt that the courts were too harsh, and the lowest percentage of those who thought the courts were too lenient. People with only public schooling had, expectedly, the highest percentage of those declaring the courts not harsh enough (47.9%, compared to 32.6% among the university and technical education group. See Table 29).

Further confirmation (though not as strong) of the hypothesis of increasing liberalism with higher education can be found in a recent Canadian Gallup Poll on school discipline (CIPO 364, 1974). The percentage of those calling the school discipline too strict increases, and the percentage of those calling it too lenient decreases, with advanced education, and the trend is very consistent. (See Table 29).

Beliefs that crime rates are going up, and convictions that there is more violence here and around the world now than there has been previously, are more prevalent among the less educated than among the more educated.

In 1972 (CIPO 354), 69.2% of those with only public schooling thought there was more crime than there was 5 years ago, compared with 61.3% of those who went to secondary or high school, and to 59.6% of those with post-high school technical or university education. And, in 1974 (CIPO 369), 93.7% of those with public schooling declared there were more acts of violence, compared to 84.6% and 79.1% in the two other groups respectively. (See Table 29).

Thus, it is evident that the differences in attitudes according to the degree and type of education are more distinct and clear-cut than differences according to income or to socioeconomic level. This can easily be seen from the results of Canadian Gallup Polls on capital punishment given in Table .

Opposition to the death penalty becomes stronger with increasing

education. In general, people with university or post-high school technical education express more opposition to, and less support of, the death penalty than the two other groups. Also, people who have been to, or have graduated from, a secondary or high school, are usually less in favor of the death penalty than people who have not gone beyond the public school.

In recent years, the gap between the group with university or post-high school technical education, and the other two groups, has become even wider.

For example, in 1966 (CIPO 317), 52.2% of the university and technical education group wanted capital punishment abolished, compared to 35.0% in the secondary and high school group, and to 34.7% in the public school group. On the other hand, 54.0% of the latter group wanted the death penalty retained, compared with 55.6% in the high school group, and to 38.0% in the university/technical group. Only in the last group was the majority opinion, by far, in favor of abolition (52.2% : 38.0%).

Again in 1971 (CIPO 350), 43.4% of the university/technical group were opposed to capital punishment being brought back, compared to 29.3% in the secondary/high school group, and 22.3% in the public school group who wanted it reintroduced. The percentages in favor of the reinstatement of capital punishment were 67.9% in the public school group, 64.7% in the secondary/high school group, and 50.4% in the university/technical group.

The difference in attitudes between people with university education and other categories is much more evident in the results of the Gallup Poll on the death penalty conducted a couple of months after the October Crisis of 1970. On the issue of reinstating the death penalty for political kidnapping, there was no significant difference in the pattern of responses between those with public school and those with high school education. The first favored reinstatement by 71% (with 15% opposed), and the second by 73% (19% opposed). However, only 55% of the university-educated group favored reinstating the death penalty for

political kidnapping, and the disapproving percentage (37%) was substantially larger than it was in the other two groups.

If the hypothesis, that higher levels of education are inversely related to the degree of support for the death penalty, is true, then we should expect that as the proportion of the Canadian population with such higher levels increases in the future, the percentages of those opposed to capital punishment will go up.

The American variations in public opinion on the death penalty by education are given in Table 31. In the earlier polls of 1966 and 1969, the differences in opinion between people with grade school education, high school education and college education were too small to allow any conclusions as to the relationship between educational level and attitudes to the death penalty. Recent polls, however, seem to indicate that there is more opposition to the death penalty among people with college education than among the two other groups. In March of 1972, 47% of those with college education were opposed to the ultimate penalty, compared to 39% of those with high school, and 40% of those with grade school. The Louis Harris Poll of June 1973 reveals a stronger difference, with 59% of those with college education opposed to capital punishment, compared to 45% of those with high school education, and 40% of those who finished only 8th grade or less.

Further support for the hypothesis that support for the death penalty is likely to decrease, and opposition to it is likely to increase, with higher education, comes from international data.

A public opinion poll in West Germany (EMNID, 1964) shows clearly that the higher the educational level is, the less support is given to the death penalty, and vice versa.

In South Africa, Midgley (1974) reports that educational experience seems to be related to the attitudes of the respondents to the death penalty. Those interviewed who had not proceeded further than a high school education were

generally in favor of the retention of the death penalty, while those who had attended either college or university favored abolition. Of the respondents who had completed no more than a primary school education, 60% favored retention. Among those who had completed high school without proceeding further, the proportion favoring retention was even higher: 70%. Only 35% of the respondents who had experienced higher education, on the other hand, favored retention.

While Midgley's findings only partially support the hypothesis, they strongly confirm what is revealed in the Canadian data; namely, that it is the higher education that makes the difference, and that the opinions and attitudes held by the university group are clearly different from those held by all other educational groups.

c) Occupation and attitudes to the death penalty

Table 22 shows the variations in public opinion on the death penalty by occupation, in the U.S.A. No consistent trend or pattern can be seen. It seems, however, that among the four occupation categories used in the Gallup Polls; namely, professionals and businessmen, white-collar (changed to clerical and sales), farmers and manual workers, the strongest support for the death penalty is to be found among the white-collar workers, while the strongest opposition to it is to be found among professionals and businessmen. It is difficult to correlate this trend with the trend observed on the basis of income, and discussed above. But, the strong support among white-collar workers is consistent with earlier studies showing the middle class to be the most repressive.

Manual workers were not more in favor of the death penalty than farmers, and were certainly less in favor of it than white-collar workers. Thus, the hypothesis suggested by Podgorecki, that "*manual work acts as a determinant leading to rigorism in other fields*" does not seem to be borne out by the data.

The American Gallup Poll of October 1974, in which the category of "undecided" or "no opinion" was eliminated, shows a considerably narrowed margin

between the opinions of the four occupational groups.

A West German poll (DIVO, December 1964), shows the least support for the death penalty to be found among professional and business persons (48%), while the strongest support for it was found among laborers (66%) and farmers (63%). (See Erskine, 1970).

The study of Midgley, in South Africa (1974), revealed that among the respondents, owners of business were more in favor of retention than any other group. Fully 87% of the owners of business enterprises supported capital punishment. The majority of white-collar workers, including executive and managerial staffs, also supported the death penalty (71%), as did the majority of artisans and housewives. Respondents in professions, on the other hand, were overwhelmingly in favor of abolition. The surprisingly high support for the death penalty among the owners of business enterprises in South Africa may be explainable by the fact that they have more economic interest to be safeguarded than the other groups.

Attitudes of law enforcement officers to the death penalty

There seem to be fairly consistent attitudinal patterns regarding the death penalty within certain occupational groups. According to Hugo Bedau (1964), it seems fairly probable that psychiatrists, penologists and possibly social scientists and social workers generally, as well as higher government officials, tend to oppose the death penalty in the U.S.A., while law enforcement officers tend to favor it.

The Prévost Commission surveys allowed a comparison of the attitudes of Montreal policemen, defense lawyers and prosecutors to the death penalty. The comparison confirmed what has been known for a long time; namely, that the large majority of policemen in Montreal, as elsewhere in Canada, were in favor of capital punishment. Nine out of ten policemen in Montreal declared themselves in favor of it. Defense lawyers were at the other end of the pole, with 83% opposing

the death penalty. Prosecutors, understandably, occupied an intermediate position between the two groups, with 58.5% in favor and 41.5% against it. (See Table 32).

The Canadian Association of Chiefs of Police, and many local police unions, have always voiced strong support for the death penalty, and strong opposition to its abolition. In a brief submitted to the Joint Committee of the Senate and the House of Commons on capital punishment, corporal punishment and lotteries (1956), the Canadian Association of Chiefs of Police urged the retention of capital punishment. Their main arguments were that the penalty was a deterrent, and that its abolition would increase the risk of death run by a policeman.

In 1964, the Association addressed a letter to the Prime Minister, protesting against the policy of commuting death sentences. A copy of the letter and a copy of the brief were sent by the Association to all members of Parliament, contending that "*the present state of lawlessness in the country*" was due to the granting of clemency to vicious murderers. (Jayewardene, 1973, p. 137).

An identical position is taken by the Ontario Police Association. In 1971, they resolved to request the federal government to limit the exercise of the Royal Prerogative of Mercy to cases where there was a jury recommendation for one. In 1972, they resolved to ask the federal government to retain the death penalty as the ultimate punishment for all persons convicted of murder: capital and non-capital. (*Ibid.*, p. 137).

It is also interesting to note that the wives of policemen have banded themselves into a group to demand the reestablishment of the death penalty for all murderers, and the loss of cabinet power to commute death sentences, except when courts recommend mercy, and life imprisonment as an alternative to the death sentence. (*Ibid.*, p. 174)

Police support of the death penalty is by no means limited to Canada.

When capital punishment was placed on the 1972 California General Election ballot, police officers waged a vigorous statewide campaign in support of the reinstatement of the death penalty. Johnson and Newmeyer (1975) report that the intense involvement of the police in the pro-death penalty campaign was suggested by the several reports of uniformed policemen circulating the initiative petition door-to-door in residential areas.

Accounts of police efforts to retain the death penalty in the United Kingdom are given by Christoph (1962). During the 1948 debate, *The Police Chronicle*, in its report of the debate, cited only the retentionist speeches of Ede and Anderson, and warned that one of the consequences of the proposed change would be the necessity of arming the British policeman, with "*repercussions of grave consequence to the internal safety of the state.*" At a special meeting, the London Committee of the Police Federation of England passed a resolution condemning the vote to suspend the death penalty. The Chairman of the Prison Officer's Association, in his address to the annual conference, joined the police in their condemnation of the vote, and termed it "*a profound and untimely mistake,*" and promised to press for special compensation for dependents of officers killed in prison "*as a result of the abolition of the death penalty.*"

In view of the absence of empirical evidence showing that capital punishment does offer better protection to policemen than life imprisonment,¹⁾ it would seem that the strong attitude in favor of the death penalty among policemen is more a matter of feeling than of rational assessment.

It is difficult to say whether the determinants of such attitude are related to police work, or are related to the personality of those who choose a career in law enforcement, or to both. Occupational psychology has shown that the choice of a career is not always a matter of chance, that certain types of

1) See Fattah (1972), *The Deterrent Effect of Capital Punishment with Special Reference to the Canadian Situation*, Ottawa: Information Canada.

personality are likely to be attracted to certain occupations and professions. It has also been suggested that authoritarian personalities are likely to be attracted to a law enforcement career. Finally, there is some evidence that active authoritarians, those who want to dominate, usually are in favor of the death penalty. If both assumptions are correct, then it becomes easier to understand why the support of capital punishment among Canadian policemen is so strong.

3) Sociopolitical variables and attitudes to the death penalty

a) Political preference and attitudes to the death penalty

Results of surveys of attitudes suggest that beliefs about capital punishment are an aspect of a complex of social and political beliefs, that there is a relationship between political preference and views on the death penalty.

Strong support for the death penalty seems to be quite prevalent among people with right wing preferences, while the opposition to it seems to be strongest among people leaning toward the left, with the centrists divided on the issue.

Vidmar (1973) points out that there is a substantial body of psychological literature showing that samples of U.S. adults who favor the death penalty are more likely to be authoritarian, dogmatic and conservative in their political views, than persons who are against the death penalty.

Devall (1970) found students who preferred the New Democratic Party were much more likely to appear high on the civil libertarian index, than those who preferred the Progressive Conservative Party.

The Canadian, as well as the American data seems to lend credence to the above-mentioned assumption. American polls show Republicans to be more repressive and more pro-death penalty than Democrats. GOP voters are significantly more in favor of strict penalties for criminal convictions, and more inclined to

call the courts too lenient. In 1972, according to the Gallup Poll, 86% of the GOP (compared to 77% of Democrats) declared they would vote for a candidate who favored tougher sentences for lawbreakers. Polls also reveal that Republicans are less inclined to agree with questions of due process of law, and more inclined to support the police more enthusiastically than do Democrats (Erskine, 1975).

The results of American polls showing the variations in public opinion on the death penalty by political preference are shown in Table 36. Support of the death penalty among Republicans is consistently higher than it is among Democrats or Independent. The percentages fluctuate, but the pattern is very consistent.

Political preference seems to be more strongly linked to attitudes toward crime and punishment than education does. Democrats are usually on the same side of a crime issue as more educated groups, in spite of the fact that the average educational level of Republicans is much higher (in September 1973, the Harris Survey reported that 42% of Republicans had attended college, compared with only 28% of Democratic voters). Hazel Erskine (1975) found that on questions on crime and justice, Democrats and college people take the same side of an issue on seven out of ten questions. This is related to high correlations between the young and college attendance, as well as between youth and Democratic affiliation. So, it may be the age factor rather than either education or political preference that is responsible for such tendencies. Only a detailed analysis of all these complexly-related demographic factors, simultaneously with larger samples would provide definitive answers for such questions.

Variations in public opinion on the death penalty and on related matters by political preference in Canada are shown in Table 34 and Table 35. As can be seen from Table 34, the strongest support for capital punishment, and the strongest opposition to its abolition are to be found among supporters of conservative and right wing parties such as Social Credit, Cr ditistes and the Progressive

Conservatives. The strongest call for abolition of the death penalty comes from political parties which lean more towards the left, such as the NDP. Though supporters of the Liberal Party are less in favor of capital punishment than the Cr ditistes, the Social Credit and the Progressive Conservatives, they are far behind the New Democrats in their opposition to the death penalty. For example, in 1971 (CIPPO 350), all Cr ditistes respondents, 78.8% of Social Credit supporters, 66.7% of supporters of the Progressive Conservative Party, and 62.9% of supporters of the Liberal Party wanted capital punishment brought back. Only 43.7% of supporters of the New Democratic Party were in favor of a return to the noose. The same Gallup Poll shows that none of the Cr ditistes opposed the return to capital punishment, compared to 14.3% of Social Credit supporters, 25.0% of supporters of the Progressive Conservatives and 31.2% of Liberal supporters. More than half the New Democrat respondents declared themselves against a return to the death penalty. Only among supporters of the NDP was the opposition to the death penalty stronger than the support for it (52.9% : 43.7%). (See Table 34).

Chandler (1975) analyzed the way members of the Canadian Parliament voted on capital punishment in 1966 and in 1973 by party affiliation, and the pattern was similar.

Variations in attitudes to matters related to the death penalty by political preference (Table 35) reveal strong similarity between supporters of the Social Credit and Cr ditistes, as well as strong similarity between supporters of the Liberal Party and the Progressive Conservative Party, while supporters of the NDP stand in a category by themselves, and are by far the least repressive.

Data from Great Britain also shows that members of the Labour Party are more opposed to the death penalty than Conservative members. Christoph (1962) gives the distribution of vote by party in the House of Commons on the Abolition Amendment in 1948. Of the Conservative members, 256 voted for retention, and 48 for abolition. Of the Labour members, only 8 voted for retention; and 242 for

abolition. No member of the Liberal Party voted for retention, and 5 Liberals voted for abolition.

More research is needed to explain the association between political beliefs and attitudes toward crime and punishment.

CHAPTER FOUR

Fear of Victimization, Concern about Crime and Attitudes
to the Death Penalty

1) Attitudes to the death penalty and crime rates

If public attitudes to the death penalty in a certain community were intimately related to the incidence of criminal violence in that community, then we would expect the provinces reporting the highest rates of violent crime to record the highest percentages of death penalty supporters. We would also expect changes in public attitudes to the death penalty to closely follow changes in rates of violent crimes. However, this is not the case. In their study of burglary in Toronto, Waller and Okihiro (1974) found no relation between level of worry about burglary and the burglary rate.

The incidence of violent crime in Canada increases, with very few exceptions, from east to west; and such a pattern varies substantially from the pattern which emerges from the study of regional variations in public opinion on the death penalty. The province of British Columbia, which ranks first on a violent crime scale (see Fattah, 1972), had one of the lowest percentages of people in support of the death penalty, according to the Gallup Poll of 1972. The provinces of Alberta, Saskatchewan and Manitoba, with relatively high rates of violent crimes, have much lower percentages of capital punishment supporters than Nova Scotia and Quebec. These two provinces have the highest percentages of adults favoring the death penalty, although their violent crime rates (except for robbery in Quebec) are lower than those of the western provinces.

The incidence and rates of violent crimes is much higher in the U.S.A. than in Canada (the American criminal homicide rate is four times the Canadian rate), yet the American population is less in favor of capital punishment than the Canadian population is.

The regional variations of public opinion on capital punishment and related matters suggest that public attitudes toward the death penalty, toward crime and punishment, are independent of violent crime rates. Even the degree of fear of crime does not seem closely related to official crime rates. People in

the Atlantic provinces and in Quebec are more afraid of crime than people in Ontario and the Prairies, despite the fact that crime rates in the Maritimes are the lowest in the country, and despite the fact that Quebec has lower violent crime rates (except for robbery) than the western provinces.

2) Fear of victimization and concern about crime

Though the fear of victimization and concern about crime have usually been used interchangeably, Furstenberg Jr. (1971) has pointed out a subtle distinction to show that the two concepts are not at all equivalent. He notes that the fear of crime is usually measured by a person's perception of his own chances of victimization, while concern about crime is measured by the person's estimate of the seriousness of the crime situation in his country.

"An individual may be troubled by the problem of crime, but not be in the least afraid of being personally victimized. For example, the Harris 1969 data showed that eighty-nine percent of the respondents believed that crime had increased over the past year in the United States, and eighty percent thought it had risen in Baltimore, whereas only thirty-nine percent felt that it had gone up in their neighborhoods. It is easy to see how crime might be regarded as a serious danger to society, but not a personal threat. Sources and consequences of anxiety about crime may thus turn out to be quite different for different segments of the public."

Furstenberg Jr. reexamined part of the data collected by Harris in Baltimore, and found that the two reactions to crime are totally unrelated to each other.

Those most concerned about the problem of crime were found to be no more or no less afraid of victimization than anyone else. When the relationship of concern to the objective risk of victimization was examined, it became evident that concern about crime does not emanate from a personal sense of danger. It was found that as the risk of victimization decreases, concern about crime goes up. People in low crime areas were significantly more concerned about the problem of crime than those in high crime areas.

Public opinion polls of recent years provide evidence of an increasing fear of victimization and of heightened concern about crime. At least in its magnitude, the current public reaction to crime seems to be unprecedented.

Many polls conducted in the U.S. revealed that the public ranked crime as the most serious problem facing the American society. A large majority believed that the crime situation is terrible and is getting worse. An American Gallup Poll (March 1972) showed that 41% of Americans were afraid to walk near home after dark (see Table 7). Summing up the situation as reflected in the polls, Jennie McIntyre (1967) noted that most Americans believe that the crime situation in their own community is getting worse, and while substantial numbers think that the situation is staying about the same, hardly anyone sees improvement.

Though a few years back, the levels of fear of victimization and concern with crime in Canada were far below those in the U.S., the gap seems to have been narrowing in recent years. A study by Courtis (1969) in Toronto, showed that there was more concern about crime than fear of victimization among Torontonians. It seemed that the Toronto public were more concerned about the crime problem in the abstract than they were about being victims of criminal activity, either in the home or in the street. Courtis also felt that even at the most general level, the crime problem in Toronto could not be regarded as one which was seen by the Toronto public, at the time of the survey (early months of 1969) as overwhelmingly

serious. Quite a large proportion (over 60%) said they did not worry about being attacked or assaulted, and only 8% said that they worried a lot.

These findings were later confirmed in the Waller and Okihiro study (1974), which revealed that at least with regard to residential burglary, the level of societal fear in Toronto was much less than in the U.S.

But, in a recent survey of B.C. voters about social services (1,480 respondents to a mail questionnaire, representing a return rate of 55%) by Koenig (1975), it was found that among fifteen items related to social services, the reduction of crime and delinquency was rated as the most important objective to be attained through provincial government funding.

a) Discrepancy between fear of victimization and concern about crime

The victimization surveys undertaken for the President's Commission, the study of Furstenberg Jr., and the Toronto survey by Courtis all point out a certain discrepancy between the fear of personal victimization and the concern with the crime problem. This discrepancy is confirmed by the results of Canadian Gallup polls which reveal that the level of concern about crime is usually higher than the fear of victimization.

Late in 1970, a sample of Canadians were asked by the Gallup interviewers "Is there any area right around here ... that is say within a mile ... where you would be afraid to walk at night?". 29% of the respondents said yes, 66% said no, and 5% were not sure. But, when asked in 1972 whether there was more crime in their community than there was, say five years ago, the results were exactly the reverse. 63% declared there was more crime, 26% said no, and the remaining 11% were undecided.

Because of the time factor, it may be hazardous to compare these two polls. However, two later polls, both conducted in the same year, 1974, do confirm the pattern; namely that there is more concern about crime rates than

there is fear and anxiety of personal victimization. In 1974, 85% of Canadian adults believed that there was more violence today, here and around the world, than there was previously, compared with 37% who declared they were afraid to walk in their neighborhood after dark. Only 12% did not think there was more violence, while 63% mentioned that they were not afraid of being victimized. (see Table 12).

The results of these Gallup Polls show that the fear of victimization has increased over the years. The percentage of those afraid to walk in their neighborhood after dark went up from 29% in 1970, to 37% in 1974. The concern about crime has also gone up considerably. In 1974, 85% of Canadians believed there was more violence, compared to the 63% who two years earlier (1972) thought there was more crime.

b) Sources for fear of victimization and concern about crime

The difference between the degree of fear of victimization and the level of concern about crime can probably be traced to the sources of both reactions which are possibly different. There are reasons to believe that for the large majority of people, information about crime, crime trends and perceptions of crime and criminals are derived largely from vicarious sources.

A poll conducted in the Netherlands in 1967 showed that people depend mainly on the press for their information about crime and punishment. (Hoefnagels, 1973).

In an American study, it was found that the amount of crime news in each of four Colorado newspapers varied independently of the amount of crime in the state as reflected by crime statistics. Persons were then asked, in a public opinion poll, to estimate the amount of crime in the state. The results indicated that public opinion about crime tended to reflect trends in the amount of crime news, rather than the actual crime rates. (Davis, 1952).

After respondents in Washington, D.C., were asked for their estimate of an increase or decrease in crime in the city, they were asked where they had obtained their information on this subject. A preponderant majority said that they got their information either from the news media or from what they heard people say. (McIntyre, 1967).

If it is true that public's perception of the incidence of crime are largely based on media coverage of crime (and there are reasons to believe this to be the case), then the heightened concern about crime may be due to the fact that the public is receiving reports of violent crime and sexual crime drawn from a larger pool of crime-incident reports than ever before. Statistics of crime, released by official agencies such as Statistics Canada or the FBI, and given wide publicity by the mass media, may give the impression of crime waves, or of a substantial increase in crime rates, thus influencing public perception of, and public reaction to, the problem of crime.

Not many studies have attempted to determine how citizens develop their impressions of the amount of crime in their neighborhoods. After reanalyzing the Harris data of 1969, Furstenberg Jr. (1971) concluded that first-hand knowledge of events is especially important. The results suggested that people generally have a fairly accurate notion of the amount of crime in their neighborhoods. This conclusion was further borne out when the probability of victimization, measured by police statistics, was related to the respondent's perception of the crime risk in his neighborhood. Most people in high crime areas thought that their neighborhoods were generally more dangerous than the other parts of the city, and people in low crime areas correctly perceived the relative security of their neighborhoods.

It is probably more difficult to unravel the factors underlying people's fear of victimization. However, there seems to be direct evidence that people form their attitudes about crime on the basis of something other than experience.

Surveys conducted for the President's Commission in the U.S. found little statistical relationship between the experience of victimization and attitudes toward most aspects of the crime problem. Moreover, the NORC study found little relationship between the experience of victimization and concern about crime (McIntyre, 1967). Neither does anxiety about crime seem to be a simple function of living in areas where crimes are frequent occurrences.

The BSSR study in Washington, D.C., found that the average level of concern with crime in a predominantly Negro precinct that had one of the highest rates of crime in the city, according to police data, was lower than it was in another Negro precinct that had a lower crime rate (see McIntyre, 1967).

Fear of crime does not seem to be commensurate with the objective risk of victimization. Again, victimization surveys for the President's Commission showed that many people who had little reason to be afraid of criminal attack worried a great deal about crime. Consequently, the Commissioners concluded that factors other than victimization might be contributing to an "exaggerated level of fear" in the population.

It was also found that crimes people fear most (that is, crimes of violence) are those which occur the least.

3) Fear of victimization, concern about crime and attitudes to the death penalty

Because the growing concern about crime, and the heightened fear of victimization have coincided with a hardening of attitude towards criminals, with an increasing demand for harsher penalties and with a stronger support for the death penalty, it is logical to hypothesize that both phenomena are linked. In fact, some authors claim to have found evidence linking the fear of personal victimization to attitudes about crime and punishment, and correlating anxiety about crime with support for the death penalty.

Waller and Okihiro (1974) found a significant relationship between the severity of the sentence the respondents felt should be given the offender and fear of victimization. Persons who were "much" or "very much" worried about their residence being broken into were significantly more likely to feel that a more severe sentence should be given to the offender (in a typical case) than those who were somewhat worried or less.

In a study of 839 respondents in Valusia County, Florida, Thomas and Foster (1974) administered a number of multi-item scales measuring support for capital punishment, perception of crime rates, fear of victimization, perception of the effectiveness of punishment as a deterrent to crime, and willingness to employ punishment as a reaction to crime. All of the scales were positively and highly correlated with one another. The authors interpreted their findings as supportive of a complex sociological model which assumes that support for the death penalty is a utilitarian response to rising crime rates. They argued that perception of an increasing rate of criminal behavior results in fears of victimization and willingness to employ punishment as a response to criminal behavior. Fear of victimization also causes people to perceive an increased effectiveness in the use of criminal punishment. Finally, perception of increasing crime rates, fear of victimization, and increased perceptions of the effectiveness of punishment all contribute to increased willingness to use punishment, including capital punishment, as a means of resolving the crime problem (unpublished study, quoted after Vidmar and Ellsworth, 1974, and after Vidmar, 1974).

While the results of the Thomas and Foster study would seem to lend credence to the above-mentioned hypothesis, other empirical evidence tends to speak against it.

Vidmar (1974) found a surprisingly small and inconsistent relation between fear of crime and death penalty opinion. He found retribution to be more

important than utilitarian motives in determining the attitude of persons favoring the death penalty, while the hypothesis of a relationship between perceived threat and support for capital punishment received only equivocal support. In fact, the two items which would appear to be the most direct measures of threat (likelihood of victimization in the future, and feeling threatened by the crime rate) did not show a statistically significant relationship.

Opinion polls show that fear of crime is much higher in the U.S.A. than in Canada, but support for the death penalty is stronger in Canada than in the U.S.A.

Polls show that fear of crime and anxiety about victimization are greater among women than among men, yet there is less support for the death penalty among the female sex. (see Table 14).

Polls reveal that the younger age groups are the most concerned about the increase in crime, and are the most afraid of crime; yet, these same age groups are the ones most opposed to the death penalty, and are consistently the most liberal in their attitudes towards criminals and punishment. (see Table 17).

The results of victimization studies carried out for the President's Commission in the U.S.A. revealed that fear of crime was most intense among residents of ghetto areas, especially low-income blacks; thus, the groups which are the most opposed to the death penalty.

Additional evidence to the effect that the degree of support for the death penalty is independent of the fear of victimization, or actual victimization, comes from the California vote on the death penalty in 1972. The San Francisco Police Department reports for 1970-1973 reveal that "Middle Sunset" is one of the areas of the city least afflicted by personal or property crimes. Yet, at the same time, this area was most overwhelming in its support for the death penalty (Johnson and Newmeyer, 1975).

All these empirical findings do not seem to corroborate the assumption that concern with crime, fear of victimization, or even actual victimization, are major determinants of attitudes to the death penalty or to punishment in general. As surprising as such a conclusion may be, it does not seem very difficult to understand. Neither the fear of victimization nor actual victimization seem to play any important role in a person's life. There are many plausible explanations for this:

- Most people are not victimized sufficiently often for these experiences to make a major impact on their lives. Neither are those offences which do occur sufficiently often important enough in people's lives to be remembered vividly for any length of time (see McIntyre, 1967).

- The fact that the experiences of victimization are not remembered for any length of time by most people, would indicate that most incidents of victimization do not constitute very important events in a person's life experience. Commenting on the findings of the early victimization surveys in the U.S.A., Biderman (1967) noted that many of the difficulties encountered in such studies stem from the fact that most incidents of victimization, even many that are "serious" legally, are not highly salient experiences in a person's life, and, hence, are not readily recalled in an interview.

- If the experience of victimization is not a major event in the lives of most people, it is understandable that such an experience is not likely to determine, shape or considerably influence their attitudes toward crime and punishment.

- If actual victimization is not a major determinant of attitudes to crime and punishment, then the fear of victimization is likely to have even less impact on such attitudes, and the lack of a statistically significant link between the fear of crime and the attitudes to the death penalty can be easily understood.

CHAPTER FIVE

Psychological Variables and Attitudes to the Death Penalty

Most public opinion polls and surveys of attitudes are limited to sociodemographic variables, because of the difficulty of including psychological traits or attributes. One of the exceptions is the study undertaken in Poland, in 1964, under the supervision of Adam Podgorecki. The study attempted to examine which connections, if any, occur between opinions about and attitudes to the law, and various psychological determinants of those opinions and attitudes. It was found that respondents who showed the strongest tendency to approve of severe punishment, including approval of the death penalty, were people with little education, unskilled workers, people unengaged in social work or civic activities, people with no legal experience, people with a feeling of insecurity, people with loose social affiliations or with dogmatic attitudes, people who were severely brought up, who were socially maladjusted, frustrated, religious, and who were widows or widowers.

On the other hand, those who showed the strongest tendency to approve of milder punishment, were more highly educated people, non-manual workers, people engaged in social work, people who had legal experience, who felt secure, who had a greater degree of social affiliation, who were rationalists in their attitudes, who were brought up by gentle disciplinary methods, who were well-adjusted to life, who thought people's opinion about them was just, who were irreligious, and, finally, who were unmarried.

A general examination of the factors that lead a person to approve of a severe or a mild punishment (e.g., that influence his attitude to the death penalty), showed that people who approve of the death sentence are people who are insecure, who were severely brought up, and who are maladjusted socially. People who are opposed to the death sentence, on the other hand, are people who feel secure, who were brought up by mild disciplinary methods, and who are pleased with life.

Authoritarianism, Conservatism, Dogmatism and Attitudes to the Death Penalty

There is evidence that support for the death penalty is positively correlated with authoritarianism, conservatism and dogmatism. After doing an excellent review of the literature, Vidmar and Ellsworth (1975) concluded that there is a statistically significant association between death penalty attitudes and the psychological concept of the authoritarianism-dogmatism-conservatism syndrome, that there is an association between the syndrome and prejudice and retributiveness, and that there is a more direct association between death penalty attitudes and prejudice and retributiveness.

a) Authoritarianism and attitudes to the death penalty

In the book *The Authoritarian Personality*, the authors, Adorno, Frenkel-Brunswik, Levinson and Sanford (1950) raise two important points: the *first* is that a person's ideas and values may tend to run to a coherent, discernible pattern, however oblivious he may be of the pattern; the *second* is the "authoritarian-non-authoritarian" antithesis. The *authoritarian* personality is seen as one involving the following characteristics: moralistic condemnation, extrapunitiveness, distrust-suspicion, hierarchical conception of human relations, non-love-seeking, exploitive-manipulative opportunism. In contrast, the characteristics of the *non-authoritarian* personality are: permissiveness, impunitiveness or intrapunitiveness, trustingness, equalitarianism-mutuality, love-seeking.

Several studies have shown authoritarian persons to be more punitive toward others, and to express greater degrees of retributive motives in attitudes toward criminal punishment, than non-authoritarian persons. Beside the American studies showing that samples of U.S. adults who favor the death penalty are likely to score high on measures of authoritarianism, a Canadian study by Vidmar (1974), based on an in-depth survey of 144 English Canadian adults, showed that strength

of support for capital punishment was positively related to the authoritarian index composed of California F-scale items. The study also found that people who favored the death penalty were more likely to be punitive as measured by items asking about whipping criminals and use of the strap in public schools, and that they were more likely to score high on the measure of prejudice against French Canadians, Canadian Indians, Negroes, poor people and hippies.

b) Conservatism and attitudes toward the death penalty

There are studies that point to a certain association between pro-death penalty attitudes and sociopolitical conservatism. Persons who favor the death penalty tend to score high on scales measuring conservatism in legal, social and political views, nationalism, religiousness and racial intolerance.

Comrey and Newmeyer (1965) examined the responses of 212 Los Angeles adults to a variety of questions, including capital punishment and the treatment of criminals. Attitudes favorable toward capital punishment were positively related to factors of general conservatism, nationalism, religiousness and racial intolerance. At the radical end of the continuum was the belief in the welfare state, powerful federal government, pacifism, world government, racial tolerance and rapid social change. On the conservatism end of the continuum, was the belief in severe treatment of criminals, capital punishment, religion, moral censorship, and service to country.

The national survey by Rokeach in the U.S. found that persons who favored capital punishment differed from persons who opposed capital punishment on 11 of Rokeach's 36 terminal and instrumental values. Those favoring capital punishment cared more for the terminal values of a sense of accomplishment, family security, and national security and the instrumental values of being ambitious, logical and responsible. They cared less for the terminal values of a world of peace, equality and true friendship, and the instrumental values of

being forgiving and loving (see Rokeach and Vidmar, 1973).

Zeisel (1968) used data from both Gallup Polls and California Polls to compare supporters and opponents of capital punishment on five social attitudes. He found that people who favored the death penalty were less likely to favor open housing legislation, or to approve of gun registration laws, and more likely to indicate that they would move if Negroes moved into their neighborhood, to approve of the John Birch Society, and to favor restrictive abortion laws.

Blumenthal et al (1972) found that attitudes toward the use of violence for social control are greatly influenced by the individual's values, particularly his beliefs in retributiveness and self-defense. Those who believed in retributive justice (as measured by an index composed of responses to five value-oriented statements, including the appropriateness of using the death penalty as punishment for murderers) were likely to approve the use of violence for social control.

c) Dogmatism and attitudes to the death penalty

The question of a possible relationship between certain psychological attributes, such as authoritarianism and dogmatism, and the death penalty, has been raised before the courts in the U.S.A., in relation to jury convictions in murder cases.

In *Witherspoon v. Illinois* (391 U.S. 510, 1968), the defendant asked the court to reverse his conviction by a non-scrupled jury, arguing that: 1) the jury determining the guilt issue favored the death penalty; 2) those who favored the death penalty were highly authoritarian, dogmatic personalities; and 3) highly dogmatic jurors were "prosecution-prone". From these premises, the defendant concluded that his Sixth Amendment guarantee to an impartial jury was denied by the non-scrupled jury determining his guilt, because it was "prose-

cution-prone." The court acknowledged the defendant's first premise, when it reversed his death sentence, but rejected the full argument, because premises (2) and (3) had not been proven to its satisfaction.

In an attempt to empirically test the validity of premise (2), Cucinotta (1969) categorized 188 Duquesne students into one of four groups, according to their position on capital punishment, as follows:

Group A - non-scrupled veniremen, who, if the defendant is found guilty, favor ONLY the death penalty;

Group B - non-scrupled veniremen, who favor the death penalty, but will consider life imprisonment as a penalty;

Group C - scrupled veniremen who oppose the death penalty, but who could lay aside their feelings and impose the death penalty;

Group D - scrupled veniremen who could never impose the death penalty.

To test the premise that non-scrupled jurors are more highly dogmatic than scrupled jurors, the Duquesne subjects were given the Rokeach Dogmatism Scale. Cucinotta predicted he would find a statistically significant linear correlation coefficient between Dogmatism scores and *Witherspoon* position. That is, with each increase in willingness to impose the death penalty, he predicted an increase in average dogmatism score. Following his analysis of the Duquesne Poll data, Cucinotta concluded that *"no significant relationship was found between one's dogmatism level and one's position on capital punishment ... even though there seems to be a slight trend toward a higher dogmatic level when we move from response 'D' to response 'A'."*

This conclusion was contested by Rokeach and McLellan (1970), who examined and reanalyzed Cucinotta's data, and found his analysis to be misleading. They claimed that Cucinotta's data does, in fact, support the notion that non-scrupled jurors are more dogmatic.

Further evidence to support the premise that non-scrupled jurors are more dogmatic is given by Crosson (1966). He assessed the differences between actual jurors in Ohio, who were either Death-Qualified (holding no scruples against imposition of the death penalty during *voir dire*, and thus eligible for capital jury service), or Death-Scrupled (ineligible for capital jury service, due to scruples against the imposition of the death penalty). The Death-Qualified jurors were found to be more dogmatic, on the average, than the Death-Scrupled jurors, although this difference failed to reach statistical significance.

Further evidence from Crosson adds credence to the hypothesis that non-scrupled jurors are indeed different from scrupled jurors. He found that non-scrupled jurors are significantly more conservative than scrupled jurors. Other findings in the predicted direction showed that scrupled jurors are better at evaluating verbal arguments, and less hostile, than non-scrupled jurors. (See Rokeach and McLellan, 1970).

On the other hand, findings suggesting that no relationship exists between support or opposition to the death penalty and dogmatism come from an unpublished study quoted by Jayewardene (1973). Dandurand and Fontaine (1972) used Sellin's categorization of arguments as dogmatic and utilitarian, and Rokeach's conceptualization of minds as open and closed in an attempt to determine whether it was the abolitionists or retentionists that were characterized by emotionality. They asked 94 students at the University of Ottawa what their position on capital punishment was, and the reasons for the views they held. At the same time, they administered to them the E-version of Rokeach's Dogmatism Scale. The data they gathered thus led them to the conclusion that dogmatic arguments were used equally frequently by abolitionists and retentionists, and that open-mindedness and closed-mindedness characterized neither the abolitionists nor the retentionists on the one hand, and neither those who used dogmatic reasons nor utilitarian reasons on the other.

CHAPTER SIX

Reasons for Favoring or Opposing the Death Penalty

1) Reasons for supporting capital punishment: utilitarian vs. retributive motives

Reasons for supporting punishment in general, and the death penalty in particular, can be classified into two broad categories: utilitarian and retributive views. As a general hypothesis, it may be said that people who have indignant, moralistic and vindictive attitudes towards crime are likely to adopt a more punitive, repressive and retributive view of criminal justice, to call for more severe penalties and to favor measures such as a harsh school discipline, whipping and capital punishment. On the other hand, people with pragmatic and therapeutic views toward crime, will adopt a less punitive, less repressive, but more utilitarian attitude towards punishment.

Though deterrence is the most frequently invoked rationale for support of capital punishment, Hart (1968) affirms that there are ways of defending and criticizing the death penalty, which are quite independent of the utilitarian position and of the questions of fact which the utilitarian will consider as crucial.

"For some people," he writes, "the death penalty is ruled out entirely as something absolutely evil, which, like torture, should never be used, however many lives it might save. Those who take this view find that they are sometimes met by the counter-assertion that the death penalty is something which morality actually demands, a uniquely appropriate means of retribution or 'reprobation' for the worst of crimes, even if its use adds nothing to the protection of human life. Here we have two sharply opposed yet similar attitudes: for the one, the death penalty is morally excluded; for the other, it is a moral necessity: but both alike are independent of

any question of fact or evidence as to what the use of the death penalty does by way of furthering the protection of society."

There are not too many studies which try to explain why an individual adopts a utilitarian or a retributive view of punishment.

Podgorecki found that the view that "*retribution is the chief aim of punishment*" is held by people with a primary education, by workers, people who are insecure, inhibited and socially maladjusted. The view that "*reeducation is the main purpose of punishment*", on the other hand, is held by people with secondary or higher education, by brain workers, people who show no signs of insecurity, people who are rationalistic in their attitudes, who are well-adjusted to life, who are engaged in social work (and in the rural areas, likewise people who show strong social affiliations and who were brought up by gentle methods).

Unfortunately, most of the public opinion polls and surveys of attitudes to the death penalty just ask the respondents whether they favor or oppose it. They do not focus on determinants of the views reported, nor do they ask the respondents for the reasons behind their beliefs.

The Canadian Gallup Poll of 1972 on the death penalty, went further than just asking the respondents whether they wanted capital punishment to be restored for murderers, or not. Those who replied that they wanted it restored (63%) were asked why it should be brought back, while those who replied that they did not want it restored (30%) were asked why it should not be brought back. The results are given in Table 38.

The great majority of those who wanted the death penalty restored gave utilitarian reasons for their view. 64% said it should be returned because the rate of murder had increased since the suspension, and capital punishment was the main deterrent. 7% mentioned that life sentences too often end with parole, and free prisoners to kill again. 4% claimed that we should not pay the cost of

keeping murderers alive in crowded jails. In all, 75% invoked utilitarian reasons, while only 14% gave retributive motives, "*simple justice; those who take life, should pay with theirs*". 4% gave other reasons, and 8% could not say why.

The high percentage of those citing deterrence as the reason why they feel the death penalty should be restored suggests that many of those who support capital punishment on essentially retributive grounds, continue to couch their argument in deterrence terms, in spite of the lack of evidence to support the claim.

In his study of 144 Canadian adults, Vidmar (1974) examined the motivations of those who support the death penalty, and found that over half of them had a retributive motive as their basis of support. 56% of the respondents claimed that they would favor capital punishment even if they could be convinced it had no deterrent value.

A 1960 Minnesota Poll asked, "*If all states did away with the death sentence, do you think the crime rate in the U.S. would go up, down, or wouldn't it make any difference?*". Only 18% thought the crime rate would go up, 5% thought it would go down, 73% thought it would make no difference, and 4% had no opinion (see Vidmar and Ellsworth, 1974).

A February 1972 poll in Texas asked, "*Do you think we would have fewer murders committed in Texas if those given the death penalty were executed?*". 52% of the sample said yes, 36% said no, with 12% saying they did not know.

Of those persons in the 1973 Iowa poll who thought the death penalty should be restored, 44% felt it was a deterrent to crime, while 23% indicated that things were too lenient now (Vidmar and Ellsworth, 1974).

The strong widespread demand for retribution among supporters of the death penalty has been recognized by the British Royal Commission on Capital Punishment.

"Moreover, we think it must be recognized that there is a strong and widespread demand for retribution in the sense of reprobation -- not always unmixed in the proper mind with that of atonement and expiation." As Lord Justice Denning put it: "The punishment inflicted for grave crimes should adequately reflect the revulsion felt by the great majority of citizens for them. It is a mistake to consider the object of punishment as being deterrent or reformative or preventive and nothing else... . The ultimate justification of any punishment is not that it is a deterrent, but that it is the emphatic denunciation by the community of a crime; and from this point of view, there are some murders which, in the present state of public opinion, demand the most emphatic denunciation of all; namely, the death penalty."

It is interesting to note that the deterrence argument, which figures prominently among the reasons chosen by capital punishment advocates, occupies a very secondary rank in the reasons chosen by those who opposed the restoration of the death penalty. In the Canadian Gallup Poll of 1972, nearly half of the latter (46%) were opposed to it as a matter of principle (should never take life; against the principle; two wrongs don't make a right). 24% found life sentence to be punishment enough. 13% claimed that the situation was O.K. as it is, and that the death penalty is not a deterrent to crime. 3% gave other reasons, and 14% could not say why.

The Iowa poll of 1973 asked those who opposed restoration of the death penalty why they were against it. 34% merely indicated that they were "personally opposed" to it, 25% felt that the government should not decide life or death, 17% said it was not a deterrent to crime, 9% said prison was worse than death,

and 5% said innocent persons sometimes die (see Vidmar and Ellsworth, 1974).

It is also interesting to note that many Canadians seem to support the death penalty, although they believe that society is more to blame for crime than the criminal himself. When asked the question in a Gallup Poll conducted in 1971, only 27% of adult Canadians said that the individual was more to blame, while 52% felt that society was more at fault than the individual. (See Table 12). Just a few months earlier, only 20% of Canadians were against the restoration of the death penalty for political kidnappers.

If it is true that the majority of capital punishment supporters do support it on vindictive and retributive rather than utilitarian grounds, and there seems to be strong evidence to this effect, then it is unlikely that rational persuasion or arguments emphasizing the ineffectiveness of the death penalty as a deterrent will lead to any considerable change in public attitudes towards it.

2) Explaining the urge to punish

We have seen that supporters of capital punishment tend as well to be supporters of stiffer penalties for criminals, of stricter school discipline, of the use of the strap, flogging, etc. This strongly suggests that support of the death penalty is just one component of a more general punitive attitude and an urge to punish.

The findings of a recent American study yielded additional evidence to the veracity of this hypothesis. Voting patterns on capital punishment and on the decriminalization of marijuana during the California 1972 elections were examined, and a strong negative correlation between the two propositions was found. In each of the State's 58 counties, the votes on the two issues were nearly identical, a pattern which held up when subjected to detailed precinct-

level analysis in the city of San Francisco (see Johnson and Newmeyer, 1975). The striking interdependence of these two voting patterns raised a number of questions which, unfortunately, cannot be answered before further studies and analysis have been undertaken. Are the support of capital punishment and the opposition to the decriminalization of marijuana both indicators of a more general repressive and punitive attitude? Are both characteristic of a more general conservative and antisocial-change attitude? Are both two complementary elements of a more general response to rising crime rates and a "law and order" attitude?

Explaining the urge to punish requires answering two different questions: first, we have to understand why some people are more punitive than others, and secondly, we need to know why punishment is so popular with the masses.

a) Why are some people more punitive than others?

We have already examined some of the correlates of punitive and repressive attitudes. Using some of these correlates as a starting point, some authors have attempted to explain why certain people are more punitive than others.

A number of sociologists view punitiveness as a defensive reaction against "subversive" innovation and social change. Many psychologists see punitiveness and retributiveness as resulting from frequent and excessive exposure to repressive methods of child rearing.

The Danish sociologist Ranulf (1969) claims that a high degree of self-restraint, as well as too much frustration of natural desires, are likely to lead to a moralistic and punitive attitude. After showing that the incidence of repressiveness is relatively high in the middle-class culture, he suggests that the disinterested tendency to inflict punishment is a distinctive characteristic of the lower middle-class; that is, of a social class living under conditions which force its members to an extraordinarily high degree of self-restraint, and

subject them to much frustration of natural desires.

Ranulf further suggests that both *moral indignation* (the disinterested tendency to inflict punishment) and *resentment* (the belief that painful self-control is a virtue, and the desire to impose a similar restraint on others) are both an outcome of individual repression caused by an unsatisfying position in life. The detached willingness to inflict punishment upon others (even if one is not directly threatened by them) is a motive rooted in forced self-denial. Thus, the person who is required by force of circumstances, to deny himself pleasure and satisfaction, is not only willing to deny others their pleasure, but permits their punishment.

In their study of the voting patterns on the death penalty and the decriminalization of marijuana in California, Johnson and Newmeyer (1975) see their findings as confirming the non-utilitarian, non-rational element of support for laws, and as suggesting a link between the desire to control pleasure and the tendency to inflict punishment. Similar to opposition to marijuana, support for the death penalty does not involve direct threat or concerns of deterrence. In discussing this link, they remind us of Macauley's well-known observation that the Puritans objected to bear-baiting, not so much because it caused pain to the bear, but because it gave pleasure to the spectators.

Punitiveness has also been explained by the lack of an internal moral code. Studies on moral reasoning initiated by Piaget (1965), and pursued by Kohlberg (1968), link punitive desires for punishment with the absence of a firm internalized moral code. Without such internal restraints, the individual is likely to perceive coercion as both necessary and inevitable. (*Ibid*, p. 89).

b) Reasons for the popularity of punishment

Freud claimed that the desire for the infliction of punishment, especially of physical pain, is often an expression of unconscious sadistic

impulses, and of the need for a scapegoat, rather than of a rational interest in retribution or deterrence.

Since then, many psychologists and psychiatrists have tried to explain why punishment of offenders is popular with the general public. They point out that punishment does help the release of vindictive feelings and the expression of hostility towards the criminal and his conduct.

Weihofen (1956) claims that the urge to punish wrongdoers is not always an impersonal demand that the law keeps its promises. Often, it is an outlet for our own antisocial aggressiveness, which we have more or less effectively but guiltily repressed.

"It is a weapon in our own struggle against trends and drives which we do not admit to consciousness. We should be continuously aware that over-assertion of a prosecuting, punishing, attitude toward law-breakers reveal the intensity of our inner struggle and the instability of our own emotional equilibrium." (Frym, 1955).

According to Kate Friedlander (1947), the public attitude in desiring punishment for the criminal is found to be based on the old retaliation principle and on an unconscious inner need to safeguard the mental equilibrium of the ordinary individual.

- Lack of identification with the offender and the popularity of punishment

Proponents of the identification theory explain public attitude in desiring punishment for the criminal by the lack of identification with the offender. This lack of identification is characterized by two things: the lack of *empathy* or the inability of imagining oneself in the position of the offender;

and the lack of *sympathy* or the incapacity to feel sympathy for the offender. However, Toby (1964) feels that both those who may identify with the victim and those who may identify with the offender are likely to advocate the use of punishment, though for different reasons. Toby is of the opinion that conformists who identify with the *victim* are motivated to punish the offender out of some combination of rage and fear. Conformists who identify with the *offender*, albeit unconsciously, may wish to punish him for quite different reasons. The existence of such punitive reactions is, Toby thinks, an important obstacle to the abolition of punishment.

In his study of the role of identification in conditioning public attitude toward the offender, Dow (1967) found that most people are unable to identify with either the delinquent or the adult offender, a finding suggesting that both public action and attitude are to some extent conditioned by the lack of identification between the public and the offender.

- The cathartic effects of vicarious punishment

The cathartic effects of the vicarious experience of punishment have been known to psychiatrists for many years, and led to what is known as the scapegoat theory, which attempts to explain the need, the desire for, and the popularity of, punishment. According to this theory, public punishment of offenders appears to serve as an outlet for inhibited aggression. For example, a considerable amount of vicarious enjoyment seems to be obtained from watching public executions. Anthropologists have observed that in primitive societies, executions and sacrifices are regarded with bloodthirsty enjoyment by the natives, who seem to derive immense pleasure from observing acts of cruelty righteously inflicted (see Dollard et al, 1957).

Explaining in psychoanalytical terms the need for punishment, Alexander and Staub (1931) note that "*The greater the pressure coming from repressed*

impulses, the more aware becomes the ego that it needs the institution of punishment as an intimidating example, acting against one's own primitive world of repressed instinctual drives." According to this view, the punitive moralist acts the way he does in order to guard against his own repressed, secret desires.

Sprott (1965) explains "our desire to punish" as, in part, due to "a tactical move on the part of our inhibitory system to ensure that an awful warning be presented to the less reputable parts of ourselves, which are aroused by the spectacle of someone doing what we would secretly like to do ourselves."

Dr. Menninger (1968) argues that the vicarious use of the criminal relieves the guilt feelings of "innocent" individuals, through the displacement mechanism.

"The internal economics of our own morality, our submerged hates and suppressed aggressions, our fantasied crimes, our feeling of need for punishment -- all these can be managed in part by the scapegoat device. To do so requires this little manoeuver of displacement, but displacement and projection are easier to manage than confession or sublimation."

CHAPTER SEVEN

Changing Public Attitudes Toward the Death Penalty

Some social scientists believe that the retention or abolition of capital punishment depends almost completely on the way people feel about it. As Professor Sellin pointed out in his testimony before the Canadian Joint Commission on Capital Punishment:

"The question of whether the death penalty is to be dropped, retained or instituted is not dependent on the evidence as to its utilitarian effects, but on the strength of popular beliefs and sentiments not easily influenced by such evidence. These beliefs and sentiments have their roots in a people's culture. They are conditioned by a multitude of factors, such as the character of social institutions, social, economic and political ideas, etc. If at a given time, such beliefs and sentiments become so oriented that they favor the abolition of the death penalty, facts like those presented in this paper will be acceptable as evidence, but are likely to be as quickly ignored if social changes provoke resurgence of the old sentiments. When a people no longer like the death penalty for murderers, it will be removed, no matter what may happen to the homicide rate. This is what happened in the past, in connection with crimes against property."

If it is true that the abolition or retention of the death penalty will ultimately depend on public attitudes to it, then it becomes imperative to scientifically examine and analyse those attitudes, to measure their strength, intensity, saliency and stability, to unravel the sociological, cultural and psychological determinants of such attitudes, and more important still, to find the right explanations for such attitudes. Reporting percentages of groups

favoring or opposing the death penalty, as is the case with public opinion polls, does not contribute much toward understanding the reasons for, or the relationships between such beliefs. Neither does it help in answering vital questions as to what binds together the various factors which lead to either greater rigorism or greater tolerance. Only when such understanding is achieved will it be possible to influence or modify public attitudes to the death penalty in a desirable direction. The morality of such change will, of course, depend on whether or not those attitudes are based solely on a demonstrably false belief, or on an unacceptably out-of-date value. But, the possibility of change will depend on many factors, such as the extent to which the attitude to the death penalty is anchored to a fundamental cultural value, or to some relatively unchanging attribute of the person's character and personality. It will also depend on the position such attitude occupies in the individual's total system of beliefs.

Our brief analysis of public attitudes to the death penalty seems to suggest that beliefs about capital punishment are just an aspect of a complex of political, social, cultural, moral and religious beliefs. They appear to be a part of a generalized psychosocial predisposition to respond either with harsh or with mild punishment when confronted with a norm violation. This would suggest that a person's attitude to the death penalty is relatively stable and resistant to change. But, the wide swings and strong shifts revealed from time to time in public opinion polls on the death penalty (like the one that took place in Canadian public opinion following the October Crisis) would tend to discredit such an assumption, and show that public opinion can easily be influenced, and to a considerable extent, by some dramatic crime or trial.

The possibility and the techniques of changing public attitudes to the death penalty will depend on the strength and intensity of such an attitude. Experimental psychologists (see J.A.C. Brown, 1963) have described four levels of

attitudes which vary in terms of depth, and, hence, of modifiability. At the simplest level are mere statements of opinion made on single or comparatively rare occasions, which may or may not represent the individual's true feelings about a given subject, or, at best, represent a purely passing interest. The second level is when the same statement is made repeatedly over a longish period of time, on all, or almost all, the occasions when it can be held to be relevant. Thirdly, when it can be shown that a number of separate attitudes dealing with the same issue tend to correlate closely on one of the scales for identifying and measuring attitudes, such as that devised by Thurstone, then it can be claimed that an *attitude*, in the generally accepted sense of the word, has been isolated. Lastly, attitudes may be intercorrelated to form a concept of a higher order, described by Eysenck as a "primary social attitude", or a basic personality trait pertaining to the nuclear personality, and therefore resistant to any form of propaganda.

Attitudes at the deep-seated level are difficult to change. First, they have arisen at a very early age, and early impressions are the most fixed, being, in fact, personality traits; secondly, each item of the attitude is correlated with many other items, and therefore cannot be changed piecemeal. As Lewin has pointed out, the reeducative process has to fulfill a task which is essentially equivalent to a change in culture; i.e., it implies changing the individual's total attitude to life, and literally making a new man of him. Such items belong to the basic self, where they are all finally placed and firmly interlocked. Beyond this, lies the more loosely organized peripheral area, with gaps and possibly inconsistent beliefs, where there is still possibility for change. Yet further out, lie those variable ideas, which may change from one day to another, or merely represent polite acceptance of social conventions. (See Brown, 1963).

It remains, of course, to establish whether, for the majority of people,

the attitudes toward crime, criminals, and toward capital punishment in particular, are deep-seated, and thus difficult to change, or whether they are only at the simplest level, and can easily be changed.

The possibility of changing public attitudes to the death penalty by means of information also depends on the extent to which such attitudes are based on factual information. There is a strong belief among many social scientists that what people feel about capital punishment is not a function of what they know or consciously think. From our brief analysis, it would seem that beliefs about the death penalty, regardless of how the holders of those beliefs try to justify them, are independent of any question of fact or evidence as to what the use of the death penalty does by way of furthering the protection of society. They do not seem to be a function of violent crime rates, or even of the subjective estimates of the incidence of violent crimes, or of the degree of fear of crime. This, of course, may suggest that the publication of official statistical figures indicating an increase in the incidence of violent crime, and the publicity given to such statistics by the mass media, is not likely to have, as many people believe, a considerable impact on public opinion on the death penalty.

If it is true that public opinions of, and public attitudes to the death penalty are not solely functions of the information the public has of crime, or of the effectiveness of the death penalty as a deterrent (and the attitude of law enforcement officers to the death penalty strongly indicates that this is the case), then the question is whether factual information is likely to significantly modify opinions and beliefs about the death penalty. The strategy of abolition groups up to now has always been to stress the empirical evidence showing that abolition of the death penalty does not result in an increase in homicide rates, or that its existence does not afford better protection to the police. The failure of such strategy to influence public opinion (which is increasingly demanding the death penalty) is probably due to two main reasons:

first, such strategy can only be effective to the extent that information can change beliefs; and secondly, even if it is true that information may lead to a change in beliefs, information regarding the deterrent argument is unlikely to modify the attitudes of those who favor capital punishment for retributive reasons.

There are reasons to be skeptical about the possibility of changing attitudes by means of information. The results of experimental studies in this area led Sherif to conclude that:

"Attempts at changing attitudes or social prejudices experimentally by the dissemination of information or factual argument have been notably unrewarding. Some investigators have been unable to obtain any change. Others have obtained various degrees of shift in the desired direction, although there were almost always some cases showing negative or no change, and (such changes as occur) are apt to be discrete and rather ephemeral."

Experimental studies on attitudinal change regarding the death penalty are extremely rare. The only ones we were able to locate date from 1938, and were reported by Mapheus Smith of the University of Kansas. The first involved 240 students enrolled in elementary sociology courses at the University of Kansas. Capital punishment was not discussed during the course, and attitudes to it were measured twice on the scales edited by I. Thurstone, within two weeks of the beginning of the course, and within two weeks of the end of the course. The change that took place was too slight to be statistically reliable, and this may be interpreted to mean that the attitudes of college students towards capital punishment do not spontaneously change during the course of one semester, when

the subject of capital punishment does not definitely come to their attention. The second experiment compared the change in attitudes of students who took a criminology course with students who took an elementary sociology course, in which no specific attention was given to the subject of criminology. The experiment used the Thurstone scales again. It was found that the criminology course did not have any great "liberalizing" effect on attitudes toward treatment of criminals. It was further found that both the criminology and the elementary students became slightly more favorable to capital punishment than at the beginning of the semester's experience, but both began and ended in the part of the neutral or indifferent range in the direction of opposition toward capital punishment. It was concluded that the elements of a college education involved in these subjects do not produce great changes in attitudes.

In his study of attitudes of state police toward the death penalty, Campion (1955) found no relation between opinions held and information about police killing. He concluded: *"From our survey of opinions, it would seem that the record of killings of police in a particular police force does not of itself determine police opinion for or against the death penalty as a protection."*

From these studies, it would seem that information does not modify the opinions of police or college students. However, Riedl cautions that one should not jump to such an unwarranted conclusion on the basis of these studies, or discard information about the death penalty as having no role in modifying beliefs. He suggests that it would be more cautious and accurate to conclude that attitudes toward capital punishment are modified and conditioned by a host of social and psychological variables, only one of which focuses upon the evidence concerning the effects of capital punishment. It remains, of course, to determine what these social and psychological variables are.

Even if information does not lead directly and immediately to a change in public opinion or attitudes, it can reduce the ignorance and misconceptions

regarding the death penalty which are shared by a large segment of the public. Professor Hart (1968) notes that since 1953, public discussion of the death penalty in Britain has been of a markedly higher quality than before, and that this was due to the publication, in 1953, and the subsequent wide dissemination of the Report of the Royal Commission on Capital Punishment, summing up the results of four years' study of the facts, the figures, the law and the moral principles which stand behind the law, in relation to murder and its punishment.

"Certainly, the publication of this report in England introduced altogether new standards of clarity and relevance into discussions of a subject which had too often been obscured by ignorance and prejudice."

Crime and punishment, as Radzinowicz (1961) has pointed out, are topics on which everyone is entitled to have a view, and it is the concentration and diffusion of these views which goes to make up public opinion. The history of penal law and methods has been largely moulded by these forces. They are not the safest of guides. Although it is in vain to expect that penal matters can wholly be divorced from these emotional attitudes, no one can deny that the more they are restrained and informed by a body of factual knowledge, the more effective and enlightened the system of criminal justice will be. (See Radzinowicz, 1961).

The role of information in changing public attitude to the death penalty. A case study: The National Campaign for the Abolition of Capital Punishment in the U.K.

Attempts to change public opinion on, and public attitude to the death penalty are by no means new. Around 1810, a Society for the Diffusion of Knowledge upon the Punishment of Death came into being in the U.K., and its appeals found champions in several members of the House of Commons, notably,

Sir Samuel Romilly and Sir James Mackintosh.

One of the strongest attempts to change public opinion took place in the U.K. in 1955, and the following account of it is based on James B. Christoph (1962) *Capital Punishment and British Politics* (The University of Chicago Press).

In August of 1955, there came into being the National Campaign for the Abolition of Capital Punishment, "*with the object of bringing capital punishment to an end at the earliest possible moment.*" In the first six months of its life, the Campaign had few parliamentary contacts, and no parliamentary opportunities. Its chief target was the larger public, which it hoped to influence in such a manner that when the next abolitionist motion came before the House of Commons, that body would be faced, for the first time in modern history, with the prospect of a nation thoroughly alarmed over the perpetuation of hanging. To achieve this, the Campaign planned to use not only the traditional educational campaign, with its meetings, speakers, books and pamphlets, but also symbolic gestures calculated to cause a special stir. As things turned out, the Campaign leaders found little use for these gestures, partly because they were coolly received, and could not be easily organized, but chiefly because from its inception until the passage of the Homicide Act in 1957, there were no hangings in Britain. Whether the latter situation was effect or coincidence is difficult to judge.

Most of the Campaign's activities took place during the 1955/56 session of Parliament. Members of the Committee of Honour were stimulated to write to their local papers, particularly in the provinces, where press sentiment for abolition was rare. Circulars were widely distributed. Several of the leaders of the Campaign wrote books on capital punishment, each from a particular standpoint, and aimed at different kinds of audiences.

Encouraging signs of support spurred on the group. Its first public meeting in November of 1955 filled Central Hall, Westminster, and overflowed into Church House. A collection of nearly 1,100 pounds was raised in twenty minutes.

By the end of 1955, it had collected the names of 16,000 active supporters, and had asked all of them to contact their M.P.s early in the new year. A substantial body of sympathisers was now in hopeful readiness for action when Parliament chose to take up the death penalty issue once again.

The National Campaign was not the only group to be vocally demonstrative on the question. Its members strove to get other groups to declare their views, as well as to create a sense of urgency that would call forth debate and resolution among individual Britons.

By late 1955, several signs appeared that gave a fillip to the organizers of the campaign. The results of an Oxford Union debate before a standing-room-only-crowd of students showed 378 in favor of the motion "*that the Death Penalty should be abolished forthwith*", and 161 opposed. Two years earlier, when the same subject was debated, the majority for abolition had been only 40. The polls, too, began to show a rather significant movement of public opinion away from the absolute retention of the death penalty, and toward either abolition or some experimental middle-ground. At no time, however, were the abolitionists able to claim a majority for either position, but instead, they had to base their case upon evidence that opinion was moving in that direction, in a rather remarkable way.

According to Christoph, among the factors influencing public opinion, and responsible for the shift that took place, was the debate on the Royal Commission's proposals, and the publicity given to several pertinent murder cases (such as the Bentley and Ellis cases), which have aroused the feelings of a large sector of the public, together with the early activities of the National Campaign, which offered intellectual reinforcement and social support for these feelings.

CHAPTER EIGHT

Public Opinion and Public Policy

1) Public opinion as a basis for social and criminal policy

Some people argue that the restoration of capital punishment in Canada is warranted because the majority of the Canadian public is in favor of it. Such an argument raises a rather complex issue; namely the value of public opinion as a basis for social and criminal policy. Before deciding whether the results of public opinion polls are an adequate and valid basis for a return to the death penalty in Canada, we need to know the following. *First*, whether public opinion polls are valid indicators and accurate reflectors of public sentiment about capital punishment. *Second*, to what extent the public is informed, instructed and enlightened about the multifaceted issue of capital punishment. *Third*, to what extent legislators should follow public opinion before deciding on crucial issues of social and criminal policy, such as the issue of the death penalty. *Fourth*, whether the law should follow the mass opinion, even if it is largely uninformed and uninstructed, or whether it should follow the opinion of the minorities, which are particularly knowledgeable on the issue being debated.

a) Public opinion polls as indicators of public sentiment

Though sampling and interviewing techniques have greatly improved over the past few years, public opinion polls are still far from being valid indicators of public feelings on, and public attitudes to, the death penalty. As mentioned earlier, most public opinion surveys are highly superficial. Most polls do not go beyond asking the respondents whether they are for or against capital punishment. The polls, for instance, do not give a clue regarding the strength of the sentiments, or the different levels of attitudinal support for, or rejection of, the death penalty. Nor do they inform us about the degree of stability or saliency of such attitudes. Another important shortcoming of public opinion polls is the finding, revealed in many polls, that the way the question about capital punishment is asked can greatly affect the results. When the

question is formulated in more abstract terms, or when it merely asks the respondents whether they are for or against the death penalty, it usually yields a higher percentage of supporters than when it solicits respondents' reactions to the application of the death penalty in concrete situations.

The Prévost Commission survey in the province of Quebec (Fattah and Normandeau, 1969) showed that when asked whether they were in favor of, or opposed to the retention of the death penalty, 52.5% of the respondents called for retention and 46.5% declared they were against it. Yet, when asked in the same survey about the most appropriate sentence for murder, the situation was reversed, since more chose imprisonment (45.8% chose life imprisonment and 8.9% chose term imprisonment) than the death penalty (44.0%).

This finding is similar to the results of the June 1973 Harris Survey in the U.S.A. The survey found that in response to the question "*Do you believe in capital punishment, or are you opposed to it?*", 59% of the respondents gave support to the death penalty. However, in another series of questions, respondents were given a list of crimes, and were asked whether they felt that all persons convicted of the crime should get the death penalty, that no one should get the death penalty, or that it "*should depend on the circumstances of the case and the character of the person.*" No more than 41% of the respondents favored a mandatory death sentence for any single type of the listed crimes. It was favored by 41% for the killing of a policeman or prison guard, by 28% for first degree murder, by 27% for skyjacking, and by much less for other crimes (see Vidmar and Ellsworth, 1974).

Jurow (1971) asked subjects about their general attitudes toward capital punishment, and then asked how they would express these feelings when serving as jurors under circumstances where they could recommend the death penalty. On the general question, he found that 35% of his subjects were opposed to capital punishment, 20% indicated neutral feelings, and 45% were in favor of it. However,

when he asked the respondents about how they would behave on a jury when a defendant had been convicted of a very serious crime, and the jury's options were death, life imprisonment, or some lesser penalty, many of the persons favoring capital punishment changed to the neutral category: 29% indicated they would probably not vote for the death penalty, 63% expressed neutral attitudes, and only 8% indicated they would probably vote for the death penalty. Thus, some of the people initially opposed to the death penalty indicated they were at least willing to consider it as a member of a jury, and many of the people initially favoring the death penalty became more neutral when confronted with a more specific situation. (*Ibid*, p. 1265).

Commenting on these findings, Vidmar and Ellsworth (1974) point to the large body of general social science literature which has documented major discrepancies between attitudes expressed in the abstract and attitudes and behaviors expressed in specific circumstances. They further argue that the discrepancy between the percentages of support on general questions about the death penalty and the percentages of support on questions about specific circumstances may be due to an emotional attachment to the death penalty as a symbol of law and order, without any real desire to see executions carried out, to inconsistencies between general attitudes and specific attitudes, to frivolous or uninformed responses to survey questions, to a desire for "discretionary" and limited use of the death penalty, or to some combination of these factors.

Vidmar and Ellsworth (1974) claim further that merely noting general levels of support for or against capital punishment will not necessarily provide the kind of information needed to judge what the public really wants with regard to the death penalty. And, it may be noteworthy here that support of capital punishment in the U.S.A., as measured by Gallup surveys, was stronger after the ruling of the Supreme Court declaring it cruel and unusual punishment, prohibited by the Eighth Amendment (*Furman v. Georgia*, 408 U.S. 238-1972) than at any time

since 1953.

b) Public knowledge of capital punishment

The extent to which the law, any law, should take into account public opinion depends, no doubt, on how informed and how instructed public opinion is on the matter. As the British Attorney-General explained to the House of Commons,

"In deciding to what extent effect should be given to the manifestations of public opinion, I think one must try to ascertain to what extent that public opinion is well-informed and instructed."

Then, referring to a Daily Telegraph poll on capital punishment, which showed support among 68% of those questioned, the Attorney-General added,

"That poll made it quite clear that the anxiety of the public in regard to this matter is based almost entirely on reasons which were unanimously rejected in this House as being invalid and irrelevant." (H.C. Debates, Vol. 453, Col. 1424, quoted after Silvey, 1961).

There are reasons to believe that the vast majority of the general public are neither informed, nor instructed on matters of law, crime and punishment. And, it seems quite plausible, as Vidmar and Ellsworth (1974) pointed out, that people are ill-informed about the death penalty, and that their support for it is based, at least in part, on tradition, uncritical acceptance of assumptions about its deterrent effect, or the endorsement of political leaders.

Justice Marshall, in his *Furman* concurrence, argued that American citizens know almost nothing about capital punishment, and that if they were informed about its purposes and liabilities, the majority of people would find it

morally unacceptable. He asserted that the law should be guided only by "*informed public opinion*" (see Vidmar and Ellsworth, 1974).

The few empirical studies that attempted to measure the degree of public knowledge of law, crime and punishment have found the public really ignorant of these issues.

A study was undertaken in California in the late sixties, at the request of the Assembly Committee on Criminal Procedure. The purpose of the survey was to discover how knowledgeable Californians were about penalties for crimes, and what relationship may exist between knowledge of penalties and criminal behavior. The representative sample surveyed included 3,348 registered California male voters selected from six California counties. The total number of questionnaires returned was 1,567. Results showed that Californians were extremely ignorant of penalties for crime: of 11 possible items, the mean score was only 2.6 correct answers. Most people underestimated the severity of current penalties.

A study quoted by Vidmar and Ellsworth (1974) was carried out by the American psychiatrist, Louis H. Gold (1961), who conducted informal interviews with approximately 50 persons, asking them what they felt, and how much they knew about the issue of capital punishment. From these interviews, Gold concluded that,

"... the average American appears to have only a limited concept of the issue, has done very little reading on the subject, and has not taken much time to think it through in an objective manner. Most folks accept the idea in a traditional sense without an intelligent appraisal of its significance."

Not only are there indications of very considerable ignorance among the public about issues related to law, crime and sanctions, but there is also a deep lack of consensus as to the seriousness of major crimes, and on the appropriate

sanctions for such crimes. A British survey quoted by Silvey (1961) is very illustrative of this lack of agreement. The B.B.C. gave their informants a list of 15 offences and asked them which they considered "*the worst crime, the most serious crime?*" The result was as follows:

Indecent assault on women or children	25%
Cruelty to children	21%
Planned murder for money	20%
Killing a policeman to escape arrest	9%
Being drunk in charge of a car	6%
Robbery with violence	6%
Rape	6%
Causing death by dangerous driving	6%

It is rather surprising that no offence is uniformly held in such "natural repugnance" as to justify, on these grounds alone, a penalty greater than all others. Sexual offences are regarded as more serious than those which may carry the death penalty. No offence is agreed to be the "most serious" by more than one in four of the sample. Offences involving death were chosen by one in three of the population, and sexual offences by almost that number. The greatest agreement referred to indecent assault on women and children. Yet, when the sample were asked specifically whether such offenders should be severely punished, two-thirds felt that "*they should be given medical treatment and advice, rather than punishment alone.*" (See Silvey, 1961).

Another question related to the one on public knowledge of the death penalty is how rational public beliefs are on the death penalty. It is a well-known fact among social scientists that beliefs are rarely held on purely rational grounds. Beliefs about capital punishment, as we have seen earlier, are even more likely than other beliefs to be determined by factors and variables unrelated to

facts about the death penalty and its applications. Silvey (1961) pointed out that

"Opinions are especially likely to be independent of evidence in a field so emotionally tinged as crime and punishment, with its socially acceptable projection of unconscious feelings. A greater awareness of facts which point to an alternative course from that already chosen on emotional grounds will lead only occasionally to a change in opinions in order to accomodate these facts coherently."

c) Public opinion as a guide for legislators

To what extent should legislators follow public opinion? Should the law follow public opinion, no matter how uninformed or uninstructed that opinion is, or should the law only follow informed and enlightened public opinion? Should the law follow public opinion, even if such opinion is based on beliefs and attitudes that are inconsistent with scientific data, with basic values, such as the sanctity of human life, and with inalienable rights such as the right to live? Whose public opinion should tell on the course of legislation? Is it the mass opinion, largely uninformed and uninstructed, or the opinion of minorities which are knowledgeable on particular issues?

Legality, as Silvey (1961) pointed out, is based on both the social consensus and the authority of reason and scholarship. But, because public opinion is a confused mixture of wrongheadedness, good sense, and ephemerality, political scientists have been reluctant to equate public opinion with social consensus. And, because law partially derives its authority from this compound, it cannot both reflect public opinion faithfully and still retain its second intrinsic quality of rationality (see Silvey, 1961).

The problem with the polls and other opinion surveys is that opinions are counted rather than weighed. Thus, in spite of the great differential value of the opinion of the expert, the informed and the instructed, as compared with the opinion of the uninvolved, the uninformed and the uninstructed, both end up by having the same weight when the results are counted.

While it may be necessary before making the final decision on capital punishment in Canada to scientifically assess the state of public opinion and public attitudes on the issue, it should not be forgotten that public opinion alone is not a rational justification for bringing back the noose. Only to the extent that the public is knowledgeable about both the utilitarian and humanitarian aspects of capital punishment, and only to the extent that public beliefs and attitudes are based on rational grounds and are consistent with facts, should such opinion be made to guide the law. As the Ceylon Commission on Capital Punishment (1959) has pointed out,

"Even if public opinion is assumed to be in favor of capital punishment, this would not be a conclusive argument in favor of the reintroduction of this punishment. Unless the public opinion is itself based on rational and informed grounds (and this our experience has shown to be unlikely), the existence of a public opinion strongly favoring capital punishment may be a reason, from the standpoint of practical politics, why that punishment is retained, but it cannot be a rational justification for retention..."

Where public opinion is neither informed nor clearly ascertained, the social wisdom of a suggested legislative step must be determined by reference to considerations

other than the belief of the public in the wisdom of that step."

It seems obvious that in a democracy, legislative decisions should reflect public opinion. However, such a general principle did not prevent Viscount Templewood from warning the British Parliament, a fortress of democracy, against over-reliance on public opinion *"which in the past has shown itself to be both ignorant of penal conditions and almost always against reform of any kind."* A truly democratic government should not simply reflect uninstructed public opinion, but should actively help to shape moral sentiments to rational common ends. On the issue of the death penalty, this means that the government should firmly and unequivocally stand by the Christian belief that human life is to be treated as a sacred thing, and should follow Sydney Silverman's advice that *"In an age of declining values, the government should act so as to increase society's respect for human life, rather than debase it by clinging to a vestige of a less civilized epoch."*

It seems obvious that a punishment, any punishment, must be abolished if popular sentiment abhors it. But, on the other hand, public acceptance cannot and does not convey any legitimacy upon a cruel, demeaning and bestial practice such as the death penalty. In a civilized society, lynching is abhorred, though it is, more than any other act, a spontaneous expression of public opinion, and a true manifestation of what the public wants.

There is no agreement as to how, and to what extent, public opinion should guide policy decisions on the death penalty. The Justices of the Supreme Court in the U.S.A. could not reach consensus on this issue. And, while Chief Justice Berger seemed, in the Furman case, to accept public opinion as a measure of standards of decency and morality; other Justices, like Justice Marshall argued that the American public was extremely ignorant about the death penalty's

purposes and liabilities.

In Britain, the role of public opinion in death penalty legislation has also been very controversial. During the 1948 debate in the Upper House, time and again the Lords assessed the role of public opinion. Lord Simon, for example, defended the sampling techniques of Mass-Observation. Lord Samuel, Lord Llewellyn, and the Archbishop of Canterbury had recourse to the latest Gallup figures to buttress their cases. Other Lords favoring retention invoked the emotions of the common man, and took obvious delight in the apparent fact that on this issue, the majority of the Lords were closer to the people than was the Commons. Against such arguments, the abolitionists stood firm behind Burke's concept of the true function of the representative in which the public's sentiments count for little, compared to the judgement of the informed parliamentarian (see Christoph, 1962).

Again, in both Houses of Parliament in Great Britain, during the debates in 1965, opponents of the Bill to abolish the death penalty objected on the ground that popular opinion was firmly against abolition. It was argued that since the three main national opinion polls held in 1965 showed that 65% were against abolition, and only 20% were in favor, and since no Member of Parliament had mentioned the death penalty in his election address, the Bill was "*not a democratic reflection of the wishes of our people.*" Against this interpretation of parliamentary democracy, there were, in both Houses, reassertions of the principle that Members of Parliament were not delegates, but representatives, and of the duty of the House of Lords to lead public opinion. Lady Wootton repudiated "*the unusual argument that (Parliamentary decisions) should be governed by the Gallup Poll,*" and the Archbishop of York asked "*If we are not here to give a lead, what are we here for?*" (Quoted after Hart, 1968).

2) Leadership vs. followership

In his book *National Security and Individual Freedom*, O'Brian takes the view that the public needs, and should be provided with, leadership toward understanding, instead of being merely passively followed.

In the matter of capital punishment, the Canadian government and the Canadian Parliament have the choice between following and leading public opinion. Instead of abdicating their role and their responsibility as leaders of public opinion, under the pretence that the law should not outrun public sentiment, the government and the Parliament should exert great moral and educative influence by affirming society's reverence for life.

In 1968, the Canadian government showed, by presenting the Omnibus Bill to modify the Canadian Criminal Code, in spite of strong public opposition, that it is willing and able to take the lead and to guide the public on matters related to criminal and penal reform. Such leadership was again confirmed, when death sentences were commuted in spite of mounting pressures from unions and associations representing policemen and prison guards.

In both decisions to suspend the death penalty in 1967, and again in 1973, the Canadian Parliament has also demonstrated that the role of Parliament is to lead the public, rather than to follow an uninstructed, uninformed and highly emotional public opinion. It showed that many parliamentarians were willing to vote according to their own conscience and their own personal beliefs, even if such a vote did not conform with the wishes of many people in their constituencies. This was the same tendency that prevailed when Parliament did away with corporal punishment, in spite of its numerous advocates among the general public. In doing so, the majority of the Members of Parliament have joined the social scientists who have learned that public opinion is not an adequate basis for policies of social control. Public opinion, as has been shown throughout this

report, is subject to wide swings, is changeable from moment to moment, and it would be unwise to use it as a foundation for social or criminal policy. Public opinion on the death penalty, as reported in public opinion polls, changes even in relation to how the question is asked.

Basing the final decision on the death penalty on the state of public opinion would amount to basing economic policy on public feelings about the strength of the dollar, or basing foreign policy on public sentiments toward Russia or China, or basing defence policy on what the public thinks of the effectiveness of antiballistic missiles. The fact is, simply, that the public doesn't care about the death penalty, except when some dramatic crime or trial influences passions and inflames emotions.

CONCLUSION

CONCLUSION

Penal reform is not merely a historical and sociological process, but also a political process. Because of this, there has always been in the field of penology, as Mannheim (1959) pointed out, a very strong temptation to take refuge behind what is proclaimed to be "public opinion", and to base action, more often still, inaction, on the alleged state of that opinion, without knowing exactly what public opinion really wants or whether it wants anything at all, and without making any attempt to find out what the state of public opinion really is on the various points at issue.

References to public opinion have been made in nearly all recent capital punishment debates. However, "public opinion" as referred to by retentionists and abolitionists alike, is an evasive term, difficult to define, and even more difficult to measure. It is described by Bolt (1961) as a fluid, shapeless entity that is characterized, like all fluids, by the difficulty of measurement. It is not surprising that social scientists have often restricted the term to opinion which, in contrast to "mass opinion" is comparatively stable and rational (see, for example, W. Albig, 1939).

Public opinion, as reported in the polls and surveys, is subject to wide swings and fluctuations. It can be easily manipulated by the media and by those powerful bodies called pressure groups. Public opinion on matters related to crime and punishment is determined by emotions, shaped by the popular depiction of criminals in fiction, films and T.V. programs. It is not the least influenced by rational arguments, scientific evidence or empirical facts. Moreover, public opinion lacks the necessary stability that would justify using it as a basis for social and criminal policy. *

Sir Lionel Fox (1952) described very well the attitude of the common man to matters of penal reform, when he said "*The man in the street is at best*

apathetic, commonly cynical, and at worst, frankly hostile."

Matters of social and criminal policy should be decided by rational argument, based on the available evidence, and not by apathetic, emotional or sentimentalist attitudes. It may well be that public opinion is not after all as vindictive, as retributive and as bloodthirsty as the results of the polls would want us to believe. Public opinion as expressed and as reflected in jury decisions is much more humanitarian. In fact, it is more humanitarian than the law itself. When capital punishment was the mandatory sentence for murder, the jury simply did not impose it in most cases. Should jury decisions be considered as more accurate indicators of the state of public opinion than poll and survey results?

And, even if public opinion is as hateful, as vindictive and as retributive as it often appears in poll results, isn't it the function of the law to hold the brute forces of hate and vindictiveness in check, rather than to encourage them? Weihofen (1956) has noted that

"The human thirst for vengeance, the human instincts of hate and fear, need no encouragement from the law. So long as they exist, we must of course take them into account, but we need not reinforce them and give them dignity by legal endorsement."

Our parliamentarians would be well-advised to heed the words of Albert Berner, who in a book advocating abolition, warned the legislator not to listen Pilatus-like to the *vox populi* crying "*crucifige, crucifige.*" They would be well-advised to take a stand similar to that taken by the Governor's Study Commission on Capital Punishment (Pennsylvania), when it stated that

"Capital punishment brutalizes society at large. An

execution equalizes the murderer with the State, and both become engaged in an act which insults our humanity. By recognizing the sanctity of human life, the State must set an example and leave no doubt with regard to the value it places on the lives of its citizens... .

Although the majority of the vocal public at this time favors the reinstatement of capital punishment, the majority of this Commission holds that the right to live is so inalienable that a majority vote of the people, or their representatives, should not be permitted to take it away."

BIBLIOGRAPHY

BIBLIOGRAPHY

- Adorno, T.W. et al
1950 *The Authoritarian Personality*. New York: Harper and Row.
- Albig, W.
1939 *Public Opinion*. New York: McGraw Hill.
- Alexander, F. & H. Staub
1931 *The Criminal, the Judge and the Public*. New York: Macmillan Company.
- Balogh, J.K. & M. Mueller
1960 "A scaling technique for measuring social attitudes toward capital punishment," *Sociology and Social Research* 45, pp. 24-26.
- Baudouin, J.L., J. Fortin & J.P. Lussier
1969 *Sondage auprès des criminalistes de Montréal sur la justice criminelle au Québec, Annexe 5 - Commission d'enquête sur l'administration de la justice en matière criminelle et pénale*. Québec: Editeur Officiel du Québec.
- Bedau, H.A.
1964 *The Death Penalty in America*. New York: Anchor Books.
- Biderman, A.D.
1967 "Surveys of population samples for estimating crime incidence," *The Annals of the American Academy of Political and Social Sciences* 374 (November), pp. 16-33.
- Blumenthal, M. et al
1972 *Justifying Violence: Attitudes of American Men*. University of Michigan, Institute for Social Research.
- Bolt, W.J.
1961 "Public opinion and law reform," *The Criminal Law Review*, pp. 385-394.
- Boydell, C.L. & C.F. Grindstaff
1972 "Public opinion and the criminal law: an empirical test of public attitudes towards legal sanctions." Pp. 165-180 in Boydell, Grindstaff & Whitehead (eds.) *Deviant Behavior and Social Reaction*. Toronto: Holt, Rinehart & Winston of Canada.
- Boydell, C.L. & C.F. Grindstaff
1974 "Public opinion toward legal sanctions for crimes of violence," *Journal of Criminal Law, Criminology* 65(1), pp. 113-116.
- Brown, J.A.C.
1963 *Techniques of Persuasion: From Propaganda to Brainwashing*. Penguin Books - a Pelican original.
- Campion, D.R.
1955 "Attitudes of state police toward the death penalty." Reprinted in H. Bedau (ed.) *The Death Penalty in America*, pp. 252-258. New York: Anchor Books.

- Canada
1956 *Report of the Canadian Joint Committee of the Senate and House of Commons on Capital Punishment.* Ottawa: Queen's Printer.
- Canada
1969-
1975 *The Gallup Report.* Canadian Institute of Public Opinion.
- Ceylon. Commission of Inquiry on Capital Punishment
1959 *Report - document sessional XIV.* Colombo: Government Publications Bureau.
- Chandler, D.B.
1975 *The Death Penalty in Canada - a Sociological Study of Repressive Law.* Manuscript - in press.
- Christoph, J.B.
1962 *Capital Punishment and British Politics.* The University of Chicago Press.
- Comrey, A. & J. Newmeyer
1965 "Measurement of radicalism-conservatism," *Journal of Social Psychology* 67.
- Conklin, J.
1971 "Dimensions of community response to the crime problem," *Social Problems* 18 (Winter), pp. 373-384.
- CROP
1972 *Social Norms.* Final Report. Manuscript.
- Crosson, R.F.
1966 *An Investigation into Certain Personality Variables Among Capital Trial Jurors.* Western Reserve University: a doctoral dissertation.
- Cucinotta
1969 "Comment, Witherspoon - Will the Due Process Clause further regulate the imposition of the death penalty?" *Duquesne Law Review* 7, p. 414.
- Dandurand, Y. & M.E. Fontaine
1972 *Public Opinion and the Death Penalty.* Unpublished manuscript - University of Ottawa, quoted in Jayewardene (1973).
- Davis, F.J.
1952 "Crime news in Colorado newspapers," *American Journal of Sociology* 57, pp. 325-330.
- Devall, W.B.
1970 "Support for civil liberties among English-speaking Canadian university students," *Canadian Journal of Political Science* III.
- Dollard, J., L.W. Doob et al
1957 *Frustration and Aggression.* Yale University Press.

Dow, Jr., T.E.
 1967 "The role of identification in conditioning public attitude toward the offender," *Journal of Criminal Law, Criminology and Police Science* 58(1), pp. 75-79.

Erskine, H.
 1970 "The polls: capital punishment," *Public Opinion Quarterly* 34, pp. 290-307.

Erskine, H.
 1974 "The polls: fear of crime and violence," *Public Opinion Quarterly* 38, pp. 131-145.

Erskine, H.
 1975 "The polls: politics of law and order," *Public Opinion Quarterly* (Winter), pp. 623-634.

Erskine, H.
 "The polls: control of crime and violence," *Public Opinion Quarterly* pp. 490-502.

Fattah, E.A. & A. Normandeau
 1969 *Sondage d'opinion publique sur la justice criminelle au Québec. Annexe 4 - Commission d'enquête sur l'administration de la justice en matière criminelle et pénale. Québec: Editeur Officiel du Québec.*

Fattah, E.A. & A. Normandeau
 1970 "Le droit pénal, la morale et le public Québécois," *Thémis* 1, pp. 5-18.

Fattah, E.A.
 1972 *The Deterrent Effect of Capital Punishment With Special Reference to the Canadian Situation. Ottawa: Information Canada.*

Fattah, E.A.
 1973 "Le suicide au Canada et au Québec," *Le Médecin du Québec* 8(9), September 1973.

Fox, L.
 1952 *The English Prison and Borstal Systems. London: Routledge and Kegan Paul.*

Friedlander, K.
 1947 *Psychoanalytical Approach to Juvenile Delinquency. London: Routledge.*

Frym
 1955 "Past and future of criminal rehabilitation," *Journal of Public Law* 3, p. 451.

Furstenberg, Jr., F.F.
 1971 "Public reaction to crime in the streets," *The American Scholar* 40(4), pp. 601-610.

Gibbons, D.C.
 1969 "Crime and punishment: a study in social attitudes," *Social Forces* 47 (June), pp. 391-397.

- Ginsberg, M. (ed.)
1959 *Law and Opinion in England*. Berkeley: University of California Press.
- Glaser, D. & M.S. Zeigler
1974 "Use of the death penalty v. outrage at murder," *Crime and Delinquency* 20(4), pp. 333-338.
- Gold
1961 "A psychiatric review of capital punishment," *Journal of Forensic Sciences* 6, p. 465.
- Goldberg, F.
1970 "Toward expansion of Witherspoon: capital punishment, jury bias and use of psychological data to raise presumptions in law," *Harvard Civil Rights Law Review* 5, 53.
- Goyer, J.P.
1972 *Capital Punishment: New Material: 1965-1972*. Ottawa: Information Canada.
- Great Britain
1953 *Report of the Royal Commission on Capital Punishment*. London: HMSO.
- Hart, H.L.A.
1968 *Punishment and Responsibility - Essays in the Philosophy of Law*. Oxford: Clarendon Press.
- Harvey, T.G.
(n.d.) "Attitudes towards freedom of speech in a Canadian community: a study of social, political and psychological correlates." Papers presented at the 43rd Annual Meeting of the Canadian Political Science Association, Vol. 3. Ottawa: mimeographed.
- Hindelang, M.
1974 "Public opinion regarding crime, criminal justice and related topics," *Crime and Delinquency Literature* 6(4), December, pp. 501-523.
- Hoefnagels, G.P.
1973 *The Other Side of Criminology*. Deventer, Holland: Kluwer.
- Jayewardene, C.H.S.
1960 *Criminal Homicide: A Study in Culture Conflict*. Ann Arbor, Mich.: University Microfilms Publisher, Mic 60-3661.
- Jayewardene, C.H.S.
1973 *The Canadian Experiment with the Penalty of Death*. Unpublished manuscript.
- Johnson, G. & J. Newmeyer
1975 "Pleasure, punishment and moral indignation," *Sociology and Social Research* 59(2), pp. 82-95.
- Jurow
1971 "New data on the effect of a death qualified jury on the guilt determination process," *Harvard Law Review* 84, p. 567.

- Koenig, D.J.
1974 *British Columbians' Attitudes and Experiences Relevant to the Police, Law and Crime.* Unpublished manuscript.
- Koenig, D.
1975 *Preliminary Highlights: Survey of B.C. Voters' Views about Social Services.* Unpublished manuscript.
- Kohlberg, L.
1964 "Development of moral character and moral ideology." In Hoffman and Hoffman (eds.) *Child Development Research.* New York: Russel Sage.
- Laponce, J.A.
1969 *People vs. Politics: a Study of Opinions, Attitudes and Perceptions in Vancouver-Burrard 1963-1965.* Toronto: University of Toronto Press.
- McIntyre, J.
1967 "Public attitudes toward crime and law enforcement," *The Annals of the American Academy of Political and Social Sciences* 374 (November), pp. 34-46.
- Mäkelä, K.
1966 "Public sense of justice and judicial practice," *Acta Sociologica* 10(1-2), pp. 42-67.
- Mannheim, H.
1959 "Criminal law and penology," Pp. 264-285 in M. Ginsberg (ed.) *Law and Opinion in England.* University of California Press.
- Manzer, R.
1974 *Canada: A Socio-Political Report.* McGraw-Hill.
- Meizel, J.
1968 *The 1968 Federal Election Survey.* Queen's University.
- Menninger, K.
1968 *The Crime of Punishment.* Viking Press.
- Midgley, J.
1974 "Public opinion and the death penalty in South Africa," *British Journal of Criminology* , pp. 345-358.
- Pennsylvania
1973 *Report of the Governor's Study Commission on Capital Punishment.* Harrisburg, Pa.
- Piaget, J.
1965 *The Moral Judgement of the Child.* New York: Free Press.
- Podgorecki, A.
1966 "The prestige of the law: preliminary research results," *Acta Sociologica* 10.
- Quinney, R.
1970 *The Social Reality of Crime.* Boston: Little, Brown and Company.

- Radzinowicz, L.
1961 *In Search of Criminology*. London: Heineman.
- Ranulf, S.
1938 *Moral Indignation and Middle Class Psychology*. Copenhagen: Levin & Munksgaard. Reprinted in 1964 by Schocken Books Inc., New York.
- Riedl, M.
1965 "The poor and capital punishment: some notes on a social attitude," *Prison Journal* 45.
- Rokeach, M.
1960 *The Open and Closed Mind*. Investigation into the nature of belief systems and personality systems. New York: Basic Books.
- Rokeach, M.
1969 *Beliefs, Attitudes and Values: A Theory of Organization and Change*. San Francisco: Jasssey-Bass.
- Rokeach, M. & D.D. McLellan
1970 "Dogmatism and the death penalty: a reinterpretation of the Duquesne Poll data," *Duquesne Law Review* 8(125), pp. 125-129.
- Rokeach, M. & N. Vidmar
1973 "Testimony concerning possibly jury bias in a Black Panther murder trial," *Journal of Applied Social Psychology* 19.
- Rose, G.
1961 *The Struggle for Penal Reform*. London: Stevens & Sons.
- Ryan, S.
1969 "Capital punishment in Canada," *The British Journal of Criminology* 9(1).
- Selvin, H.C. & W.O. Hagstrom
1960 "Determinants of support for civil liberties," *British Journal of Sociology* 11.
- Sherif, M. & C.
1956 *An Outline of Social Psychology*. Revised edition (New York).
- Silvey, J.
1961 "The criminal law and public opinion," *The Criminal Law Review*, pp. 349-358.
- Singh, A.
1973 *Criminal Homicide and Cultural Conflict in Canada*. Unpublished Master's dissertation, Centre of Criminology, University of Ottawa.
- Smith, M.
1938 "Attitude changes during a course in criminology," *School and Society* 48 (November 26, 1938), pp. 698-700.
- Smith, M.
1938 "Spontaneous change of attitude toward capital punishment," *School and Society* 47 (March 5, 1938), pp. 318-320.

- Sprott, W.J.H.
1965 "Sentencing policy." In Peter Halmos (ed.) *Sociological Studies in the British Penal Services*. Sociological Review: Monograph No. 9.
- Stouffer, S.
1966 *Communism, Conformism and Civil Liberties*. New York: John Wiley & Sons.
- Thomas, C. & S. Foster
1974 *A sociological perspective on public support for capital punishment*. Paper presented at the Southern Sociological Society, Atlanta, Ga. April 18, 1974.
- Thomas, P.A.
1957 "Attitudes of wardens toward the death penalty." Reprinted in H. Bedau (ed.) *The Death Penalty in America*. New York: Anchor Books, pp. 242-252.
- Toby, J.
1964 "Is punishment necessary?", *Journal of Criminal Law, Criminology and Police Science* 55(3), pp. 332-337.
- Topping, C.W.
1952 "The death penalty in Canada," *The Annals* 286, p. 147.
- Turi, R.T. et al
1972 *Descriptive Study of Aircraft Hijacking*. Criminal Justice Monograph, Vol. III(5). Huntsville, Texas: Institute of Contemporary Corrections and the Behavioral Sciences.
- Tuttle, E.O.
1961 *The Crusade Against Capital Punishment in Great Britain*. London: Stevens & Sons.
- U.S.A. American Institute of Public Opinion
The Gallup Poll. Vols. 1, 2 and 3.
- U.S.A. American Institute of Public Opinion
The Gallup Index. 1972, 1973 and 1974.
- Vidmar, N.
1973 *Retribution motives and other correlates of Canadian attitudes toward the death penalty*. Paper presented at the Canadian Psychological Association Meetings, 1973.
- Vidmar, N. & L. Crinklaw
1973 *Retribution and utility as motives in sanctioning behavior*. Paper presented at the Midwestern Psychological Association Convention, Chicago, Illinois, May 1973.
- Vidmar, N.
1974 "Retributive and utilitarian motives and other correlates of Canadian attitudes toward the death penalty," *The Canadian Psychologist* 15(4), pp. 337-356.
- Vidmar, N. & P. Ellsworth
1974 "Public opinion and the death penalty," *Stanford Law Review* 26, pp. 1245-1270.

Vidmar, N. & R. Sorrentino

1974 "Impact of events: short vs. long-term effects of a crisis," *Public Opinion Quarterly* 38, pp. 271-279.

Waller, I. & N.R. Okihiro.

1974 *Burglary and the Public*. Manuscript. University of Toronto, Centre of Criminology.

Weihofen, H.

1956 *The Urge to Punish*. New York: Farrar, Straus & Cudahy.

Zeisel, H.

1968 *Some Data on Juror Attitudes Toward Capital Punishment*. Chicago: University of Chicago, Center for Studies in Criminal Justice.

Beeld van de Reclassering. A report on a socio-psychological investigation into the image of the rehabilitation of ex-prisoners. Quoted in G.P. Hoefnagels (1973).

TABLE 1. Evolution of Canadian Public Opinion Regarding the Death Penalty, 1943-1975.

	1943	1953	1958	1960	1965	1966	1971*	1972**	1975****
Should not be abolished	73	71	52	51	56	53	70	63	69
Should be abolished	18	22	33	41	35	37	20	30	23
No opinion	9	7	15	8	9	6	10	7	8
TOTAL	100%	100%	100%	100%	100%	96%***	100%	100%	100%

Source: The Gallup Poll of Canada and The Gallup Report.

* In the 1971 poll, the question asked was whether capital punishment should be restored for kidnappers of people in public or political life, or not.

** In the 1972 poll, the question asked was whether capital punishment should be brought back for murderers, or not.

*** In the 1966 poll, 4% of the respondents gave qualified answers.

**** In the 1975 poll, the question asked was whether the respondent favored or opposed capital punishment for the killing of any innocent person. The same respondents were also asked whether they favored or opposed capital punishment for the killing of a prison guard or an on-duty policeman. 79% said they were in favor, 16% said they were opposed, while 4% didn't know.

TABLE 2. Evolution of American Public Opinion Regarding the Death Penalty, 1936-1974.

	1936	1937	1953	1957	1960	1965	1966	1969	1971	1972 (March)	1972 (Nov.- Dec.)	1974
In favor of the death penalty for persons convicted of murder	61	65	68	47	51	45	42	51	49	50	57	64
Not in favor	39	35	25	50	36	43	47	40	40	41	32	36
No opinion	-	-	7	3	13	12	11	9	11	9	11	-
TOTAL	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Source: The Gallup Poll, Vol. 1, 2 and 3, and The Gallup Opinion Index, 1972, 1973 and 1974.

	1969	1970	1973
Believe in capital punishment	48%	47%	59%
Opposed to capital punishment	38%	42%	31%
Not sure	14%	11%	10%

Source: The Harris Survey, 1969, 1970 and 1973.

TABLE 3. Regional Variations in Public Opinion Regarding the Death Penalty In Canada (Differences Between the Provinces)

<u>1960 (CIPO 280)</u>	<u>Canada</u>	<u>Nfld.</u>	<u>N.S.</u>	<u>N.B.</u>	<u>Que.</u>	<u>Ont.</u>	<u>Man.</u>	<u>Sask.</u>	<u>Alta.</u>	<u>B.C.</u>
Retain	50.8%	50.0%	50.0%	45.0%	50.0%	48.1%	52.8%	41.4%	53.1%	65.8%
Abolish	40.9%	30.0%	45.0%	50.0%	42.5%	44.3%	41.7%	37.9%	36.7%	27.4%
No Opinion	8.2%	20.0%	5.0%	5.0%	7.5%	7.6%	5.6%	20.7%	10.2%	6.8%
N.	(679)	N(20)	N(20)	N(20)	N(186)	N(237)	N(36)	N(29)	N(49)	N(73)
<u>1965(CIPO 310)</u>										
Retain	55.8%	60.0%	55.2%	51.9%	63.1%	51.7%	44.7%	53.7%	74.0%	44.9%
Abolish	35.0%	20.0%	27.6%	37.0%	28.6%	39.4%	44.7%	39.0%	18.0%	47.8%
No Opinion	9.2%	20.0%	17.2%	11.1%	8.4%	8.9%	10.5%	7.3%	8.0%	7.2%
N	(731)	(15)	(29)	(27)	(203)	(259)	(38)	(41)	(50)	(69)
<u>1966 (CIPO 317)</u>										
Retain	53.0%	28.6%	55.9%	56.5%	70.1%	44.9%	38.9%	38.2%	47.7%	48.2%
Abolish	37.7%	42.9%	23.5%	43.5%	21.7%	45.3%	50.0%	50.0%	34.1%	46.8%
No Opinion	9.3%	28.6%	20.6%	0.0%	8.2%	9.8%	11.2%	11.7%	18.1%	4.8%
<u>1971 (CIPO 350)</u>										
Restore	63.1%	50.0%	73.3%	44.4%	75.0%	58.4%	60.0%	60.7%	63.3%	53.5%
Do not restore	30.1%	40.0%	26.7%	33.3%	21.1%	33.5%	40.0%	34.4%	23.3%	38.0%
No opinion	6.8%	10.0%	0.0%	22.2%	3.9%	8.2%	0.0%	4.9%	13.3%	8.5%
N	(721)	(10)	(30)	(27)	(204)	(258)	(30)	(61)	(30)	(71)

TABLE 3A. Regional Variations in Public Opinion Regarding the Death Penalty in the U.S.A.

		<u>U.S.A.</u>	<u>East</u>	<u>Midwest</u>	<u>South</u>	<u>West</u>
1953	For the death penalty	68%	73%	65%	62%	75%
	Against the death penalty	25%	22%	29%	29%	18%
	No opinion	7%	5%	6%	9%	7%
1972	For the death penalty	50%	55%	42%	46%	59%
	Against the death penalty	41%	34%	49%	46%	33%
	No opinion	9%	11%	9%	8%	8%
1974	For the death penalty	64%	63%	63%	66%	63%
	Against the death penalty	36%	37%	37%	34%	37%
	No opinion	-	-	-	-	-

Source: The Gallup Poll, Vol. 1, 2 and 3, and The Gallup Index, 1971-1974.

TABLE 4 Regional Variations in Public Opinion Regarding the Death Penalty in Canada
(Rural and Urban Differences)

	<u>Canada</u>	<u>Farm</u>	<u>Rural Non-Farm</u>	<u>Urban</u>
<u>1966 (CIPO 317)</u>				
Retain	53.0%	55.7%	53.5%	51.9%
Abolish	37.7%	37.1%	40.4%	36.7%
No opinion	9.3%	7.2%	6.1%	11.4%
<u>1971 (CIPO 350)</u>				
Restore	63.1%	82.8%	68.8%	59.6%
Do Not Restore	30.1%	12.5%	25.0%	33.3%
No opinion	6.8%	4.7%	6.2%	7.2%

TABLE 6. Variations in Public Opinion on the Death Penalty by Language, Ethnicity and Religion - Canada

1965	<u>Abolish or retain the death penalty</u>	<u>English speaking</u>	<u>French speaking</u>	<u>Other ethnic races</u>					
	Retain	53%	65%	53%					
	Abolish	38%	26%	39%					
	No opinion	9%	9%	8%					
1966	<u>Abolish or retain the death penalty</u>				1966	<u>Protestant</u>	<u>Roman Catholic</u>	<u>Jewish</u>	<u>Other</u>
	Retain	45%	69%	50%		46%	60%	20%	42%
	Abolish	44%	24%	40%		43%	30%	60%	51%
	No opinion	11%	7%	10%		11%	10%	20%	7%
1971	<u>Death penalty for political kidnappers</u>								
	Approve	69%	75%	68%					
	Disapprove	20%	19%	22%					
	Undecided	11%	6%	10%					
1972	<u>Death penalty brought back</u>	<u>English Canada</u>	<u>French Canada</u>	<u>Other ethnic races</u>	1972	<u>Protestant</u>	<u>Roman Catholic</u>	<u>Jewish</u>	<u>Other</u>
	Yes, should be brought back	58%	74%	61%		64%	67%	64%	48%
	No, should not be brought back	33%	23%	32%		27%	28%	36%	47%
	Undecided	9%	3%	7%		9%	5%	-	5%

Source: The Gallup Poll of Canada and The Gallup Report.

TABLE 5. Attitudes of Canadians towards the Death Penalty by Region (N = 1042)

	<u>Maritimes</u>	<u>Quebec</u>	<u>Ontario</u>	<u>Prairies</u>	<u>B.C.</u>	<u>Canada</u>
For capital punishment in all instances	9.2)	30.3)	17.0)	11.4)	8.3)	19.1)
For capital punishment in some instances	54.4)	54.1)	60.0)	62.4)	69.2)	59.1)
	}63.6	}84.4	}77.0	}73.8	}77.5	}78.2
Against in all instances	33.7	15.6	22.1	24.7	19.6	20.9
Don't know	2.3	-	0.9	1.4	2.8	1.0
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0

Source: CROP (Centre de Recherche sur l'Opinion Publique) - In *Social Norms - Final Report*, October 1972.

TABLE 7. Regional Variations in Public Opinion on Matters Related to Crime and Punishment.

	1969	1966	1969	1974	1975	1969			
1969	<u>Punishment for criminals</u>	U.S.A.	Canada			Quebec	Ontario	Western Canada	
	Courts are not harsh enough	75%	43	58%	66	72	68%	52%	55%
	About right	13%	29	22%	16	16	21%	21%	24%
	Courts are too harsh on criminals	2%	7	2%	6	3	3%	2%	3%
	No opinion	10%	21	14%	12	9	6%	19%	15%
	Varies	*	4%				2%	6%	3%
1970	<u>Fear of crime</u>	U.S.A. (March 1972)	Canada	Maritimes	Quebec	Ontario	The West		
	Afraid to walk in dark near home	41%	29%	32%	36%	25%	25%		
	Not afraid	59%	66%	65%	58%	70%	71%		
	Not sure	-	5%	3%	6%	5%	4%		
1974	<u>Fear of crime</u>		Canada	Atlantic	Quebec	Ontario	Prairies	B.C.	
	Afraid		37%	42%	46%	33%	23%	43%	
	Not afraid		63%	56%	55%	67%	77%	57%	
	Not sure		*	2%	-	*	-	-	
1975	<u>Weekend leaves for prisoners convicted of serious offences</u>		Canada	Atlantic	Quebec	Ontario	Prairies	B.C.	
	Should be allowed		17%	15%	18%	16%	16%	19%	
	Should not be allowed		74%	68%	72%	77%	76%	73%	
	Don't know		9%	17%	10%	7%	8%	8%	
1953	<u>Method of execution</u>		Canada	Maritimes	Quebec	Ontario	Prairies	B.C.	
	Continue to hang		39%	35%	62%	32%	36%	20%	
	Adopt some other method		45%	46%	27%	51%	48%	62%	
	Undecided		16%	19%	11%	17%	16%	18%	

TABLE 7. Regional Variations in Public Opinion on Matters Related to Crime and Punishment (cont'd.)

1974	<u>Mercy killing</u>		<u>Canada</u>	<u>Atlantic</u>	<u>Quebec</u>	<u>Ontario</u>	<u>Prairies</u>	<u>B.C.</u>
	Approve		55%	40%	60%	53%	53%	65%
	Disapprove		35%	48%	35%	35%	38%	22%
	Qualified & undecided		10%	13%	5%	13%	9%	14%
1974	<u>School discipline</u>		<u>Canada</u>	<u>Atlantic</u>	<u>Quebec</u>	<u>Ontario</u>	<u>Prairies</u>	<u>B.C.</u>
	Too strict		4%	3%	4%	2%	7%	9%
	Not strict enough		56%	45%	60%	54%	51%	67%
	About right		23%	42%	25%	22%	20%	9%
	Can't say		17%	11%	11%	21%	22%	16%
1971	<u>Who is more to blame for crime and lawlessness</u>	<u>U.S.A.</u>	<u>Canada</u>	<u>Maritimes</u>	<u>Quebec</u>	<u>Ontario</u>	<u>The West</u>	
	The individual	35%	27%	37%	27%	25%	26%	
	Society	58%	52%	40%	50%	54%	57%	
	Other)	17%	9%	6%	8%	10%	9%	
	Undecided)		12%	17%	15%	11%	8%	

Source: The Gallup Poll of Canada and The Gallup Report.

TABLE 8. Regional Variations in Public Opinion on Matters Related to Crime and Punishment

	<u>N.S.</u>	<u>N.B.</u>	<u>Nfld.</u>	<u>Que.</u>	<u>Ont.</u>	<u>Man.</u>	<u>Sask.</u>	<u>Alta.</u>	<u>B.C.</u>	<u>Total</u>
<u>Punishment for Criminals</u>										
March 1974 (CIPQ 364)										
Too Harshly	2.5%	2.4%	0.0%	5.9%	6.5%	1.7%	13.8%	7.3%	4.9%	5.7%
About Right	12.5%	19.5%	10.0%	16.7%	14.8%	13.3%	17.2%	17.7%	19.6%	16.0%
Not Harshly Enough	57.5%	68.3%	75.0%	69.4%	64.7%	68.3%	65.5%	63.5%	60.8%	65.8%
Don't Know	27.5%	9.8%	15.0%	8.0%	14.0%	16.7%	3.4%	11.5%	14.7%	12.4%
N	(40)	(41)	(20)	288	371	60	29	96	102	1,047

TABLE 9. Regional Variations in Public Opinion Regarding the Death Penalty in the U.S.A.

		<u>U.S.A.</u>	<u>East</u>	<u>Midwest</u>	<u>South</u>	<u>West</u>
1953	For the death penalty	68%	73%	65%	62%	75%
	Against the death penalty	25%	22%	29%	29%	18%
	No opinion	7%	5%	6%	9%	7%
1972	For the death penalty	50%	55%	42%	46%	59%
	Against the death penalty	41%	34%	49%	46%	33%
	No opinion	9%	11%	9%	8%	8%
1974	For the death penalty	64%	63%	63%	66%	63%
	Against the death penalty	36%	37%	37%	34%	37%
	No opinion	-	-	-	-	-

Source: The Gallup Poll, Vol. 1, 2 and 3, and The Gallup Index, 1971-1974.

TABLE 10. Punishment for Murder by Region (Province of Quebec, 1968)

	<u>Montreal</u>	<u>Large cities</u>	<u>Medium cities</u>	<u>Rural</u>	<u>Province's mean</u>
Death penalty	38.8%	47.7%	42.7%	50.5%	44.0%
Life imprisonment	50.0%	44.0%	47.9%	39.5%	45.8%
Term imprisonment	10.1%	7.6%	8.7%	7.7%	8.9%
Fine	0.0%	0.0%	0.0%	0.3%	0.1%
Don't know	1.1%	0.7%	0.6%	2.0%	1.2%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%

$\chi^2 = 16.92$ $P < .05$ for 9 degrees of freedom.

TABLE 11. Cultural Homogeneity and Attitudes to the Death Penalty - Canada

<u>Province</u>	<u>1971 Index of cultural homogeneity</u>	<u>1971 Percentage of those in favor of return to C.P.</u>
Newfoundland	98.5	50.0
Nova Scotia	93.0	73.3
British Columbia	82.7	53.5
Quebec	80.7	75.0
Alberta	77.6	63.3
Ontario	77.5	58.1
Saskatchewan	74.1	60.7
Manitoba	67.1	60.0
New Brunswick	64.7	44.4

* P.E.I. is excluded, since the residents were not polled on capital punishment.

TABLE 12. Variations of Public Opinion in Canada on Matters Related to the Death Penalty.

1966	<u>Punishment for criminals</u>		1972	<u>More crime in the community than there was 5 years ago</u>		1954	<u>School discipline</u>	
	Courts are not harsh enough	43%		Yes	63%		Not strict enough	35%
	Courts are too harsh	7%		No	26%		Too strict	3%
	About right	29%		Undecided	11%		About right	45%
	Don't know	21%					Can't say	17%
1969	Courts not harsh enough	58%	1974	<u>More violence today, here and around the world</u>		1969	Not strict enough	44%
	Courts are too harsh	2%		Yes	85%		Too strict	2%
	About right	22%		No	12%		About right	37%
	Don't know	14%		No opinion	3%		Can't say	17%
1974	Courts not harsh enough	66%	1970	<u>Fear of crime</u>		1974	Not strict enough	56%
	Courts are too harsh	6%		Afraid	29%		Too strict	4%
	About right	16%		Not afraid	66%		About right	23%
	Don't know	12%		Not sure	5%		Can't say	17%
1975	Courts not harsh enough	72%	1974	Afraid	37%	1971	<u>Who is more to blame for crime and lawlessness in Canada</u>	
	Courts are too harsh	3%		Not afraid	63%		The individual	27%
	About right	16%		Not sure	*		Society	52%
	Don't know	9%	1968	<u>Mercy killing</u>			Other	9%
1973	<u>Should prisoners with criminal record be allowed out on parole</u>			Approve	45%		Undecided	12%
	Yes	28%		Disapprove	43%			
	No	54%		Qualified & undecided	12%	Source:	The Gallup Poll of Canada and	
	Can't say	18%					The Gallup Report	
1975	<u>Weekend leaves for prisoners convicted of serious offences</u>		1974	Approve	55%			
	Should be allowed	17%		Disapprove	35%			
	Should not be allowed	74%		Qualified & undecided	10%			
	Don't know	9%						

TABLE 13. Variations in Public Opinion on the Death Penalty by Sex - Canada

		<u>Male</u>		<u>Female</u>
1956				
<u>Sentence for convicted murderers</u>				
Death penalty for both sexes		55.0		48.0
Death penalty for men only		4.0		4.0
Life imprisonment		34.0		37.0
No opinion		7.0		11.0
TOTAL		100.0		100.0

1958				
<u>Should the death penalty be abolished?</u>				
Yes	199	33.2	206	34.2
No	319	53.3	301	50.0
No opinion	79	13.2	95	15.8
No answer	2	0.2	0	0.0
TOTAL	599	100.0	602	100.0

1960				
<u>Should the death penalty be abolished?</u>				
Yes	124	36.3	154	45.7
No	194	56.7	151	44.8
No opinion	24	7.0	32	9.5
TOTAL	342	100.0	337	100.0

$\chi^2 = 9.70339$ 2 Df Significance = 0.0078				

1965				
<u>Should the death penalty be abolished?</u>				
Yes	121	33.2	135	36.9
No	218	59.7	190	51.9
No opinion	26	7.1	41	11.2
TOTAL	365	100.0	366	100.0

$\chi^2 = 6.04404$ 2 Df Significance = 0.0487				

TABLE 13. (cont'd.). Variations in Public Opinion on the Death Penalty by Sex - Canada

		<u>Male</u>		<u>Female</u>
1966				
<u>Would you vote for retaining or abolishing capital punishment?</u>				
Abolish	100	30.2	145	44.5
Retain	203	61.3	143	43.9
No opinion	15	4.5	27	8.3
Qualified	13	3.9	11	3.4
TOTAL	331	100.0	326	100.0

$\chi^2 = 22.22836$ Df 3 <0.0001				

1971				
<u>Should the death penalty be brought back?</u>				
No	96	26.8	121	33.3
Yes	240	67.0	214	59.0
Undecided	22	6.1	28	7.7
TOTAL	358	100.0	363	100.0

$\chi^2 = 5.05474$ Df 2 <0.0799				

TABLE 14. Variations in Public Opinion on Matters Related to the Death Penalty by Sex - Canada.

	<u>Male</u>		<u>Female</u>	
1966				
<u>Punishment for criminals</u>				
Courts are not harsh enough	164	49.5	117	35.9
About right	92	27.8	101	31.0
Courts are too harsh on criminals	22	6.6	23	7.1
No opinion	17	5.1	45	13.8
Qualified	36	10.9	40	12.3
TOTAL	331	100.0	326	100.0

$\chi^2 = 21.12196$ Df 4 ≤ 0.0003				

1974				
<u>Punishment of criminals</u>				
Not harsh enough				
About right				
Too harsh				
Don't know				
TOTAL				

1970				
<u>Fear of crime</u>				
Afraid to walk at night near home	59	16.4	149	41.3
Not afraid	291	81.1	187	51.8
Not sure	9	2.5	25	6.9
TOTAL	359	100.0	361	100.0

$\chi^2 = 69.09428$ Df 2 ≤ 0.0000				

1974				
<u>Fear of crime</u>				
Afraid		19.0		55.0
Not afraid		81.0		45.0
TOTAL		100.0		100.0

TABLE 14 (cont'd.). Variations in Public Opinion on Matters Related to the Death Penalty by Sex - Canada

	<u>Male</u>		<u>Female</u>	
1973				
<u>Parole for prisoners with previous criminal record</u>				
Yes	95	27.9	104	28.0
No	186	54.5	197	53.0
Can't say	56	16.4	71	19.1
No answer	4	1.2	0	0.0
TOTAL	341	100.0	372	100.0

$\chi^2 = 5.15653$ 3 Df ≤ 0.1607 Not statistically significant				

1974				
<u>More acts of violence today here and abroad</u>				
Yes	401	82.5	456	87.7
No	66	13.6	50	9.6
Don't know	18	3.7	14	2.7
No answer	1	0.2	0	0.0
TOTAL	486	100.0	520	100.0

$\chi^2 = 6.09451$ 3 Df ≤ 0.1071				

1974				
<u>Mercy killing</u>				
Should be allowed	298	57.2	273	51.9
Should not be allowed	172	33.0	199	37.8
Undecided	48	9.2	50	9.5
Qualified	3	0.6	4	0.8
TOTAL	521	100.0	526	100.0

1974				
<u>School discipline</u>				
About right	125	24.0	117	22.2
Not strict enough	278	53.4	305	58.0
Too strict	24	4.6	21	4.0
Can't say	94	18.0	83	15.8
TOTAL	521	100.0	526	100.0
Statistically non-significant				

TABLE 16. Variations in Public Opinion on the Death Penalty by Age - Canada

1947	<u>21-29</u>		<u>30-49</u>		<u>50 and over</u>			
<u>Best sentence for convicted murderers</u>								
Death penalty	76%		68%		65%			
Imprisonment	19%		22%		25%			
No opinion	5%		10%		10%			
1958	<u>21-29</u>		<u>30-39</u>		<u>40-49</u>		<u>50 and over</u>	
<u>Should capital punishment be abolished?</u>								
Yes	85	31.8	108	35.3	85	35.4	127	32.7
No	144	53.9	155	50.7	118	49.2	203	52.3
No opinion	38	14.2	43	14.1	37	15.4	56	14.4
No answer	0	0.0	0	0.0	0	0.0	2	0.5
TOTAL	267	100.0	306	100.0	240	100.0	388	100.0
Statistically non-significant								
1960								
<u>Should capital punishment be abolished?</u>								
Yes	77	47.8	71	40.3	71	41.5	59	34.5
No	75	46.6	86	48.9	90	52.6	94	55.0
Don't know	9	5.6	19	10.8	10	5.8	18	10.5
TOTAL	161	100.0	176	100.0	171	100.0	171	100.0
$\chi^2 = 10.05072$	Df 6	≤ 0.1225						

TABLE 16.(cont'd.). Variations in Public Opinion on the Death Penalty by Age - Canada

		<u>21-29</u>	<u>30-39</u>	<u>40-49</u>	<u>50 and over</u>
1965					
<u>Should capital punishment be abolished?</u>					
Yes		53 35.8	72 37.1	53 34.9	78 32.9
No		85 57.4	105 54.1	81 53.3	137 57.8
No opinion		10 6.8	17 8.8	18 11.8	22 9.3
TOTAL		148 100.0	194 100.0	152 100.0	237 100.0
Statistically non-significant					
1966					
<u>Should the death penalty be retained?</u>					
Yes		52.4	55.7	52.2	50.7
No		42.9	36.5	35.3	35.3
No opinion		2.0	6.6	6.6	9.2
Qualified		2.7	1.2	5.9	4.8
TOTAL		100.0	100.0	100.0	100.0
1971					
	<u>18-20</u>	<u>21-29</u>	<u>30-39</u>	<u>40-49</u>	<u>50 and over</u>
<u>Should the death penalty be brought back?</u>					
Yes	31 49.2	88 54.7	82 65.6	91 66.9	162 68.6
No	30 47.6	68 42.2	32 25.6	35 25.7	52 22.0
Undecided	2 3.2	5 3.1	11 8.8	10 7.4	22 9.3
TOTAL	63 100.0	161 100.0	125 100.0	136 100.0	236 100.0
$\chi^2 = 33.73734$ Df 8 Significance = 0.0000					

124

TABLE 17. Variations in Public Opinion on Matters Related to Crime and Punishment by Age - Canada

1969	<u>Punishment for criminals</u>	<u>21 - 29 years</u>	<u>30 - 39 years</u>	<u>40 - 49 years</u>	<u>50 years and over</u>
	Courts are not harsh enough	52%	53%	63%	62%
	About right	24%	26%	22%	18%
	Too harsh	3%	2%	2%	3%
	No opinion	19%	14%	9%	13%
	Varies	2%	5%	4%	4%
1974		<u>18 - 29 years</u>	<u>30 - 49 years</u>		<u>50 years and over</u>
	Courts are not harsh enough	57%	69%		71%
	About right	19%	18%		11%
	Too harsh	11%	3%		3%
	Don't know	13%	10%		15%
1974	<u>More violence here and around the world today</u>				
	Yes	93%	85%		77%
	No	6%	11%		19%
	No opinion	1%	4%		4%
1975	<u>Weekend leaves for prisoners convicted of serious crimes</u>				
	Should be allowed	30%	14%		10%
	Should not be allowed	62%	76%		82%
	Don't know	8%	10%		8%
1974	<u>Mercy killing</u>				
	Approve	66%	54%		46%
	Disapprove	27%	37%		41%
	Qualified & undecided	7%	9%		13%
1974	<u>School discipline</u>				
	Too strict	10%	2%		2%
	Not strict enough	41%	60%		63%
	About right	27%	29%		13%
	Can't say	22%	9%		22%

Source: The Gallup Poll of Canada and The Gallup Report.

TABLE 18. Punishment for Murder by Age (Province of Quebec, 1968)

	Quebec	18 - 24 years	25 - 34 years	35 - 44 years	45 years and over
Death penalty	44.0%	26.8%	46.0%	46.4%	49.1%
Life imprisonment	45.8%	59.9%	43.9%	44.3%	41.9%
Term imprisonment	8.9%	11.8%	9.2%	7.7%	8.2%
Fine	0.1%	0.0%	0.4%	0.0%	0.0%
No opinion	1.2%	1.5%	0.4%	1.5%	0.9%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%

$\chi^2 = 19.03$ $P < .05$ for 9 degrees of freedom.

100

TABLE 19. Variations in Public Opinion on the Death Penalty by Age - U.S.A.

Year	The death penalty	21 - 29 years	30 - 49 years	50 years and over	
1966	Favor	40%	43%	43%	
	Oppose	50%	45%	47%	
	No opinion	10%	12%	10%	
1969	Favor	47%	53%	52%	
	Oppose	46%	39%	38%	
	No opinion	7%	8%	10%	
1972 (March)		<u>18 - 20 years</u>	<u>21 - 29 years</u>	<u>30 - 49 years</u>	<u>50 years and over</u>
	Favor	42%	42%	52%	54%
	Oppose	50%	52%	40%	34%
	No opinion	8%	6%	8%	12%
1972 (Nov.-Dec.)		<u>18 - 24 years</u>	<u>25 - 29 years</u>	<u>30 - 49 years</u>	<u>50 years and over</u>
	Favor	48%	55%	58%	60%
	Oppose	44%	35%	31%	27%
	No opinion	8%	10%	11%	13%
1974	Favor	49%	56%	66%	71%
	Oppose	51%	44%	34%	29%
	No opinion	-	-	-	-

Source: The Gallup Poll, Vol. 1, 2 and 3. The Gallup Index 1971-1974.

Year		under 30 years	30 - 49 years	50 years and over	
1973 (Louis Harris Poll)	Favor	32%	34%	39%	
	Oppose	56%	48%	43%	
	Not sure	12%	18%	18%	
1974 (The Ohio Poll)		<u>18 - 30 years</u>	<u>31 - 45 years</u>	<u>46 - 64 years</u>	<u>65 years and over</u>
	Mandatory d.p. for certain crimes of violence				
	Favor	52%	69%	73%	80%
	Oppose	41%	22%	18%	13%
	Don't know	7%	9%	9%	7%

TABLE 20. Punishment for Murder by Language Spoken (Province of Quebec, 1968)

	<u>French speaking</u>	<u>English & other</u>	<u>Montreal</u>
Death penalty	44.5%	29.0%	38.8%
Life imprisonment	45.4%	58.0%	50.0%
Term imprisonment	9.2%	11.6%	10.1%
Fine	0.0%	0.0%	0.0%
No opinion	0.8%	1.4%	1.1%
TOTAL	100.0%	100.0%	100.0%

$\chi^2 = 10.75$ P < .05 for 3 degrees of freedom.

TABLE 21. Variations in Public Opinion on the Death Penalty by Language Spoken in the Home - Canada

	<u>French</u>		<u>English</u>		<u>Both</u>	
1958						
<u>Should capital punishment be abolished?</u>						
Yes	71	38.0	290	32.4	44	36.7
No	83	44.4	473	52.9	64	53.3
No opinion	32	17.1	130	14.5	12	10.0
No answer	1	0.5	1	0.1	0	0.0
TOTAL	187	100.0	894	100.0	120	100.0

Statistically non-significant						

	<u>French</u>		<u>English</u>		<u>Other</u>	
1965						
<u>Should capital punishment be abolished?</u>						
Yes	50	26.6	175	37.7	31	39.2
No	121	64.4	245	52.8	42	53.2
No opinion	17	9.0	44	9.5	6	7.6
TOTAL	188	100.0	464	100.0	79	100.0

$\chi^2 = 8.75561$ Df 4 ≤ 0.0675						

1966						
<u>Would you vote for retaining or abolishing capital punishment?</u>						
Abolish		24.0		44.0		40.0
Retain		69.0		45.0		50.0
No opinion						
Qualified		} 7.0		} 11.0		} 10.0
TOTAL		100.0		100.0		100.0

1971						
<u>Death penalty for political kidnappers</u>						
Disapprove		19.0		20.0		22.0
Approve		75.0		69.0		68.0
Undecided		6.0		11.0		10.0
TOTAL		100.0		100.0		100.0

TABLE 22. Variations in Public Opinion on the Death Penalty by Religion - Canada

	<u>Protestant</u>		<u>Roman Catholic</u>		<u>Jewish</u>		<u>Other</u>	
1960								
<u>Should the death penalty be abolished?</u>								
Yes	145	37.2	118	45.4	2	22.2	13	65.0
No	212	54.4	122	46.9	7	77.8	4	20.0
No opinion	33	8.5	20	7.7	0	0.0	3	15.0
TOTAL	390	100.0	260	100.0	9	100.0	20	100.0

$\chi^2 = 14.93085$ Df 6 ≤ 0.0208

1966								
<u>Would you vote for retaining or abolishing capital punishment?</u>								
Abolish	132	42.9	94	30.0	3	60.0	16	51.6
Retain	143	46.4	189	60.4	1	20.0	13	41.9
No opinion	17	5.5	23	7.3	1	20.0	1	3.2
Qualified	16	5.2	7	2.2	0	0.0	1	3.2
TOTAL	308	100.0	313	100.0	5	100.0	31	100.0

$\chi^2 = 23.55515$ Df 9 ≤ 0.0051

1971								
<u>Should the death penalty be brought back or not?</u>								
No	86	27.1	85	28.1	4	36.4	42	46.7
Yes	202	63.7	202	66.7	7	63.6	43	47.8
Undecided	29	9.1	16	5.3	0	0.0	5	5.6
TOTAL	317	100.0	303	100.0	11	100.0	90	100.0

$\chi^2 = 18.13255$ Df 6 ≤ 0.0059

TABLE 23. Variations in Public Opinion on the Death Penalty and Related Matters by Religion - U.S.A.

<u>Gallup Polls</u>				<u>The Ohio Poll (State adult sample of 623)</u>				
<u>The death penalty</u>				<u>The death penalty</u>				
		<u>Protestant</u>	<u>Catholic</u>			<u>Protestant</u>	<u>Catholic</u>	<u>Jewish</u>
1966	Favor	42%	44%	1974	Favor	69%	78%	72%
	Oppose	48%	45%		Oppose	22%	15%	18%
	No opinion	10%	11%		Don't know	9%	7%	10%
1969	Favor	51%	54%	<u>Gallup Polls</u>				
	Oppose	40%	37%	<u>Increase in crime</u>				
	No opinion	9%	9%	1972 (March)	More crime	35%	33%	
1972 (March)	Favor	49%	52%		Less crime	9%	13%	
	Oppose	42%	38%		Same	45%	41%	
	No opinion	9%	10%		No opinion	11%	13%	
1972 (Nov.-Dec.)	Favor	57%	60%	<u>Fear of crime</u>				
	Oppose	32%	29%	1972 (March)	Afraid	41%	40%	
	No opinion	11%	11%		Not afraid	59%	60%	
1974	Favor	65%	67%	<u>Law enforcement</u>				
	Oppose	35%	33%	1972 (August)	Should be tougher in dealing with crime	86%	82%	
	No opinion	-	-		Should not be tougher	11%	16%	
			Don't know		3%	2%		

TABLE 24 . Variations in Public Opinion on the Death Penalty and Related Matters by Race - U.S.A.

<u>Gallup Polls</u>				<u>Gallup Polls</u>			
<u>The death penalty</u>				<u>Increase in crime</u>			
		<u>White</u>	<u>Non-white</u>			<u>White</u>	<u>Non-white</u>
1972 (March)	Favor	53%	24%	1972 (March)	More crime	33%	53%
	Oppose	39%	64%		Less crime	11%	10%
	No opinion	8%	12%		Same	43%	34%
			No opinion		13%	3%	
1972 (Nov.-Dec.)	Favor	60%	32%	<u>Fear of crime</u>			
	Oppose	29%	52%	1972 (March)	Afraid	39%	49%
	No opinion	11%	16%		Not afraid	61%	51%
1974	Favor	66%	50%	<u>Law enforcement</u>			
	Oppose	34%	50%	1972 (August)	Should be tougher	84%	72%
	No opinion	-	-		Should not be tougher	13%	23%
			Don't know		3%	5%	
<u>The Ohio Poll (State adult sample of 623)</u>							
		<u>White</u>	<u>Black</u>				
1974	Favor	73%	47%				
	Oppose	19%	38%				
	Don't know	8%	15%				

TABLE 25. Variations in Attitudes to the Death Penalty by Income - Canada

<u>Capital punishment</u>	<u>Wealthy</u>	<u>Average +</u>	<u>Average</u>	<u>Poor + and poor</u>
<u>1958 (CIPO 268)</u>				
Should be abolished	34.7	33.2	34.2	32.2
Should not be abolished	53.1	52.2	50.6	55.1
No opinion	12.2	14.3	15.1	12.7
No answer	0.0	0.3	0.1	0.0
<u>1960 (CIPO 280)</u>				
Should be abolished	42.9	40.5	42.8	34.3
Should not be abolished	54.3	52.5	48.3	56.2
Don't know	2.9	7.0	8.9	9.5
<u>1965 (CIPO 310)</u>				
Should be abolished	36.4	34.5	35.6	33.0
Should not be abolished	59.1	57.1	56.1	51.9
No opinion	4.5	8.3	8.3	15.1
<u>1966 (CIPO 317)</u>				
Abolish capital punishment	47.1	40.9	35.6	36.6
Retain capital punishment	41.2	54.1	53.1	50.0
No opinion	0.0	3.1	7.3	9.8
Qualified	11.8	1.9	4.0	3.7
<u>1971 (CIPO 350)</u>				
	<u>\$8,000 or more</u>	<u>\$6,000 to 7,999</u>	<u>Under \$6,000</u>	<u>Refused</u>
Capital punishment should not be brought back	29.6	30.8	30.2	29.2
Capital punishment should be brought back	63.7	64.8	61.9	54.2
Undecided	6.7	4.4	7.8	16.7

TABLE 26. Variations in Attitudes toward Matters Related to the Death Penalty by Income - Canada

	<u>Under \$6,000</u>	<u>\$6,000-\$7,999</u>	<u>\$8,000 or more</u>	<u>Refused</u>
<u>Fear of crime</u>				
<u>1970 (CIPO 343)</u>				
Afraid	30.8	26.4	28.6	30.0
Not afraid	64.5	69.5	66.1	65.0
Not sure	4.7	4.1	5.4	5.0
TOTAL	100.0	100.0	100.0	100.0
N	(279)	(197)	(224)	(20)
<u>More crime than 5 years ago</u>				
<u>1972 (CIPO 354)</u>				
More crime	70.1	57.1	61.1	69.6
No more crime	21.2	28.6	27.8	17.4
Undecided	8.7	14.3	11.1	13.0
TOTAL	100.0	100.0	100.0	100.0
N	(231)	(161)	(306)	(23)
<u>Parole</u>				
<u>1973 (CIPO 358)</u>				
For	20.5	36.4	29.0	25.0
Against	65.7	50.4	50.0	50.0
Can't say	13.9	13.2	20.5	21.7
No answer	0.0	0.0	0.5	3.3
TOTAL	100.0	100.0	100.0	100.0
N	(166)	(121)	(366)	(60)
$\chi^2 = 27.15517$ Df = 9 Significance = 0.0013				
	<u>Under \$6,000</u>	<u>\$6,000-\$9,999</u>	<u>\$10,000 or more</u>	<u>Refused</u>
<u>Discipline in schools</u>				
<u>1974 (CIPO 364)</u>				
Too strict	4.6	2.6	5.1	6.0
About right	20.2	24.0	23.9	26.0
Not strict enough	53.8	61.2	53.8	48.0
Can't say	21.4	12.2	17.2	20.0
TOTAL	100.0	100.0	100.0	100.0
N	(262)	(304)	(431)	(50)

TABLE 26(cont'd.). Variations in Attitudes toward Matters
Related to the Death Penalty by Income - Canada

	<u>Under \$6,000</u>	<u>\$6,000-\$9,999</u>	<u>\$10,000 or more</u>	<u>Refused</u>
<u>Mercy killing</u>				
<u>1974 (CIPO 364)</u>				
Should be allowed	53.1	60.9	53.8	30.0
Should not be allowed	34.7	32.2	35.3	60.0
Qualified	0.8	0.3	0.7	2.0
Undecided	11.5	6.6	10.2	8.0
TOTAL	100.0	100.0	100.0	100.0
N	(262)	(304)	(431)	(50)

$\chi^2 = 23.37857$ Df = 9 Significance = 0.0054

	<u>Wealthy</u>	<u>Average +</u>	<u>Average</u>	<u>Poor + and poor</u>
<u>Court sentences for criminals</u>				
<u>1966 (CIPO 317)</u>				
Too harsh	0.0	9.4	5.5	9.8
About right	41.2	28.9	29.8	25.6
Not harsh enough	29.4	43.4	42.6	45.1
No opinion	5.9	7.5	10.0	11.0
Qualified	23.5	10.7	12.0	8.5
TOTAL	100.0	100.0	100.0	100.0
N	(17)	(159)	(399)	(82)

TABLE 27. Variations in Public Opinion on the Death Penalty by Socio-Economic Status - U.S.A.

Gallup Polls

		<u>The death penalty</u>						
		\$	\$	\$	\$	\$	\$	\$
					7,000 & over	5,000 - 6,999	3,000 - 4,999	under 3,000
1966 (June)	Favor				45%	41%	42%	40%
	Oppose				47%	50%	40%	50%
	No opinion				8%	9%	18%	10%
				10,000 & over	7,000 - 9,999	5,000 - 6,999	3,000 - 4,999	under 3,000
1969 (Feb.)	Favor			55%	55%	49%	46%	47%
	Oppose			38%	38%	44%	42%	40%
	No opinion			7%	7%	7%	12%	13%
			15,000 & over	10,000 - 14,999	7,000 - 9,999	5,000 - 6,999	3,000 - 4,999	under 3,000
1972 (March)	Favor		52%	54%	50%	51%	42%	43%
	Oppose		41%	40%	41%	39%	47%	43%
	No opinion		7%	6%	9%	10%	11%	14%
1972 (Nov. - Dec.)	Favor		61%	66%	59%	55%	48%	38%
	Oppose		32%	24%	31%	33%	40%	43%
	No opinion		7%	10%	10%	12%	12%	19%
		20,000 & over	15,000 - 19,999	10,000 - 14,999	7,000 - 9,999	5,000 - 6,999	3,000 - 4,999	under 3,000
1974	Favor	65%	68%	67%	66%	64%	53%	55%
	Oppose	35%	32%	33%	34%	36%	47%	45%
	No opinion	-	-	-	-	-	-	-

TABLE 28 . Variations in Attitudes to the Death Penalty by Education - Canada

	Public school (Grades 1-8)	Secondary or high school (Grades 9-13)	University	No schooling		
<u>Capital punishment</u>						
<u>1958 (CIPO 268)</u>						
Should be abolished	32.1	33.2	44.7	60.0		
Should not be abolished	49.8	53.5	51.1	20.0		
No opinion	17.7	13.3	4.3	20.0		
No answer	0.4	0.0	0.0	0.0		
TOTAL	100.0	100.0	100.0	100.0		
N	(502)	(600)	(94)	(5)		
$\chi^2 = 20.41373$	Df = 9	Significance = 0.0155				
<u>1960 (CIPO 280)</u>						
Should be abolished	34.6	44.6	46.4	50.0		
Should not be abolished	54.0	49.3	46.4	50.0		
Don't know	11.4	6.1	7.2	0.0		
TOTAL	100.0	100.0	100.0	100.0		
N	(263)	(343)	(69)	(4)		
$\chi^2 = 10.71218$	Df = 6	Significance = 0.0977				
	Public school	Secondary or high	Post-high technical and university			
<u>1965 (CIPO 310)</u>						
Should be abolished	80	32.4	140	35.8	36	39.1
Should not be abolished	140	56.7	216	55.2	52	56.5
No opinion	27	10.9	35	9.0	4	4.4
TOTAL		100.0		100.0		100.0
N	247	(247)	391	(391)	92	(92)
<u>1966 (CIPO 317)</u>						
Should be abolished	74	34.7	122	35.0	48	52.2
Should be retained	115	54.0	194	55.6	35	38.0
No opinion	17	8.0	21	6.0	4	4.4
Qualified	7	3.3	12	3.4	5	5.4
TOTAL		100.0		100.0		100.0
N	213	(213)	349	(349)	92	(92)

TABLE 28 (cont'd.). Variations in Attitudes to the Death Penalty
by Education - Canada

	<u>Public school</u>		<u>Secondary or high</u>		<u>Post-high technical and university</u>	
<u>Capital punishment</u>						
<u>1971 (CIPO 350)</u>						
Should not be brought back	41	22.3	118	29.3	56	43.4
Should be brought back	125	67.9	260	64.7	65	50.4
Undecided	18	9.8	24	6.0	8	6.2
TOTAL		100.0		100.0		100.0
N	184	(184)	402	(402)	129	(129)

TABLE 29. Variations in Attitudes toward Matters Related to the Death Penalty by Education - Canada

	<u>Public school</u> (Grades 1-8)		<u>Secondary or high</u> <u>school (Grades 9-13)</u>		<u>Post-high technical</u> <u>and university</u>	
<u>Court sentences for criminals</u>						
<u>1966 (CIPO)</u>						
Too harsh	17	8.0	18	5.2	10	10.9
About right	59	27.7	106	30.4	27	29.4
Not harsh enough	102	47.9	148	42.4	30	32.6
No opinion	17	8.0	31	8.9	13	14.1
Qualified	18	8.4	46	13.2	12	13.0
TOTAL		100.0		100.0		100.0
N	213	(213)	349	(349)	92	(92)
<u>Parole</u>						
Should be allowed	37	21.4	102	27.8	59	35.5
Should not be allowed	107	61.8	200	54.5	71	42.8
Can't say	29	16.8	62	16.9	35	21.1
No answer	0		3	0.8	1	0.6
TOTAL		100.0		100.0		100.0
N	173	(173)	367	(367)	166	(166)
<u>Discipline in schools</u>						
<u>1974 (CIPO 364)</u>						
Too strict	5	1.8	28	5.0	12	6.1
About right	60	21.9	136	24.2	43	21.9
Not strict enough	158	57.7	317	56.4	102	52.0
Can't say	51	18.6	81	14.4	39	19.9
TOTAL		100.0		100.0		100.0
N	274	(274)	562	(562)	196	(196)
<u>Mercy killing</u>						
<u>1974 (CIPO 364)</u>						
Should be allowed	137	50.0	322	57.3	106	54.1
Should not be allowed	106	38.7	189	33.6	70	35.7
Qualified	1	0.4	5	0.9	1	0.5
Undecided	30	10.9	46	8.2	19	9.7
TOTAL		100.0		100.0		100.0
N	274	(274)	562	(562)	196	(196)

TABLE 29 (cont'd.). Variations in Attitudes toward Matters Related to the Death Penalty by Education - Canada

	<u>Public school</u> (Grades 1-8)		<u>Secondary or high</u> <u>school (Grades 9-13)</u>		<u>Post-high technical</u> <u>and university</u>	
<u>More crime than 5 years ago</u>						
<u>1972 (CIPO 354)</u>						
More crime	128	69.2	238	61.3	84	59.6
No more crime	41	22.2	111	28.6	32	22.7
Undecided	16	8.6	39	10.1	25	17.7
TOTAL		100.0		100.0		100.0
N	185	(185)	388	(388)	141	(141)
<u>More violence here and</u> <u>around the world</u>						
<u>1974 (CIPO 364)</u>						
Yes	195	93.7	484	84.6	174	79.1
No	7	3.4	72	12.6	37	16.8
Don't know	6	2.9	16	2.8	8	3.6
No answer	0		0		1	0.5
TOTAL		100.0		100.0		100.0
N	208	(208)	572	(572)	220	(220)

TABLE 34. Variations in Public Opinion on the Death Penalty by Political Preference - Canada

<u>Should C.P. be abolished?</u>	<u>Liberal</u>	<u>P.C.</u>	<u>N.D.P.</u>	<u>Social Credit</u>	<u>Other (including refused & undecided)</u>	
<u>1965</u>						
Yes	39.4%	27.2%	44.1%	29.5%	34.5%	
No	53.8%	64.0%	49.2%	61.4%	53.9%	
No opinion	6.7%	8.8%	6.8%	9.1%	11.6%	
No answer						
Total	100.0%	100.0%	100.0%	100.0%	100.0%	
N	(208)	(136)	(59)	(44)	(284)	
	<u>Liberal</u>	<u>P.C.</u>	<u>N.D.P.</u>	<u>Social Credit</u>	<u>Creditistes</u>	<u>Other (including refused & undecided)</u>
<u>How would you vote on C.P.?</u>						
<u>1966</u>						
Abolish	35.8%	40.9%	45.8%	44.4%	12.5%	33.0%
Retain	53.5%	52.2%	46.9%	50.0%	87.5%	53.7%
No opinion	5.3%	3.5%	6.3%	0.0%	0.0%	10.3%
Qualified	5.3%	3.5%	1.0%	5.6%	0.0%	3.0%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
N	(226)	(115)	(96)	(18)	(8)	(194)

TABLE 34. Variations in Public Opinion on the Death Penalty by Political Preference in Canada

	<u>Liberal</u>	<u>P.C.</u>	<u>C.C.F.</u>	<u>Social Credit</u>	<u>Other (including no answer, refused and undecided)</u>
<u>Capital Punishment</u>					
<u>1958 (CIPO 268)</u>					
Should be abolished	35.7%	32.0%	41.1%	33.3%	33.8%
Should not be abolished	54.0%	53.4%	46.6%	55.6%	44.8%
No opinion	10.3%	14.6%	12.3%	11.1%	20.5%
No answer	0.0%	0.0%	0.0%	0.0%	1.0%
Total	100.0%	100.0%	100.0%	100.0%	100.0%
N.	(272)	(637)	(73)	(9)	(210)
<u>1960 (CIPO 280)</u>					
Should be abolished	42.1%	42.3%	36.1%	55.6%	38.1%
Should not be abolished	48.0%	53.4%	61.1%	38.9%	49.5%
Don't know	9.9%	4.3%	2.8%	5.6%	12.3%
Total	100.0%	100.0%	100.0%	100.0%	100.0%
N	(171)	(234)	(36)	(18)	(220)

TABLE 30. Punishment for Murder by Years of Schooling (Quebec, 1968)

	<u>0 - 7 years</u>	<u>8 - 12 years</u>	<u>13 years +</u>	<u>Average for Quebec</u>
Death penalty	52.9%	40.5%	40.1%	44.0%
Life sentence	35.7%	51.2%	47.7%	45.8%
Term imprisonment	10.3%	7.6%	10.6%	8.9%
Fine	0.3%	0.0%	0.0%	0.1%
Don't know	0.8%	0.8%	1.6%	1.2%
TOTAL	100.0%	100.0%	100.0%	100.0%

$\chi^2 = 14.06$ $P < .05$ for 6 degrees of freedom.

TABLE 31. Variations in Public Opinion on the Death Penalty by Education - U.S.A.

Gallup Polls

		<u>The death penalty</u>		
		<u>College</u>	<u>High School</u>	<u>Grade School</u>
1966 (June)	Favor	46%	41%	42%
	Oppose	46%	48%	46%
	No opinion	8%	11%	12%
1969 (Feb.)	Favor	52%	52%	48%
	Oppose	43%	38%	42%
	No opinion	5%	10%	10%
1972 (March)	Favor	48%	51%	50%
	Oppose	47%	39%	40%
	No opinion	5%	10%	10%
1972 (Nov.- Dec.)	Favor	57%	60%	49%
	Oppose	36%	29%	34%
	No opinion	7%	11%	17%
1974 (Oct.)	Favor	59%	65%	67%
	Oppose	41%	35%	33%
	No opinion	-	-	-

Louis Harris Poll

		<u>College</u>	<u>High School</u>	<u>8th Grade or Less</u>
1973 (June)	Favor	32%	37%	36%
	Oppose	59%	45%	40%
	Don't know	9%	18%	24%

TABLE 32. Variations in Public Opinion on the Death Penalty in the Province of Quebec by Occupation (1968)

	<u>Quebecers</u>	<u>Montrealers</u>	<u>Montreal policemen</u>	<u>Defense lawyers</u>	<u>Prosecutors</u>
<u>Death penalty</u>					
For	52.5%	48.4%	89.8%	15.8%	58.5%
Against	46.5%	51.1%	8.6%	82.7%	41.5%
No opinion	1.0%	0.5%	1.6%	1.5%	0.0%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%

TABLE 33. Variations in Public Opinion on the Death Penalty by Occupation - U.S.A.

Gallup Polls

		<u>The death penalty</u>					
		<u>Prof. & Bus.</u>	<u>White Collar</u>	<u>Farmers</u>	<u>Manual Workers</u>		
1966 (June)	Favor	43%	57%	40%	40%		
	Oppose	48%	30%	44%	50%		
	No opinion	9%	13%	16%	10%		
1969 (Feb.)	Favor	48%	54%	50%	51%		
	Oppose	44%	39%	41%	41%		
	No opinion	8%	7%	9%	8%		
1972 (March)	Favor	51%	48%	46%	48%		
	Oppose	44%	40%	40%	43%		
	No opinion	5%	12%	14%	9%		
1972 (Nov.- Dec.)	Favor	<u>55%</u>		<u>Clerical & Sales</u> 66%	<u>Farmers</u> 49%	<u>Manual Workers</u> 59%	
	Oppose	34%		25%	40%	31%	
	No opinion	11%		9%	11%	10%	
1974 (Oct.)	Favor	<u>62%</u>		<u>Clerical & Sales</u> 64%		<u>Manual Workers</u> 64%	<u>Non-Labor Force</u> 68%
	Oppose	38%		36%		36%	32%
	No opinion	-		-		-	-

	<u>Liberal</u>	<u>P.C.</u>	<u>N.D.P.</u>	<u>Soc.Cr.</u>	<u>Creditistes</u>	<u>Other(Including refused & undeci</u>
<u>Should C.P. be brought back?</u>						
<u>1971</u>						
No	31.2%	25.0%	52.9%	14.3%	0.0%	64.4%
Yes	62.9%	66.7%	43.7%	78.6%	100.0%	27.1%
Undecided	5.9%	8.3%	3.4%	7.1%	0.0%	8.5%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
N	(202)	(156)	(87)	(14)	(15)	(247)

TABLE 35. Variations in Attitude to Matters Related to the Death Penalty by Political Preference in Canada

	<u>Liberal</u>	<u>P.C.</u>	<u>N.D.P.</u>	<u>Social Credit</u>	<u>Creditistes</u>	<u>Other (Including refus and undecided)</u>
<u>Sentences by the Courts</u>						
1966 (CIPO 317)						
Too harsh	7.1%	6.1%	10.4%	5.6%	0.0%	5.7%
About right	28.8%	26.1%	36.5%	33.3%	25.0%	28.4%
Not harsh enough	44.2%	47.0%	33.3%	50.0%	75.0%	41.2%
No opinion	9.3%	10.4%	4.2%	0.0%	0.0%	12.9%
Qualified	10.6%	10.4%	15.6%	11.1%	0.0%	11.9%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
N	(226)	(115)	(96)	(18)	(8)	(194)
<u>Parole</u>						
1973 (CIPO 358)						
Should be allowed	29.1%	24.7%	34.0%	20.0%	25.0%	27.4%
Should not be allowed	53.6%	54.8%	47.4%	80.0%	68.8%	51.8%
Can't say	16.3%	20.5%	17.5%	0.0%	6.3%	20.4%
No answer	1.0%	0.0%	1.0%	0.0%	0.0%	0.4%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
N	(196)	(146)	(97)	(15)	(32)	(226)

TABLE 35. Variations in Attitude to Matters Related to the Death Penalty by Political Preference in Canada

	<u>Liberal</u>	<u>P.C.</u>	<u>N.D.P.</u>	<u>Social Credit</u>	<u>Creditistes</u>	<u>Other (Including refused and undecided)</u>
<u>Discipline in Schools</u>						
1974 (CIPO 364)						
Too strict	3.0%	2.6%	8.7%	0.0%	0.0%	5.8%
About right	22.9%	23.6%	21.7%	9.1%	17.6%	24.7%
Not strict enough	59.8%	61.6%	46.1%	86.4%	52.9%	48.8%
Can't say	14.3%	12.2%	23.5%	4.5%	29.4%	20.7%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
N	(336)	(229)	(115)	(22)	(17)	(328)

TABLE 36. Variations in Public Opinion on the Death Penalty by Political Affiliation - U.S.A.

Gallup Polls

<u>The death penalty</u>		<u>Republican</u>	<u>Democrat</u>	<u>Independent</u>
1966 (June)	Favor	51%	39%	41%
	Oppose	40%	51%	48%
	No opinion	9%	10%	11%
1969 (Feb.)	Favor	55%	50%	50%
	Oppose	36%	40%	43%
	No opinion	9%	10%	7%
1972 (March)	Favor	59%	49%	44%
	Oppose	29%	44%	48%
	No opinion	12%	7%	8%
1972 (Nov.- Dec.)	Favor	62%	51%	59%
	Oppose	29%	37%	30%
	No opinion	9%	12%	11%
1974 (Oct.)	Favor	72%	61%	61%
	Oppose	28%	39%	39%
	No opinion	-	-	-

The Ohio Poll

1974 (May)	Favor	80%	64%	77%
	Oppose	14%	26%	16%
	Don't know	6%	10%	7%

TABLE 38. Variations in Public Opinion in Canada on the Death Penalty

<u>Best sentence for convicted murderers</u>			<u>Why should the death penalty be broughtback (63%)</u>		
1947	Death penalty	68%	1972	Deterrence	64%
	Imprisonment	23%		Retributive (simple justice)	14%
	No opinion	9%		Incapacitation (prevent recidivism)	7%
1956	Death sentence for both sexes	51%		Economical (avoiding paying costs of keeping murderers in prison)	4%
	Death sentence for men only	4%		Other reasons	4%
	Life imprisonment	36%		Can't say why	8%
	No opinion	9%		(some gave more than one reason)	101%
1964	Death penalty for both sexes	46%	<u>Why the death penalty should not be brought back (30%)</u>		
	Death penalty for men only	2%	1972	Should never take life...	46%
	Life imprisonment	45%		Life sentence is punishment enough	24%
	No opinion	7%		Situation o.k. as it is, death penalty is not a deterrent	13%
1953	<u>Method of execution</u>			Other reasons	3%
	Continue to hang	39%		Can't say why	14%
	Some other method	45%			100%
	Undecided	16%			

Source: The Gallup Poll of Canada and The Gallup Report.

MINISTRY OF THE ATTORNEY GENERAL
 340 LAURIER AVE. WEST
 OTTAWA, ONTARIO

TABLE 37. Regional Variations in the Degree of Fear of Crime - Canada

Fear of crime	Farm	Rural, non-farm (under 1,000 pop.)	Population Size					N
			1,000-10,000	10,000-30,000	30,000-100,000	100,000-500,000	Over 500,000	
<u>1970</u>								
Afraid	16.1	17.7	14.9	43.5	27.7	41.4	32.6	
Not afraid	79.0	78.8	77.0	50.0	64.6	53.4	64.8	
Not sure	4.8	3.5	8.1	6.5	7.7	5.3	2.6	
N	62	113	74	46	65	133	227	
<u>1974</u>								
Afraid	26.6	27.5	36.3	33.0	39.8	33.3	45.8	
Not afraid	73.4	71.3	63.7	66.0	60.2	66.7	53.9	
Not sure	0.0	1.1	0.0	1.1	0.0	0.0	0.3	
N	64	178	124	94	88	177	345	
$\chi^2 = 28.60640$		Df 12		Significance = 0.0045				

LIBRARY
MINISTRY OF THE SOLICITOR
GENERAL
NOV 3 1982
BIBLIOTHÈQUE
MINISTÈRE DU SOLICITEUR GÉNÉRAL

SOL GEN CANADA LIB/BIBLIO



0000019148

Date Due

MAR 9 '84	96/16		
APR 08 '84	96/22		
OCT 22 '84	MAR - 5	1996	
APR 1990	13. MAY	03	
APR 1990	15. "03	27	
FEB 2 1990			
98 APR 08			
98 MAY 08			
04. APR 03			
05. MAY 03			

HV Fattah, Ezzat A.
8699
.C2 The Canadian Public
F3c and the death penalty
1976 a study of a social
c.2 attitude.

