



Crime and punishment: Public perception, judgment and opinion



Penal Reform International (PRI)
SATIO Group of Companies, Department of Sociological and Marketing Research

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Research methodology

Research period: April 2013 – June 2013

Methods of research:

- Quantitative research: personal interviews at respondents' homes
- Qualitative research: focus group discussions

Quantitative research size: 1,100 interviews. Error margin does not exceed 2.8%.

Qualitative research size: 6 focus groups, involving 55 participants total.

Characteristics of quantitative research population: multi-stage sampling, stratified at the first stage in proportion to the structure of population aged 18 to 75, residing in the target areas of the study; at the second stage selected randomly using route sampling method.

Characteristics of qualitative research population: participants selected at random. Focus group participants included both supporters and opponents of capital punishment. Three focus groups were conducted with respondents aged 18 to 39, and three focus groups with respondents aged 40 to 60.

Quantitative research locations: Minsk, regional cities, district towns, villages.

Qualitative research locations: Minsk (Central region), Mogilev (Eastern region), Lida (Western region).

Table 1: Quantitative research population, disaggregated by age, gender and location

Number of respondents									
	Men				Women				Total
	18-29	30-44	45-60	61 and older	18-29	30-44	45-60	61 and older	
Minsk	29	25	26	19	32	29	32	25	216
Minsk region	20	22	24	12	16	23	26	19	164
Brest	8	7	7	4	7	8	9	5	55
Brest region	10	15	15	8	10	17	18	15	107
Vitebsk	7	7	7	5	9	8	9	8	59
Vitebsk region	10	11	12	7	7	11	12	12	82
Gomel	11	10	10	6	12	12	13	10	84
Gomel region	9	11	12	6	7	12	14	10	81
Grodno	7	7	7	4	9	8	8	6	56
Grodno region	6	9	12	6	4	11	11	10	67
Mogilev	7	7	6	4	10	10	8	7	59
Mogilev region	7	10	10	6	6	10	12	10	69
Total	131	139	149	86	129	158	173	136	1100

Table 2: Qualitative research focus group composition

City	Age	Number of participants	Gender (m/f)	Support capital punishment	Oppose capital punishment
Minsk	18-39	8	4/4	4	4
Minsk	40-60	9	4/5	7	2
Mogilev	18-39	8	4/4	5	3
Mogilev	40-60	10	5/5	10	0
Lida	18-39	10	5/5	6	4
Lida	40-60	10	4/6	8	2

The goal of the research was to get a clear and comprehensive picture of public opinion regarding capital punishment and its alternatives (life imprisonment) in the light of Belarus's possible entry into the Council of Europe.

Objectives:

- Identify public attitudes in Belarus regarding the efficiency of other forms of punishment (long sentences, life sentence, punishment without isolation).
- Identify public opinion in Belarus regarding a possible moratorium on sentencing and execution of capital punishment, or its complete abolition.
- Discover arguments used in Belarus regarding the abolition of capital punishment or implementation of a moratorium, and arguments used regarding the presence of death sentences in law in Belarus.
- Discover in which conditions the population in Belarus would support the abolition of capital punishment or imposition of a moratorium.
- Identify how safe and protected people feel today, when national legislation includes capital punishment, and how people's perceptions would change in the absence of capital punishment.
- Discover people's understanding of the purpose of death sentences and whether this form of punishment affects the crime rate (up or down).
- Discover people's opinions about judicial errors.
- Identify the values held by different population groups, including their attitude towards religion and their use of religious ethical norms in everyday life.

Executive summary

The research was conducted by the Department for Sociological and Marketing Research of the SATIO Group of Companies (Minsk). The research was commissioned by Penal Reform International as part of its project 'Towards abolition of the death penalty in Belarus Republic', implemented with the financial support of the European Union.

This report is based on the results of personal interviews with 1,100 residents of Belarus aged 18 to 75, conducted in April-May 2013, as well as the results of thematic focus groups.

The research focused on public opinion regarding various aspects of criminal justice, including the fairness of punishment, public confidence in the penal system and attitudes towards offenders. It included a particular focus on public awareness and opinions regarding the death penalty and its alternatives.

The research showed that public opinion about capital punishment, among both supporters and opponents, was divided. When asked directly about death penalty abolition, more than half of respondents (63.8%) said they supported capital punishment. However, there was also wide support for alternative measures (including life sentences and a moratorium on executions). Opinions about capital punishment varied greatly depending on the respondents' age and religious beliefs.

Among the 36.5% dedicated supporters of death sentences, the main reason for this belief was that death is an appropriate response to serious offending. An additional reason was people's concerns about their personal safety: this argument was particularly common among women, older people and those living in provinces.

31.0% of respondents, the proportion opposed to capital punishment, justified their position by citing the value of human life. Those advocating for a moratorium on the use of capital punishment (12.4%) explained their position by referring to the imperfections of the judicial system and the risk of judicial error.

When studying Belarusians' attitudes towards criminal punishment in general, a majority (73.5%) were concerned about judicial errors and agreed with the statement 'It is worse to convict an innocent person than to let a guilty person evade punishment'. Just 9.7% of respondents disagreed. People who strongly supported the death penalty believed judicial errors were rare or non-existent and felt that 'people must trust judges' – effectively saying that the judicial system must be trusted by definition.

Interestingly, both opponents and supporters of capital punishment based their opinions on their perception of the criminal justice system in Belarus in general. Capital punishment advocates considered the current penal system to be either appropriate or too soft; they were less supportive of ex-offenders and less willing to involve themselves in the reintegration of people with past convictions. Opponents of capital punishment stated that the prison system in its current state is inadequate: they believed judicial errors (primarily the risk of convicting an innocent person) are not only possible but actually happen fairly often. They were more sympathetic towards ex-prisoners and more willing to take part in the reintegration of people with past convictions.

Despite the high proportion of capital punishment supporters, there was a significant level of ignorance regarding the current situation. 32.8% of respondents had a false belief about the status of the death penalty, with 9.7% believing that capital punishment has been abolished, 7.1% saying that death sentences have not been passed for many years and 5.5% asserting that the country has implemented a moratorium on capital punishment. A further 10.5% could not answer when asked about the status of the death penalty in Belarus.

Most respondents also felt that the issue is not adequately covered in the Belarusian national media: only 5.9% thought that it was. Respondents stated that there was an insufficient level of information about the implementation of the death penalty, compounded by unwillingness to learn about it. The general assumption was that any evaluation of the judicial process required specialist knowledge and that a layperson's assessment was inadequate.

1. Public opinion about capital punishment

1.1. Public awareness of capital punishment

People's awareness about the application of capital punishment

Respondents were asked about the current situation regarding capital punishment in Belarus. Most respondents (67.2%) said that capital punishment was allowed and used in Belarus; 9.7% said capital punishment had been abolished, 7.1% that capital punishment had not been used for many years, 5.5% that the country had enacted a moratorium on capital punishment, and 10.5% could not answer the question (Figure 1).

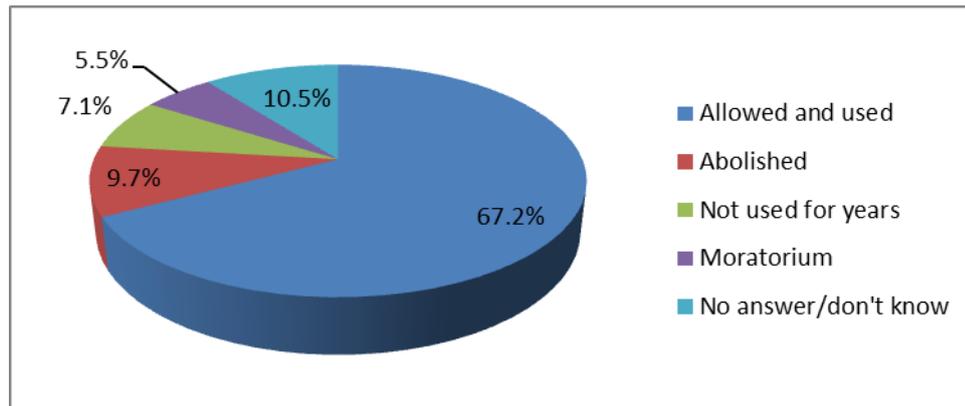


Figure 1: Public awareness about the application of capital punishment in the Republic of Belarus (%; n=1100)

Accurate beliefs about capital punishment correlated to the following social and demographic characteristics of the population:

- Financial situation
- Place of residence

Greatest awareness of the actual situation was shown by the most affluent people, as seen in Figure 2.

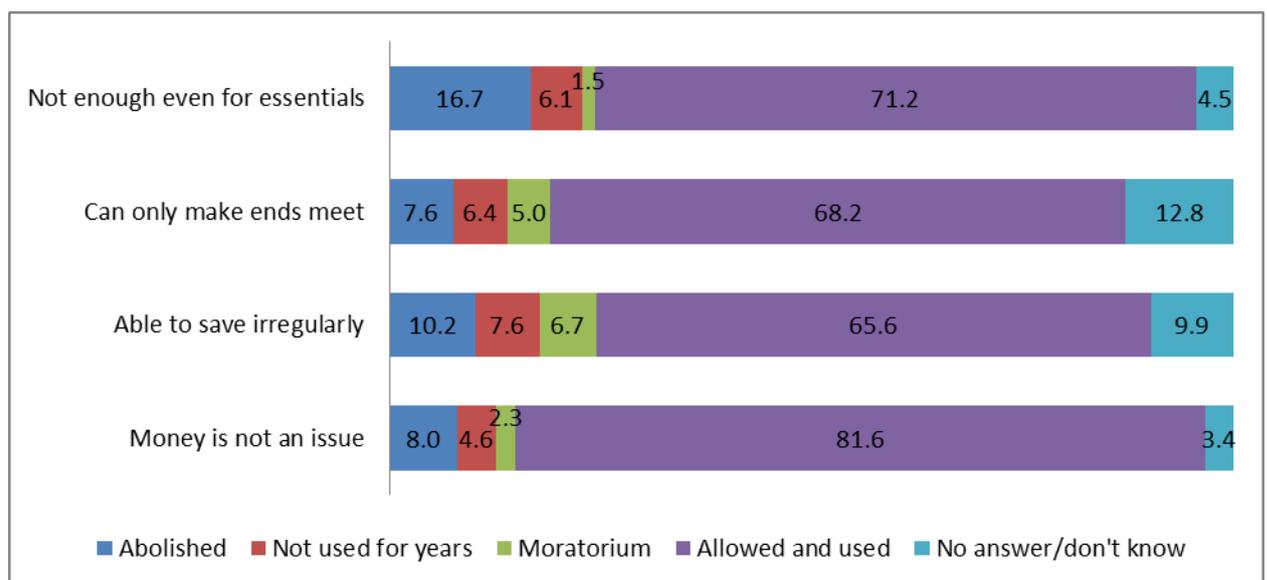


Figure 2: Awareness about use of capital punishment in Belarus by Financial situation (%; n=1100)

Interestingly, accurate knowledge was less common among residents of the capital than in the provinces. It was highest among residents of small towns, though residents of villages and regional cities scored similarly (see Figure 3).

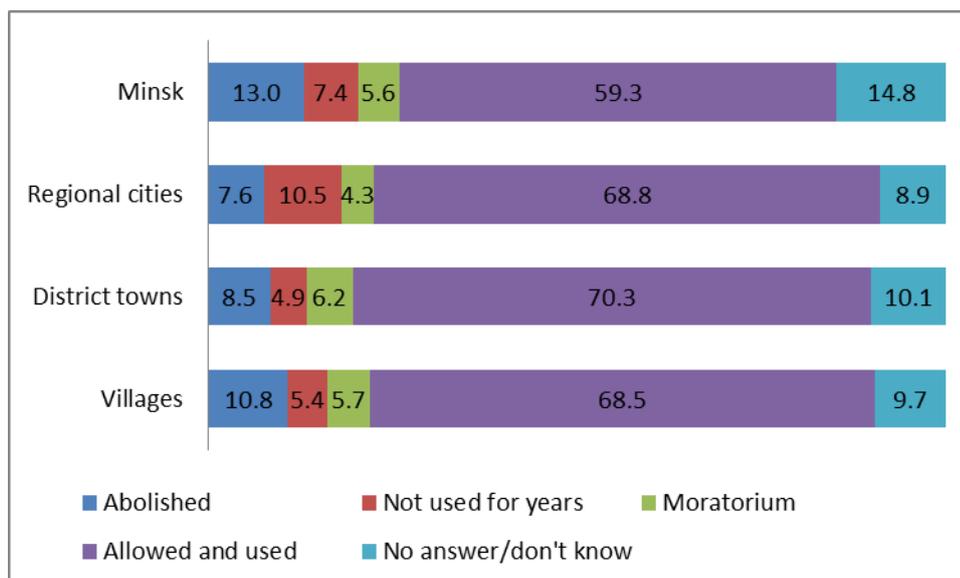


Figure 3: Awareness about use of capital punishment in Belarus by residence (%; n=1100)

Correct understanding of the use of the death penalty varied according to certain social and demographic factors, with some showing a small variation and others a much larger impact on understanding:

- **Gender:** 63.7% of women and 71.3% of men believed correctly that the death penalty was allowed and used.
- **Age:** over 60% of each age group correctly understood the situation regarding the death penalty.
- **Education level:** more than 50% of respondents at each educational level had a correct understanding of the situation: 55.9% of those who had completed secondary education, 58.5% of those with an incomplete higher education and 73.9% of those who had completed higher education.
- **Religious beliefs:** the most aware were atheists, with 77.3% correct, followed by regular church attenders with 72.3%, believers who do not follow religious commandments and practices with 69.9% and finally believers who also fast with 67.1%.¹
- **Aggression:** 21.4% of those who showed aggression frequently had an inaccurate understanding of the status of the death penalty in Belarus, compared to 13.1% of those who demonstrated aggression from time to time and 7.3% of those who never showed aggression. Between 64.3% and 71.4% of the population had a correct understanding of the status of the death penalty, depending on their degree of aggression.²

¹ The identified level of religious beliefs was based on respondents' answers to questions about belief in God and following religious commandments/practices (such as fasting, visiting holy places etc.). As a result, four groups were identified – those who do not believe and do not follow religious commandments/practices (an 'atheistic' group); those who believe but do not follow commandments; those who believe and fast; those who believe and regularly attend church.

² Degree of aggression was based on the frequency with which respondents showed aggression towards other people: the group that seldom or never showed aggression; the group that showed aggression from time to time; and the group that showed aggression frequently.

1.2. Public attitudes to capital punishment

Belarus remains the only country in Europe and Central Asia that still carries out executions.³ In a 1996 referendum on the death penalty, 80.4% of voters supported the retention of capital punishment.⁴ In March 2012, two people accused of organising a terrorist attack in the Minsk subway in April 2011 were sentenced to death and executed. This case was widely discussed in the media and contributed to calls by international and intergovernmental organisations (including the UN, the Council of Europe, the European Union and Amnesty International) for Belarus to abolish the death penalty.

Public attitudes to capital punishment

Seventeen years after the death penalty referendum, our researchers asked respondents about their opinions regarding capital punishment. Over half of respondents (63.8%) stated their support for the death penalty, 36.5% unconditionally and 27.3% in certain conditions (see Figure 4). 31.0% of respondents were opposed to capital punishment.

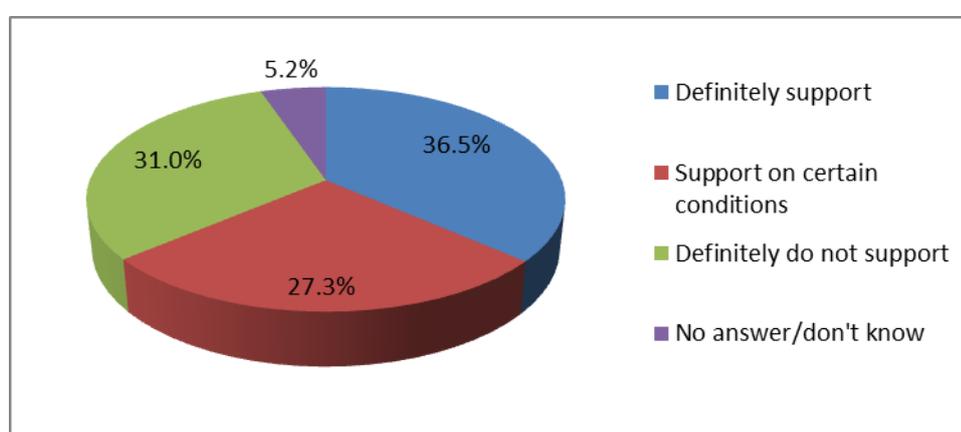


Figure 4: Opinions about capital punishment (%; n=1100)

Significant variations in attitude were identified according to respondents' age, place of residence and religiosity (both in terms of following religious commandments and in terms of general beliefs).⁵

The proportion of respondents supporting capital punishment grew with age, as shown in Figure 5.

³ Amnesty International, *Amnesty International report 2012: Human rights in a modern world*, 2012, accessed in Russian 20 May 2013 at http://files.amnesty.org/air12/air_2012_full_ru.pdf.

⁴ 'Belarus to abolish death sentence eventually, experts say', *Interfax website*, 10 October 2012, accessed in Russian 20 May 2013 at <http://www.interfax.by/news/belarus/118240>.

⁵ Religious level is based on respondents' belief in God, and whether they follow or ignore religious commandments and practices, including the Ten Commandments.

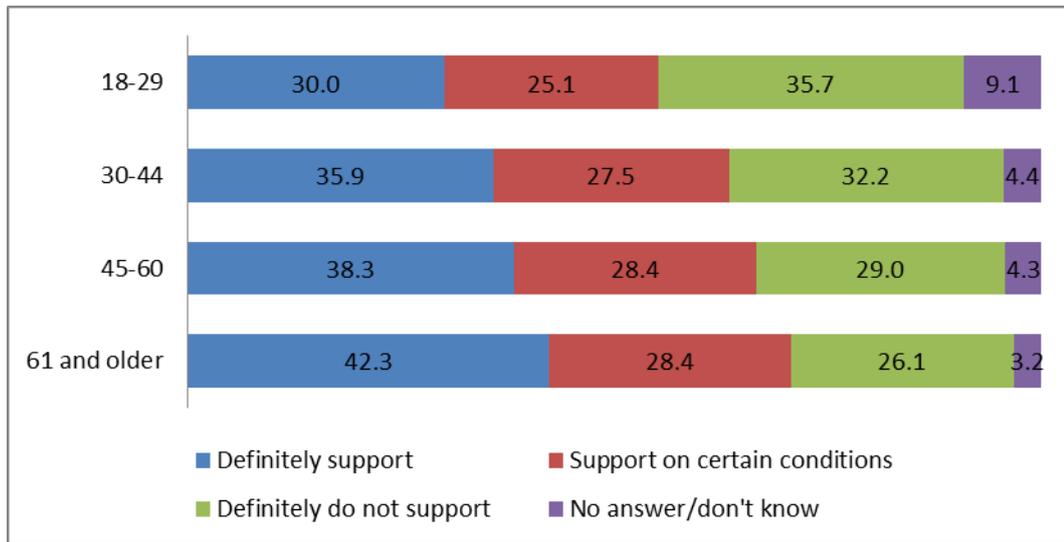


Figure 5: Opinions regarding capital punishment by Age (%; n=1100)

Residents of the capital were the least in favour of capital punishment, while district town residents were the most in favour. See Figure 6 for details.

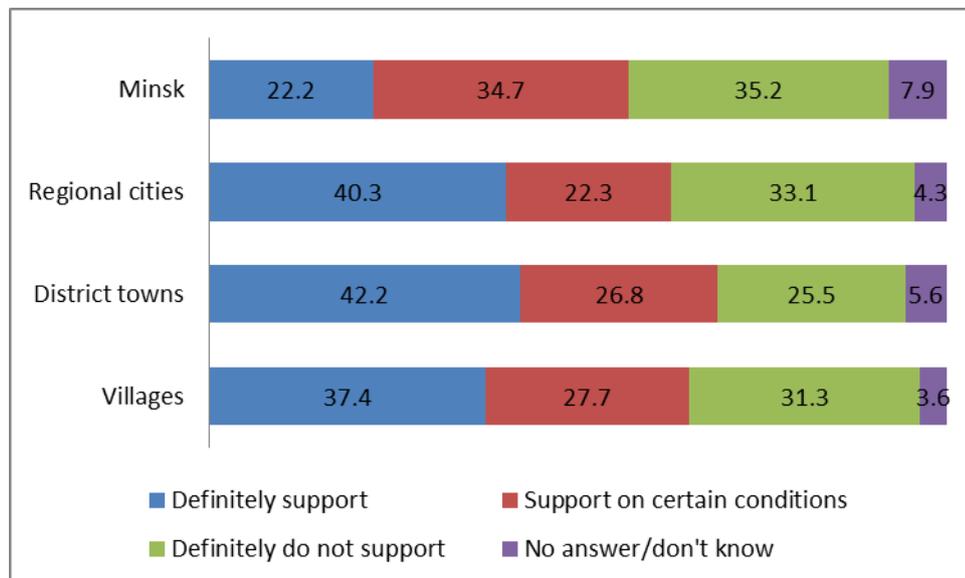


Figure 6: Opinions about capital punishment by Residence (%; n=1100)

Prohibition of murder ('Thou shalt not kill') is one of God's commandments, according to the Abrahamic faiths. Therefore, it is perhaps unsurprising that the percentage of respondents being 'definitely pro' capital punishment was lower among people who followed religious commandments and practices – 33.9% (see Figure 7). However, 65.6% of those who followed religious commandments/practices and 60.7% of non-believers supported the death penalty in at least some cases. To help explain these results, we need to look at respondents' answers concerning the purpose of punishment. Those who followed commandments, compared to atheists, tended to believe that the main purpose of punishment was retribution (43.4% compared to 30.6% for the atheists) or restoring justice (39.1% compared to 30.2%). From this we can surmise that religious supporters of capital punishment believe that justice requires punishment, up to and including by execution.

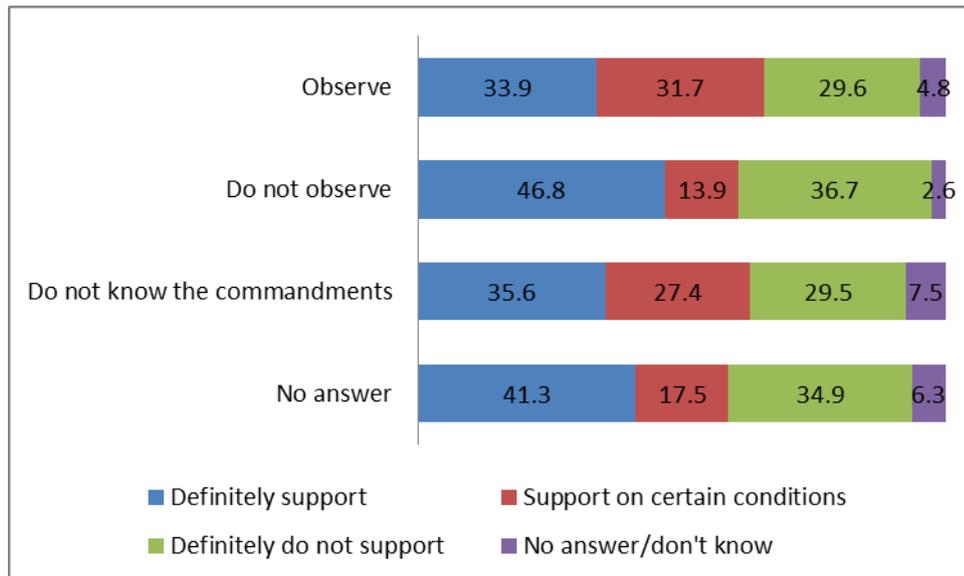


Figure 7: Opinions about capital punishment by Observance of religious commandments (%; n=1100)

A similar trend was observed among those who did and did not believe in an immortal soul. 62.9% of believers were pro-death penalty, compared to the slightly higher 67.6% of non-believers.

The following social and demographic factors seemed to have little impact on attitudes towards capital punishment:

- **Gender:** 62.4% of women and 65.6% of men supported capital punishment.
- **Educational level:** About 60% of respondents at each educational level supported capital punishment.
- **Financial situation:** 55% or more of respondents in each financial group favoured death sentences.

Opinions about the future of capital punishment

When asked about what should happen to capital punishment in the future, more than a third of respondents said it should be retained as it is at present (36.2%). See Figure 8 for details.

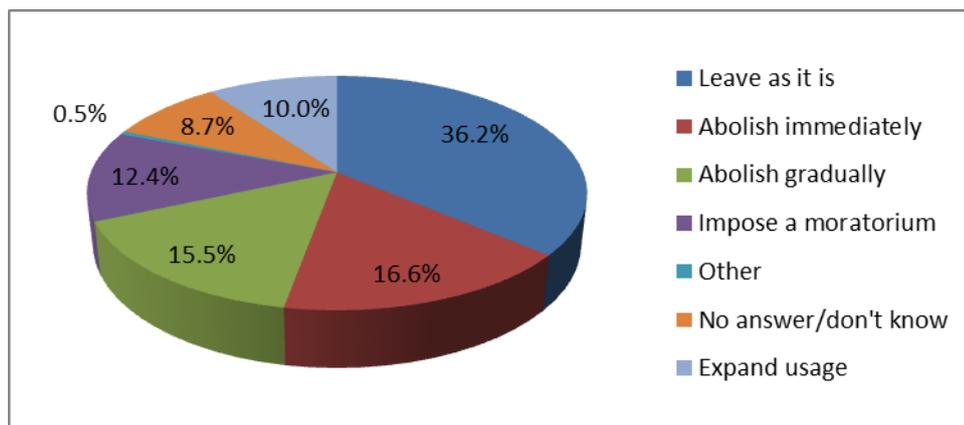


Figure 8: Opinions on future of capital punishment (%; n=1100)

Public opinion regarding what should happen to capital punishment correlated to:

- Place of residence; and
- Religious beliefs (belief in God).

Residents of Minsk were most tolerant on this issue, with a higher proportion supporting immediate abolition than did those living elsewhere. Small town residents were the most keen to maintain the death penalty as it is or to expand it. See Figure 9.

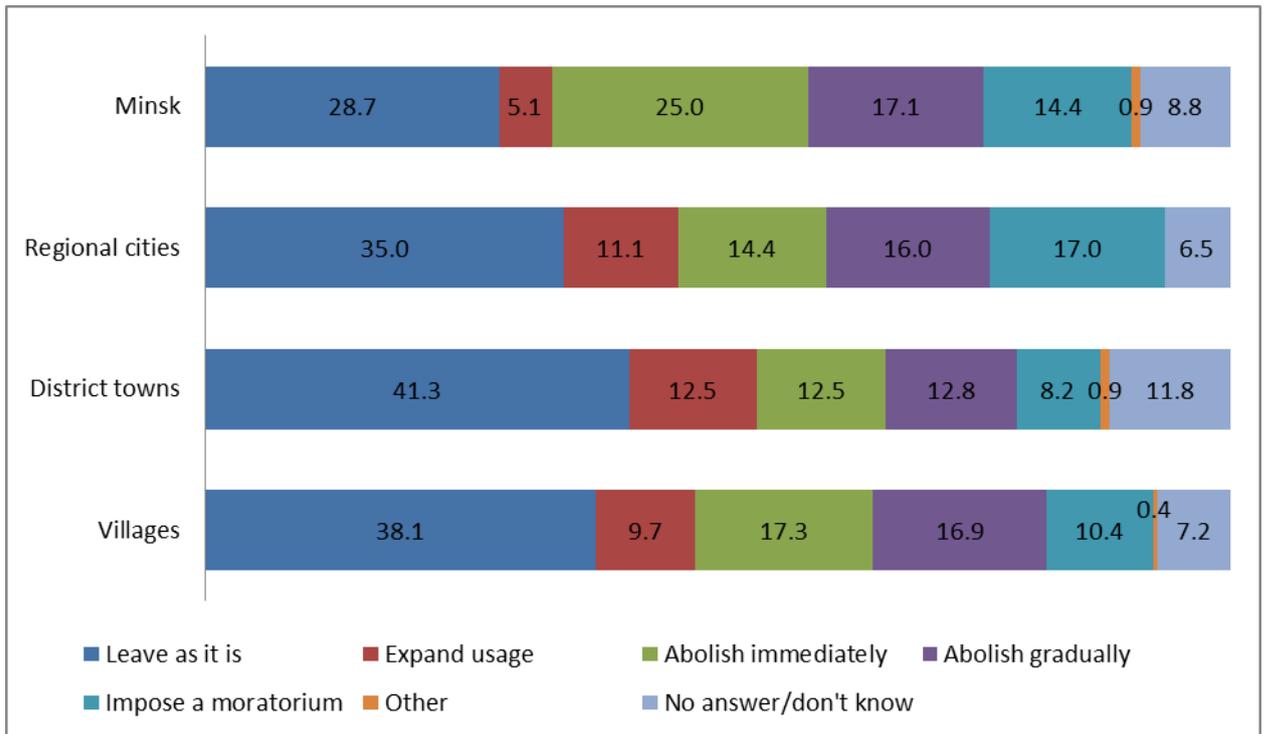


Figure 9: Opinions on future of capital punishment by Residence (%; n=1100)

Atheists were most likely to support immediate abolition, while there was a more even spread of opinions among those believing in God. See Figure 10.

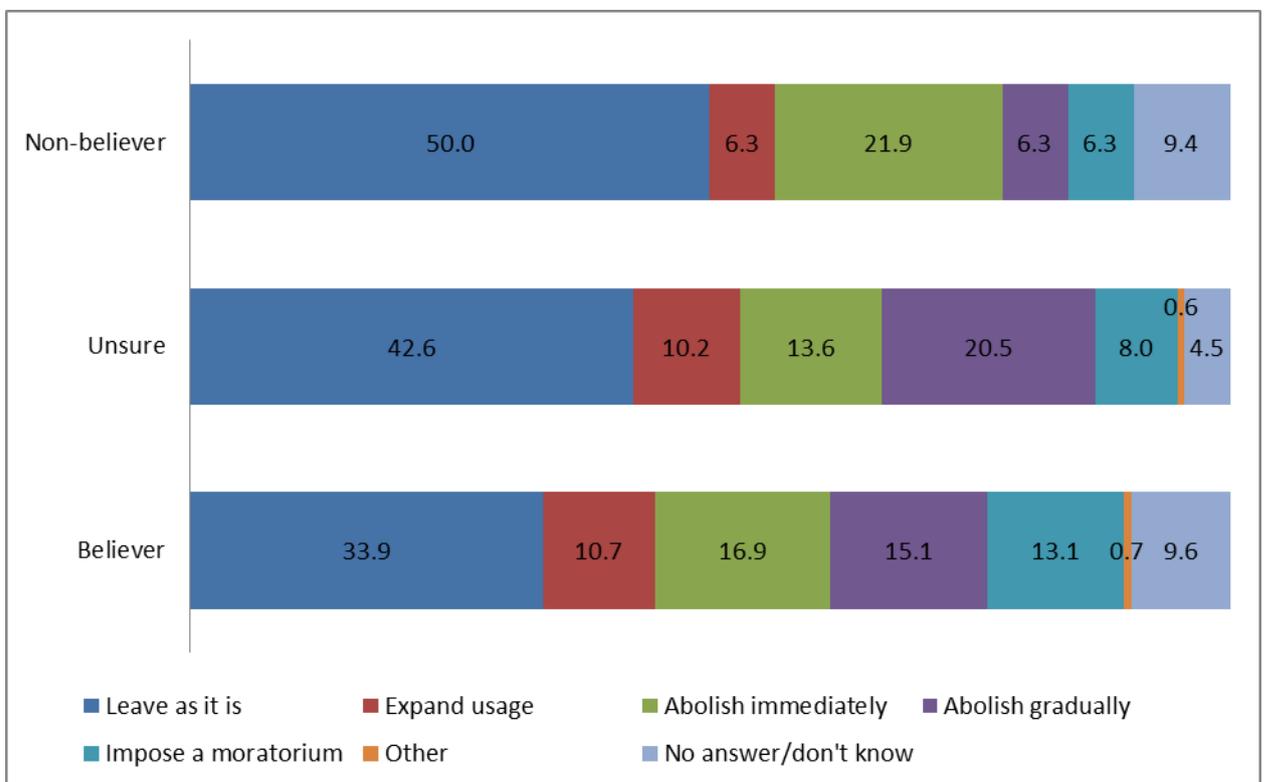


Figure 10: Opinions on future of capital punishment by Belief in God (%; n=1100)

Opinions about the future of capital punishment did not significantly differ according to:

- **Gender:** more than 35% of both male and female respondents were in favour of keeping capital punishment as it is.
- **Age:** those aged 18-29 were less supportive of preserving capital punishment (only 31.6% chose to do so) and among the most supportive of introducing a moratorium (14.4% supported it, compared to 15.2% of 30-44 year-olds, 10.2% of 45-60 year-olds and 9.5% those aged 61+).
- **Financial situation and education level** of respondents. Around 30% of all respondents (classified by education level and by financial situation) supported death penalty retention.

Opinions regarding a moratorium

As shown in Figure 8 above, 12.4% of respondents favoured a moratorium on capital punishment in Belarus. The main reason given for favouring a moratorium was to reduce the possibility of judicial error (72.2%) – see Figure 11. Judicial error was also one of the main arguments in favour of abolishing capital punishment, and focus group participants strongly argued that the judicial system needed to improve irrespective of whether capital punishment was abolished.

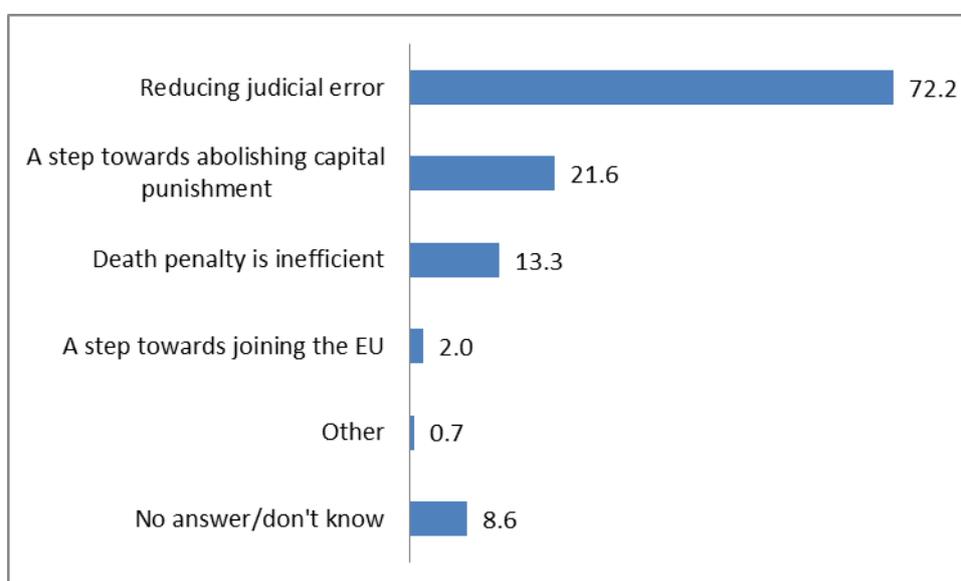


Figure 11: Reasons for supporting a moratorium on capital punishment (multiple answers permitted) (%; n=137)

The reasons given for supporting a moratorium did not differ significantly between different social or demographic groups. For example, 70% of both **male and female** respondents cited risk of judicial error as the primary reason for supporting a moratorium. The second most popular answer, among both men and women, was that it was ‘a step towards full abolition of capital punishment’. The same order of popularity of answers occurred when testing responses by **education** and **financial situation**.

The risk of judicial error was also cited as the main reason for a moratorium by different **age groups**. However, the opinion that a moratorium is a step towards abolition of capital punishment increased with age. See Figure 12.

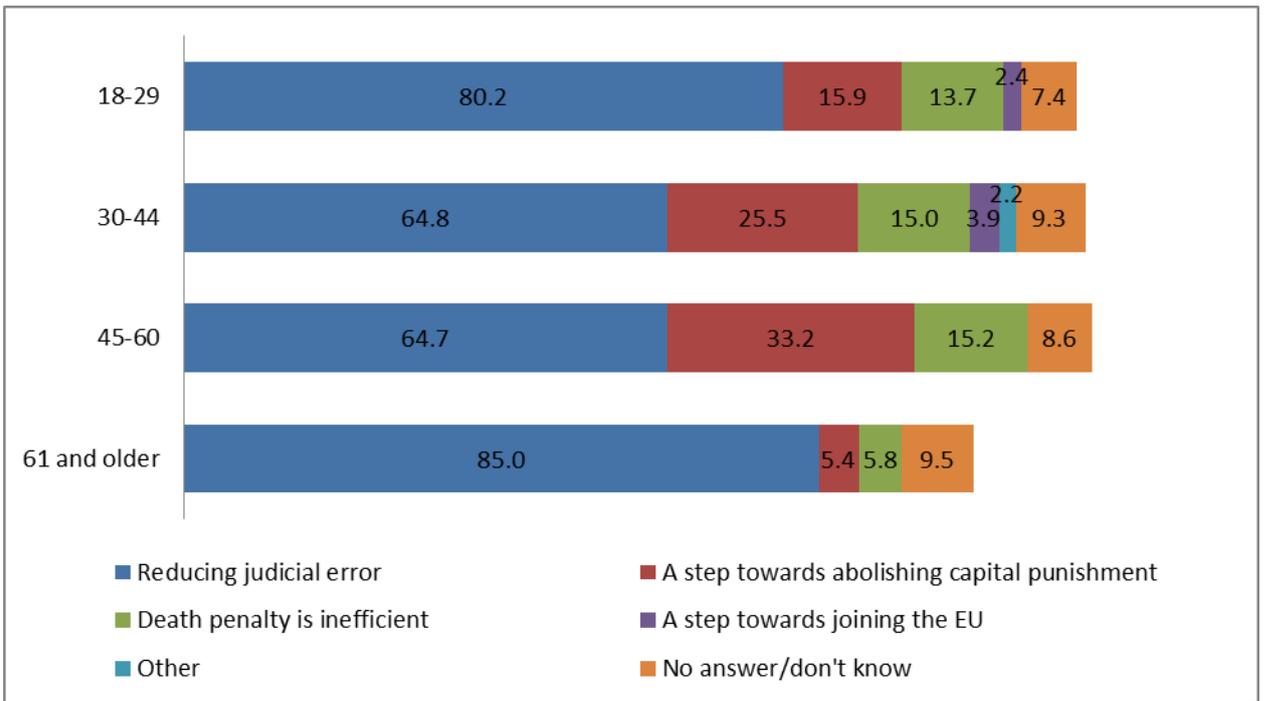


Figure 12: Reasons for support of moratorium on capital punishment by Age (multiple answers permitted) (%; n=137)

Concern about judicial errors was also the major reason for supporting a moratorium among all residence groups. Residents of small towns and (particularly) villages were more likely to feel that a moratorium was a step towards the abolition of capital punishment. The distribution of responses by residence is shown in Figure 13.

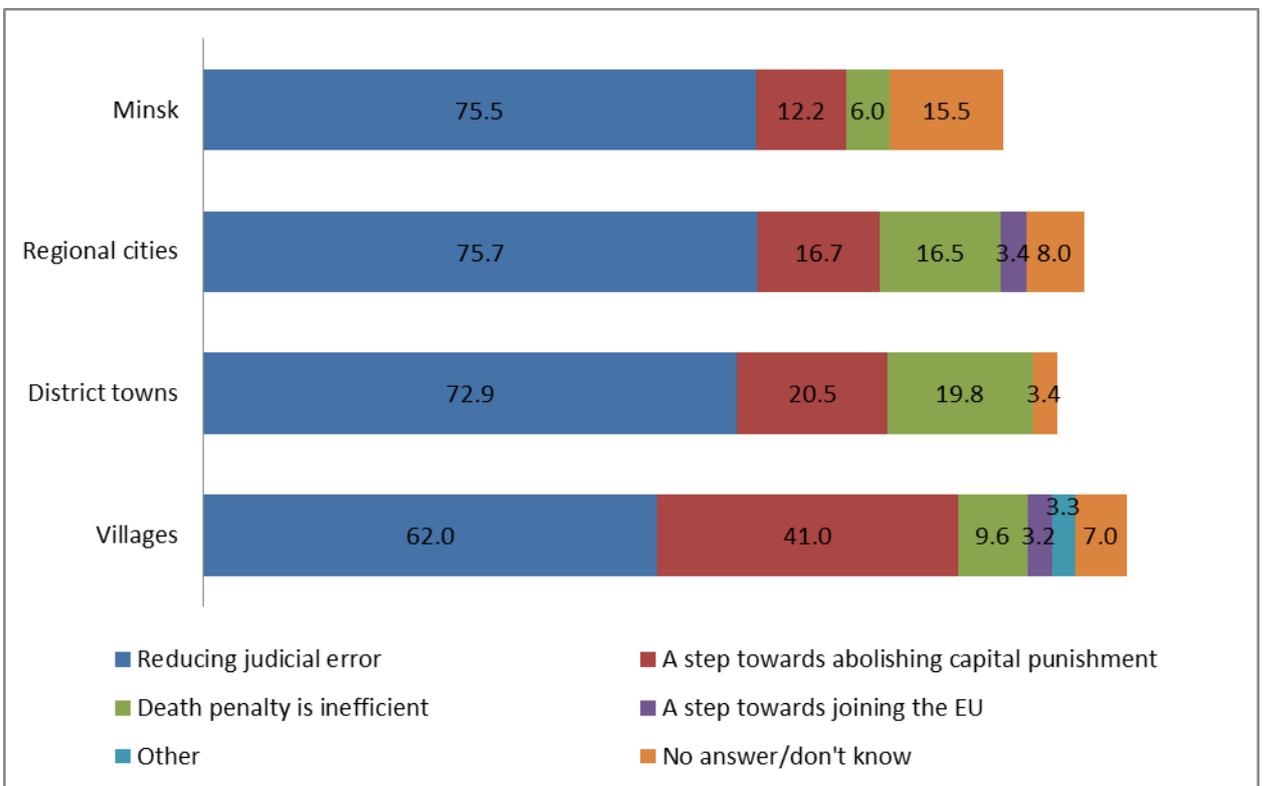


Figure 13: Reasons for support of moratorium on capital punishment by Residence (multiple answers permitted) (%; n=137)

Religious respondents (those believing in God) were more concerned about reducing the risk of judicial error than non-believers, while atheists were more likely to see a moratorium as a step towards joining the EU. See Figure 14.

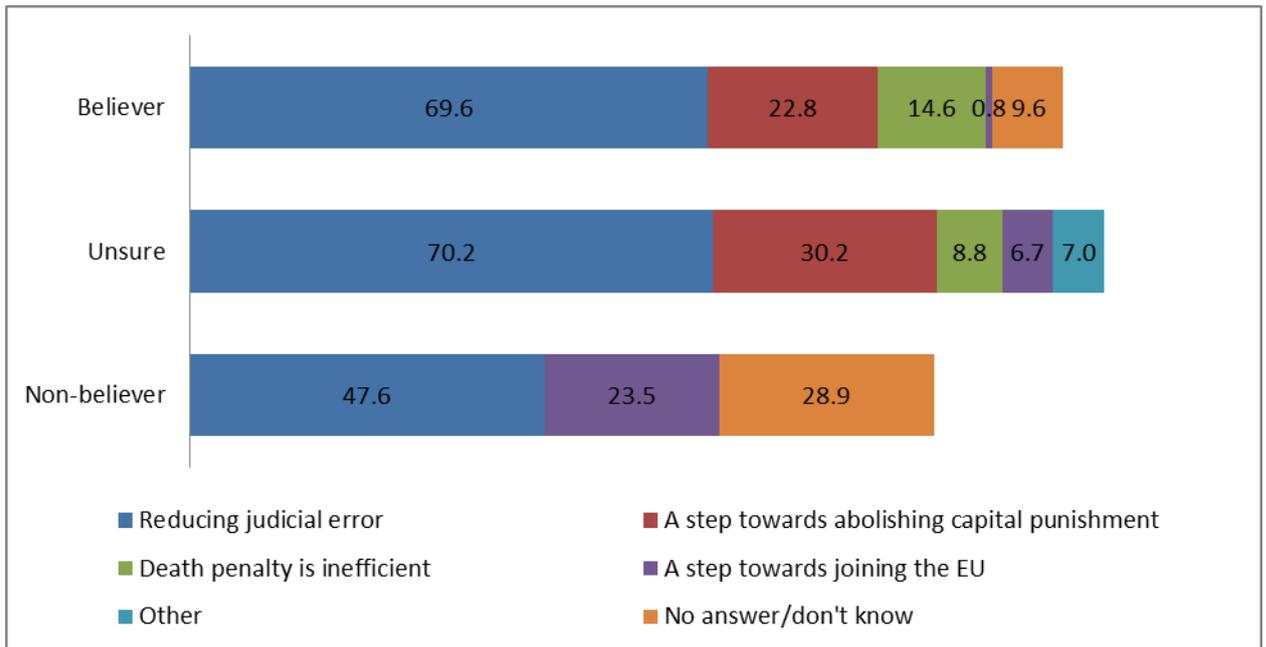


Figure 14: Reasons for support of moratorium on capital punishment by Belief in God (multiple answers permitted) (%; n=137)

1.3. Public attitudes to life sentences

Public awareness about existence and use of life sentences

When asked about the current situation regarding life sentences in Belarus, most respondents (77.0%) correctly answered that it exists and is used regularly (Figure 15).

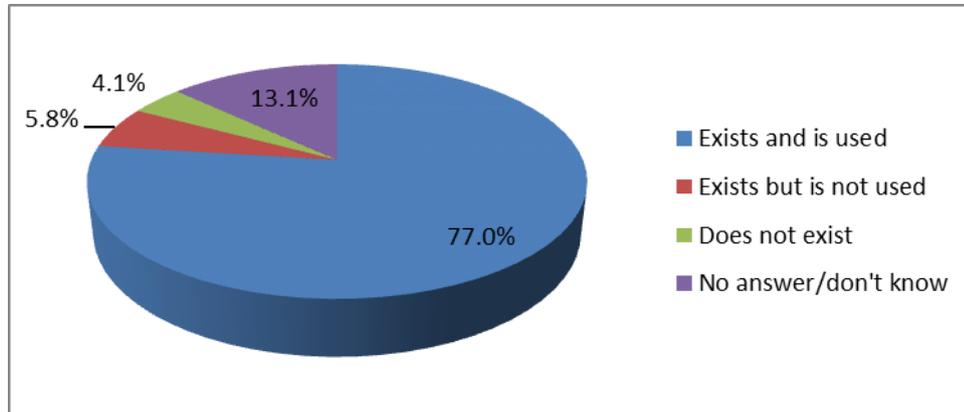


Figure 15: Awareness of use of life sentences in the Republic of Belarus (%; n=1100)

This shows that the majority of the Belarusian population is aware of the situation in the country regarding both capital punishment and life sentences.

Correct awareness of life sentences closely correlates to:

- Place of residence; and
- Religious beliefs.

District town residents had the highest proportion of respondents with accurate knowledge of this issue, though regional city and village residents were close behind. A higher share of Minsk residents gave no answer to this question, which suggests they may be more indifferent to this issue than residents of other areas. The numbers are shown in Figure 16.

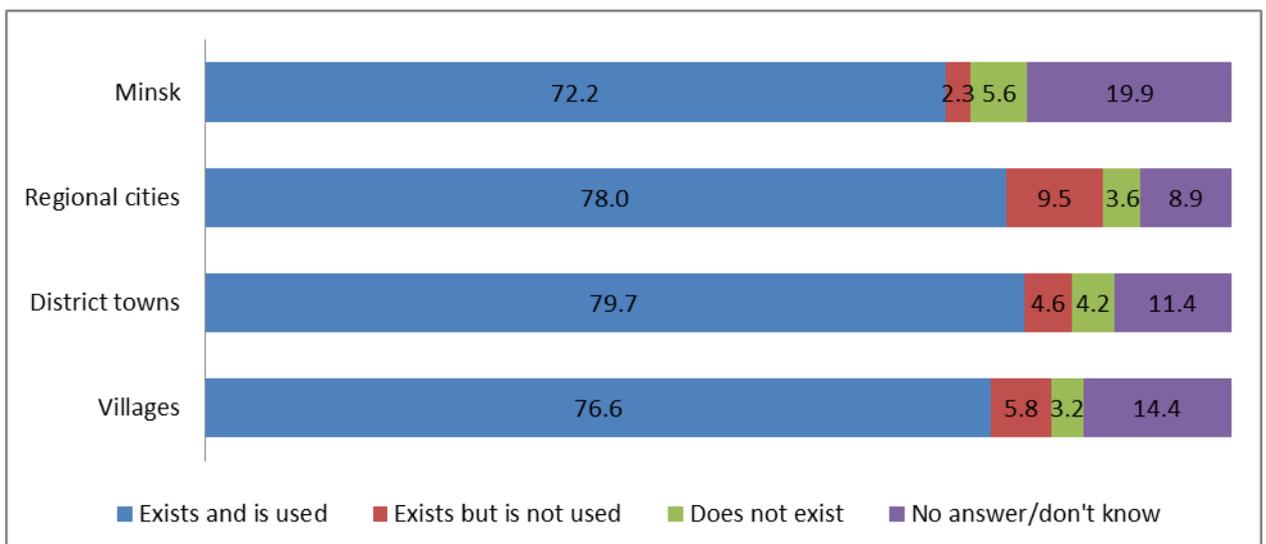


Figure 16: Awareness on usage of life sentences by residence (%; n=1100)

A slightly higher proportion of those believing in God correctly knew about life sentences than did non-believers. See Figure 17 for details.

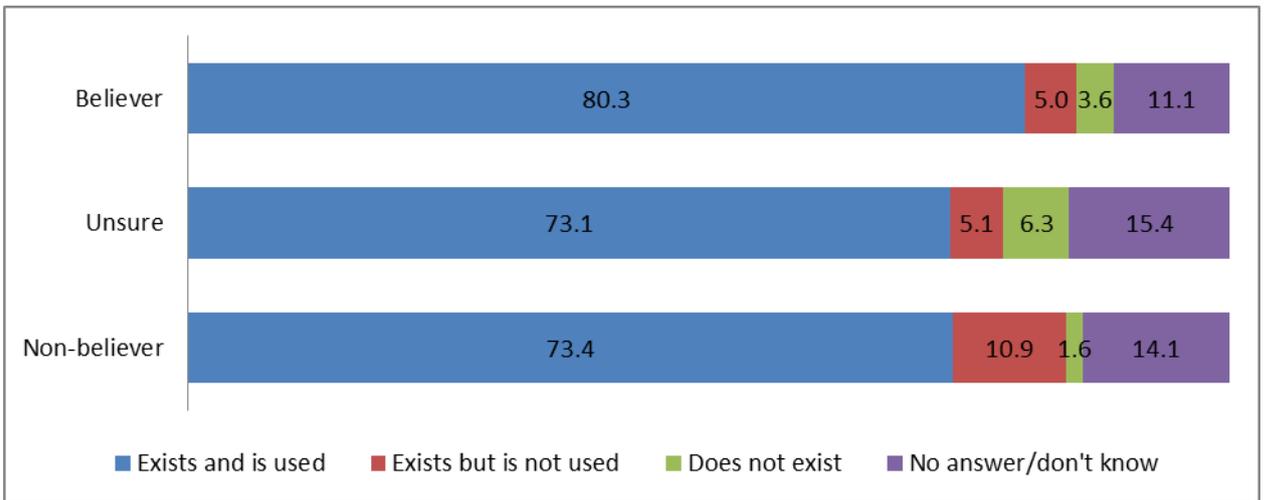


Figure 17: Awareness on usage of life sentence by Belief in God (%; n=1100)

Awareness of life sentences varied slightly according to degree of aggression, with 7.1% of respondents demonstrating aggression frequently having an inaccurate awareness compared to 4.6% of respondents who never showed aggression.

Opinions on whether life sentences are an acceptable alternative to capital punishment
 Respondents were divided over whether life sentences were an adequate alternative to capital punishment. Almost half (49.4%) agreed strongly or somewhat that life sentences are an acceptable substitute for the death penalty; 44.8% disagreed strongly or somewhat (see Figure 18).

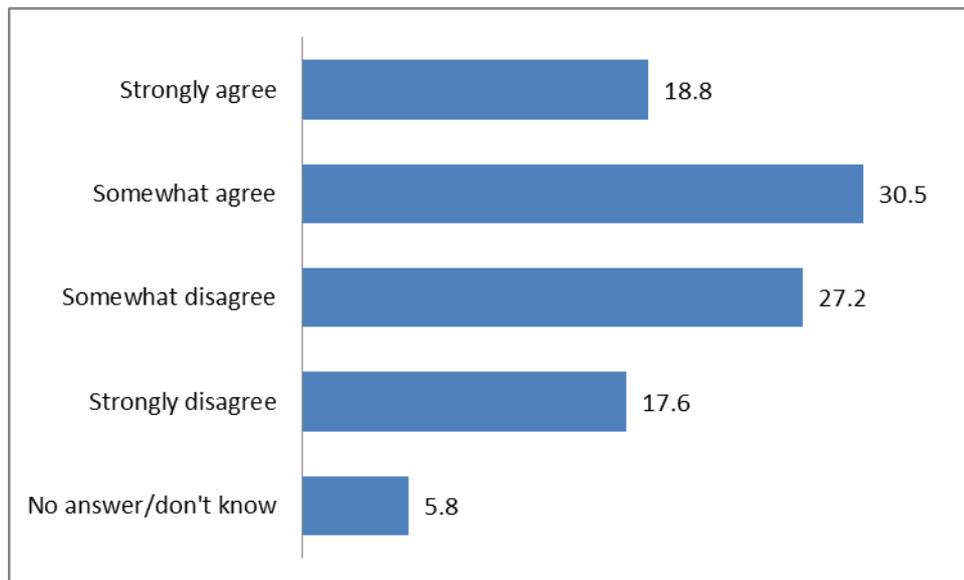


Figure 18: Opinions on whether life sentences are an acceptable alternative to the death penalty (%; n=1100)

Willingness to accept life sentences as an alternative varied particularly by:

- Age;
- Religious beliefs; and
- Financial situation.

As age increases, more respondents saw life sentences as an inadequate alternative to capital punishment (Figure 19).

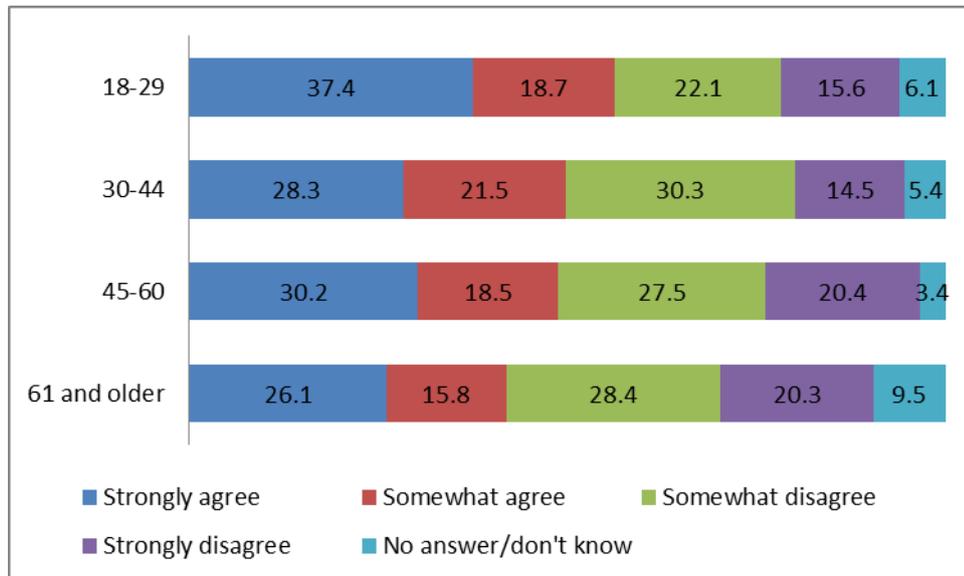


Figure 19: Opinions on whether life sentences are an acceptable alternative to the death penalty by age (%; n=1100)

Moderately more respondents who believed in an immortal soul agreed strongly or somewhat that life sentences were an adequate substitute for capital punishment (52.5%, compared to 46% for non-believers), while a majority of non-believers did not consider life sentences an acceptable alternative (50.8%, compared to 42.7% for believers) – Figure 20.

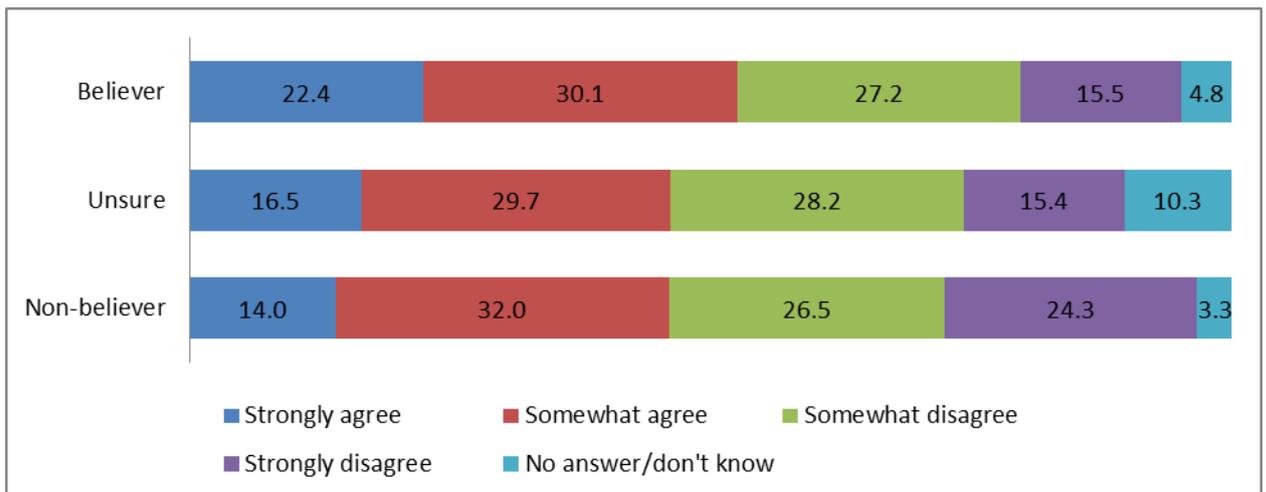


Figure 20: Opinions on whether life sentences are an acceptable alternative to the death penalty by Belief in an immortal soul (%; n=1100)

A similar trend was observed when dividing respondents by whether they believed in God. Believers and those who were unsure about their beliefs were more likely to consider life imprisonment a suitable replacement for capital punishment (Figure 21).

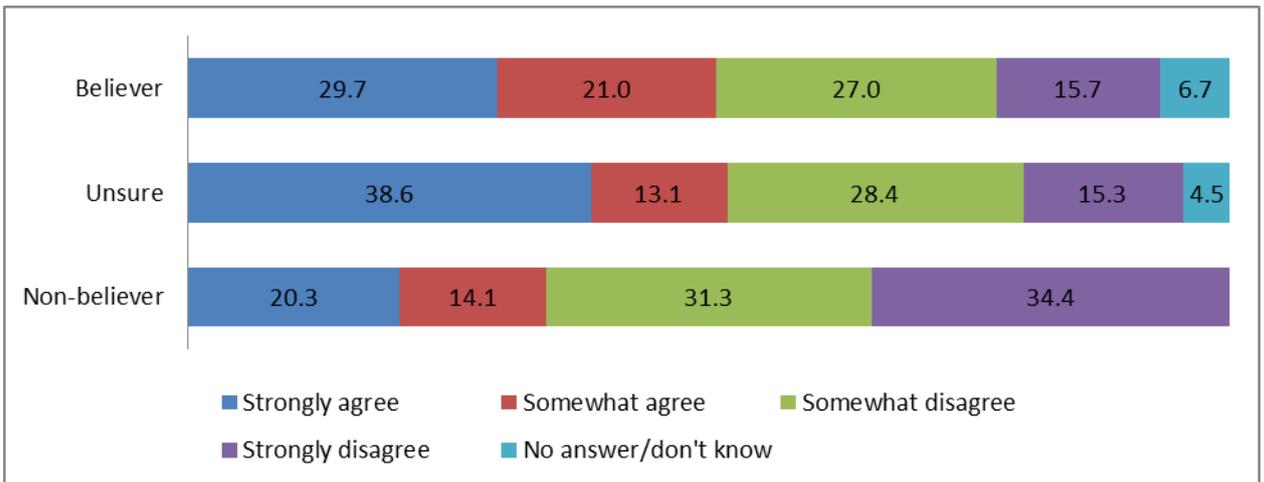


Figure 21: Opinions on whether life sentences are an acceptable alternative to the death penalty by Belief in God (%; n=1100)

Respondents became slightly more supportive of life imprisonment as their financial situation improved. See Figure 22 for details.

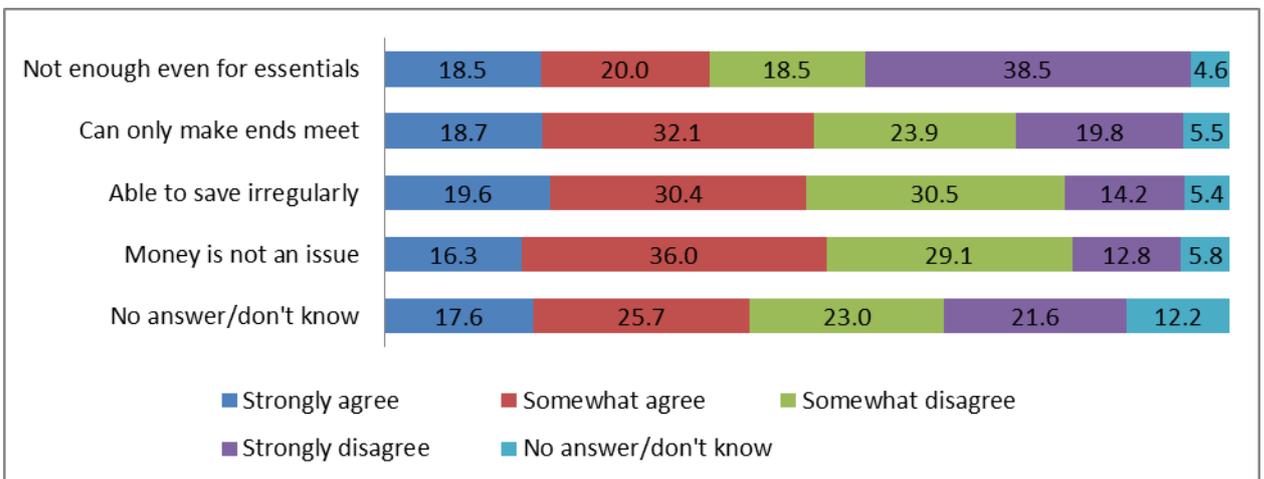


Figure 22: Opinions on whether life sentences are an acceptable alternative to the death penalty by financial situation (%; n=1100)

On this issue no significant differences were observed between men and women, or among the various age groups, education levels or places of residence. The share of respondents opposed to life imprisonment as a substitute to capital punishment was between 40-47% for all such groups.

1.4. People's reasons for supporting or opposing the death penalty

Arguments against capital punishment

The most commonly cited reason for opposing capital punishment was the sanctity of human life, followed closely by concerns about executing the innocent. Almost half of respondents (48.3%) said that life was not created by the government and therefore the government was not entitled to take it away, while 47.3% pointed to the possibility of judicial error. International factors (related to relations with other states) were mentioned by very few people (see Figure 23).

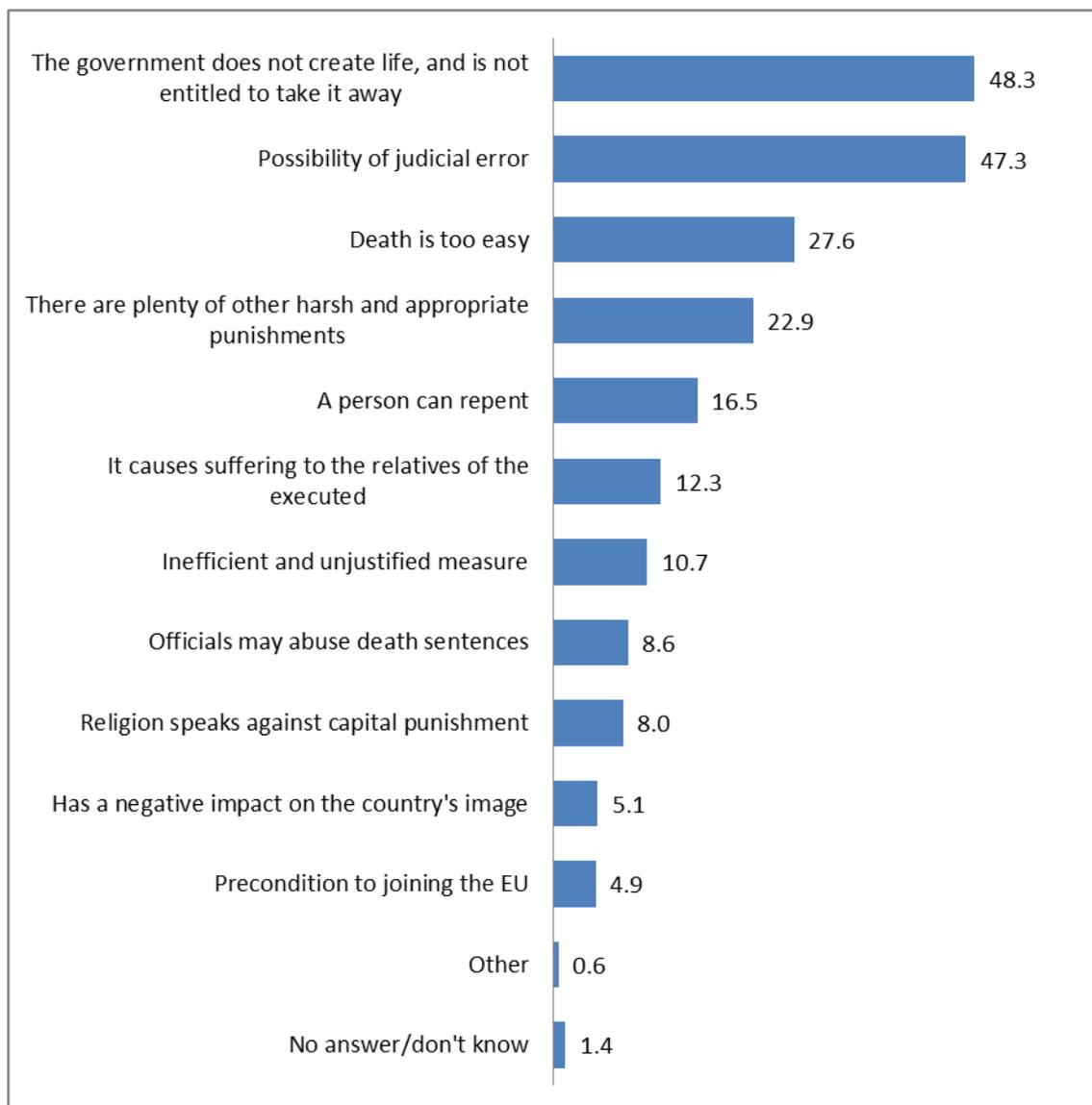


Figure 23: Arguments against capital punishment (%; n=342)

Participants in the six focus groups expanded on their reasons for opposing the death penalty:

1. Risk of executing an innocent person/imperfections in the judicial system

This is one of the biggest arguments against capital punishment, and one that caused much discussion. Even supporters of death sentences acknowledged this was a major concern:

'Knowing our justice system, I think anything can be fabricated. I think it should be a life sentence, not a death sentence.' (Minsk, 40-60 year-old)

'I hope the investigating officials do not make a mistake, executing an innocent person. If that happens, the officials cannot be punished and the person is gone. This is upsetting. Proof must be iron-clad. I am for capital punishment; some monsters should not be allowed to live.' (Lida, 40-60 year-old)

2. It is not ethical to kill

'Nobody is allowed to kill other people.'(Mogilev, 18-39 year-old)

'Capital punishment goes against Christian values; a person must have time to repent. We have both life sentences and capital punishment, so I think an alternative to a death sentence can be implemented easily, and Belarus does not need capital punishment.' (Mogilev, 18-39 year-old)

3. Impact on society's values

The existence of capital punishment has a negative impact on society and may cause an increase in violence because violence becomes the norm. In a society where executions are commonplace, children are raised in conditions where violence is lawful and legitimate.

4. Offenders may repent and change their ways

Opponents of capital punishment believed that serving a sentence in prison would help a person reconsider their actions and change their ways. Some respondents' justified this position by referring to their own religious views that all people can repent and change. Regardless of its impact on future offending, such a change in personality was considered by opponents of capital punishment to be valuable in itself.

'Let them serve some time in prison, let a psychologist to talk to them: what they were like when they came to prison, what they are like now. Put them with other convicts, see how they behave. The thing is, this is not so simple and not voluntary for the convict. It's more like when they teach people at school, it's forced. You get up in the morning and you don't feel like going to school, but you have to. Of course, killing the convict is cheaper and easier then changing them.' (Minsk, 18-39 year-old)

'I still believe that even if a person makes a mistake – kills someone, perhaps by negligence – they have to get a chance to repent, think it over. Nobody abolished conscience. You can execute someone, and people will think: "Another one bites the dust". But maybe that person would repent and feel bad about themselves, or maybe this repentance would make their life easier.' (Mogilev, 18-39 year-old)

5. Widespread abolition of capital punishment internationally, including throughout the rest of Europe

This argument did not feature much in the focus group discussions, with only a few participants mentioning it. The fact that Belarus is the only country in Europe to retain capital punishment was voiced early on in the discussions, but many participants (even those opposed to capital punishment) did not regard it as a substantial reason.

6. A life sentence is a heavier punishment than death

This argument was raised by a number of pro-death penalty participants. In their opinion, keeping a person in a Belarusian prison would cause more suffering than death. Some participants said they would prefer the death sentence to be replaced by imprisonment with hard labour, as this is a heavier punishment than execution.

'I am for life sentences. A person may be specifically looking for death by killing someone, and this would make them happy; a life sentence is much heavier, if you are guilty. People

say, if your wife has cheated on you, you can kill yourself, but living with it is harder. Much harder. So what will be happening in the criminal's brain, it is much harder than simply dying. And secondly, until a person is executed, they may still be found to be innocent.' (Lida, 40-60 year-old)

'We set an example to our kids: killing, showing this, talking about this. Why?' (Mogilev, 18-39 year-old)

All surveyed social and demographic groups placed a high value on human life, though there were some differences of opinion among different groups.

- **Men** had a harsher stance on persons sentenced to death. The share stating that 'death is too easy' as an argument against capital punishment was 34.1% among men, compared to 22.5% among women.
- **Elderly and retired people** appeared more compassionate. A higher proportion of respondents aged 61 and older gave answers such as 'a person could repent' and 'death sentences cause suffering to the relatives of the executed' than did younger age groups.
- People with higher **levels of education**, as well as **residents of the capital and larger cities**, were more likely than other groups to cite pragmatic reasons (imperfections in the judicial system and possibility of wrongful conviction/execution) when explaining their opposition to capital punishment.
- **Rural residents**, in contrast, were more concerned about the negative image of the country were capital punishment retained. This position can perhaps be explained by 'provincial complexes' (inferiority complexes among residents of small towns and villages when comparing themselves to people living in cities).
- Religious people (those believing in God and/or an immortal soul) more commonly referred to the sanctity of human life as an argument against capital punishment. Non-believers, on the other hand, were more pragmatic and harsh in their arguments. Representatives of this group frequently spoke about the inadequacies of the judicial system and the possibility of judicial error, about death being too easy for the criminal, and about death penalty abolition being a precondition to joining the EU.
- The views presented by opponents of capital punishment were formed to an extent by their **degree of aggression**, both towards and from other people. The share of respondents agreeing that 'death is too easy' increased with the frequency of demonstrating aggression; it was also higher among respondents who had been subjected to aggression. People showing aggression from time to time gave more weight to arguments about judicial error and the risk of abuse by officials. The least aggressive respondents (those who seldom or never show aggression towards others) favoured arguments emphasising the value of human life ('The government does not create life...') and were more favourable to alternatives to the death penalty. The numbers are shown in Figure 24.

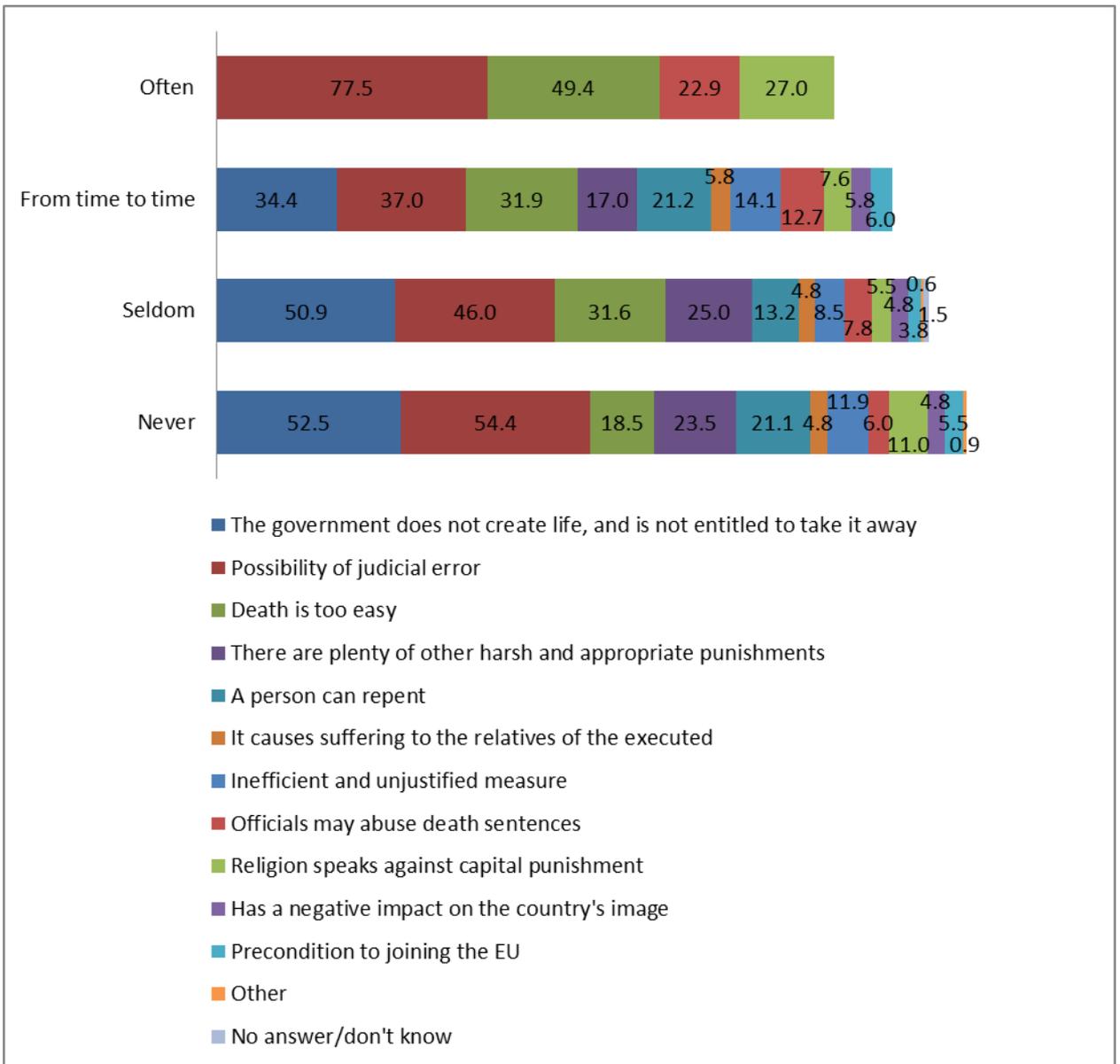


Figure 24: Arguments against capital punishment by Frequency of aggression shown towards others (%; n=342)

Opponents of capital punishment tended to be more ready to forgive a repentant offender, while respondents wanting to expand the use of capital punishment were less ready to forgive (Figure 25). Similar trends were observed in focus group discussions.

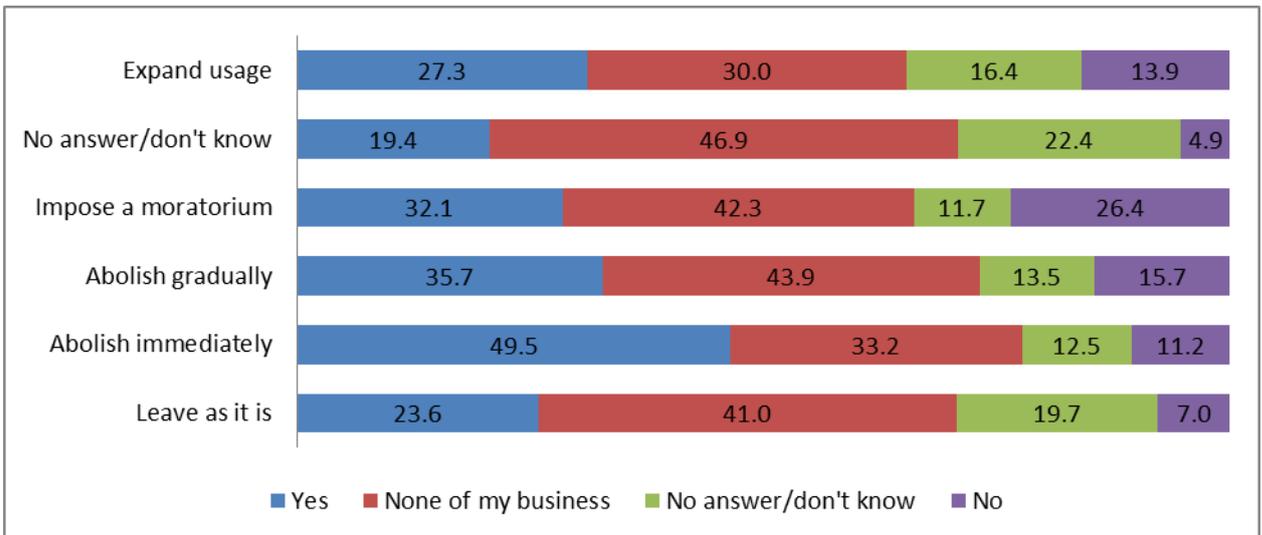


Figure 25: Opinions on future of capital punishment by Willingness to forgive a repentant offender (%) (n=1100)

Related to this, attitudes towards death sentences among focus group members affected their feelings about the responsibility for and consequences of judicial errors. When asked about **who should be responsible for sentencing** a person to death, focus group participants predominantly stated that the judge and prosecution officials were responsible. It was often mentioned that there is no actual responsibility, since even after an unsafe conviction no sanctions are imposed on the judge or prosecution officials. Many people voiced their concern about this:

‘The judge must be responsible for a wrongfully passed death sentence. Now they are not responsible for anything – not the judge, not the prosecution officials. They might even end up removed from office – and moved to another one.’ (Mogilev, 40-60 year-old)

Attitudes about trials involving juries were divided. Every focus group had two opposing groups – for and against the inclusion of juries.

‘Jurors can be misled... They are not competent in legal affairs. But still, a jury trial is better than a judge.’ (Mogilev, 18-39 year-old)

‘I think a jury trial must be set up. Jurors are fresh people, with a fresh look; a judge’s professionalism may get blurred with time. We need people who will vote based on their feelings, maybe even on subconscious level.’ (Minsk, 40-60 year-old)

Some focus group participants mistrusted jury trials, saying jurors can be misled and manipulated; they stuck to the opinion that ‘decisions must be made by professionals’.

Readiness to assume personal responsibility for death sentences. During a role-play exercise ‘Would you be ready to be a juror in a court case where death sentence can be passed?’, focus group participants behaved very differently.

Those opposed to capital punishment often said they would go on a jury to prevent a death sentence. Those who supported capital punishment split into two groups:

1. Those refusing to be on a jury. They excused themselves by referring to their own incompetency and the need to delegate such responsibilities to professionals.
2. Those willing to be on a jury and pass a death sentence if necessary. This was the position taken by the most ardent proponents of capital punishment, who considered it an essential part of the criminal justice system.

'I voted in favour of capital punishment [at the referendum], I am responsible for all my actions, and I can say that my conscience is clear. I am ready to be responsible.' (Minsk, 40-60 year-old)

Answers differed to the question about whether everyone is responsible for executions being carried out in the country today. Some respondents, particularly those opposed to capital punishment, believed that every resident of the country is responsible for death sentences passed in the country. However, many participants denied personal responsibility, insisting that judges and prosecution officials that must be held responsible. They felt that a country's population should not be held responsible for a wrongful conviction. There was also mention of the possibility of corruption or abuse of power by judges, leading to the conviction of innocent people.

'In some cases, where there's not enough evidence, innocent people may end up executed. Our prosecution and investigation officials are too lazy.' (Lida, 40-60 year-old)

Focus group participants also spoke about their perceived inability to affect the judicial system or protect their rights:

'I feel I am not responsible for anything. Anything at all. But someone is responsible instead of me. I think that in Belarus, with our mentality, with our patience – someone is responsible instead of us.' (Lida, 18-39 year-old)

Arguments in favour of capital punishment

The main argument in favour of capital punishment was vengeance: 66.7% of respondents felt that the death penalty was 'appropriate retribution' for the crime committed (Figure 26).

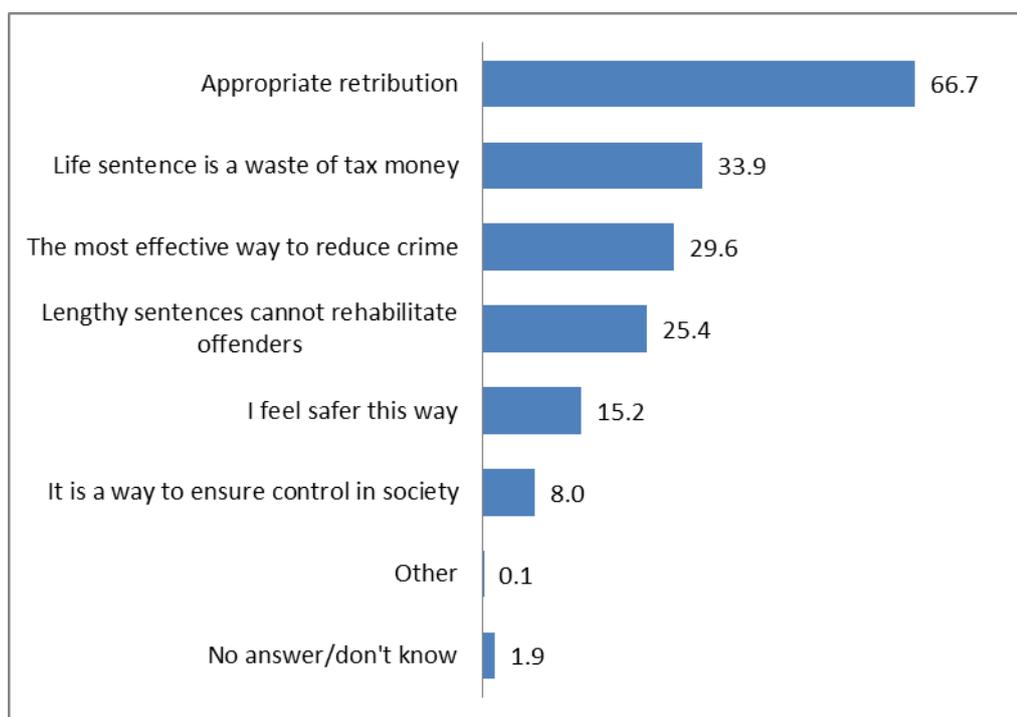


Figure 26: Reasons for supporting capital punishment (%; n=703)

'Appropriate retribution' was also the most popular response among all social and demographic subsections of respondents. Nevertheless, some differences were observed. **Men** had a more utilitarian approach than women: the proportion that felt 'a life sentence is a waste of tax money' was 38.2% and 30.1% respectively. **Young people under 29** had a similar position: 41.4% of them felt that 'a life sentence is a waste of tax money', compared to 35.8% in the 30-44 age group, 29.3% in 45-60 group and 30.8% in the 61 and older group.

People in a **worse financial situation** more commonly believed that a life sentence could not reform an offender or change them for the better, while those in a **better financial situation** said that the application of capital punishment made them feel safer.

People who believed in God did not take a utilitarian approach as often as non-believers (31.9% vs. 43.1%) – see Figure 27.

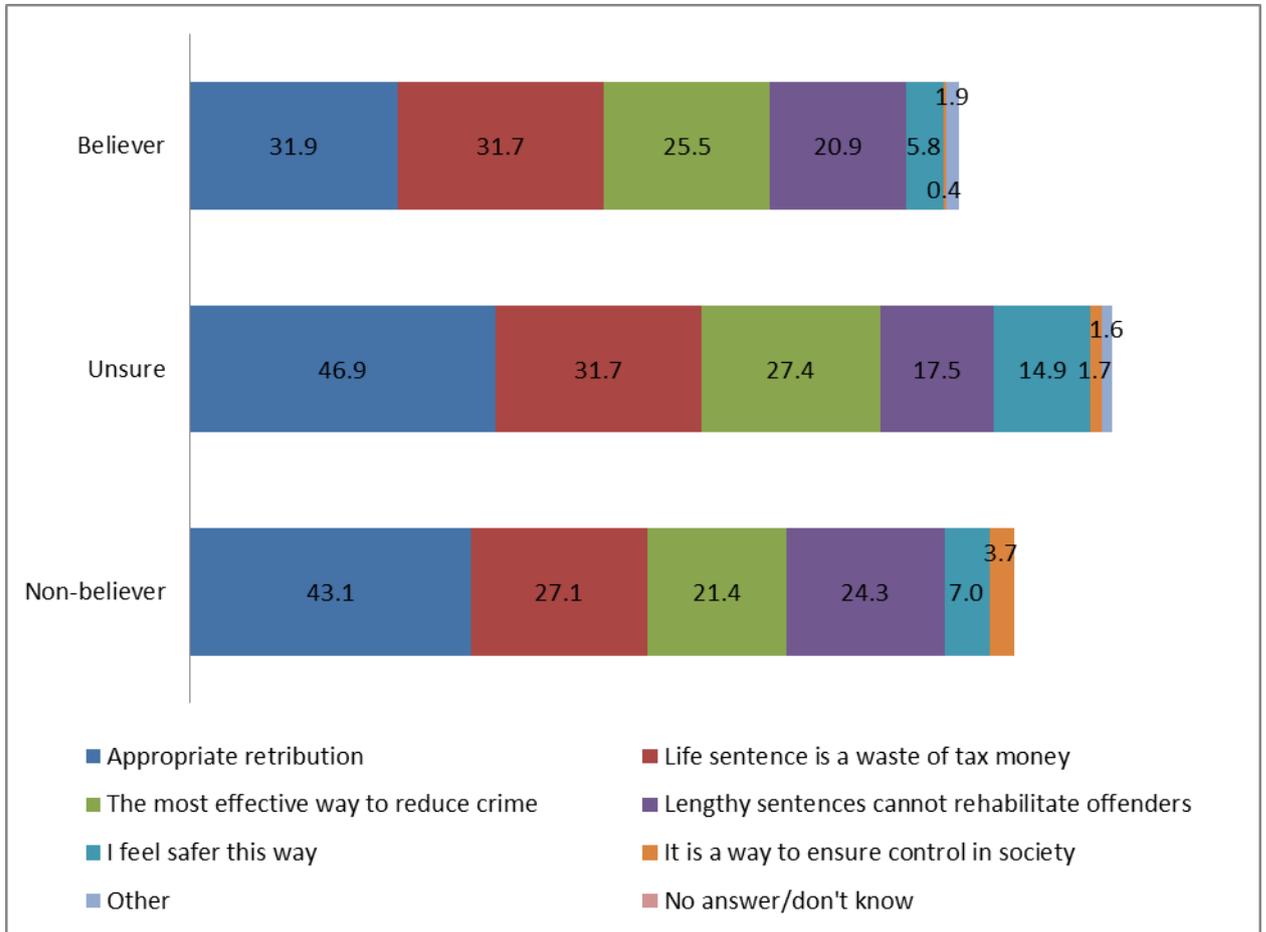


Figure 27: Reasons for supporting capital punishment by Belief in God (%; n=703)

Respondents who followed religious commandments and practices were less likely to consider capital punishment an effective way of reducing crime or protecting society against criminals (27.6%) than those who did not follow such commandments (38.4%) – see Figure 28.

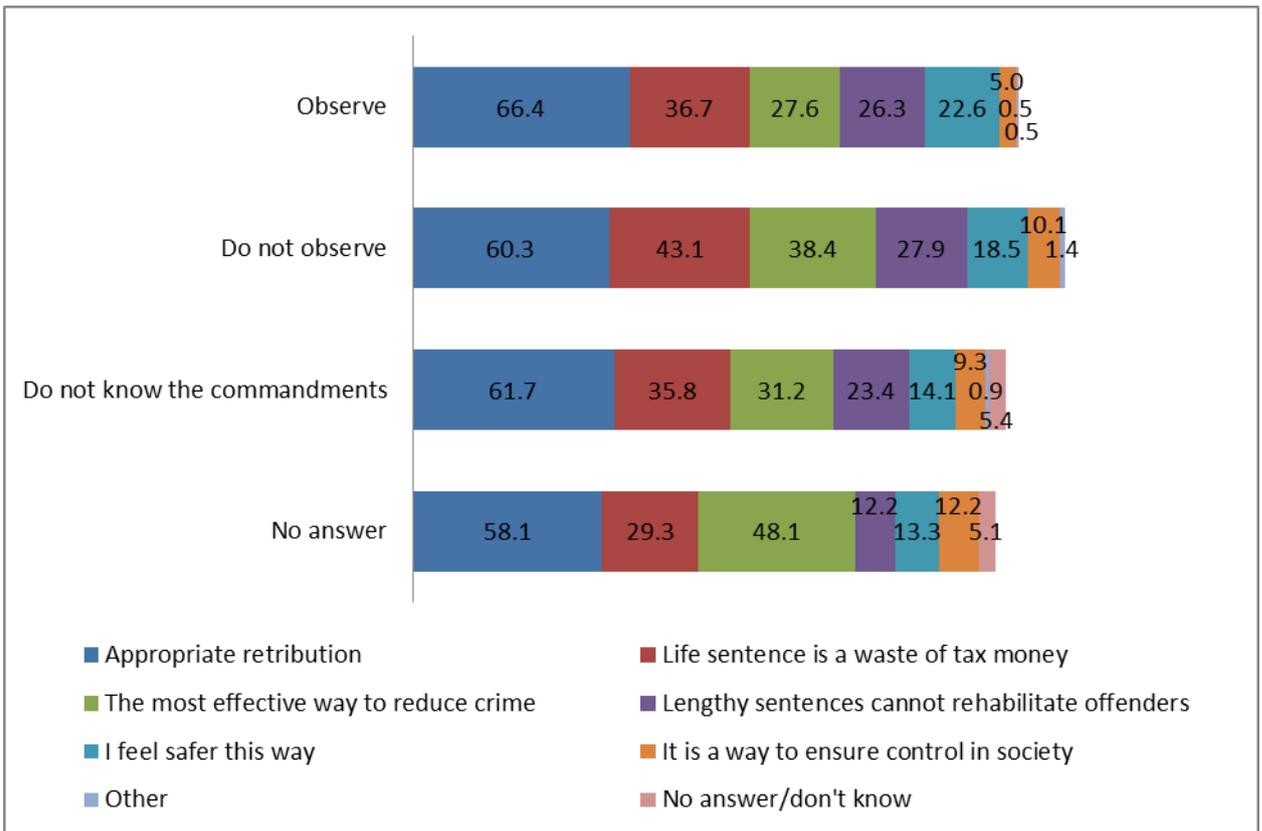


Figure 28: Reasons for supporting capital punishment by Observance of religious commandments (%; n=703)

Overall, arguments in favour of capital punishment did not vary much and were confirmed by qualitative research. In focus group discussions, most of the same reasons were mentioned (with slight variations). They are laid out below, along with any counter-arguments which were voiced during the discussions.

1. Economic reasons

Supporters of capital punishment did not want to ‘provide food and drink to criminals at our expense’. Even though this motive is on the face of it economic, in discussions it was raised more as an emotional argument.

‘A death sentence is bad, taking away someone’s life ... But on the other hand, if a psychologically abnormal creature shows everyone that evil exists, keeping it alive, feeding at state expense – this is just wild.’ (Minsk, 18-39 year-old)

‘Imagine, God forbid, your wife is killed, the guy who did it gets a life sentence – and you will be paying taxes to support him. Why would you want to do this?’ (Minsk, 40-60 year-old)

2. Deterrence of future offending

This belief, that other people would be deterred from offending by imposition of the death penalty, was an important argument for supporters of capital punishment.

3. The punishment matches the crime/Retribution/The death penalty is a way to restore justice

A death sentence is a just state-administered response to offending, which aims to uphold the law.

‘I am for capital punishment, but not in every case. First of all, these would-be maniacs, rapists, serial killers, people with abnormal mentalities: I think death is an appropriate

punishment for them. Because living in prison, eating and drinking, sleeping in a warm bed – I don't think that would change the person who has gone completely out of their mind. I don't believe they could come out of there perfectly normal. I think if you kill, you deserve to be killed. That would be only fair.' (Mogilev, 18-39 year-old)

4. Vengeance or revenge

Focus group participants were very careful to differentiate between retribution and revenge, refusing to define execution as revenge.

'Retribution is when the government punishes you; vengeance is when someone passes a sentence based on their own personal motives. Retribution is the state, the law. Retribution is when, for example, your son gets beaten, you go to the police, the perpetrator is caught and punished. If you're still dissatisfied and you go out and cut his legs off – that's revenge.' (Minsk, 40-60 year-old)

However, judging by their content, many statements can be interpreted as being vengeful, as they demanded not only punishment, but putting the offender through the same experience their victim went through.

'It's not necessarily 50 [people killed]. Even if he kills just one person with a knife or an axe, I think "why should he spend 15, 20 years in prison while I am paying taxes for his upkeep?" I would rather have him sentenced to death, so he suffers. Because the parents of the victim who got killed... they will be suffering their entire life. It may take three minutes to shoot him; but I'd rather see him spend some time in the most horrible conditions, then being told "tomorrow you will be shot", so he feels everything. This may be cruel, but it's my personal opinion.' (Mogilev, 40-60 year-old)

5. It would satisfy the crime victim's relatives

This argument was not raised very often in discussions and was not supported by everyone: several pro-death penalty participants felt that relatives' emotions should not impact the judicial decision.

6. Preventing future offending

The belief that execution will prevent future offending by the person executed.

Another issue identified during quantitative research was that many respondents felt safer knowing that capital punishment existed. When asked directly whether preserving capital punishment would make them feel safer, opinions were divided (Figure 29).

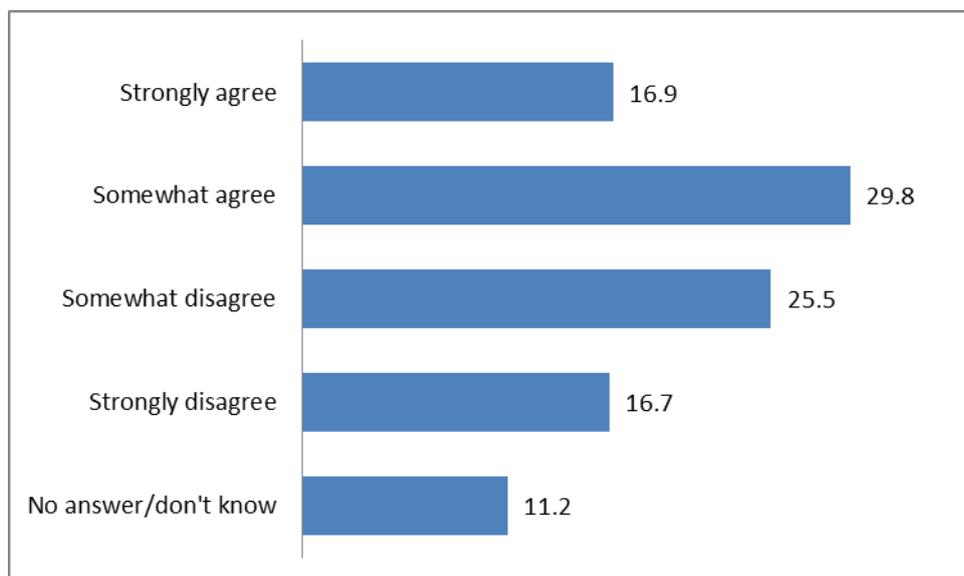


Figure 29: Opinion whether the death penalty makes respondent feel safe (%; n=1100)

However, comparing responses of death penalty supporters and opponents suggests that the feeling of safety was one of the most important reasons behind people’s attitudes to the death penalty. A large proportion of respondents who favoured the death penalty said that they would feel safer were capital punishment retained; a large proportion of death penalty opponents said that capital punishment did not make them feel safe. It therefore appears that this factor plays an important role in determining attitudes towards capital punishment (Figure 30).

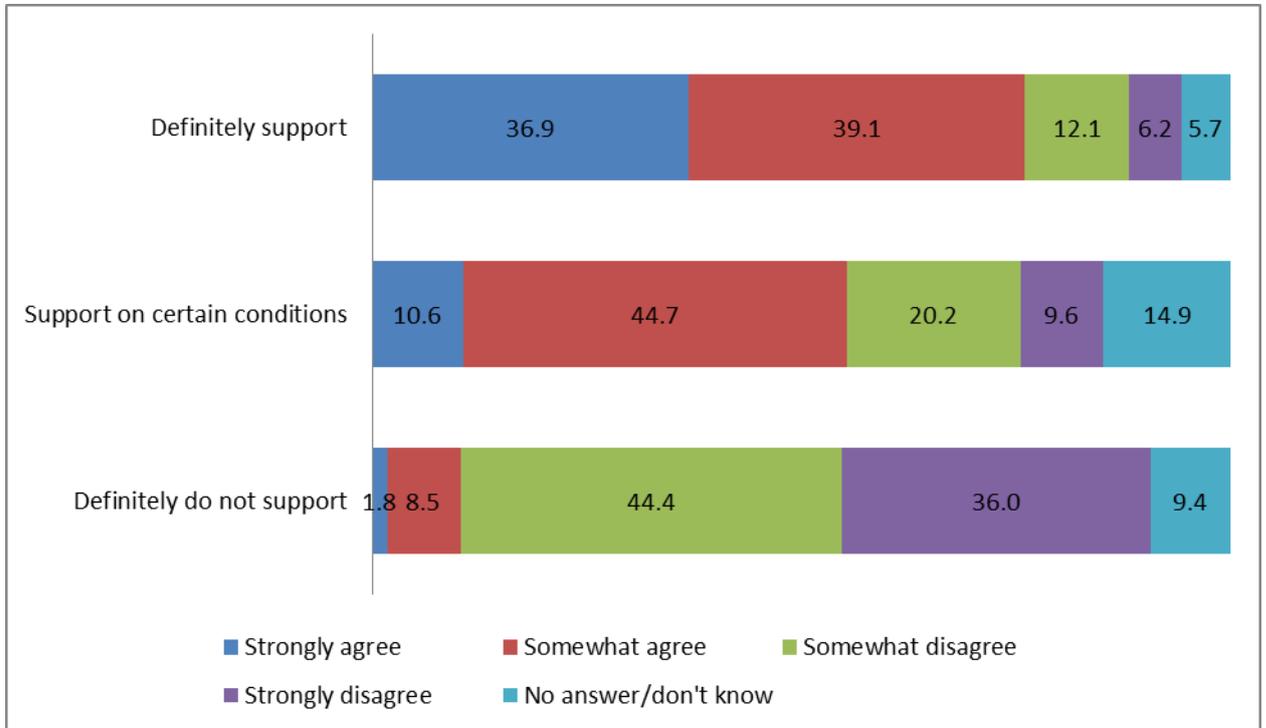


Figure 30: Opinions about capital punishment by Opinion whether the death penalty makes respondent feel safe (%; n=1100)

Both those who wanted to expand the application of the death penalty and those who wanted it to be maintained as it is had a high share of respondents believing that the preservation of capital punishment would make them feel safer (55.0% and 24.9% respectively strongly agreeing). In contrast, those wanting abolition disagreed strongly (47.6%) or somewhat (34.6%) that retention of capital punishment would make them feel safer (Figure 31).

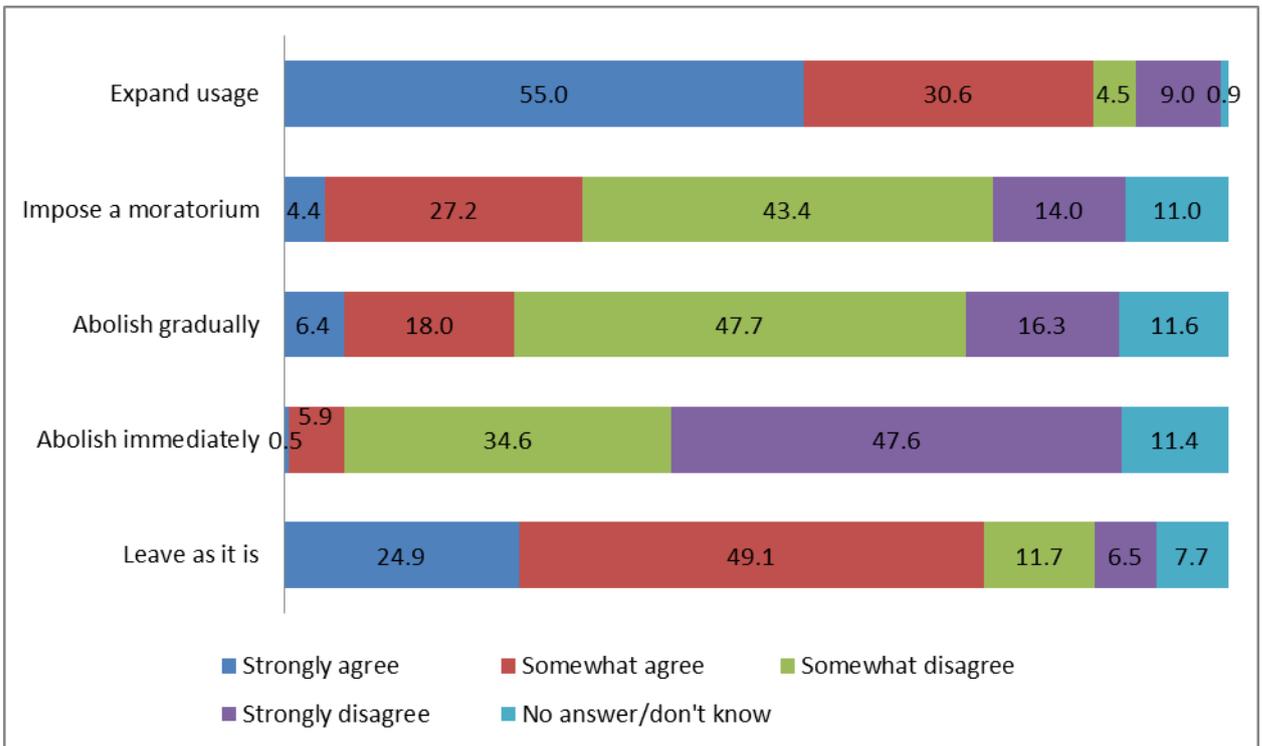


Figure 31: Opinions on future of capital punishment by Opinion whether the death penalty makes respondent feel safe (%; n=1100)

Opinions about the whether the death penalty made respondents feel safe correlated to the following social and demographic features:

- Gender.
- Age.
- Residence.
- Financial situation.

Women more commonly associated retention of capital punishment with personal safety: 49.1% strongly or somewhat agreed with this sentiment. The share of women who disagreed (somewhat or strongly) that retention of capital punishment would make them feel safer was lower, at 39.4%. As **age** increased, more people felt safer knowing that capital punishment existed. This view was supported by 40.6% of respondents aged 18-29, 42.6% in the 30-44 group, 51.2% in the 45-60 and 53.1% in the 61 and older group. Analysis of **residency** showed that residents of Minsk were less likely than people living in other, smaller places to link personal safety to the preservation of capital punishment (Figure 32).

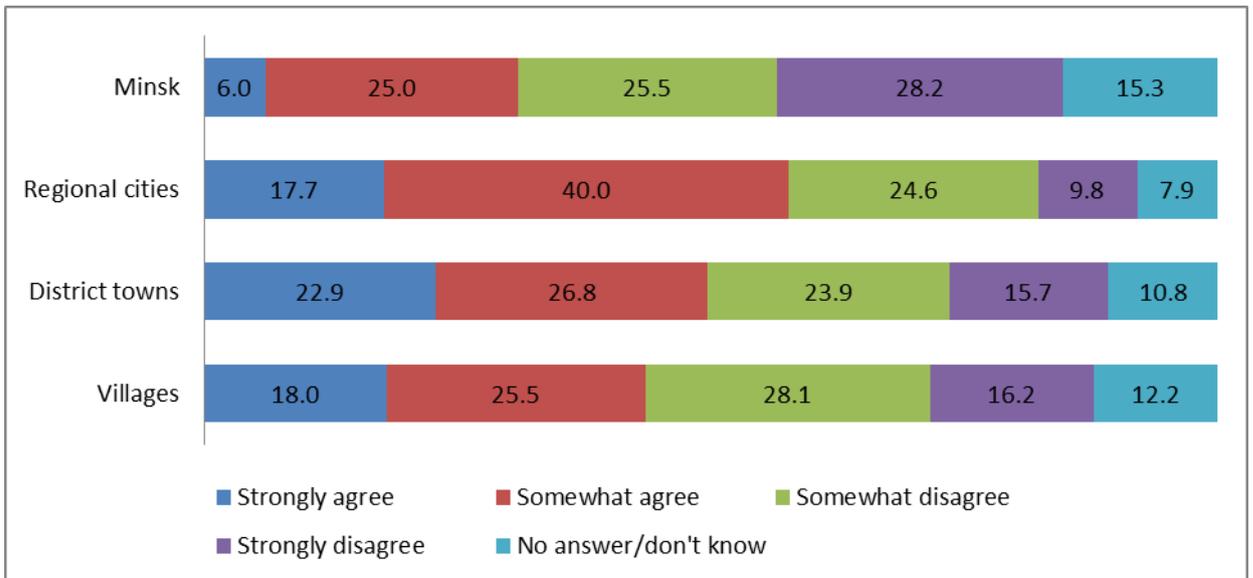


Figure 32: Opinion whether the death penalty makes respondent feel safe by Residence (%; n=1100)

People with **lower incomes** were more likely to feel that preservation of the death penalty aided their safety. Only 16.9% of respondents who said they 'didn't even have enough money for essentials' disagreed that retention would make them feel safer. The same figure among those who considered that 'money is not an issue' was 29.9%. Groups with different education levels and religious beliefs (measured by belief in God and following religious commandments) did not have any significant differences in this area.

1.5. When should the death penalty be used?

When asked about the circumstances in which the death penalty should be applied, the most common responses related to specific offences. The offences that respondents were most likely to say merited death were murder, paedophilia and aggravated assaults (Figure 33).

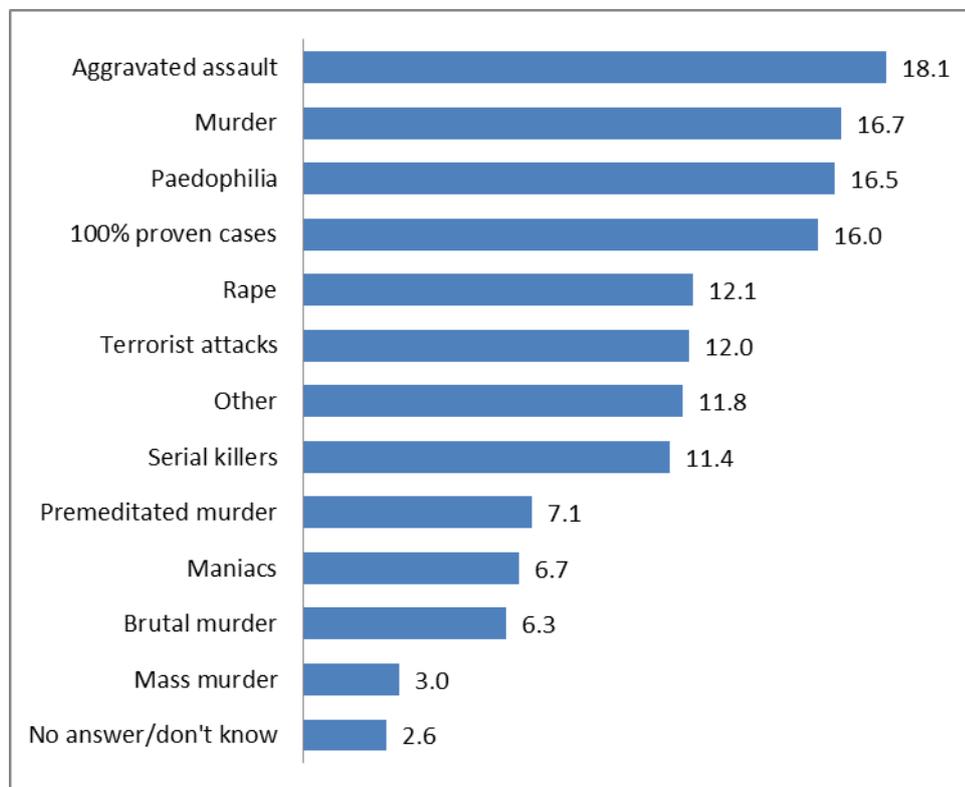


Figure 33: Opinions of death penalty supporters about circumstances that justify capital punishment (%; n=300)

Respondents who favoured capital punishment (were either 'definitely pro-capital punishment' or 'in favour of capital punishment under certain conditions') were asked whether death sentences should be applied to all groups of persons, or if there were exceptions. More than half said it should not be applied to pregnant women or mothers of underage children (56.4%), while 45.0% exempted children – Figure 34. 34.0% said it should be able to be used on any person, depending on the nature of the offence they committed.

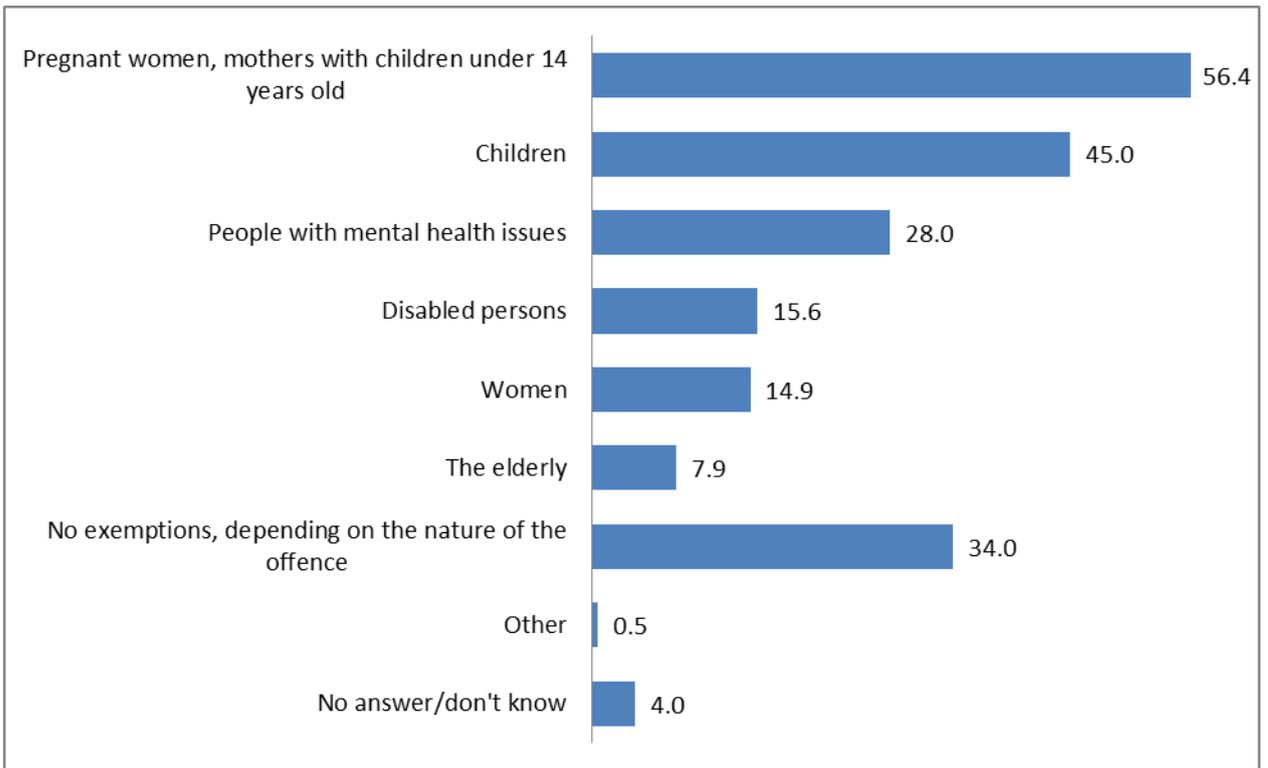


Figure 34: Opinions about categories of people who should be exempted from death sentence (%; n=703)

Opinions about categories of people who should not be sentenced to death varied among different **age groups**. Young people (18-29) and middle-aged persons (30-44) were more likely to suggest exemptions for pregnant women and elderly people. Older respondents were stricter and more likely to say that anyone can be sentenced to death. Residents of Minsk were more tolerant in this regard, with a higher share of answers supporting exemptions for the disabled, elderly and women, compared to those living elsewhere. People who **believed in God** were more tolerant on this issue, with the share of 'anyone can be sentenced' answers being 32.2%, compared to 47.7% of non-believers (Figure 35).

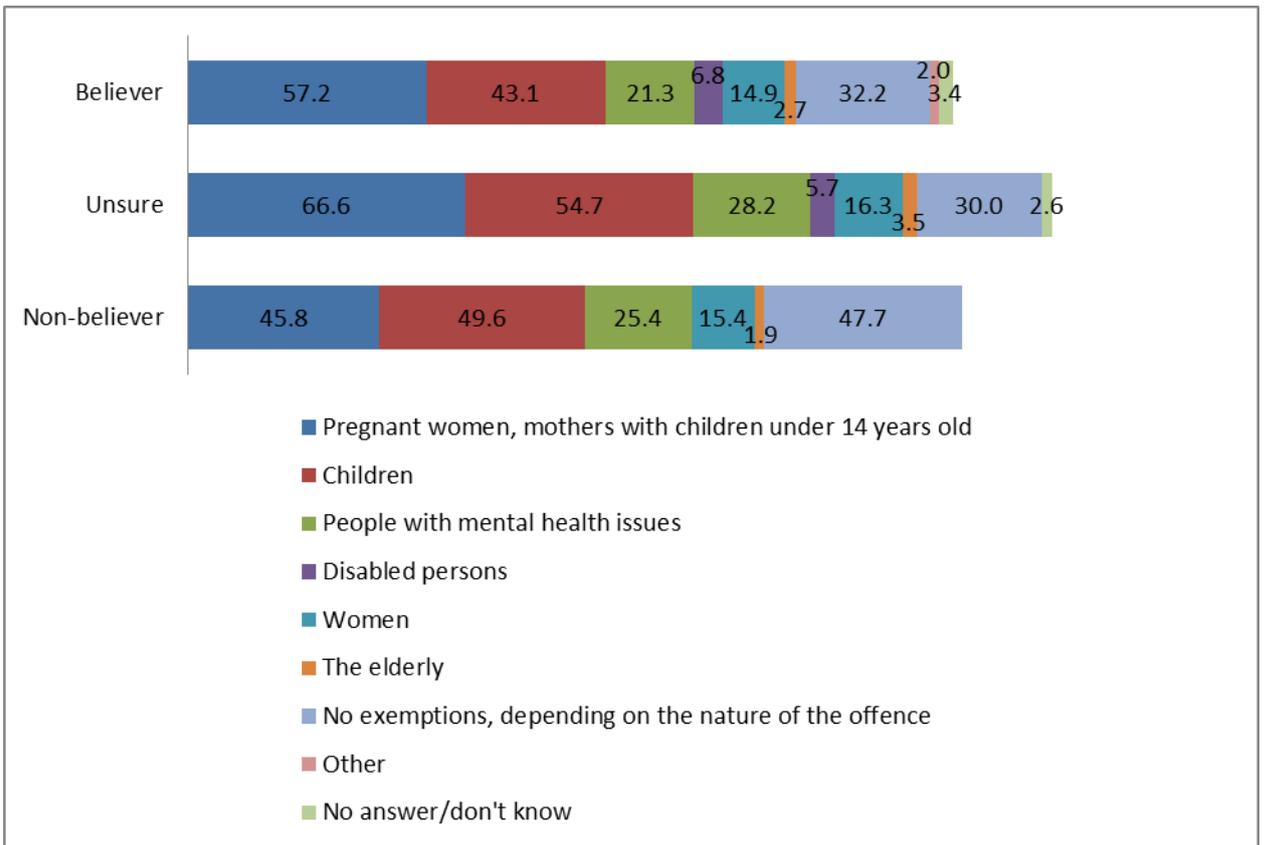


Figure 35: Opinions about categories of people who should be exempted from death sentence by Belief in God (%; n=703)

Respondents who followed religious commandments were more likely to think that capital punishment should not be applied to children, pregnant women and mothers of children up to 14 years old. Those who did not follow religious commandments, on the other hand, were more likely to believe that death sentences could be applied to all people without exception (Figure 36).

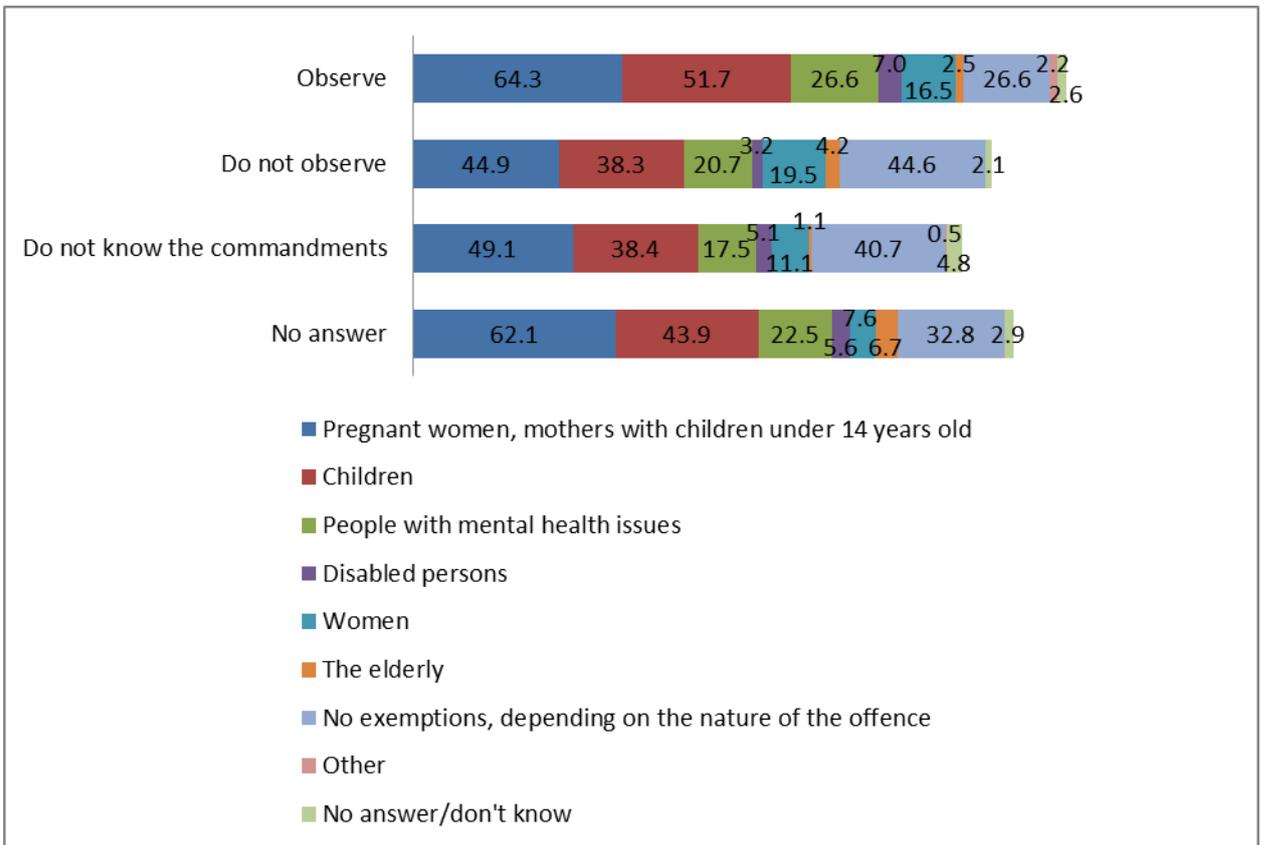


Figure 36: Opinions about categories of people who should be exempted from death sentence by Observance of religious commandments (%; n=703)

Respondents' **levels of aggression** (towards other people) influenced their opinions about the applicability of the death penalty. More aggressive groups ('showing aggression often') made fewer exemptions. The categories most commonly exempted from death sentences were children, pregnant women and mothers of underage children, as well as people with mental ill-health. More aggressive respondents showed a lower rate of 'exemption' answers for each category of people. See Figure 37 for details.

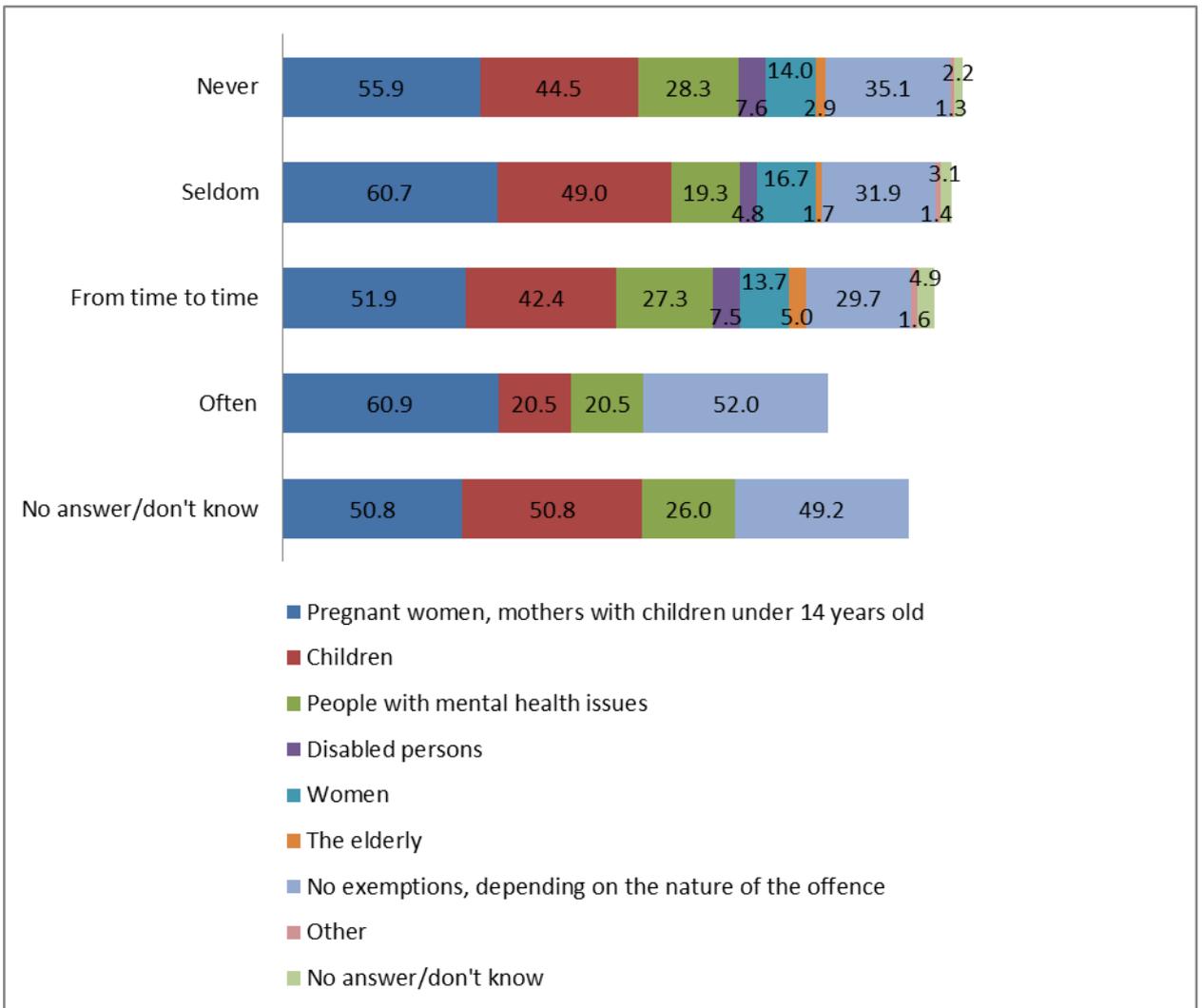


Figure 37: Opinions about categories of people who should be exempted from death sentence by Frequency of aggression shown towards others (%; n=592)

According to the majority of supporters of capital punishment, the death penalty should be used on serial killers (78.2%), terrorists (73.8%) and rapists of underage children (60.2%) – see Figure 38.

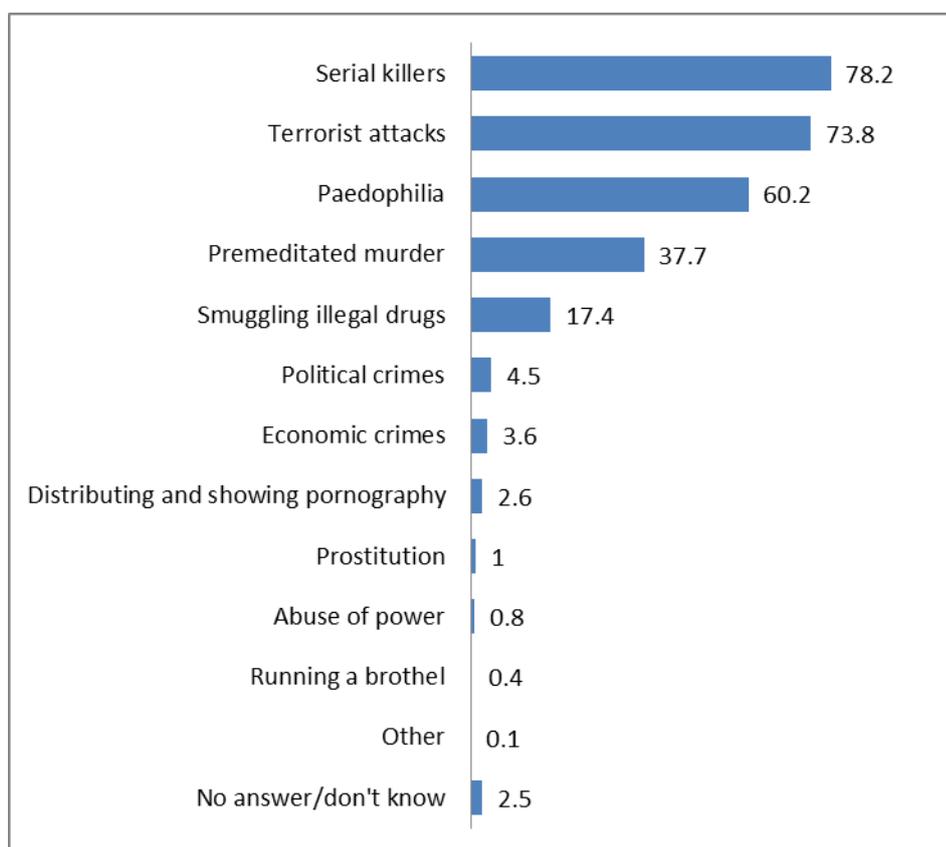


Figure 38: Opinions of death penalty supporters of circumstances that justify capital punishment (%; n=703)

Below are some outcomes from focus group discussions on this issue. They include not just participants' views on the people and offences that should receive the death penalty, but also mitigating or aggravating circumstances they feel should affect the sentence.

Focus groups considered a death sentence to be an extraordinary punishment for extraordinary crimes. Most focus group considered these crimes to comprise:

1. Aggravated crimes – *'If a person kills not just because of the circumstances, but because they like killing – only in that case is a death sentence applicable'* (Minsk, 18-39 year-old).
2. Mass murder, terror attacks.
3. Serial murder.
4. Recurring crimes – *'If a person commits the crime again and again'*.
5. Paedophilia and violence against children (most respondents were aware that the Criminal Code does not include the death sentence for these offences, despite their being the offences that cause the most emotional outrage).

The gravity of the offence was seen to relate mainly to the following two factors:

Premeditation. Premeditated offences were those most likely to be considered worthy of a death sentence. A profit motive, malicious intent and premeditation all tended to act as aggravating factors in people's assessment of the appropriate sentence. Certain factors were considered to mitigate the sentence:

- The offender was temporarily insane.
- The offence was conducted in self-defence.
- The offence occurred by accident.
- Premeditation was a mitigating factor in some cases, where the offence was considered reasonable or understandable (*'Suppose someone rapes a girl and gets two years'*

conditional sentence, then the girl's father kills the perpetrator or pays someone to kill him).

Mental disorder. This was a difficult issue for discussion, with focus group participants expressing contradictory opinions. When the moderator directly asked a question, the majority said a mental disorder would be considered a mitigating condition. However, in many cases, when discussing the motivation behind offences that warranted a death sentence, terms such as 'abnormal' or 'mentally ill' were treated as arguments in favour of the death penalty.

'I am in favour of a life sentence, but if a crime has been proven 100%, then I am for a death sentence, because if a person admits he did it and he is mentally sick, do we really need such people? He will be released after a while, and return to his old ways.'
(Minsk, 40-60 year-old)

'If they go and commit a crime – they are already deviant, so it doesn't make sense trying to fix them. A normal person would never do that.' (Minsk, 40-60 year-old)

Many focus group participants said that mental disorder would just be an excuse for avoiding punishment, and that psychiatrists would not be able to reliably determine if a person was genuinely ill or feigning.

In conclusion, it appears that there was a fairly stable, shared understanding among participants of which crimes should be punishable by death. This list often included offences that do not currently carry a potential death sentence, such as rape and paedophilia.

1.6. Mass media role in covering and shaping public opinion towards capital punishment

Public awareness about usage of capital punishment

The survey showed that the majority of respondents believed the Belarusian media was not adequately covering the issue of capital punishment and its application. When asked how well this topic was covered by the nation's media, only 5.9% gave a positive response (see Figure 39).

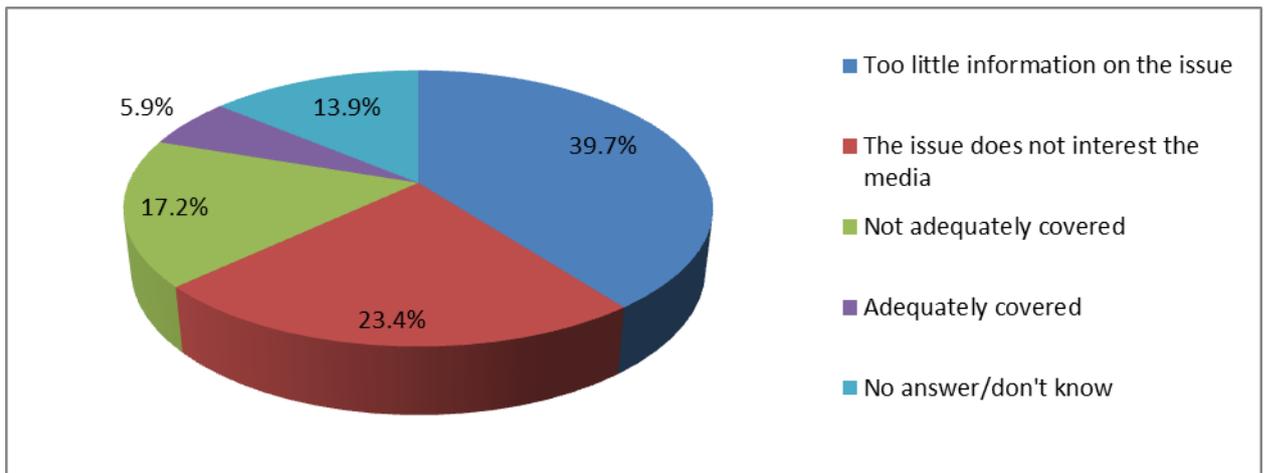


Figure 39: Opinions on coverage of capital punishment by Belarusian media (%; n=1100)

Opinions about the media's role in covering capital punishment correlated with some social and demographic indicators, namely:

- Residence.
- Financial level.

Respondents living outside the capital mostly felt that there was insufficient coverage and information on this topic, while those in Minsk were more critical, saying that capital punishment and its use were not things that interested the Belarusian media (Figure 40).

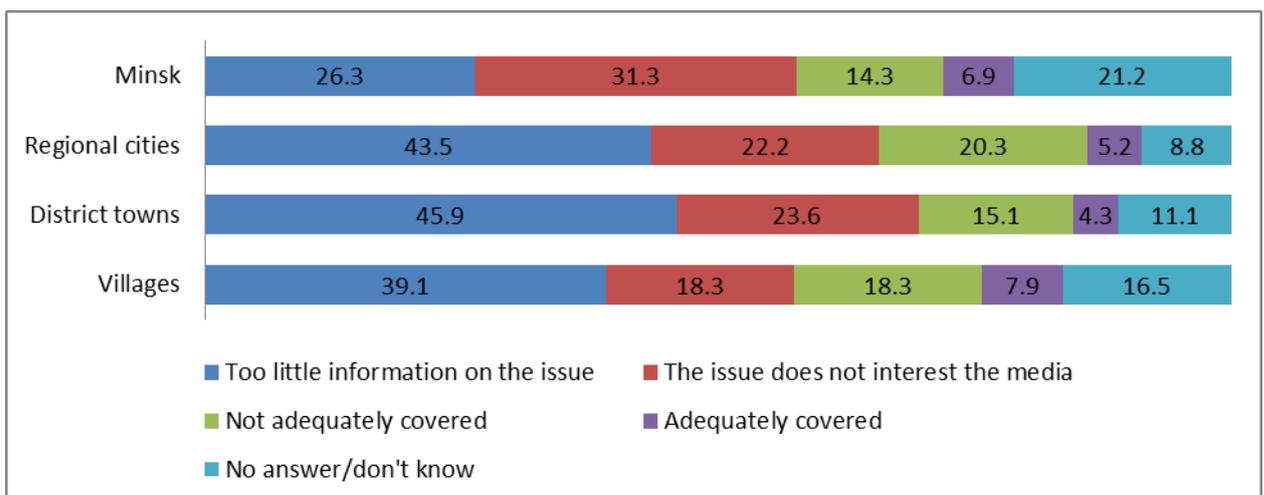


Figure 40: Opinions on coverage of capital punishment by Belarusian media by residence (%; n=1100)

Similar trends were observed in groups with different **financial situations**. People with greater financial security were more likely to believe that capital punishment was not considered

interesting by the media, while those with less income said there was not enough information on this topic.

Groups divided by education level, age or gender did not show significant differences of opinion on this issue; moreover, results in these groups were broadly similar to the total survey population.

Qualitative research findings confirmed the main finding of inadequate media coverage of capital punishment. Focus group participants said they knew little about capital punishment, how many death sentences were passed and in what cases, how the court proceedings were held etc. They said they needed more media coverage on this issue. The majority suggested that trials in cases where a death sentence is a possibility should be held in open court.

'Things have to be made more public, more known to the masses. For example, the latest events in Boston [the 2013 bombing of the Boston marathon] – the whole world knows about this, talks about this and today, I think, it was said that the guy will get sentenced to death. Nobody is hiding information, everyone's discussing this. In America it's much simpler: it is shown on TV, everyone knows how this happens, court hearings are public, so everyone can see what's happening. In our country, it's all kept secret.' (Mogilev, 18-39 year-old)

Opinions on public coverage of capital punishment

Despite capital punishment being widely supported in Belarusian society, 78.9% of respondents were not willing to watch executions on TV (see Figure 41). Focus group participants also actively spoke against public executions.

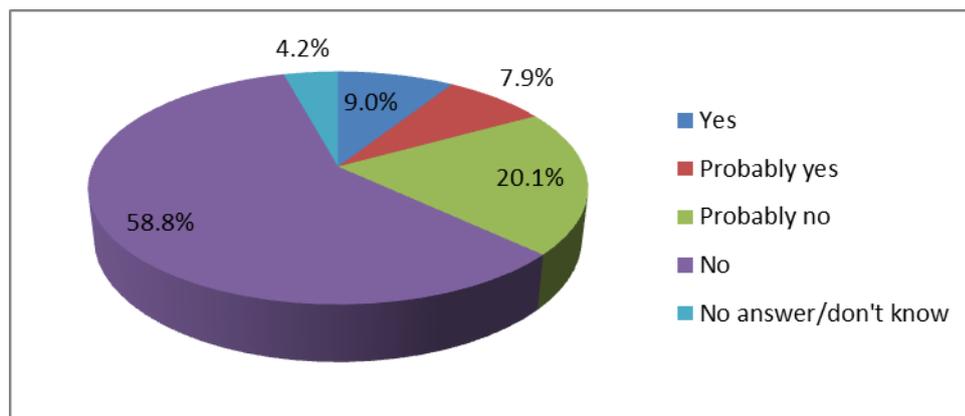


Figure 41: Readiness to watch executions if shown publicly (n=706)

Women were more commonly opposed to public executions (see Figure 42).

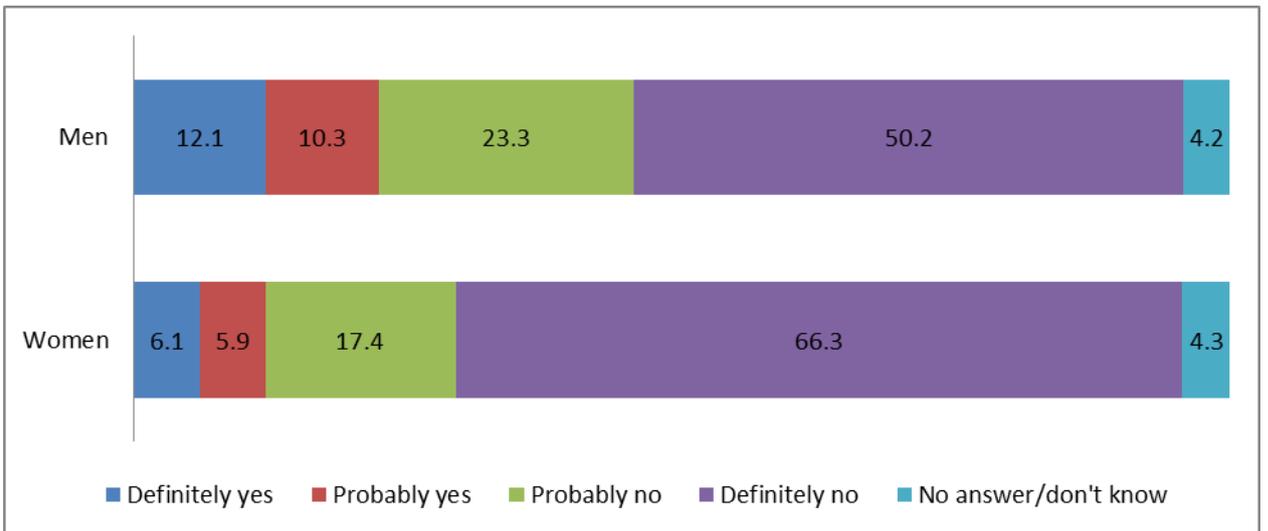


Figure 42: Readiness to watch executions if shown publicly by Gender (n=706)

Respondents who **believed in an immortal soul** were generally also unwilling to watch public executions (Figure 43).

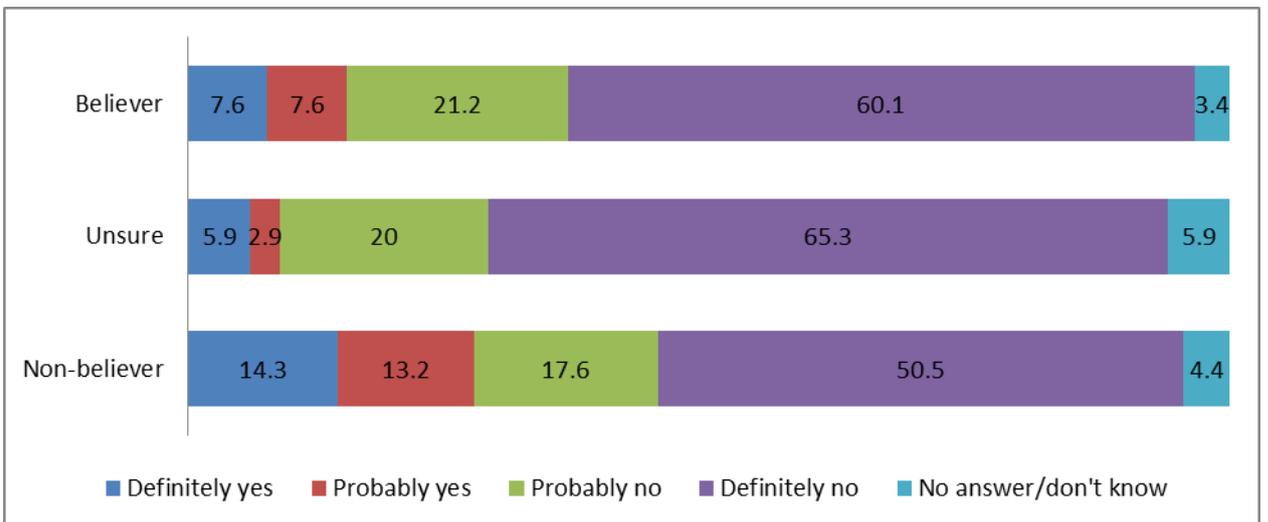


Figure 43: Readiness to watch executions if shown publicly by Belief in an immortal soul (n=706)

2. Public attitudes about criminal punishment

2.1. The goal of criminal punishment

Survey respondents did not firmly favour either retribution or deterrence as a goal of criminal punishment. 40.5% favoured punishment being a retribution for the crime committed, 44.3% supported punishment being 'a reason to fear and think twice before committing a crime'. Exact figures are shown in Figure 44.

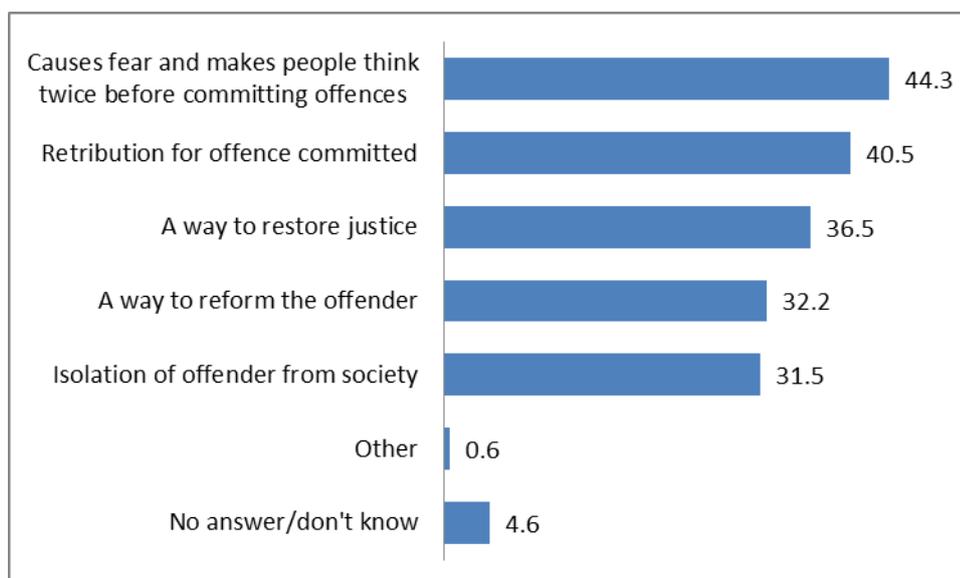


Figure 44: Opinions on the main purpose of criminal or any other form of official punishment (%; n=1100)

Respondents from various social and demographic groups generally agreed on the following functions of punishment:

- Punishment as retribution.
- Punishment as a way to restore justice.
- Punishment as an educational measure.
- Punishment as a way to prevent future crimes.

Respondents with **higher financial or educational levels** were more likely to see punishment as a means of education and correction. Perceptions of punishment as a way to prevent future crime are more common among those with **higher education levels, lower financial levels** and **lower levels of religiosity** (measured by belief in God or an immortal soul). Views of punishment as retribution were more common among **less religious** people and those with **lower financial levels**. More religious respondents were more likely to see punishment as a means of restoring justice.

Furthermore, a higher share of respondents who observed religious commandments thought the main purpose of punishment was to administer justice (39.1% versus 30.2% among non-observers) or retribution (34.4% and 30.6% respectively), and a lower share of those who saw education as the main purpose of punishment – 31.8% against 41.5% (see Figure 45).

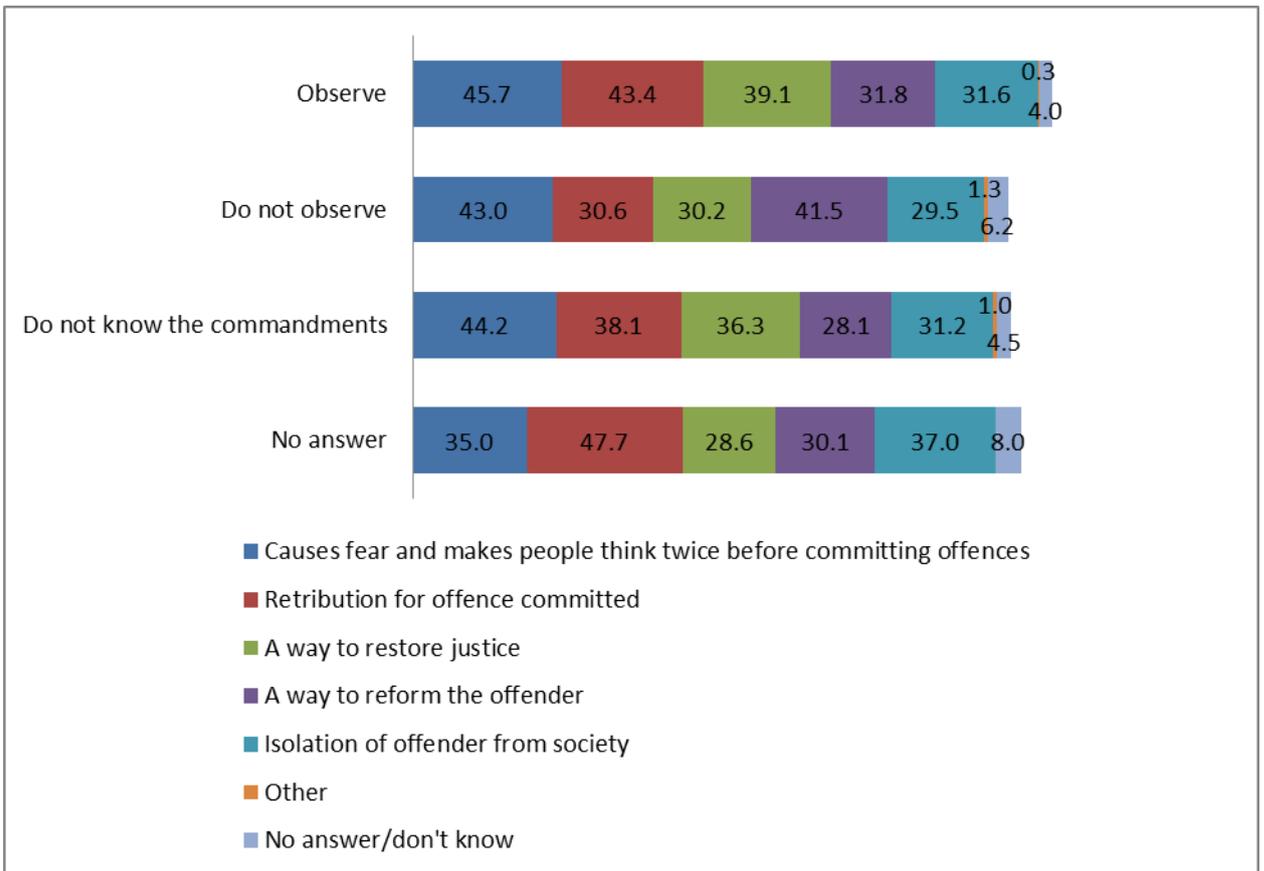


Figure 45: Opinions on the main purpose of criminal or any other form of official punishment by Observance of religious commandments (%; n=1100)

2.2. Causes of crime and how it can be affected

Causes of crime

The most widely cited reason among respondents for why criminal behaviour exists was the growth of violence and aggression. Other frequently mentioned explanations included: the cult of money and profit, and the growth of social inequality (Figure 46). Based on this data, we can surmise that the central reason for the existence of crime, as perceived by the people, is a set of external conditions and rules in society and the state. Uneven distribution of resources, as well as a lack of equal opportunities for everyone, results in social stratification and a prevalence of material values over social ones, which in turn leads to an increase in aggression and violations of the law.

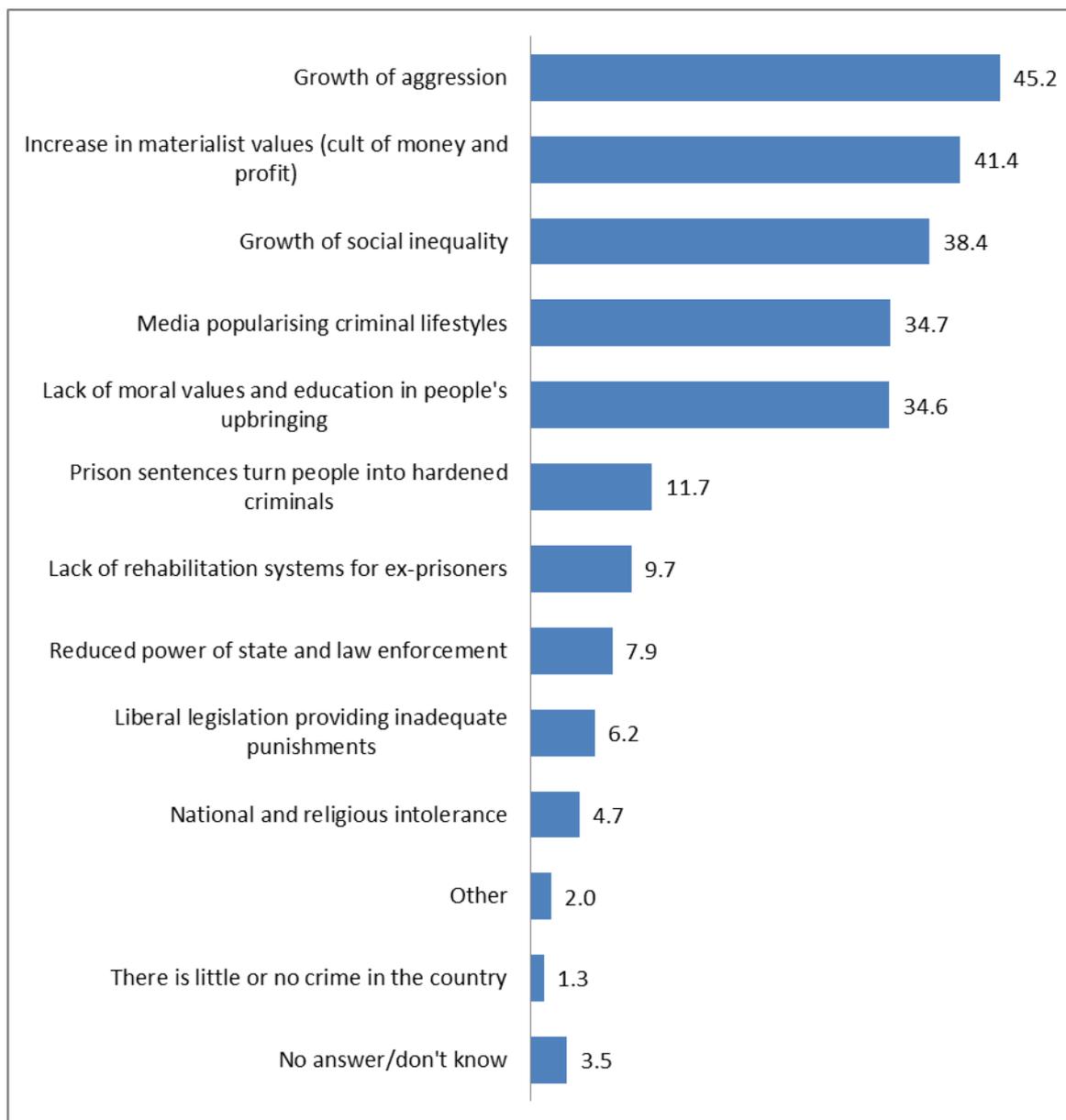


Figure 46: Public opinion on the causes of crime (%; n=1100)

People living outside the capital, those with lower levels of religiosity (those who did not believe in God or were not sure about such things, and those who did not believe in an immortal soul) and those with a **worse financial situation** saw the causes of criminal behaviour in the lack of moral values and education in people's upbringing and the growth of social inequality. People with **higher levels of education, better financial situations** and **residents of Minsk**

linked the growth of crime with the negative role played by mass media and a shift towards materialist values (the cult of money and profit). As respondents' **age** increased, people tended to believe more in the negative role of mass media in engendering crime. People with **higher levels of education** and with **religious beliefs** (belief in God and/or an immortal soul) were more likely to refer to the inadequacies of the prison system, in particular the lack of a system of rehabilitation for ex-convicts and the impact of negative experiences in prison, which turned people into hardened criminals.

Opinions on the causes of crime also varied depending on experiences of aggression (both being subject to aggression from others and showing aggression towards other people). People who had been subject to aggression were more likely to link criminal behaviour to internal reasons, a lack of moral upbringing and a general shift towards materialist values. Those who were not subjected to aggression from others normally attributed crime to external reasons – specifically, the negative role of the media which popularises criminal environments and lifestyles. When comparing responses to respondents' own levels of aggression, the following trends were identified:

- The more aggressive respondents were, the bigger the proportion stating that crime exists because of people becoming more aggressive.
- Respondents who showed aggression from time to time tended to believe that crime was caused by a lack of moral upbringing and laxness of punishments.
- Respondents who showed aggression infrequently believed crime was caused by outside factors, with the mass media and the cult of money and profit playing key roles.
- Respondents who never showed aggression blamed failures in the prison system for causing crime. These failures included a lack of rehabilitation systems for ex-prisoners and inappropriate conditions in prisons, which reinforced offending behaviour instead of rehabilitating offenders (see Figure 47).

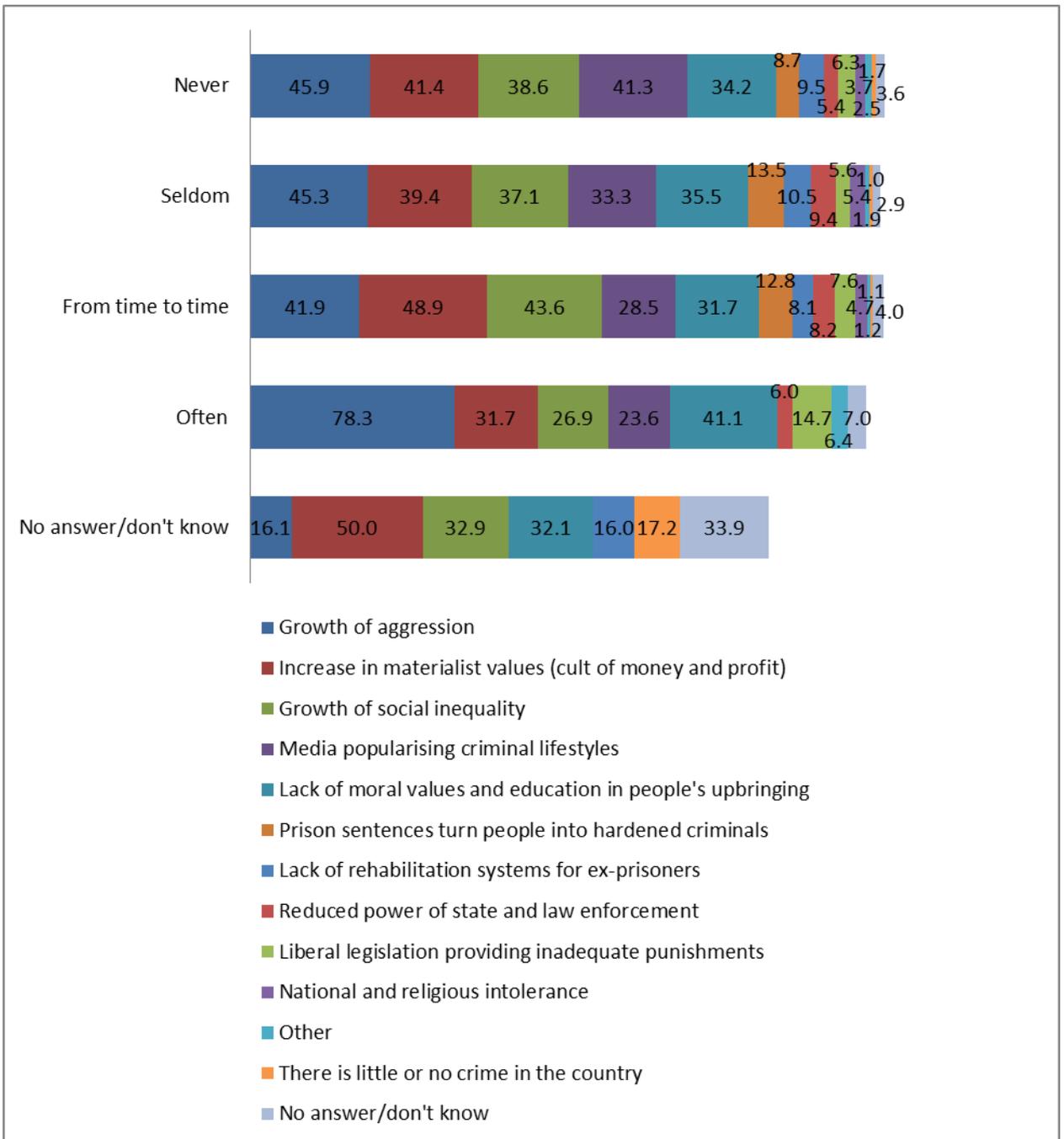


Figure 47: Opinions on the causes of crime by Frequency of aggression shown towards others (%; n=1100)

Crime reduction measures

Various options were considered by respondents as possible crime reduction measures: those most favoured were bringing people up to be tolerant and improving the general well-being of the population. This suggests that Belarusians consider crime to be caused both by individuals/their behaviour and by external conditions and the environment in which they live. Details are shown in Figure 48.

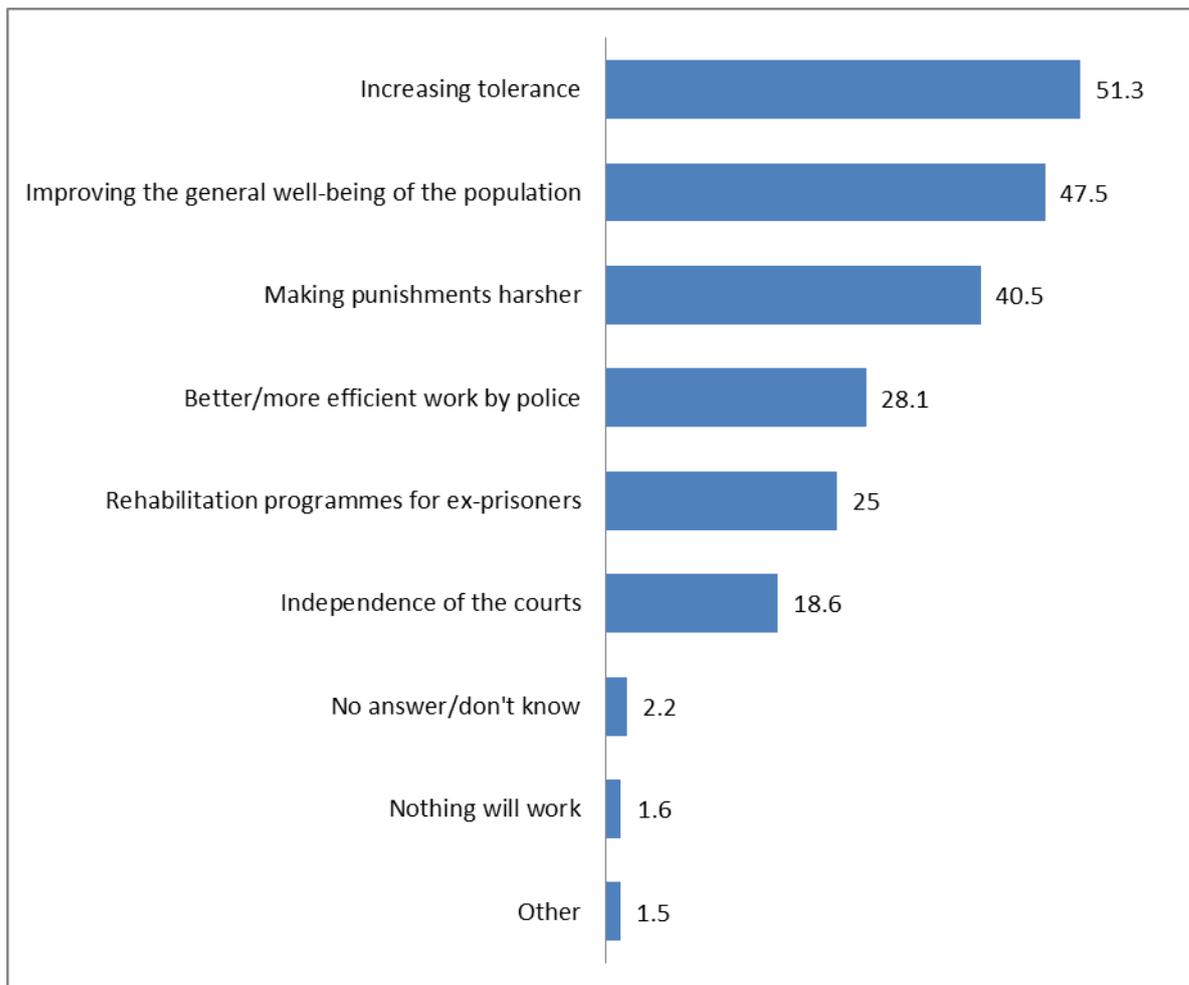


Figure 48: Opinions on measures to reduce crime (%; n=1100)

Looking at the responses from different social and demographic groups, we can see the following differences:

- **Older respondents** (45-60 and 61 and older) believed that crime reduction was possible if the police worked more efficiently.
- **Residents outside Minsk** favoured improvements in the general well-being.
- **More highly educated respondents** linked crime reduction with changing people's attitudes to be more tolerant, and ensuring the independence of the courts.
- People with **higher income levels** proposed harsher punishments as a way to control crime. On the other hand, people with lower incomes spoke about the need to improve the general well-being of the population.
- Respondents who **believed in God** wanted the population to be taught to be more tolerant. Groups that did not believe in God placed more emphasis on ensuring the independence of the courts and improving the operation of the police. The same focus on tolerance was observed among respondents who **followed religious commandments and practices** (Figure 49); this attitude accords with traditional Christian virtues of tolerance and patience ('In your patience possess ye your souls.' Luke 21:19).

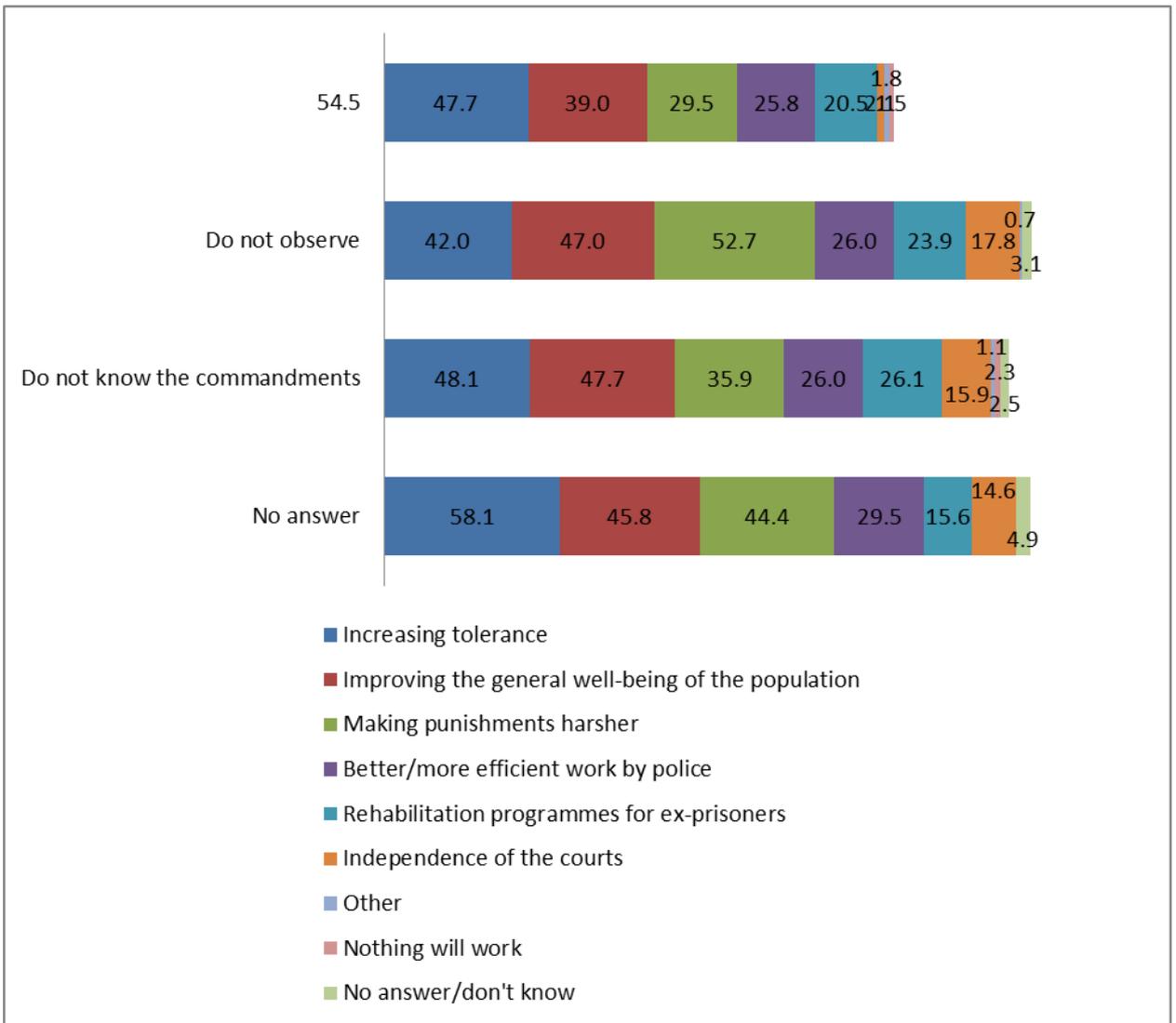


Figure 49: Opinions on measures to reduce crime by Observance of religious commandments (%; n=1100)

Respondents who reported high levels of aggression towards others favoured increasing punishments and ensuring the independence of the courts. It is perhaps logical that more aggressive groups had a more deterrent/consequentialist perspective regarding the prison system: as the degree of aggression grew, so did the share of people who believed the prison system prevented new crimes through intimidation. Less aggressive groups (those that seldom or never show aggression) supported more liberal measures such as 'improving tolerance in people'. They also believed the prison system is there to change and reform offenders. The numbers are shown in Figure 50.

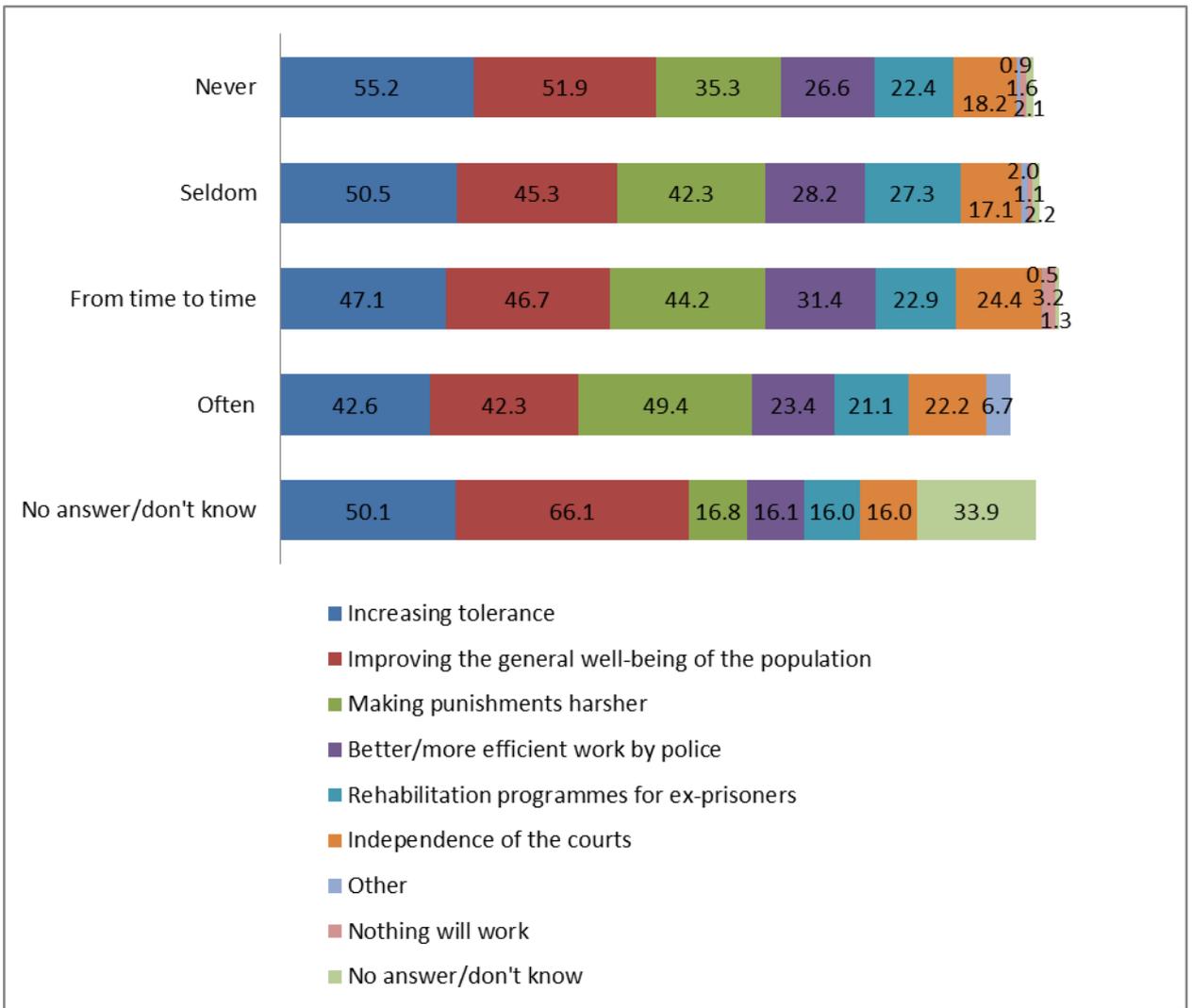


Figure 50: Opinions on measures to reduce crime by Frequency of aggression shown towards others (%; n=1100)

Views on the current sentencing regime

45.9% of respondents considered the current system of sentences in Belarus to be appropriate to the offences being committed; 23.2% considered it too liberal. The numbers are shown in Figure 51.

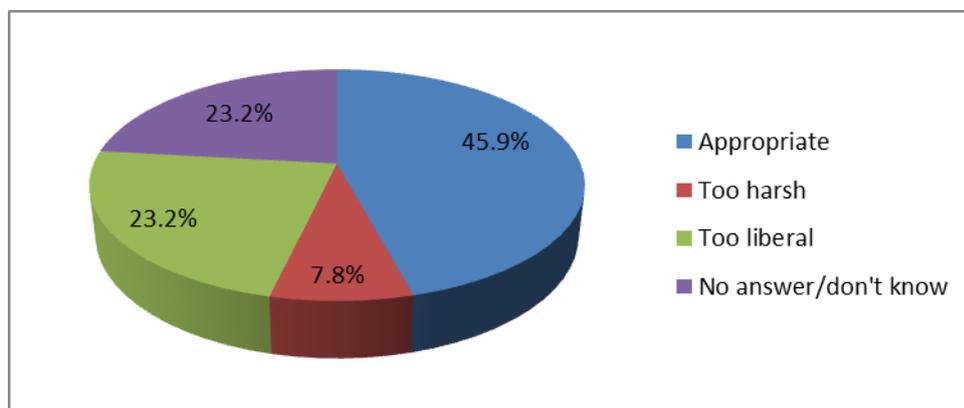


Figure 51: Opinions of the current sentencing system in Belarus (%; n=1100)

Public opinion on the how well sentences relate to the offences committed correlated to the following characteristics:

- Gender.
- Place of residence.
- Income level.

Men were slightly more likely than **women** to consider the existing punishments appropriate (47.3% versus 44.7%) or too soft. Only 9.9% of men believed the current system was too soft, as opposed to 5.8% of women.

Interestingly, **Minsk residents** were far less likely than residents of other regions to have a view on the adequacy of punishments, and less likely to consider the current system adequate. See Figure 52 for details.

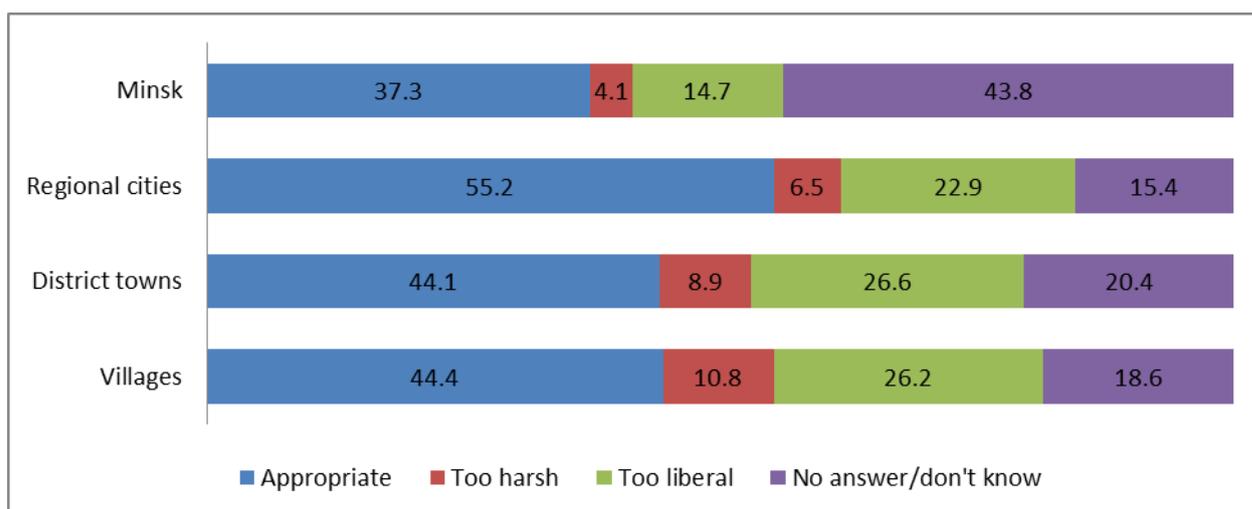


Figure 52: Opinions of the current punishment system in Belarus by Residence (%; n=1100)

People in **better financial situations** tended to consider current punishments appropriate, compared to groups with worse finances. At the same time, as finances worsened, the opinion that the current prison system is too harsh became more widespread.

No major differences in opinions were identified in groups differentiated by religiosity, education, age or gender.

The more respondents exhibited or experienced aggression, the less adequate they considered the sentences passed. People who often showed aggression towards others were more likely to consider the existing system as too mild, compared to those who showed aggression less often. The same trend occurred among respondents who frequently faced aggression from others (Figure 53).

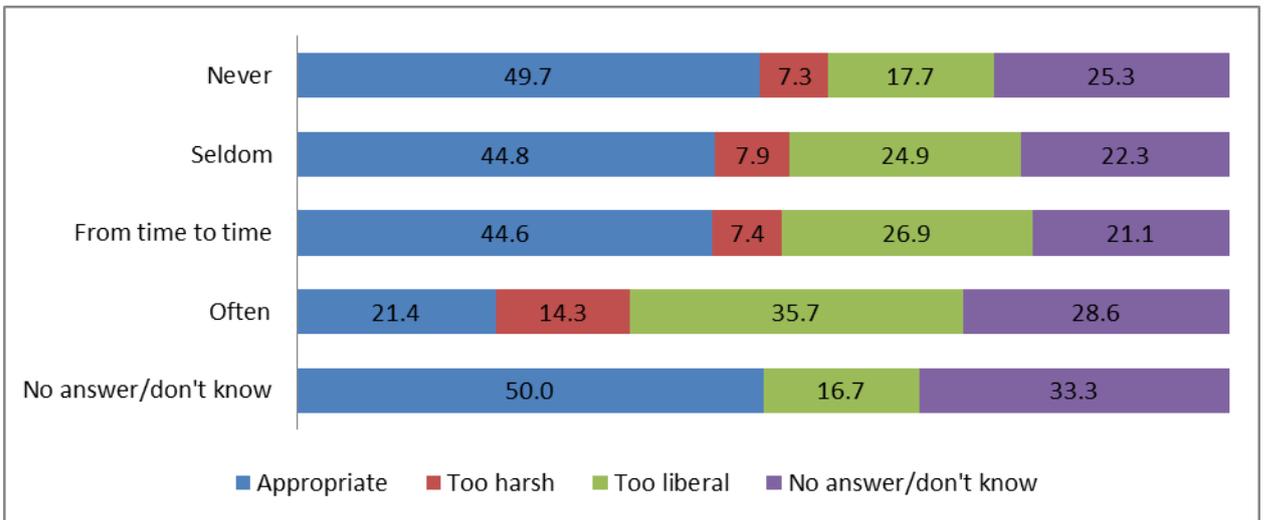


Figure 53: Opinions of the current punishment system in Belarus by Frequency of being subjected to aggression by others (%; n=1100)

Respondents who considered the current system of punishment in Belarus too liberal included a higher share of people opposed to replacing capital punishment with life sentences (62.6%) – see Figure 54.

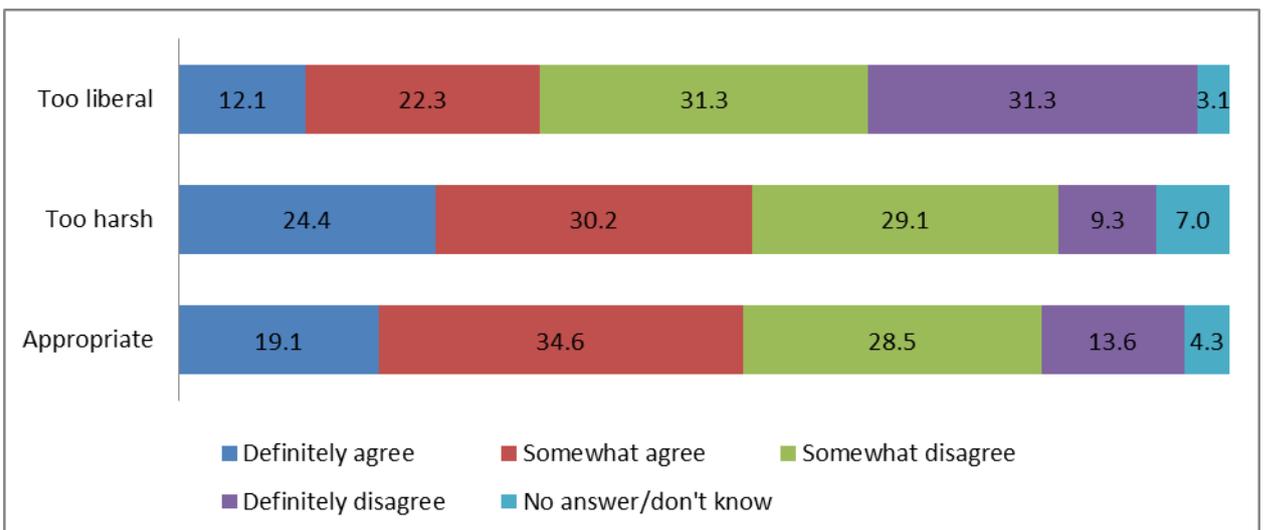


Figure 54: Opinions on whether life sentences are an acceptable alternative to the death penalty by Opinions of the current punishment system in Belarus (%; n=1100)

The purpose of the Belarusian judicial system

The people surveyed had a one-dimensional understanding of the Belarusian judicial system, with almost three in five (59.3%) stating that its purpose is to punish offenders. Belief that the judicial system in Belarus is there to restore justice commanded 35.3% support. Deterrence arguments (that it either prevents the offender from further crimes or discourages offending by others) were the next in popularity. The numbers are shown in Figure 55.

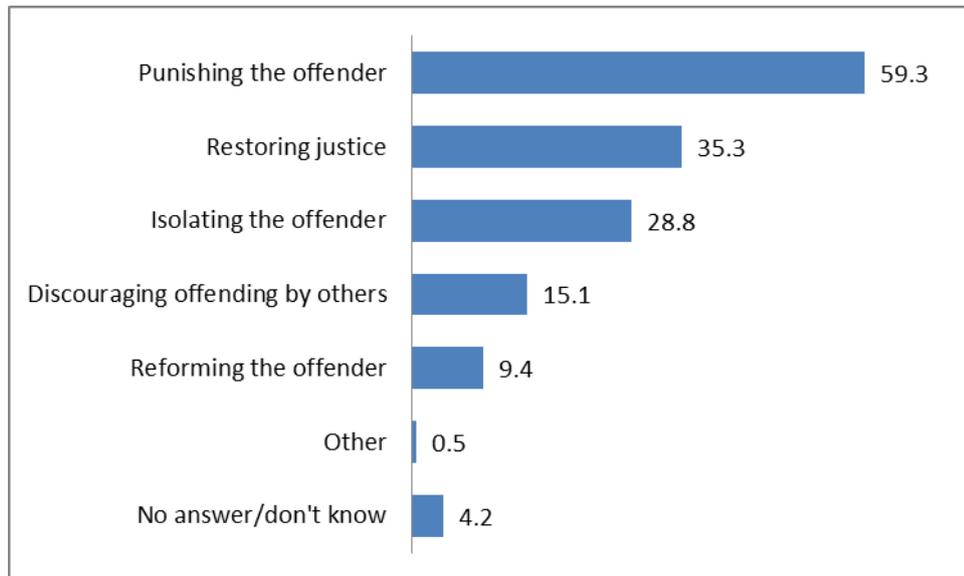


Figure 55: Opinions of the main purpose(s) of the Belarusian judicial system (%; n=1100)

Young people (aged 30 or less) were more likely than other age groups to see the purpose of the judicial system as isolating the offender from society, while older age groups were the most likely to see it as a way of restoring justice. See Figure 56 for details.

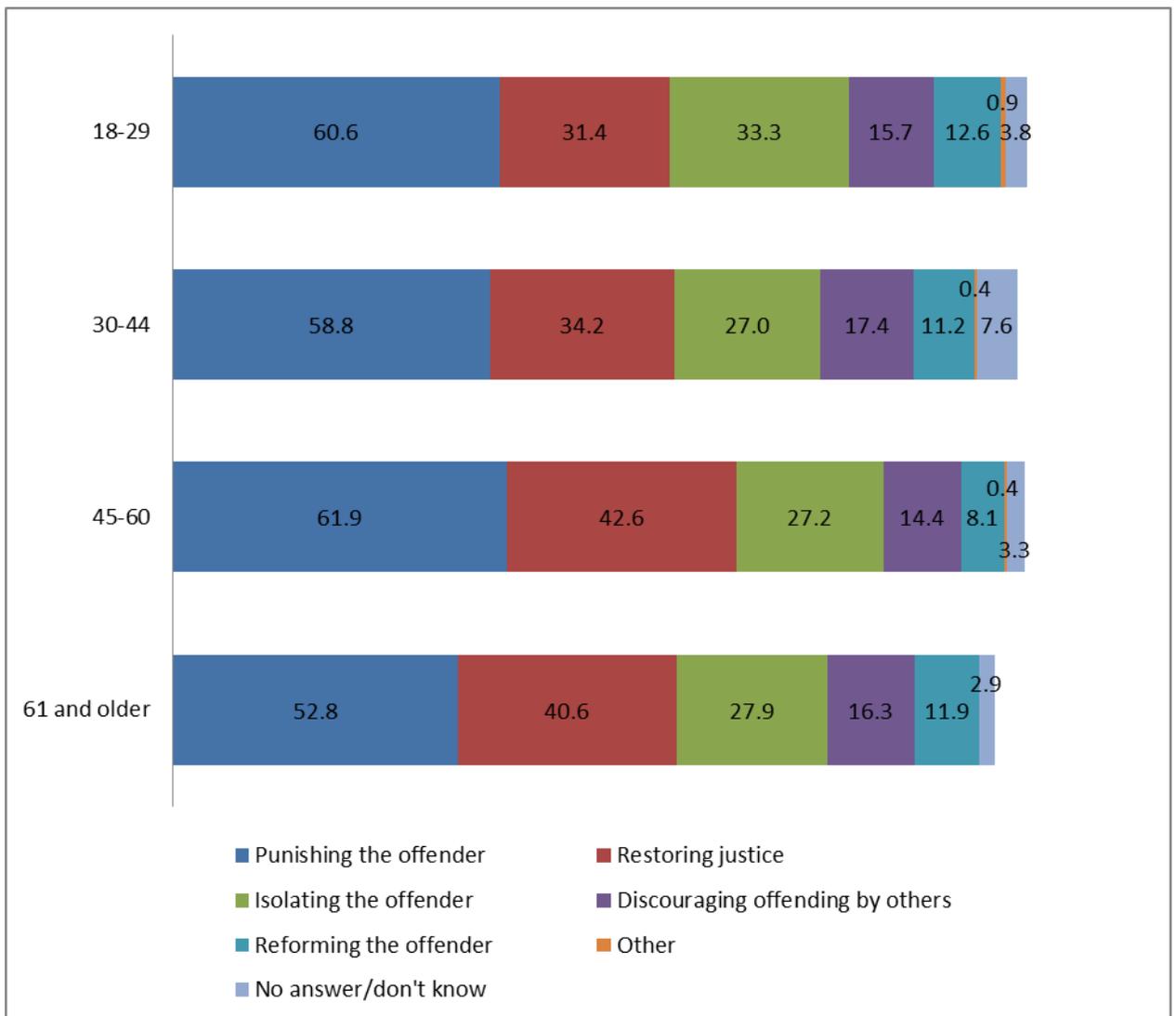


Figure 56: Opinions of the main purpose(s) of the Belarusian judicial system by Age (%; n=1100)

Residents of provincial cities and the capital were more likely to see the judicial system's purpose as isolating offenders than were residents of smaller towns and rural areas (Figure 57).

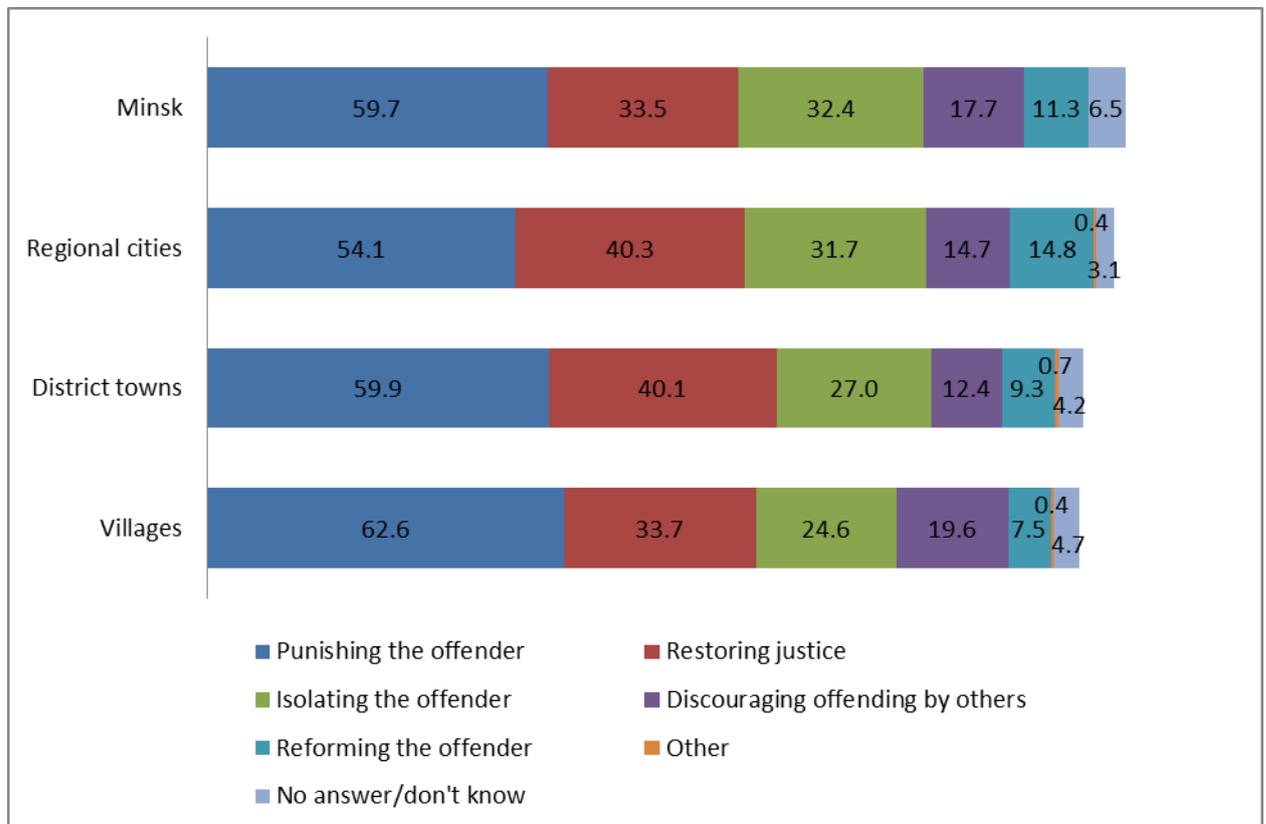


Figure 57: Opinions of the main purpose(s) of the Belarusian judicial system by Residence (%; n=1100)

Interestingly, respondents with a deterrence/consequentialist view had different opinions of the purpose of the judicial system depending on their education. People with **secondary technical/vocational education** said that its purpose was to deter would-be offenders, while people with **higher education** said it was to prevent the offender from future offending.

More religious respondents saw the function of the judicial system as reforming the offender and restoring justice. Less religious respondents associated the system, primarily, with punishing the offender.

Respondents that both believed in God and followed religious commandments/practices were less likely to believe that the main purpose of the Belarusian judicial system was to punish the perpetrator (47.5%), but 61.7% of non-believers held this view (see Figure 58).

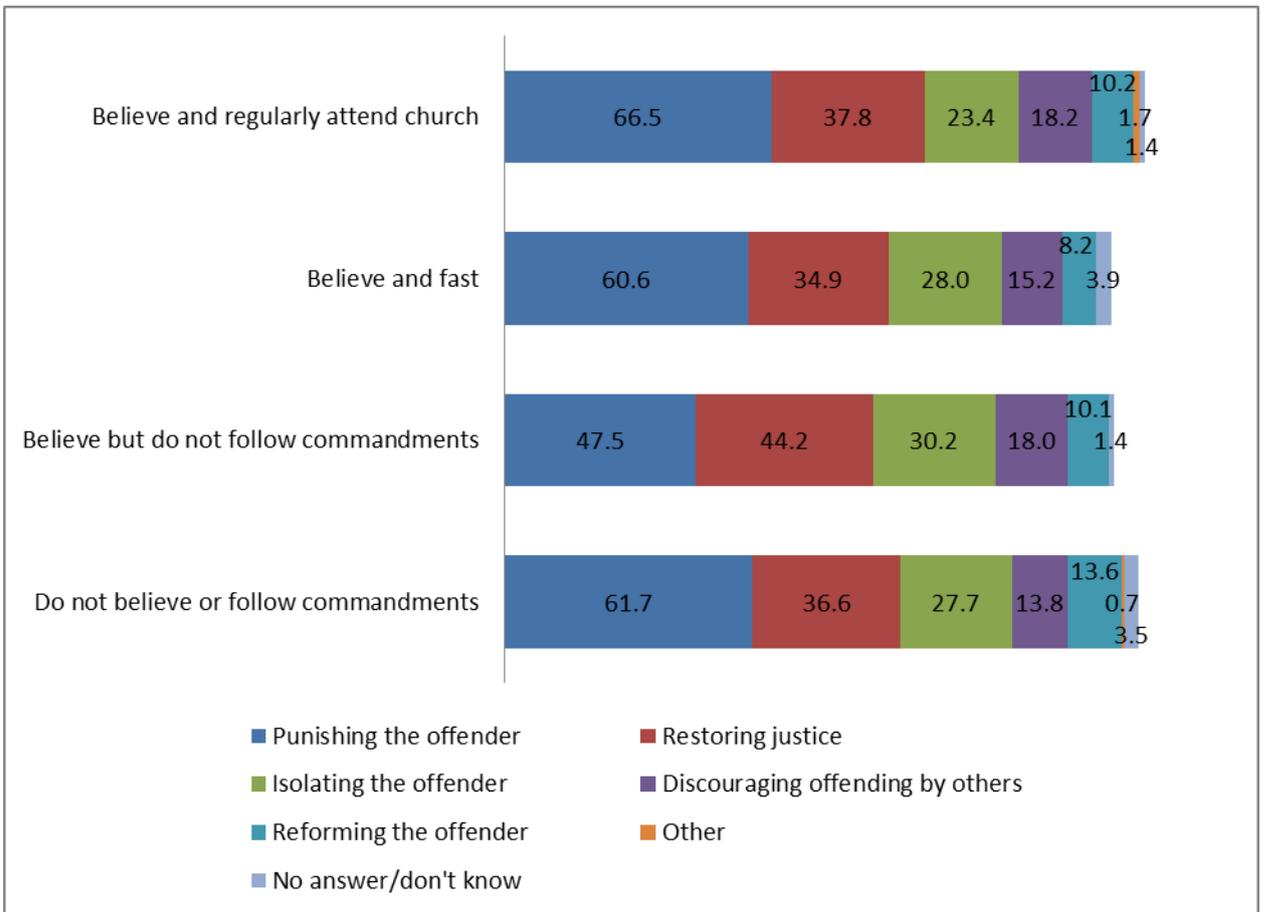


Figure 58: Opinions of the main purpose(s) of the Belarusian judicial system by Observance of religious commandments and practices (%; n=507)

Respondents with the **lowest incomes** were least likely to see the purpose of the judicial system as preventing the offender from future offending (16.9%). Respondents with mid-range incomes were least likely to view punishment of offenders as the main purpose of the system, with 52.9% agreement on this (see Figure 59).

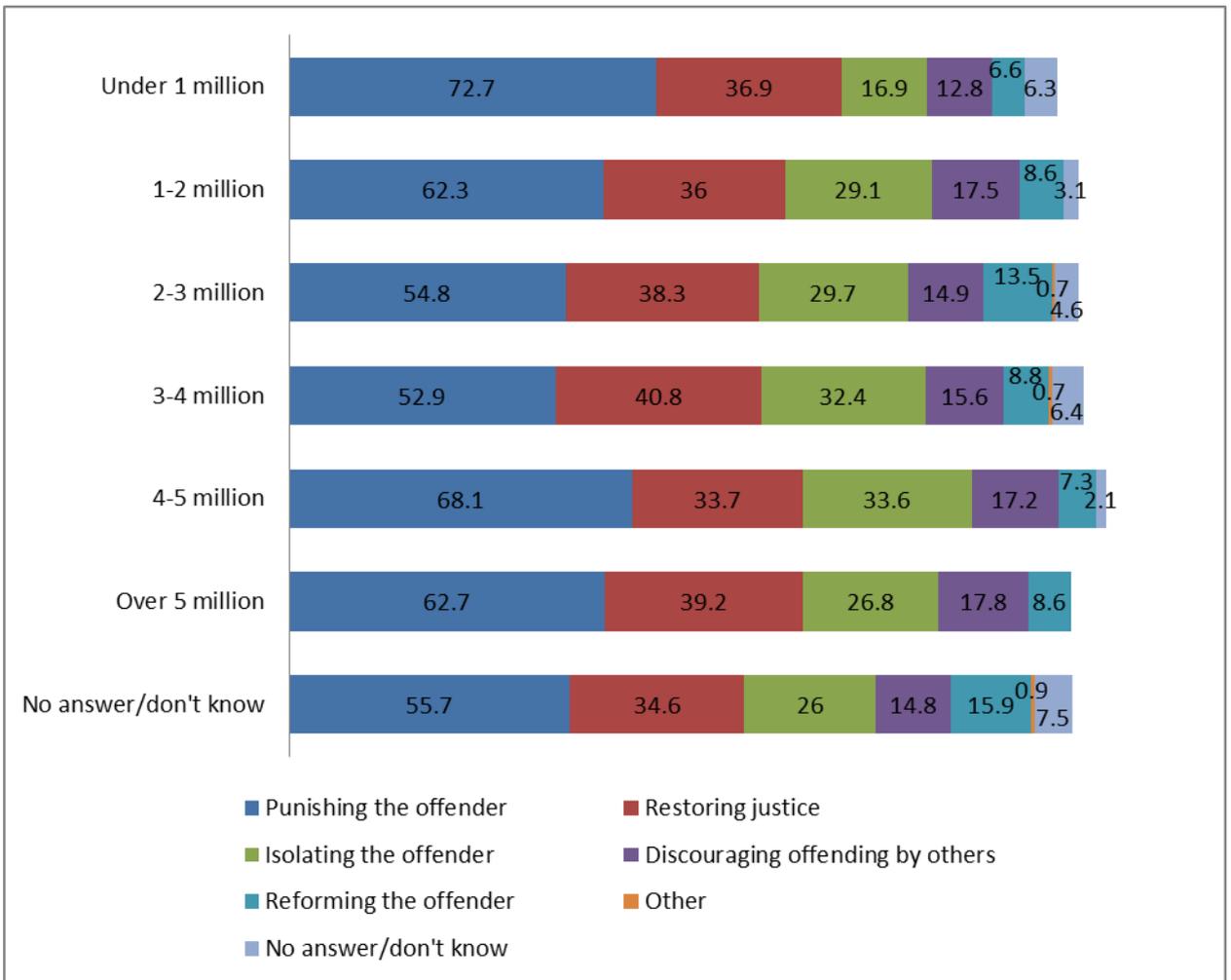


Figure 59: Opinions of the main purpose(s) of the Belarusian judicial system by Income level (%; n=1100)

2.3. Public awareness of the criminal justice process

Respondents' awareness of the functioning of the criminal justice process played a major role in forming opinions on capital punishment. Knowledge of, and opinions about, how the legal and judicial systems functioned helped determine people's attitudes.

Most Belarusians believed that the courts in Belarus were fair and the judicial system was not corrupt. These conclusions are drawn from responses to the question: 'Can an ordinary citizen count on a fair trial?' 61.7% of the respondents strongly or somewhat agreed with this statement, 29.8% strongly or somewhat disagreed and 8.5% did not answer (see Figure 60).

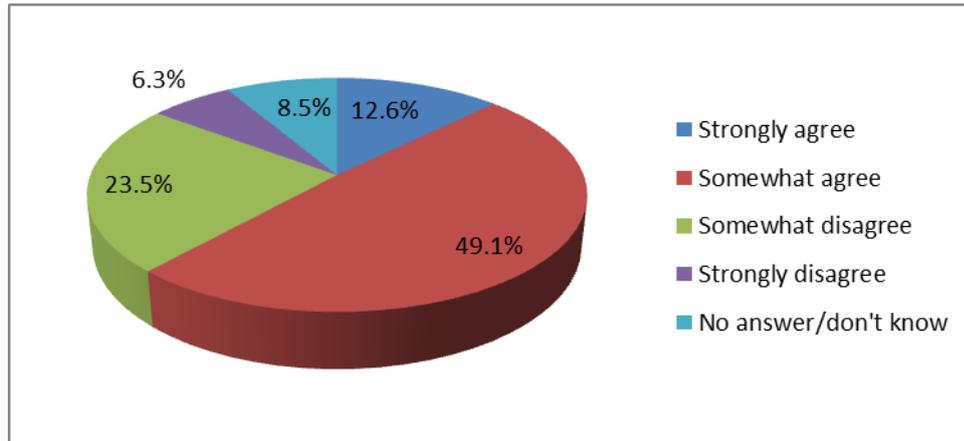


Figure 60: Opinions on whether ordinary citizens can rely on a fair trial (%; n=1100)

Opinions on the independence and fairness of the Belarusian judicial system differed by:

- Place of residence.
- Financial situation.
- Belief in God.

People living in **provincial cities** were the most trusting of the judicial system. Minsk and small town residents were less trusting (see Figure 61).

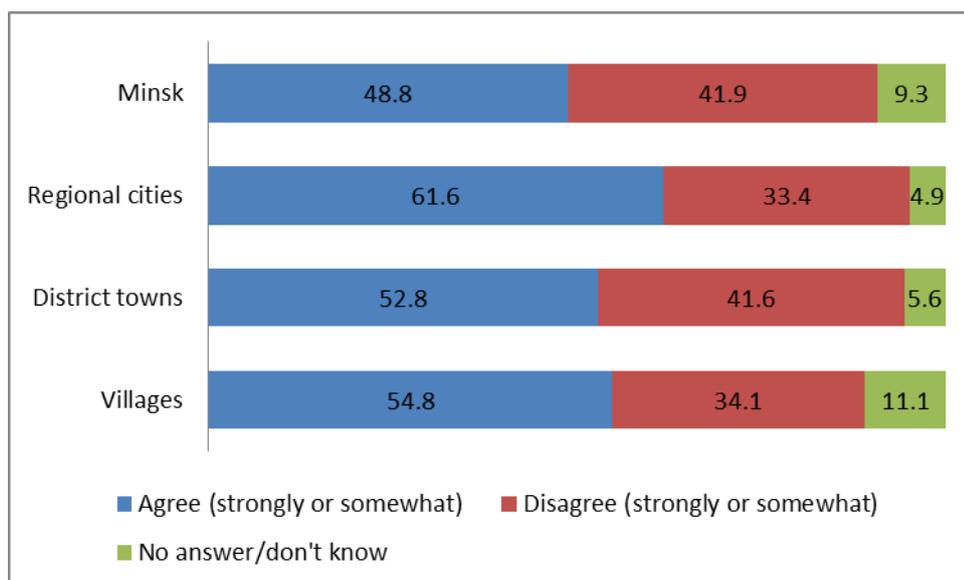


Figure 61: Opinions on whether ordinary citizens can rely on a fair trial by Residence (%; n=1100)

The **most financially secure** respondents were the most likely to believe that an ordinary person could count on a fair trial. Respondents' optimism reduced along with their financial situation. See Figure 62 for details.

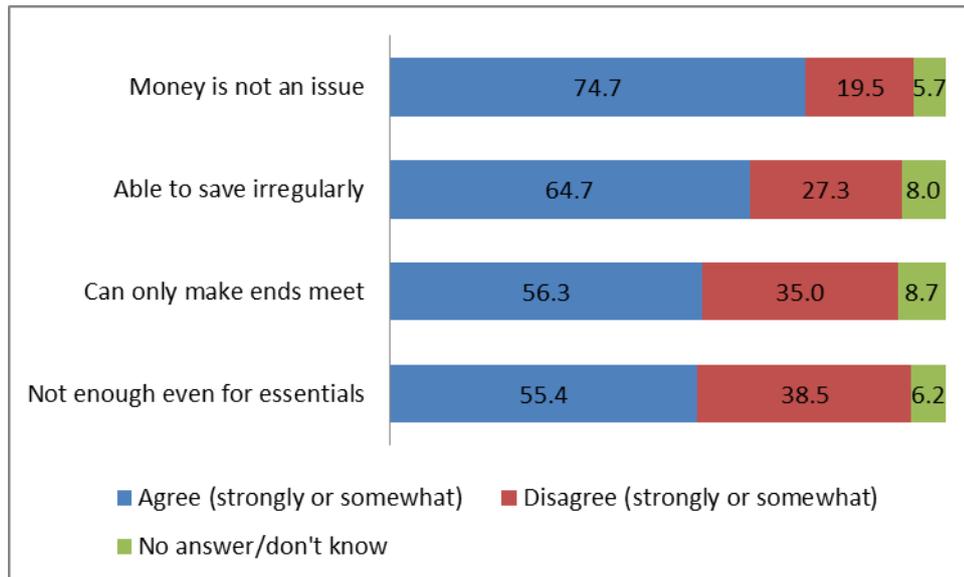


Figure 62: Opinions on whether ordinary citizens can rely on a fair trial by Financial situation (%; n=1100)

Respondents believing in God were more likely to consider the judicial system fair: 28.5% of them did not feel it was fair and independent, compared to 41.5% of non-believers.

The central principle of the criminal justice system, according to the total population of respondents, should be the value of human life. At the same time, they felt that punishments must be proportionate to the offences committed.

When asked about how well the criminal justice system currently functioned, respondents were quite positive. However, many were concerned about violations of the presumption of innocence (30.3% believed this presumption was not always followed) and the possibility of punishing an innocent person (38.0% believed there were situations where this happened). See Figure 63 for details.

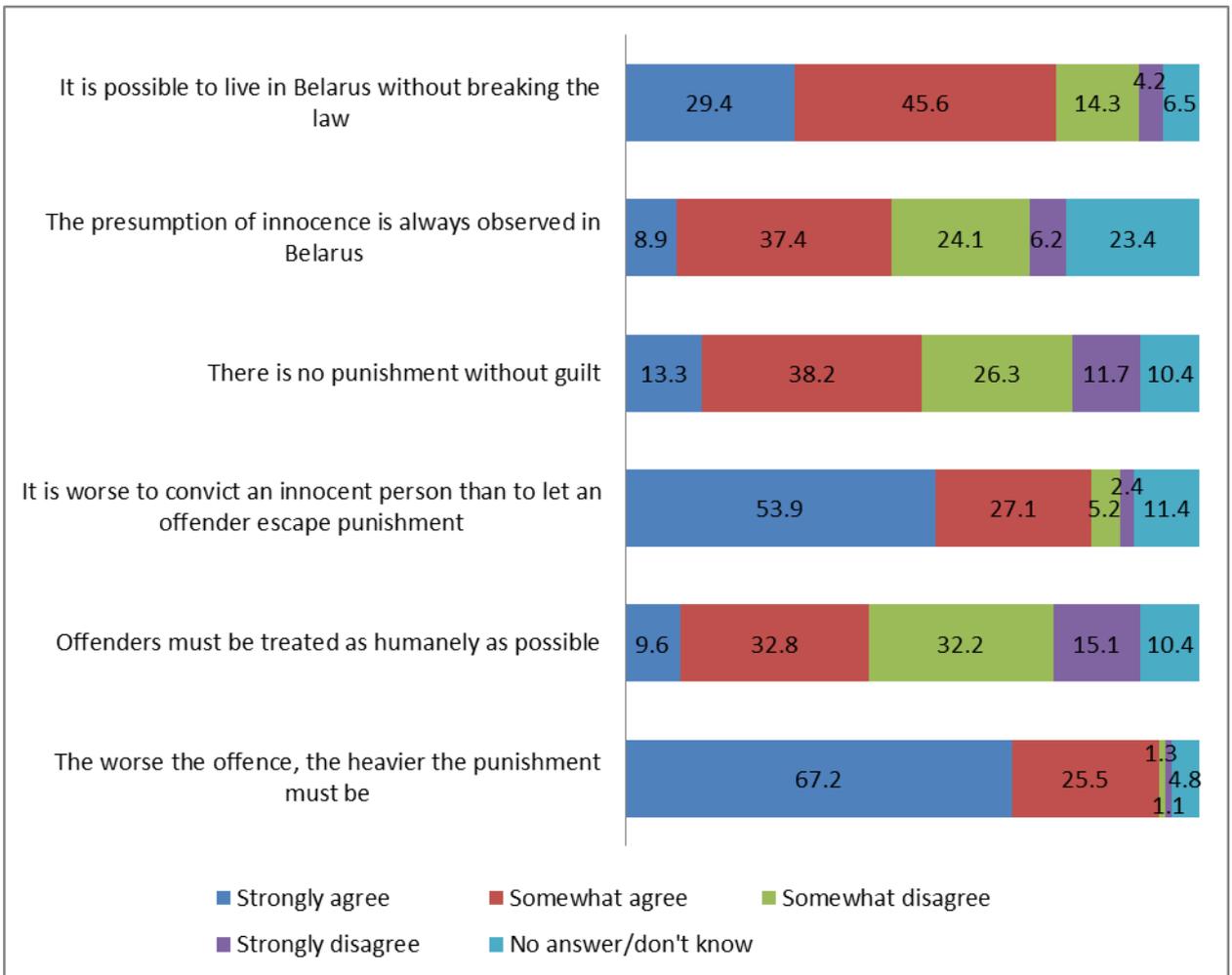


Figure 63: Opinions on the current functioning of the criminal justice system (%; n=1100)

These attitudes differed depending on the following features:

- Gender (a greater proportion of women believed one could live in Belarus without breaking the law).
- Age (older respondents were more likely to believe one could live in Belarus without breaking the law).
- Residence (those living in villages were more likely to emphasise the importance of not convicting an innocent person, even if it meant an offender not being held to account).
- Financial situation (respondents in worse financial situations were more humane towards offenders).
- Belief in an immortal soul (proportionately more believers were concerned about not convicting an innocent person).

The question of whether the judicial system in Belarus violated the presumption of innocence was controversial for respondents, producing one of the largest percentages in the survey of people who could not answer (23.4%). This rose to a high of 35.6% among Minsk residents, who were also less likely to agree (fully or somewhat) that the system respects the presumption of innocence – 25.9%, as opposed to regional cities with 60.3%, district towns with 47.7% and villages with 45.7% (see Figure 64).

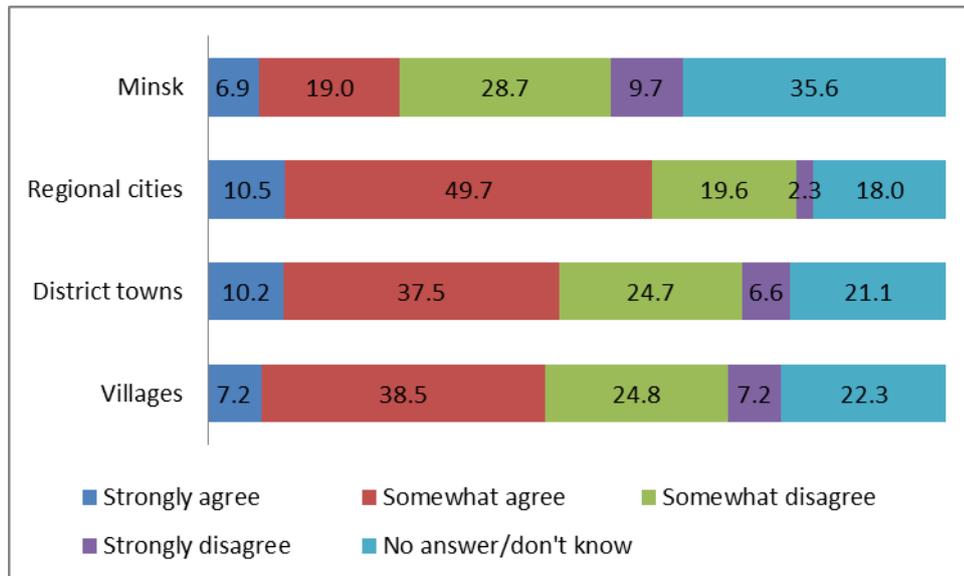


Figure 64: Opinions on whether the presumption of innocence is observed in Belarus by Residence (%; n=1100)

Those who considered themselves affluent were the financial group most likely to believe that the presumption of innocence was observed (see Figure 65).

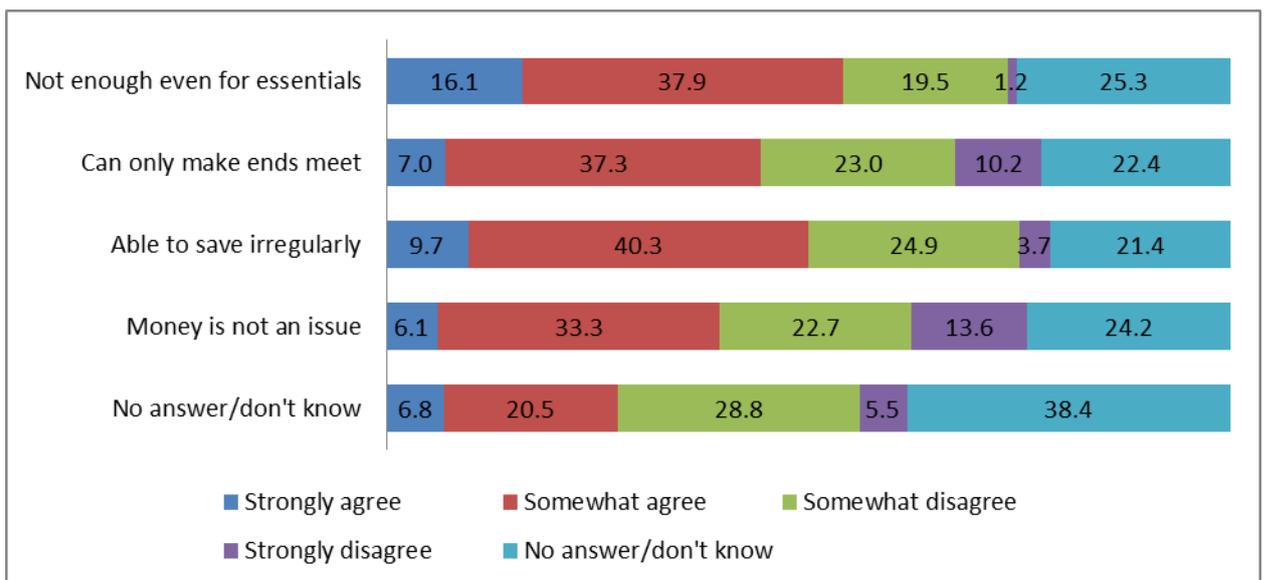


Figure 65: Opinions on whether the presumption of innocence is observed in Belarus by Financial situation (%; n=1100)

Among different **age** groups, young people were least likely to agree that the principle of the presumption of innocence was always followed in Belarus. Older people, in contrast, had a higher proportion believing that such a presumption was observed.

Religious beliefs (belief in God or an immortal soul) affected attitudes in this area, with non-believing respondents more doubtful that the presumption of innocence was observed in Belarus (Figure 66).

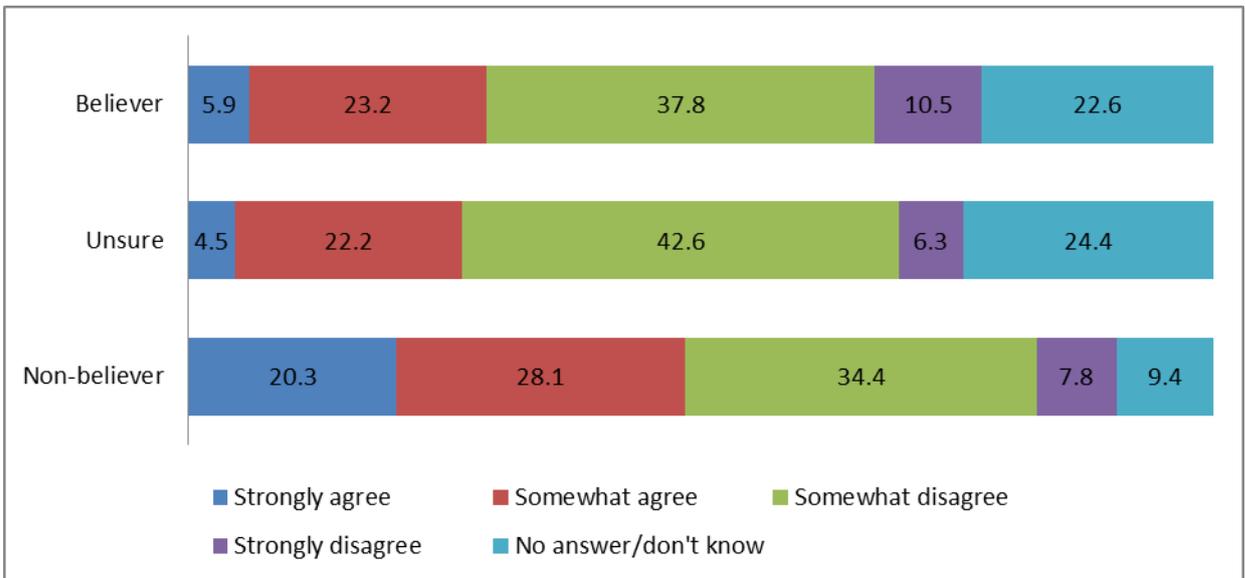


Figure 66: Opinions on whether the presumption of innocence is observed in Belarus by Belief in God (%; n=1100)

Respondents who did not believe in an immortal soul were more likely to feel strongly that Belarus does not strictly observe the presumption of innocence, and less likely to feel strongly that it does (Figure 67).

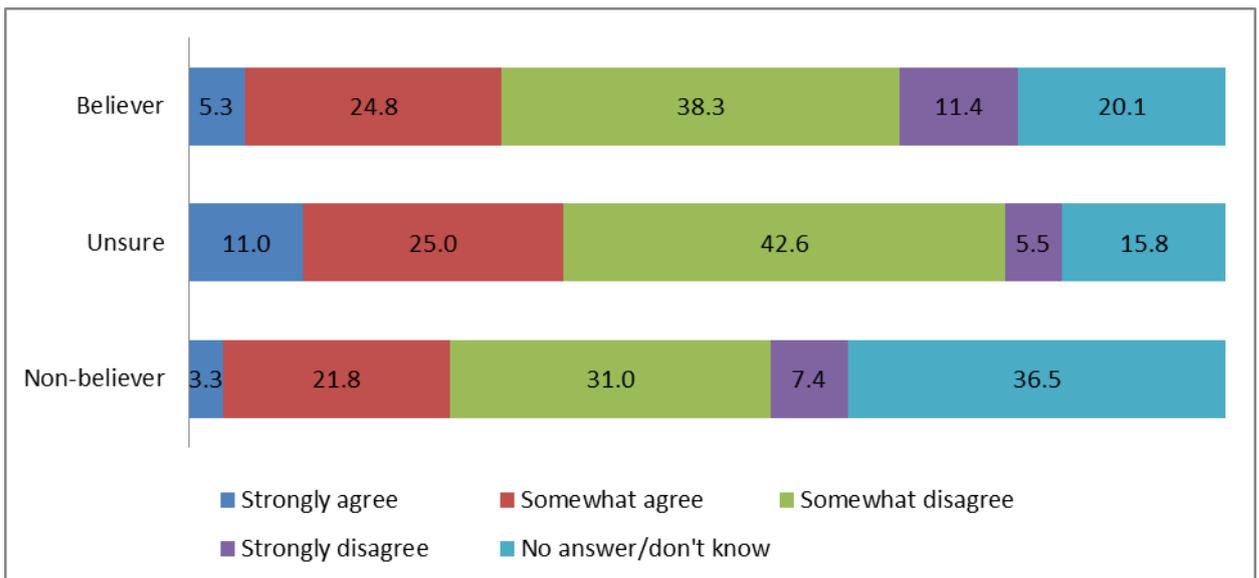


Figure 67: Opinions on whether the presumption of innocence is observed in Belarus by Belief in an immortal soul (%; n=1100)

People who did not believe in an immortal soul or did not answer that question were more likely than believers to say that it is worse to convict an innocent person than to let an offender go free (see Figure 68).

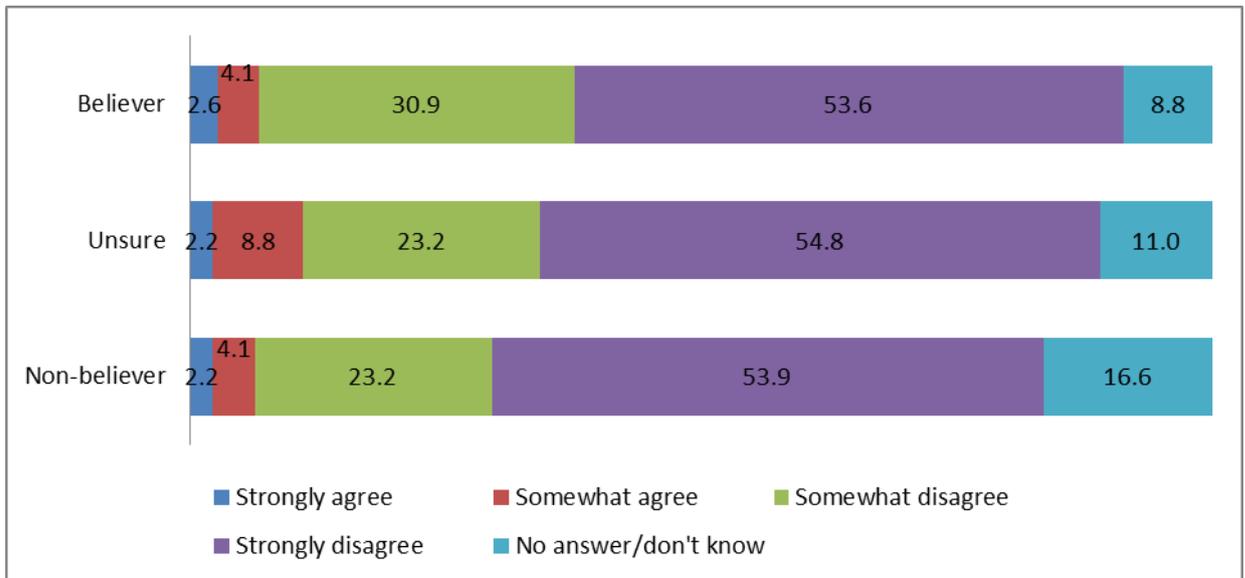


Figure 68: Opinion on whether it is worse to convict an innocent person than to let an offender go free by Belief in an immortal soul (%; n=1100)

Responses to this question also varied according to whether respondents followed religious commandments and practices: those who followed them were more likely to feel that convicting the innocent is worse than letting offenders go free (Figure 69).

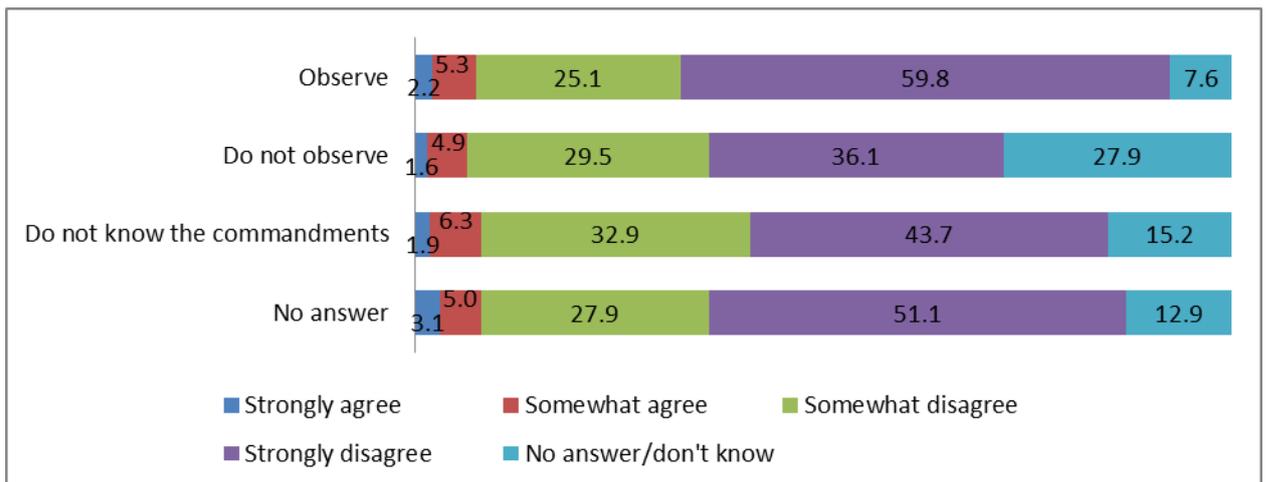


Figure 69: Opinion on whether it is worse to convict an innocent person than to let an offender go free by Observance of religious commandments (%; n=1100)

When categorised by residence, those living in villages were most merciful, with 86.7% believing it was worse to convict an innocent person than let an offender avoid punishment (Figure 70).

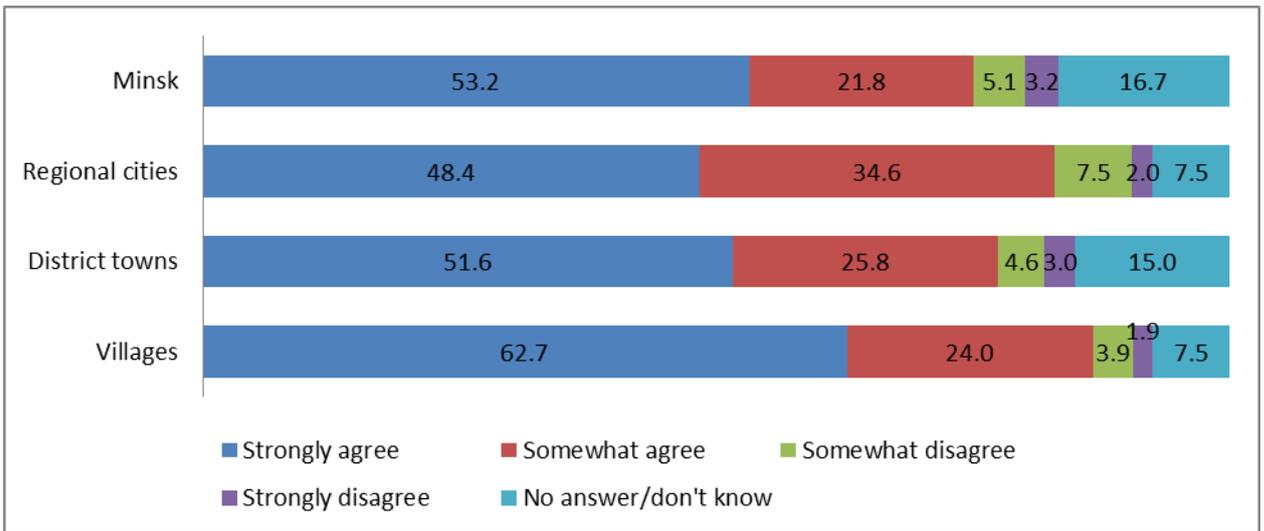


Figure 70: Opinion on whether it is worse to convict an innocent person than to let an offender go free by Residence (%; n=1100)

Attitudes about the fallibility of the judicial system differed by financial situation, with more financially secure respondents more than twice as likely as other financial groups to strongly agree that ‘There is no punishment without guilt’ (27.6% compared to the next highest of 12.9%) – Figure 71.

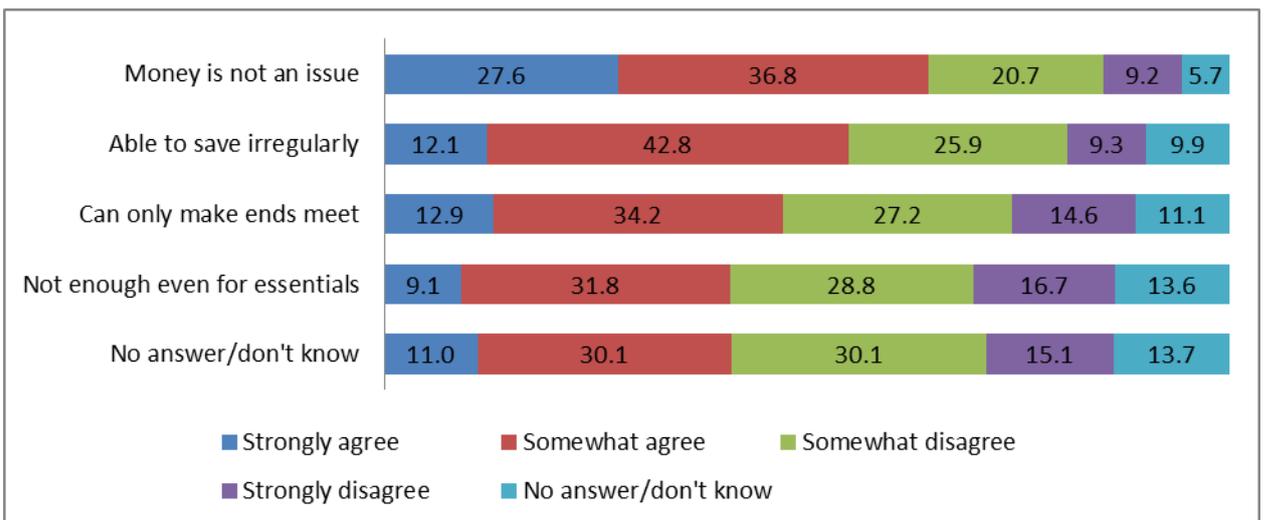


Figure 71: ‘There is no punishment without guilt’ by Financial situation (%; n=1100)

Less religious respondents (those who did not believe in an immortal soul) were more willing to believe that innocent people could be convicted (see Figure 72).

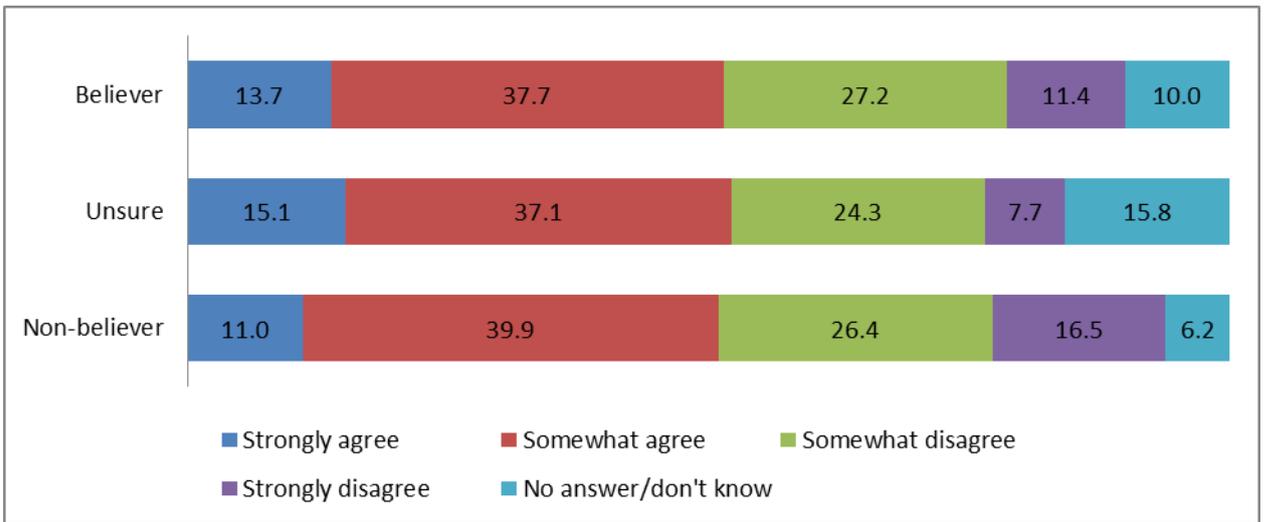


Figure 72: 'There is no punishment without guilt' by Belief in an immortal soul (%; n=1100)

An overwhelming majority of respondents (92.7%) agreed that the gravity of the punishment must be linked to the gravity of the offence.

75.0% believed it was possible to live in Belarus without breaking the law. Proportionately more **women** than **men** believed (strongly or somewhat) in this (76.8% versus 72.9%) – see Figure 73.

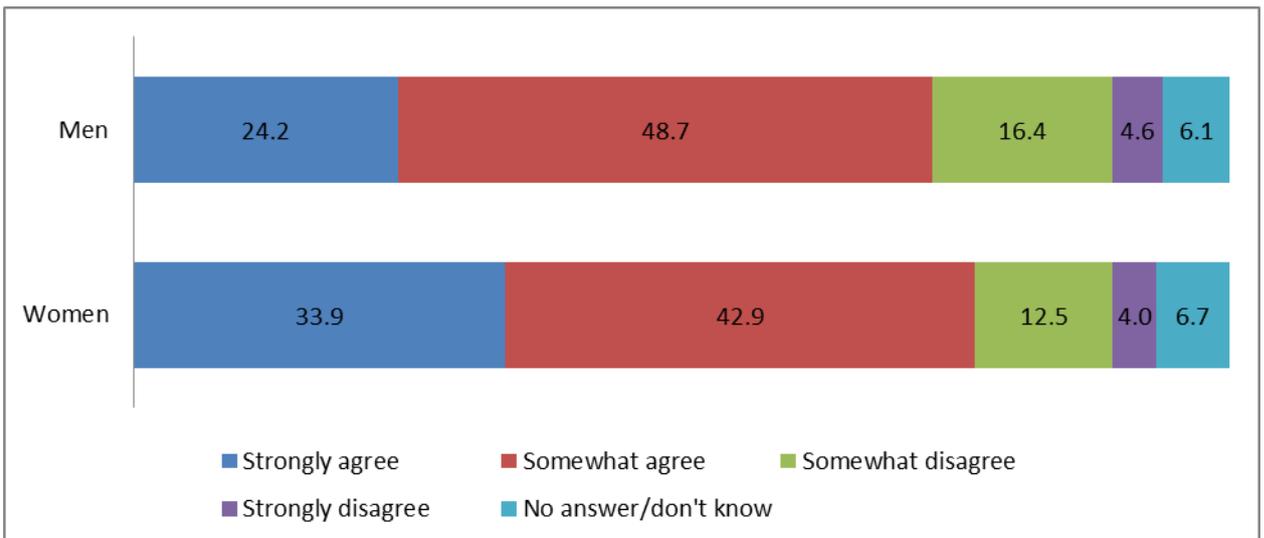


Figure 73: 'It is possible to live in Belarus without breaking the law' by Gender (%; n=1100)

The age group most likely to believe in the possibility of living lawfully in Belarus was **older people** (Figure 74).

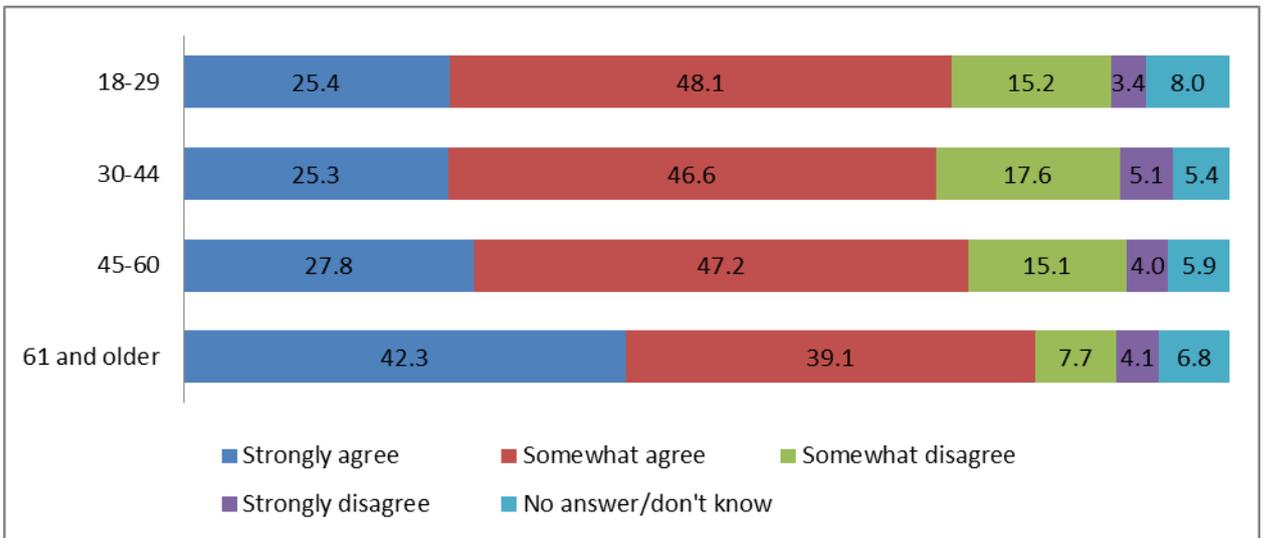


Figure 74: 'It is possible to live in Belarus without breaking the law' by Age (%; n=1100)

42.4% of the surveyed population agreed that prisoners must be treated as humanely as possible. When divided by **residence**, residents of small towns and villages were less humane towards prisoners: 47% of Minsk residents agreed (strongly or somewhat) that convicts deserved humane treatment, compared to 39.3% of small town residents and 36.7% of villagers.

When categorised by **financial situation**, those who felt that money was not an issue were most likely to feel that one could live in Belarus without breaking the law (Figure 75).

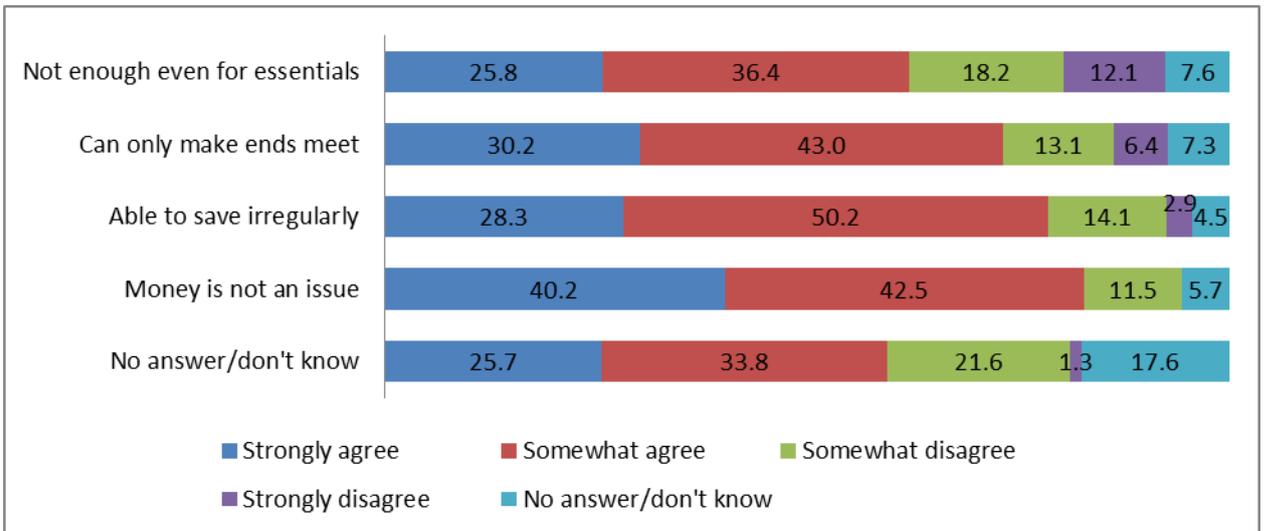


Figure 75: 'It is possible to live in Belarus without breaking law' by Financial situation (%; n=1100)

Respondents with **higher income levels** were less supportive of humane treatment of offenders (Figure 76).

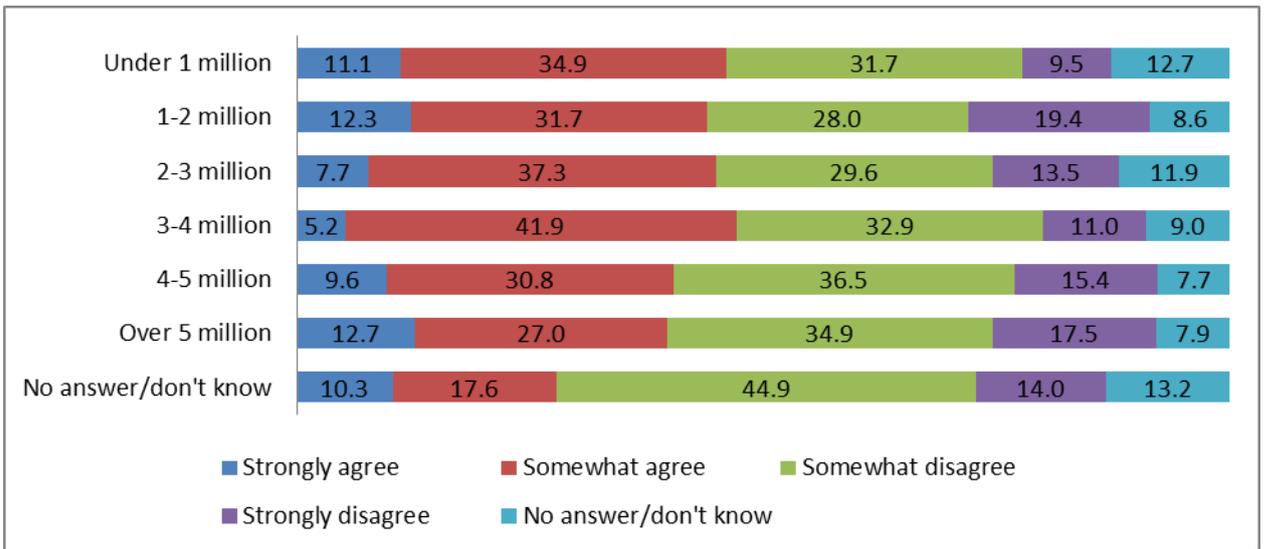


Figure 76: 'Convicts should be treated as humanely as possible' by Income level (%; n=1100)

Overall, finances and income were significant factors affecting respondents' evaluation of crime and punishment. Respondents with lower income levels had a more sceptical perception of how money is earned (a smaller share believed one could live without breaking the law). They were also more likely not to believe that the presumption of innocence is upheld and to believe that innocent people could be punished.

2.4. Issues of concern in Belarus today and their impact on attitudes to offending

Issues of concern in Belarus today

Respondents highlighted seven of the most important issues/problems in Belarusian society today:

- Lack of social protection for vulnerable groups (the disabled, elderly and children).
- The growth of benefits and payments to vulnerable groups.
- Insufficient response by government agencies to citizens' complaints.
- Abuse of power by the police and law enforcement agencies.
- Lack of fair trials.
- Illegal dismissals from work.
- Unemployment (Table 3)

Respondents' attitudes towards these issues varied according to their **income level**, (**self-assessed**) **financial situation**, and **place of residence**. Respondents with higher income levels, as well as those who perceived themselves as being well-off, included higher proportions of people who had not faced the above problems, or even thought they were fabricated. A similar attitude was shown by Minsk residents, who did not face these issues very often and commonly believed them to be irrelevant.

Table 3: identified problems and their perceived significance; %

	This issue is relevant for me	This issue is not relevant for me	This issue does not exist	Don't know/no answer
Lack of social protection for vulnerable groups – the disabled, elderly and children	77.4	5.9	6.9	9.8
The growth of benefits and payments to vulnerable groups	67.0	13.5	5.9	13.7
Insufficient response by government agencies to citizens' complaints	63.9	13.0	7.4	15.7
Abuse of power by the police and law enforcement authorities	62.8	11.2	11.1	15.0
Lack of fair trials	62.5	9.9	11.1	16.5
Illegal dismissals from work	62.2	15.1	8.4	14.3
Unemployment	61.7	17.6	8.9	11.8
Corruption	59.9	19.6	6.2	14.3
Political manipulation of public opinion	49.6	22.8	5.9	21.7
The contract system used in employment	49.6	26.3	6.7	17.5
Hazing in the military	48.1	23.8	8.5	19.6
Government control over the media/censorship	47.6	31.1	5.0	16.3
No state support or encouragement of private enterprise	46.0	24.4	7.0	22.5
Government suppression of freedom of speech and association	42.9	28.9	8.1	20.1
Lack of strong opposition to the government	32.6	38.1	5.2	24.1

Discrimination

Almost exactly half of respondents had faced discriminatory behaviour – 49.9%. The share of respondents who had witnessed discriminatory behaviour towards others was higher – 60.1% (see Figure 77).

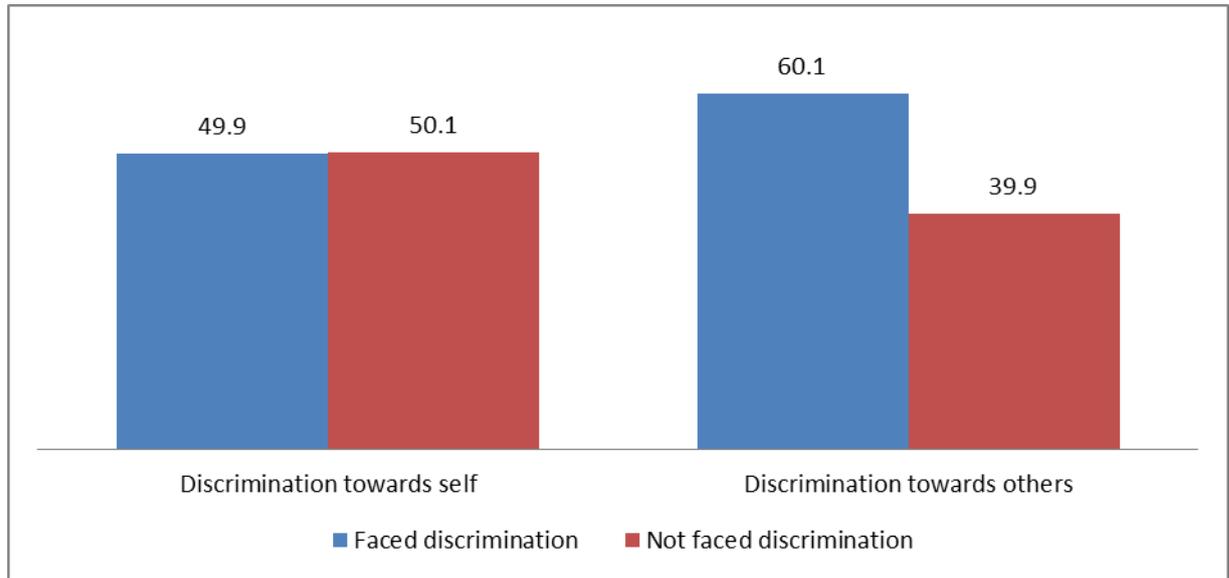


Figure 77: Experience of discrimination (%; n=1100)

The most common forms of discrimination experienced by respondents were: unequal treatment in the workplace (27.6%), ageism (21.8%) and discrimination on the basis of wealth (richer people discriminating against poorer people) (19.8%). Less common was discrimination by gender (10.2%) or belief (10.3%), while discrimination on the grounds of religion, nationality or sexual orientation were even less common.

When asked what they would do if their labour rights were infringed by their employer, 50.1% of respondents said they would change work (the most common answer), suggesting that employees would take the more passive option of removing themselves from the problem rather than fighting for their rights (Figure 78).

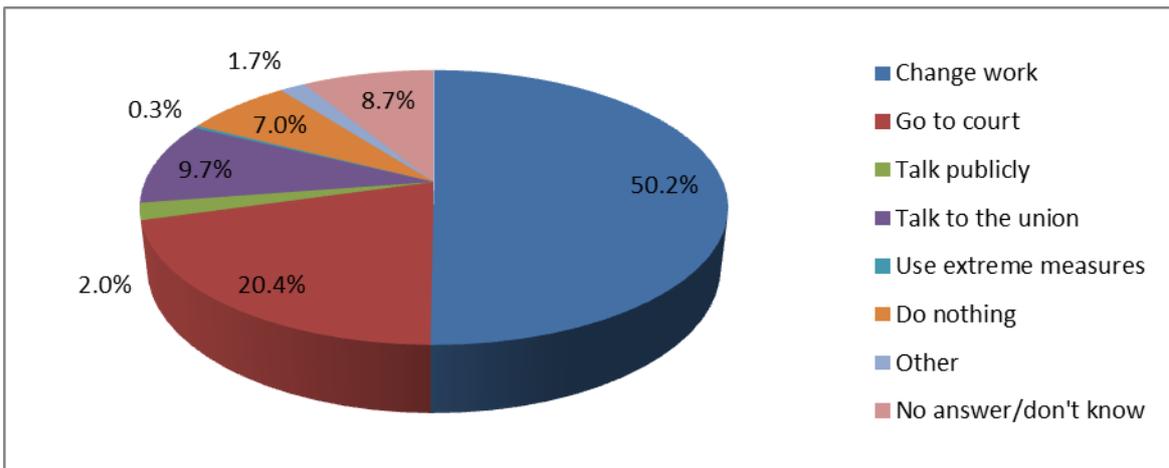


Figure 78: Respondents' expected actions in case of their rights being violated by an employer (%; n=1100)

The predominant approach that respondents would take when observing discrimination at work is what we call 'moderate advocacy'. This means that respondents would be ready to intervene in the situation if they witnessed their colleagues being treated unfairly, but only if they were certain such intervention would actually improve the situation. This approach was taken by 50.1% of respondents. 'Active advocacy' (intervening in any case) would be undertaken by a

quarter of respondents (25.7%), while 13.5% would not intervene in any case and 4.3% would avoid the problem by leaving their job. See Figure 79 for details.

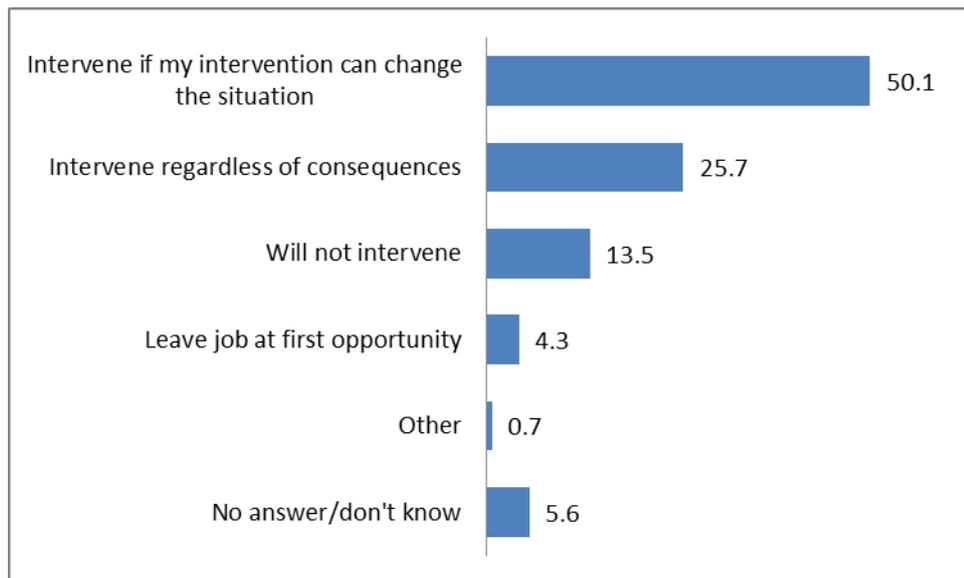


Figure 79: Respondents' expected behaviour when observing unfair treatment at work (%; n=1100)

Demonstrating aggression

The top three reasons for demonstrating aggression, according to the respondents, were:

- alcohol or drug misuse – 57.9%.
- wider social and economic problems – 40.6%.
- provocation – 39.8%.

Men were more likely to identify provocation as a cause of aggressive behaviour: 45.4% highlighted this compared to 35.1% of women.

Older respondents cited drug or alcohol misuse as a possible reason for showing aggression, while younger people linked aggression to being provoked. See Figure 80 for details.

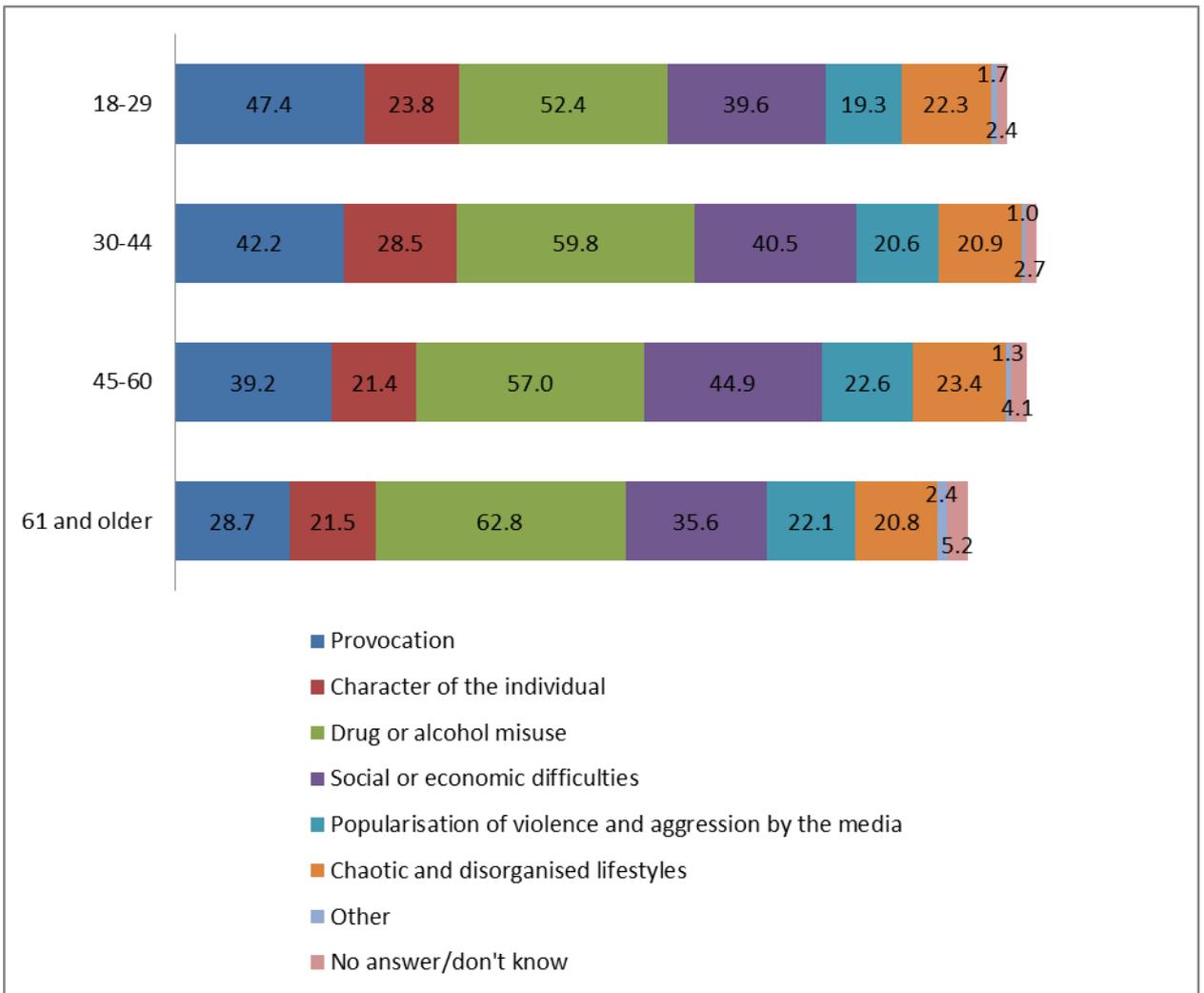


Figure 80: Opinions on the causes of aggression between people by Age (%; n=1100)

Minsk residents were more likely to justify aggression as a consequence of drug or alcohol misuse, while those living elsewhere explained it by chaotic and disorganised lifestyles.

Respondents in **better financial situations** most commonly stated that aggression was the result of provocation or of alcohol or drug use. Respondents with lower income levels more commonly blamed wider social and economic problems. See Figure 81 for details.

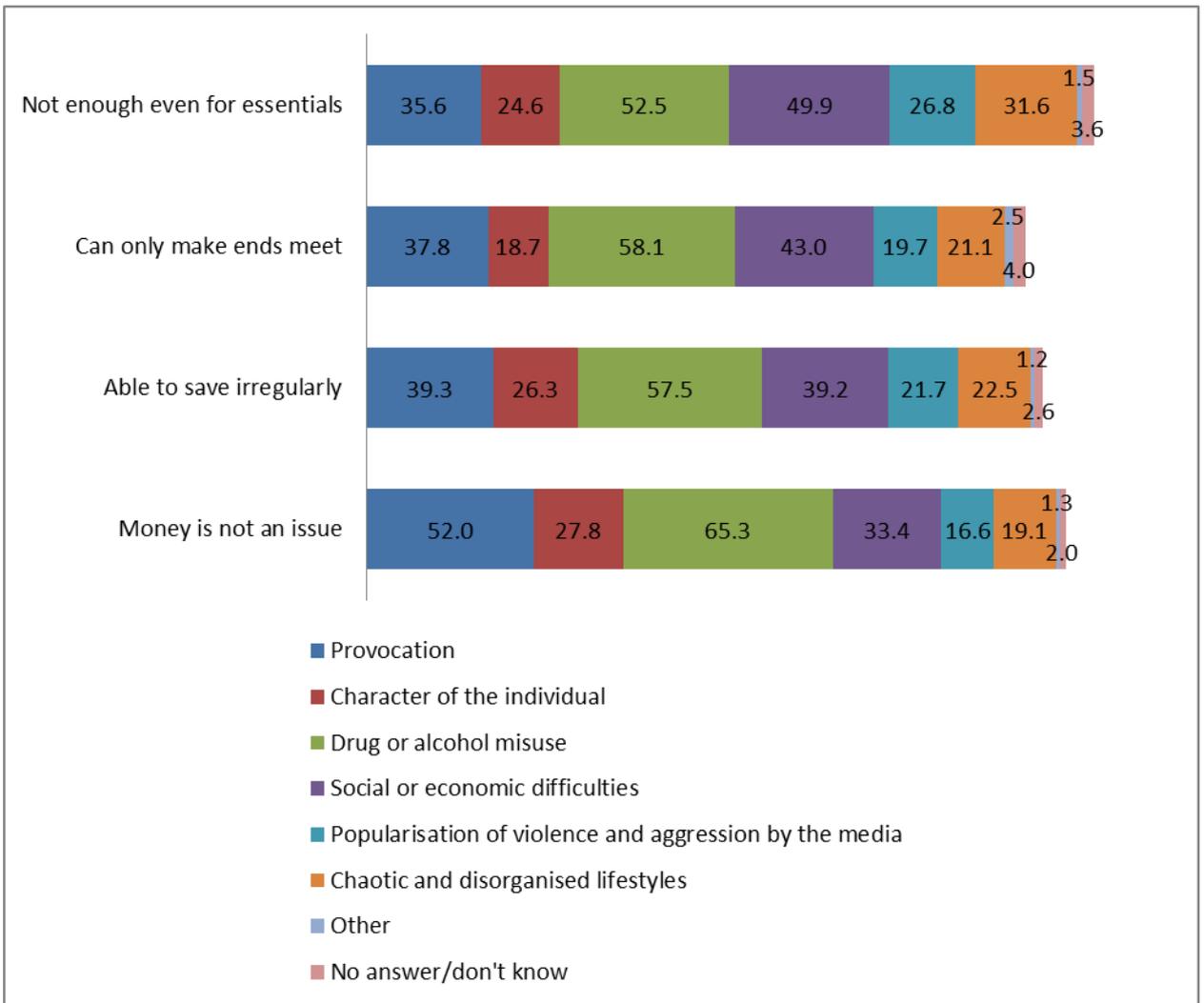


Figure 81: Opinions on the causes of aggression between people by Financial situation (%; n=1100)

According to **church-going believers in God**, the main cause of interpersonal aggression was alcohol and drug use – 67.6%. Respondents with different religious practices chose this answer less frequently (see Figure 82).

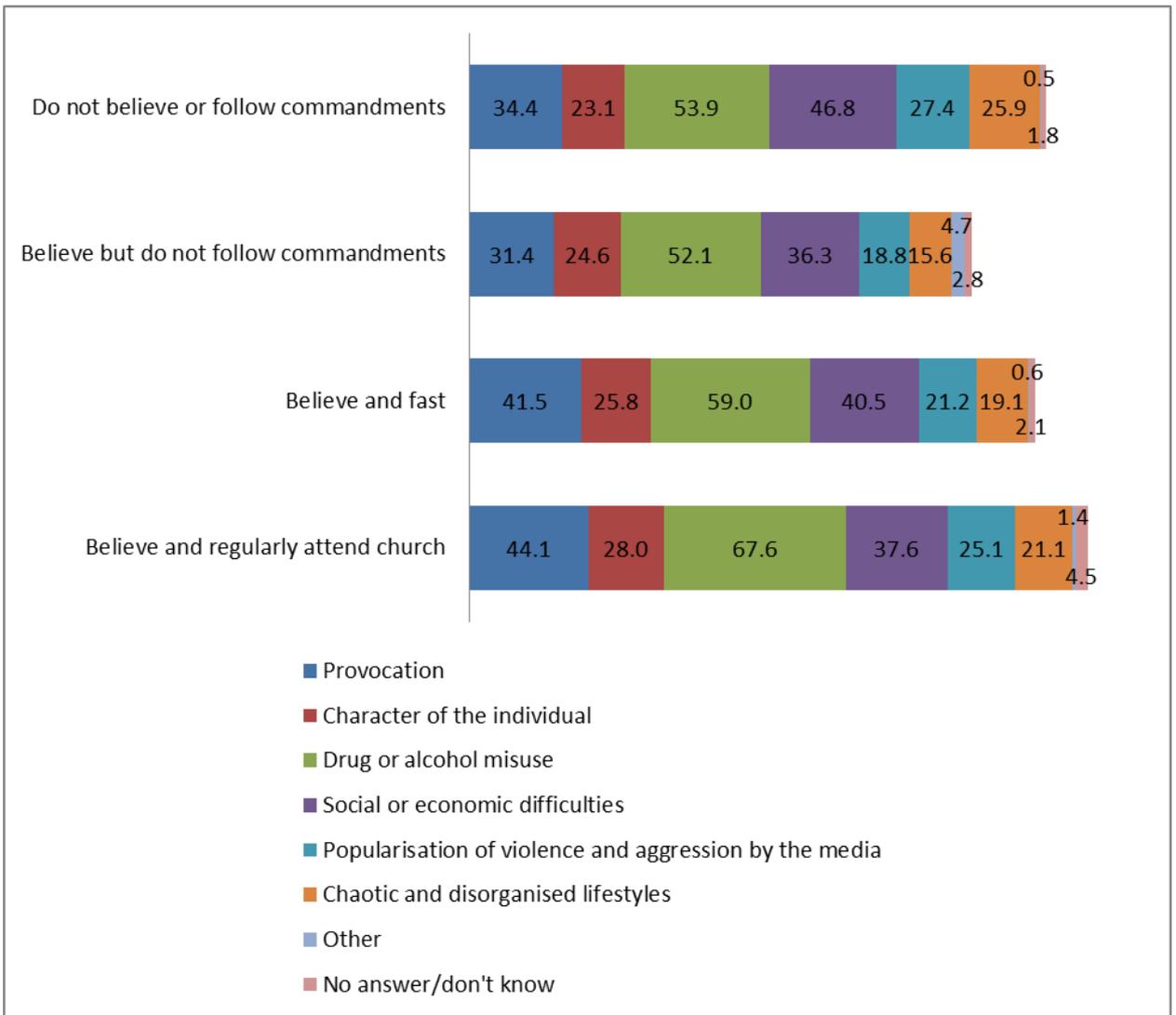


Figure 82: Opinions on the causes of aggression between people by Religiosity (%; n=507)

When facing aggression, respondents most commonly felt aggressive in return (57.3%) or felt fearful (29.1%).

Reported responses to aggression differed by **gender**. Men were much more likely to get aggressive in response (74.3% against 40.5% of women). Women stated they were more likely to get scared: the 'Panic' response scored 16.6% among women and 6.4% among men; the 'Fear' response 43.4% and 14.6%.

Feelings of fear and panic were also more common among **older age groups**. People under 30 were more likely to respond to aggression with aggression. **Minsk residents** were also more likely to respond aggressively than respondents from other regions. See Figure 83 for details.

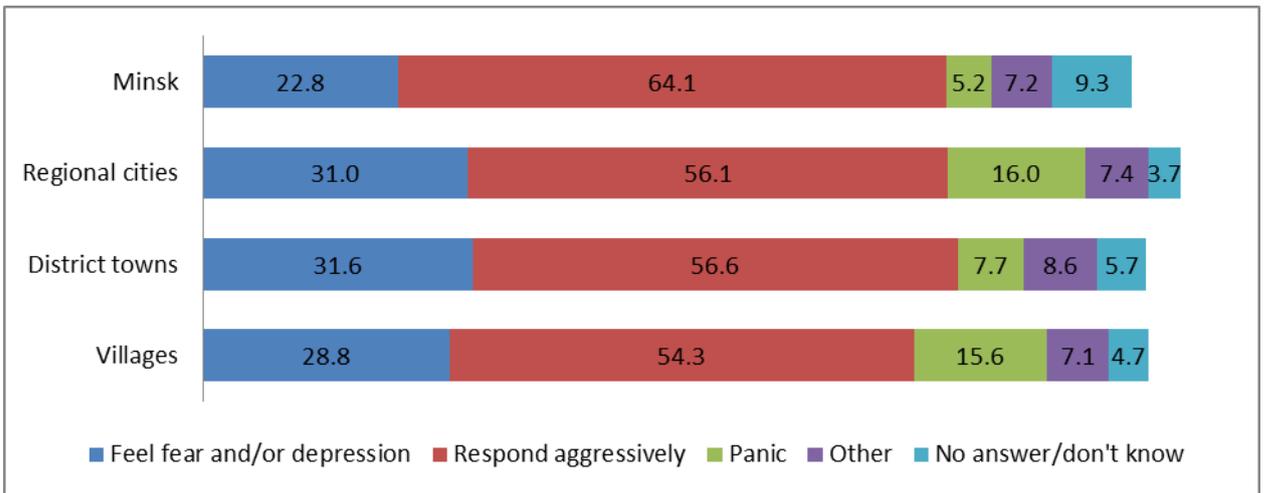


Figure 83: Feelings experienced when faced with aggression by Residence (multiple answers permitted) (%; n=713)

Religious beliefs (specifically belief in God or an immortal soul) appeared to impact on responses to aggression. Respondents who **believed in God** were more likely than non-believers to feel fear or depression (32.3%) and less likely to respond aggressively (53.4%). This response is not surprising: the majority of believers surveyed were Orthodox Christians, whose religion calls for humility and patience (Figure 84).

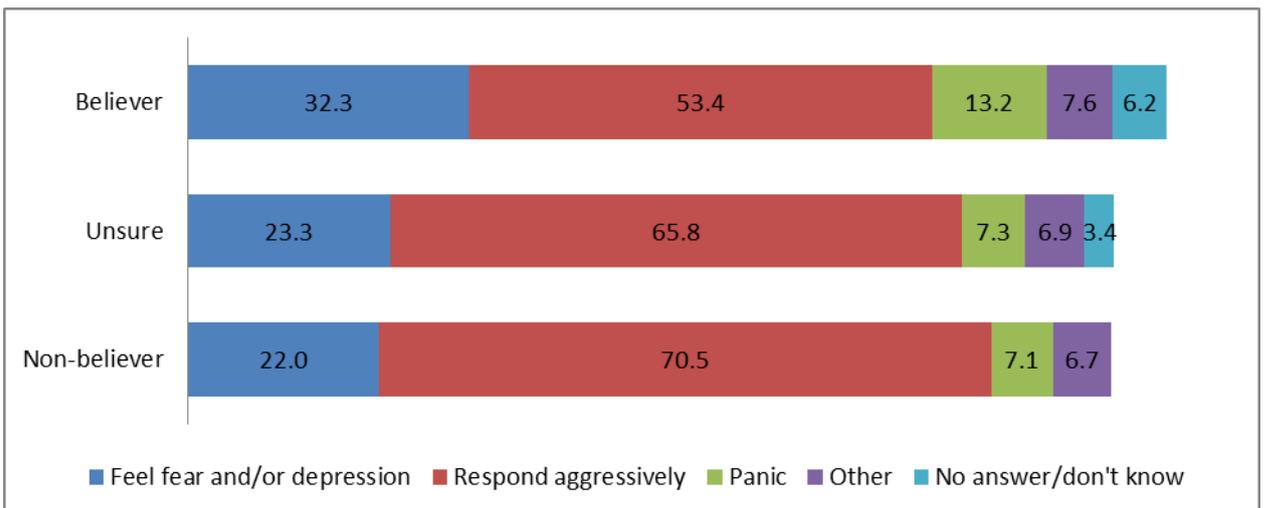


Figure 84: Feelings experienced when faced with aggression by Belief in God (multiple answers permitted) (%; n=1100)

A similar situation was observed when analysing respondents' answers compared to their belief in an immortal soul (Figure 85).

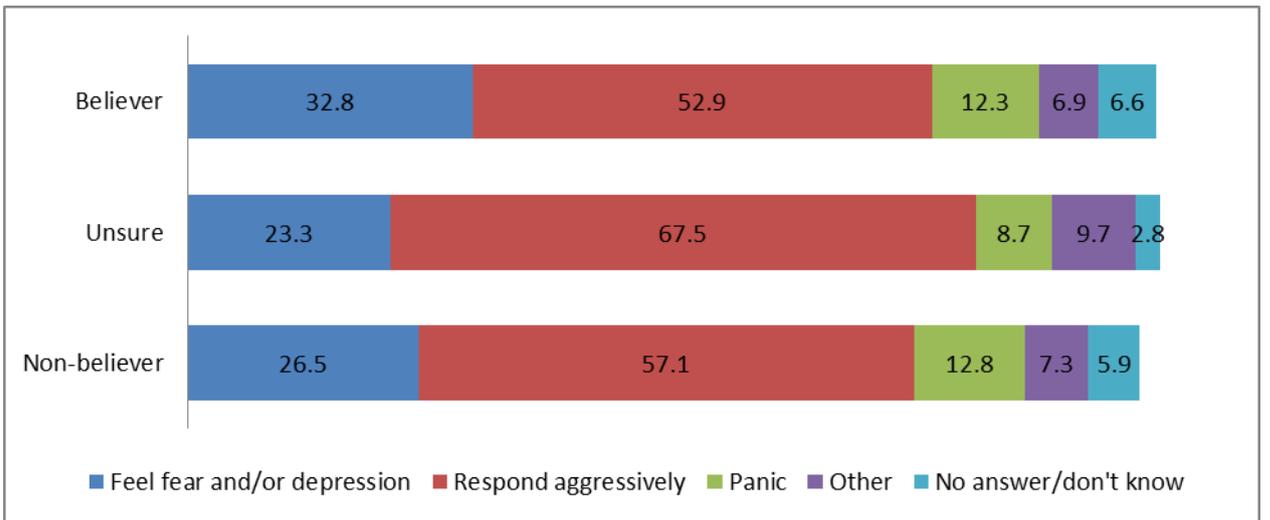


Figure 85: Feelings experienced when faced with aggression by Belief in an immortal soul (multiple answers permitted) (%; n=1100)

2.5. Public attitudes towards miscarriages of justice

Most respondents in the study said that it was worse to convict an innocent person than to let an offender go free: 73.5% to 9.7%, with 16.9% not answering the question.

Attitudes towards judicial errors/miscarriages of justice varied according to:

- Age.
- Religious belief (believing in God and/or an immortal soul).

A higher share of **young** respondents (aged 18-29) believed that it was worse to let a criminal escape punishment than to convict an innocent person, compared to other age groups. As age increased, concerns about convicting an innocent person increasingly dominated. Numbers are shown in Figure 86.

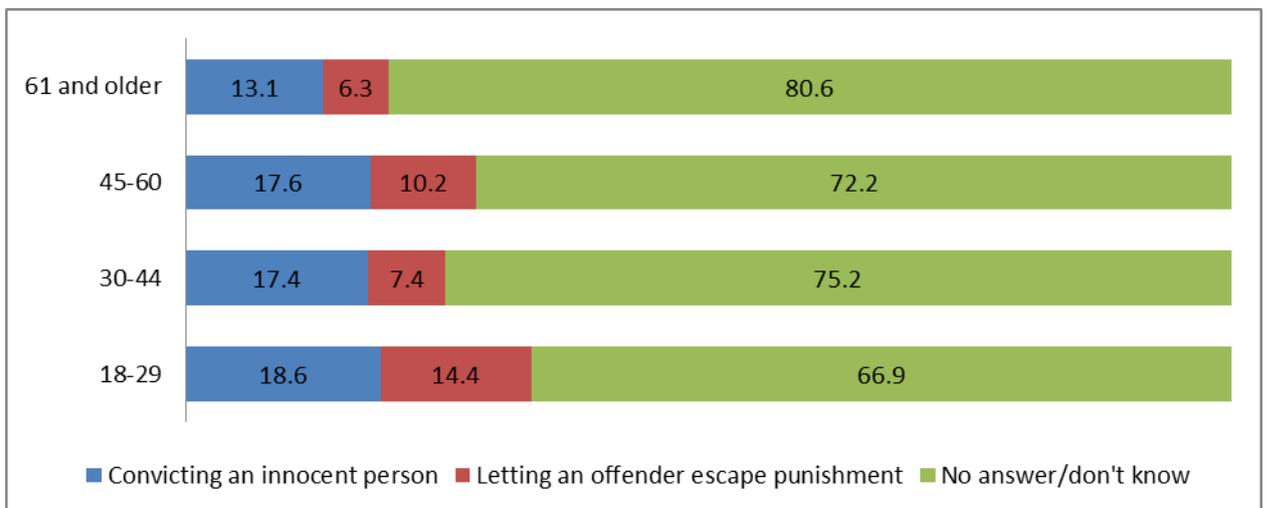


Figure 86: Opinions of which judicial error is worse by Age (%; n=1100)

Religious respondents (those who believed in an immortal soul) were more likely than non-believers to say that convicting an innocent person was worse than letting an offender go free (77.4% against 72.1%) – see Figure 87.

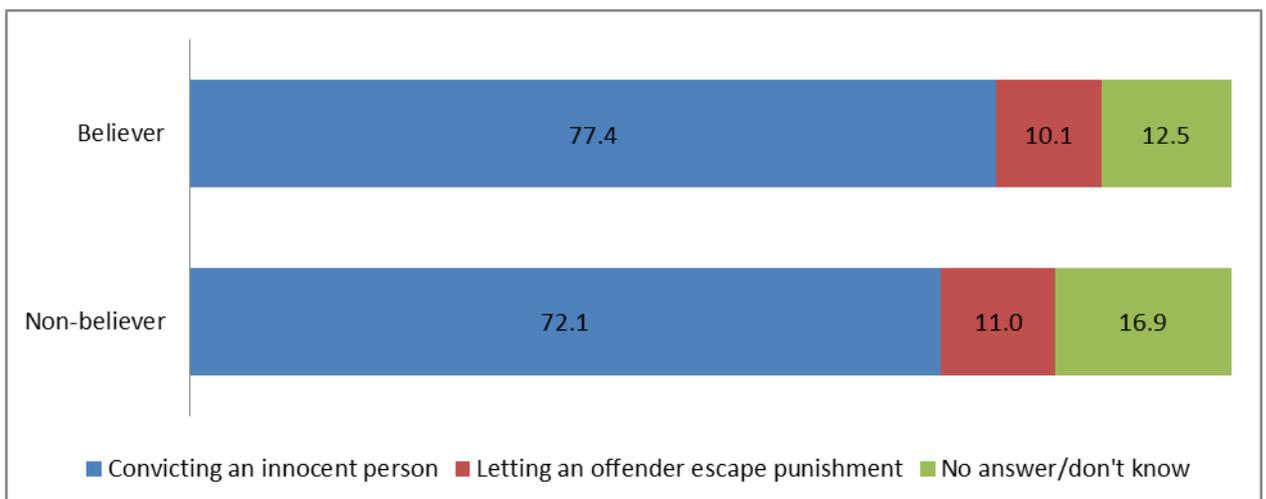


Figure 87: Opinions of which judicial error is worse by Belief in an immortal soul (%; n=1100)

Perceptions of judicial errors were related to the **degree of aggression** (frequency with which aggression is shown towards other people). In less aggressive groups, the fear of convicting an innocent person was more common than in the more aggressive groups. People who

demonstrated aggression more often put greater value on preventing an offender from walking away unpunished (see Figure 88).

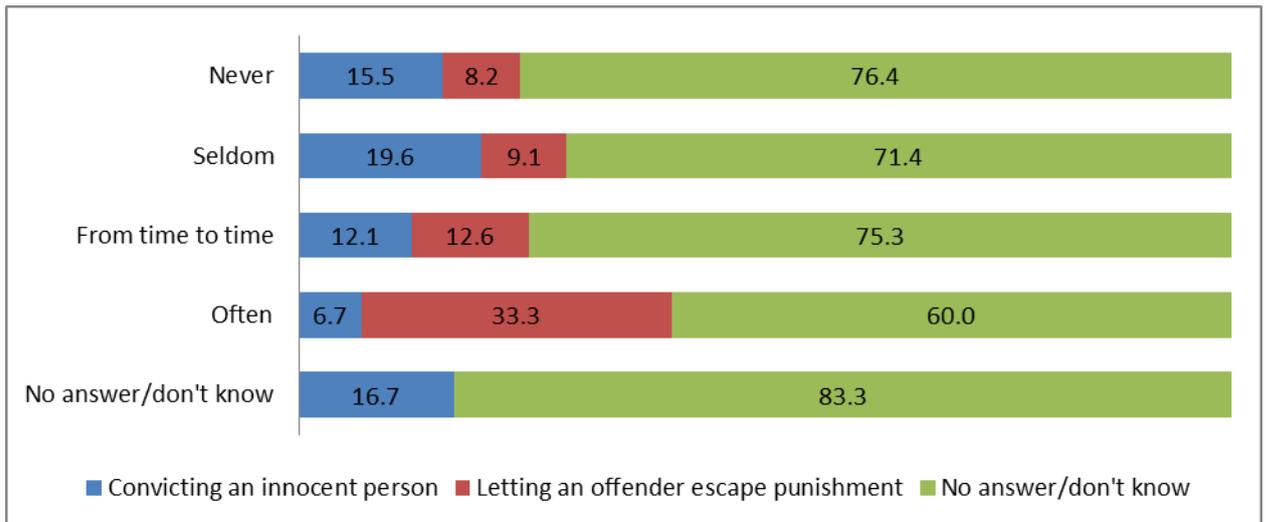


Figure 88: Opinions of which judicial error is worse by Frequency of aggression shown towards others (%; n=1100)

No significant differences were found when comparing among other social and demographic characteristics – the distribution of answers in such cases was close to the distribution for the total survey population.

Concerns about which judicial error is worse and opinions about the appropriateness of the judicial system are closely related. Those who considered the current system of punishment to be too harsh were more likely to consider convicting an innocent person a worse error (84.9%), while those respondents who considered the punishment system to be too mild were more concerned about the real offender escaping punishment (15.3%) – see Figure 89.

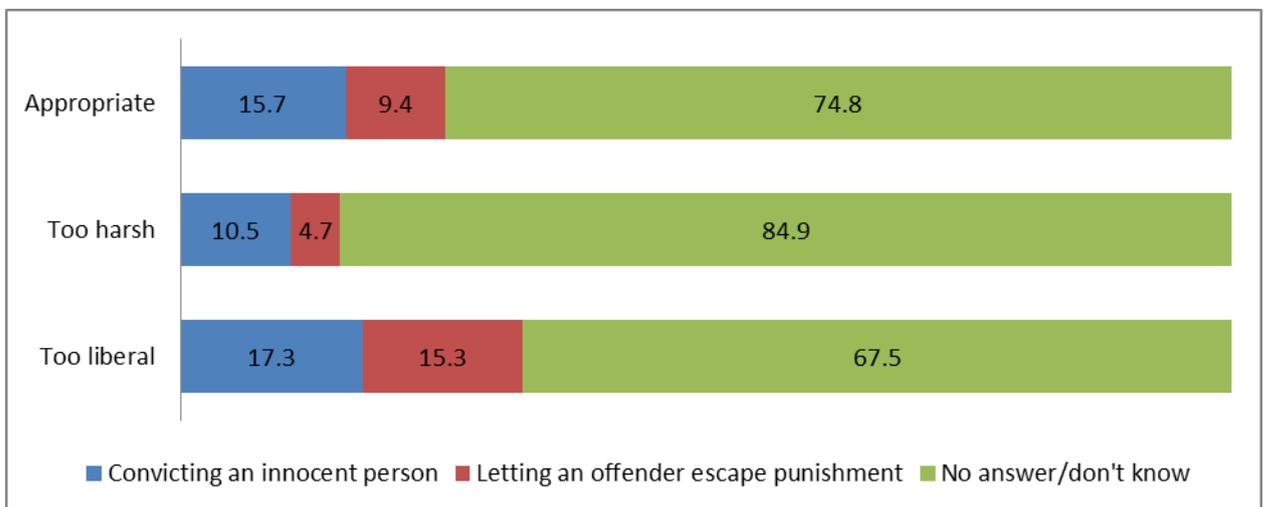


Figure 89: Opinions of the current punishment system in Belarus by Opinions of which judicial error is worse (%; n=1100)

There was no consensus about the frequency of judicial errors in the country: 30.0% believed judicial errors to be rare, 30.0% that they occurred frequently, 1.9% certain that the Belarusian justice system did not make errors, and 31.1% were unable to answer the question (see Figure 90).

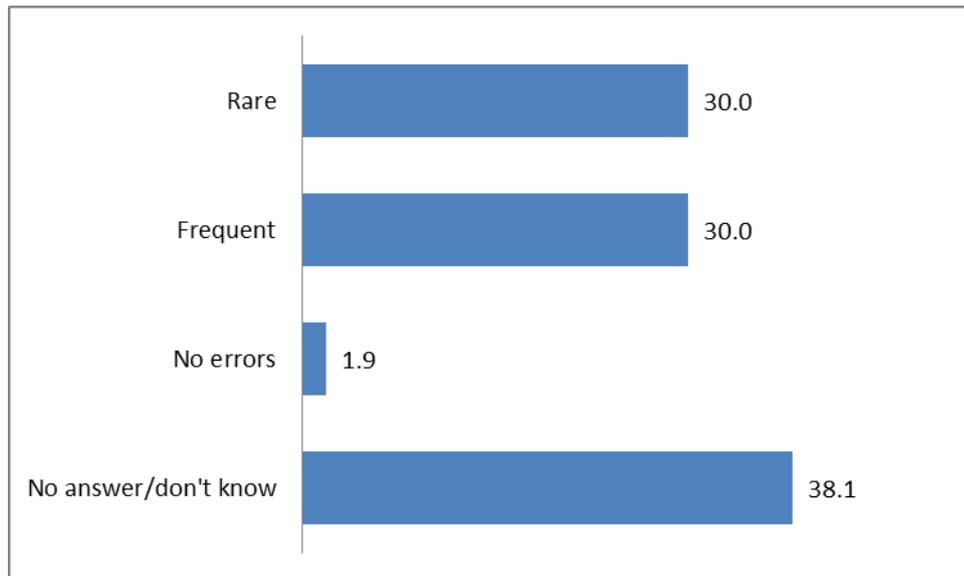


Figure 90: Opinions about frequency of judicial errors in Belarus (%; n=1100)

When divided by **residence**, Minsk residents were most sceptical about the country's judicial system – only 22.2% believed that judicial errors were rather rare, against 33.8% saying that errors were rather frequent. People living in regional cities were considerably more confident that judicial errors in Belarus were rare (36.2%) – see Figure 91.

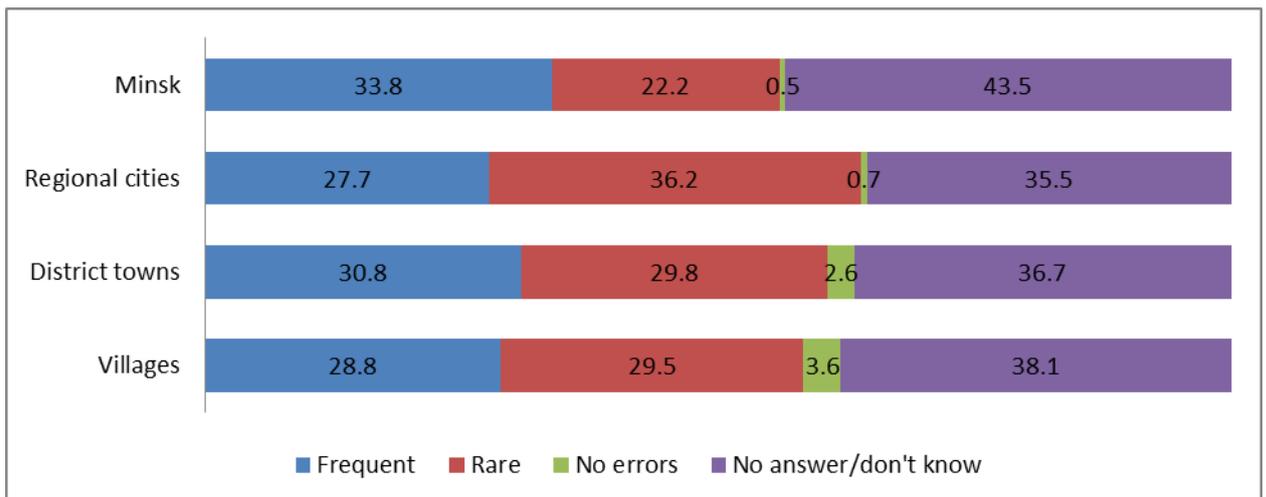


Figure 91: Opinions about frequency of judicial errors in Belarus by Residence (%; n=1100)

Respondents with **better financial situations** were more positive in their evaluation of the Belarusian judicial system and more often believed that judicial errors were rare. Less well-off respondents were less likely to think this, with 23.1% of them answering 'judicial errors are rare', compared to 34.5% for better-off respondents.

Similar trends can be seen between those who did and did not believe in an immortal soul. **Believers** were more optimistic in their evaluation of the frequency of judicial errors than atheists (see Figure 92).

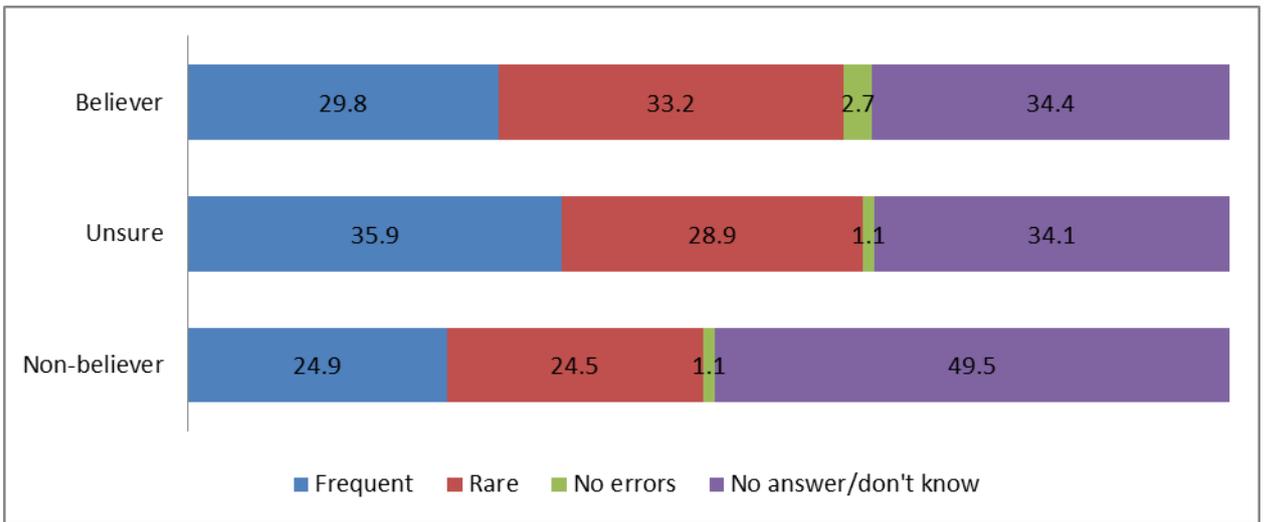


Figure 92: Opinions about frequency of judicial errors in Belarus by Belief in an immortal soul (%; n=1100)

Respondents with higher **degrees of aggression** (frequently showing aggression towards other people) and those with substantial experience of **being subjected to aggression from others** were more pessimistic about the frequency of judicial errors. For example, 35.7% of those who frequently demonstrated aggression say judicial errors happen very often. The same figure among people who never showed aggression was 25.8%. 33.0% of those who had been subjected to aggression from others said judicial errors were common, as opposed to 24.9% of those who had not experienced aggression.

Respondents' opinions on the frequency of judicial errors and their assessment of which error was more dangerous were closely linked: more of the respondents who believed errors never happened in Belarusian justice were afraid of letting offenders avoid punishment (see Figure 93).

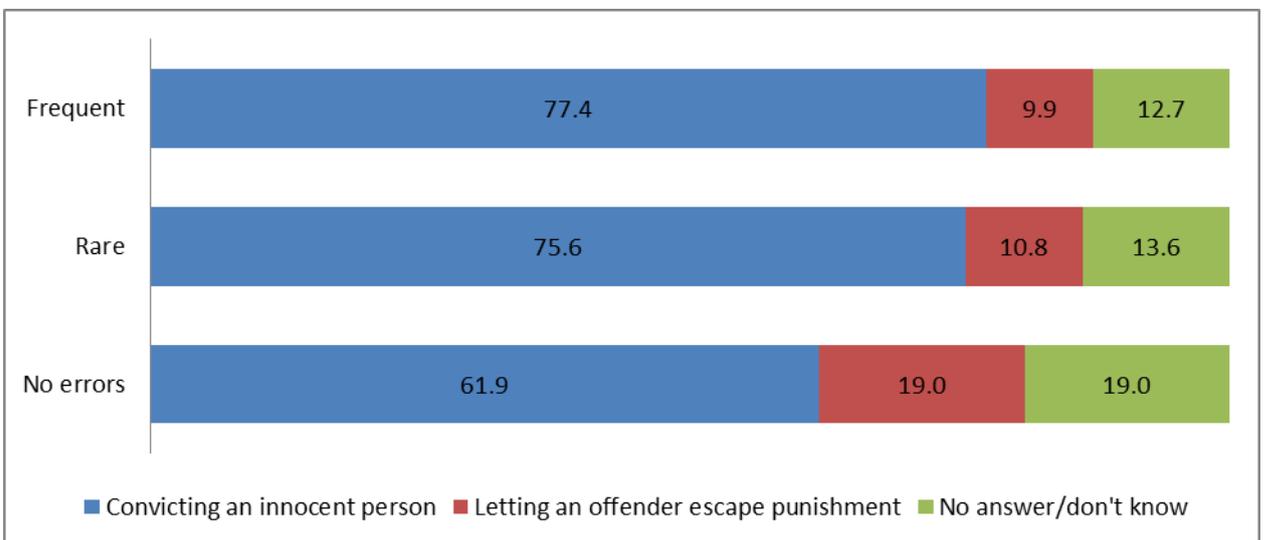


Figure 93: Opinions about frequency of judicial errors in Belarus by Opinions of which judicial error is worse (%; n=1100)

A similar trend was observed among opponents and proponents of capital punishment. Respondents who believed that judicial errors were rare had a higher share of death penalty supporters than in the group believing that judicial errors were common. See Figure 94 for details.

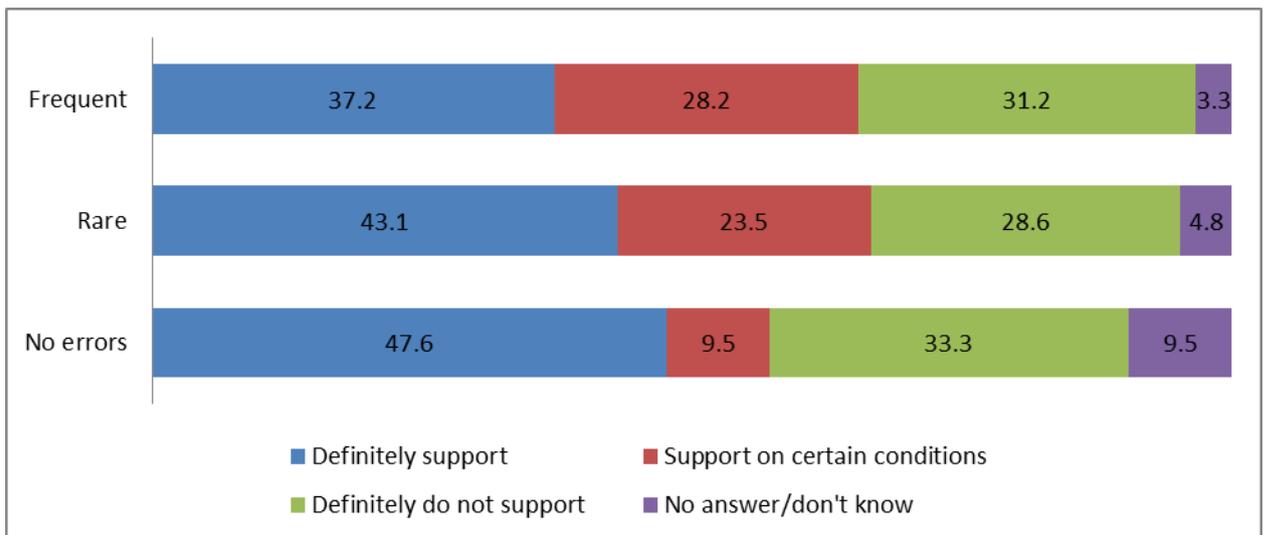


Figure 94: Opinions about frequency of judicial errors in Belarus by Opinions about capital punishment (%; n=1100)

Focus group opinions

Respondents who participated in focus groups had a rather negative opinion about the functioning of the Belarusian judicial system. This section contains some thoughts about the strengths and weaknesses of police investigations and the media coverage of judicial decisions.

Mistrust in the investigation (by both opponents and supporters of capital punishment) was quite pronounced. Focus group participants believed that the probability of a judicial error was quite high and that innocent persons could be convicted.

'What's our judicial system? We don't even have a presumption of innocence. Once you get in there, consider yourself guilty. You get a finger poked at you, and that's it...' (Lida, 18-39 year-old)

Opinions about certain aspects of the criminal justice process

- Negative attitudes towards rapid and/or closed proceedings. Even many supporters of the death penalty spoke in favour of delaying executions, so that defence lawyers could collect information on the convicted person's innocence and appeal the sentence.
- Visits to convicts by relatives, and the need to inform relatives of the burial place of an executed person:

'I believe that the burial place is not confidential information, and hiding it doesn't add to the credibility of the authorities. I just want death sentences to be fair. If only a few people know what happened, and a person is convicted, killed and buried without saying why and where – would I believe the authorities? When I can't even see the body, or at least the grave?' (Minsk, 18-39 year-old)

- Participants were divided about the authorities' decision not to announce the time of execution in advance. They had conflicting opinions on which option was more humane – to know the execution time or not.

'If a person is sentenced to death, there is a "thing" that people are put in death row, somewhere in Minsk, without telling them when they will be executed. They can spend a week in the cell, or a month, or six months. Every day they are afraid, every day thinking they could be executed that day – this is extra suffering. And it's not logical either – they are already sentenced to the biggest punishment possible, and now they have to suffer even more.' (Mogilev, 18-39 year-old)

Overall, supporters of death sentences had mixed opinions regarding judicial errors. On the one hand, some focus group participants were seriously concerned about the possibility of judicial errors and repeatedly spoke of the need to ensure a fair and transparent trial, implement

measures for reducing the possibility of judicial errors (including allowing sufficient time between conviction and execution to permit an appeal and collect additional evidence). On the other hand, a small group of strong death penalty supporters said judicial errors were impossible and that people 'have to trust the judges' – effectively stating that the judicial system must be trusted by definition. This poor awareness of the functioning of the judicial system was combined with an unwillingness to learn about it, which has led to the idea that only specialists are able to evaluate court process and the general population should not concern itself with such matters.

3. Society and offender: Attitudes towards prisoners and persons released from prison

3.1. Public attitudes towards prisoners and persons released from prison

One of the main ways of preventing recidivism is post-prison rehabilitation of released prisoners, which has both crime prevention and offender reintegration benefits. At the end of 2009, the Ministry of Internal Affairs established a Department of Supervision and Execution, one of the main goals of which was to prevent reoffending.⁶ In addition to the state authorities, the church is also working on the social reintegration of ex-convicts. In 2003, a ‘Centre for the Social Rehabilitation of Persons Released from Correctional Institutions’ was established as a structural unit of the Minsk diocese of the Belarusian Orthodox Church.⁷

According to the survey, most respondents preferred not to have any contact with ex-offenders. 42.9% were not prepared to work in the same team as a former prisoner; 54.2% were not prepared to live next to a former prisoner; and 72.4% were not prepared to have children with them (Figure 95).

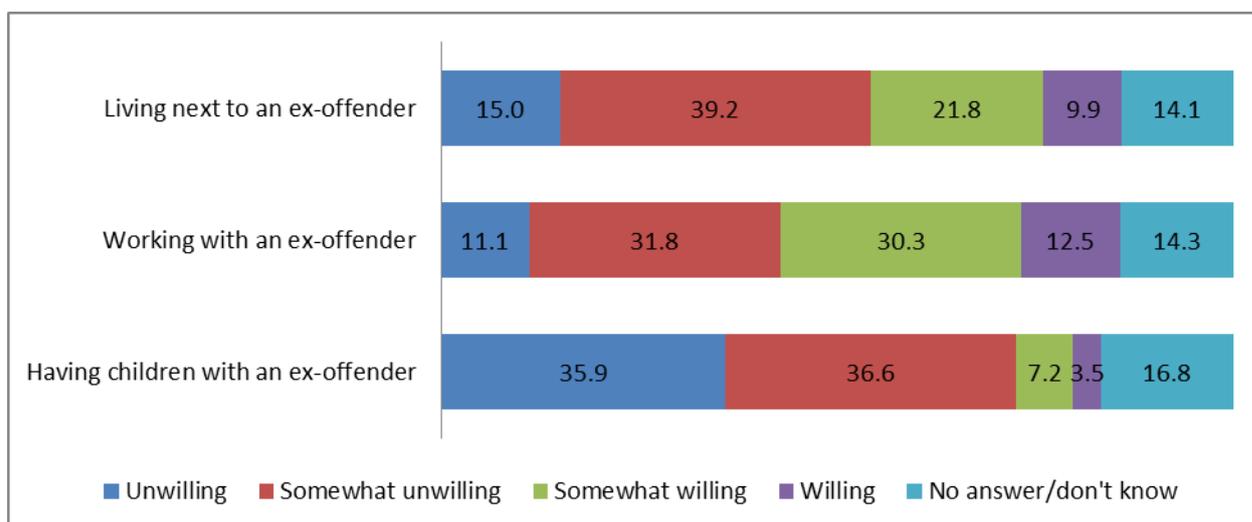


Figure 95: Respondents’ readiness to include former prisoners in their lives (%; n=1100)

People’s readiness to include ex-offenders in their lives correlated to the following social and demographic characteristics:

- Gender.
- Place of residence.
- Financial situation.
- Degree of aggression (towards other people).

Men were more prepared than women to live next to former prisoners (Figure 96) or work with them (Figure 97). However, no significant differences were observed in men’s and women’s readiness to have children with an ex-offender.

⁶ A. Trofimovich, “The system pulled me out”. The remaining convicts are “treated” with work’, *Arguments and Facts in Belarus website*, 1 March 2013, accessed in Russian on 21 May 2013 at <http://www.aif.by/en/social/item/20935-work.html>.

⁷ ‘Centre for the social rehabilitation of ex-convicts’, *Official portal of the Belarus Orthodox Church website*, accessed in Russian 21 May 2013 at <http://217.23.115.3/resource/Dir0056/Dir0083/Page1200.html>.

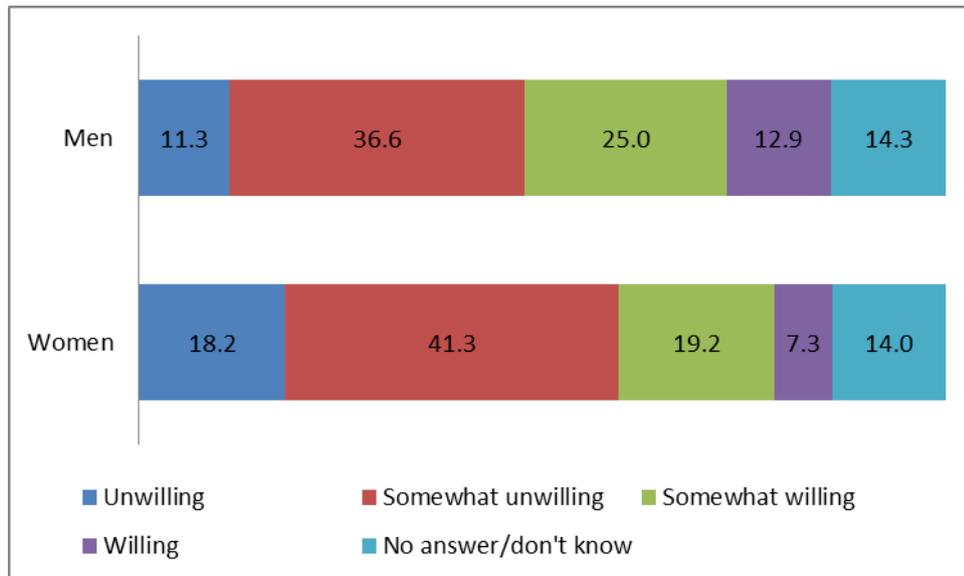


Figure 96: Respondents' readiness to live next to a former prisoner by Gender (%; n=1100)

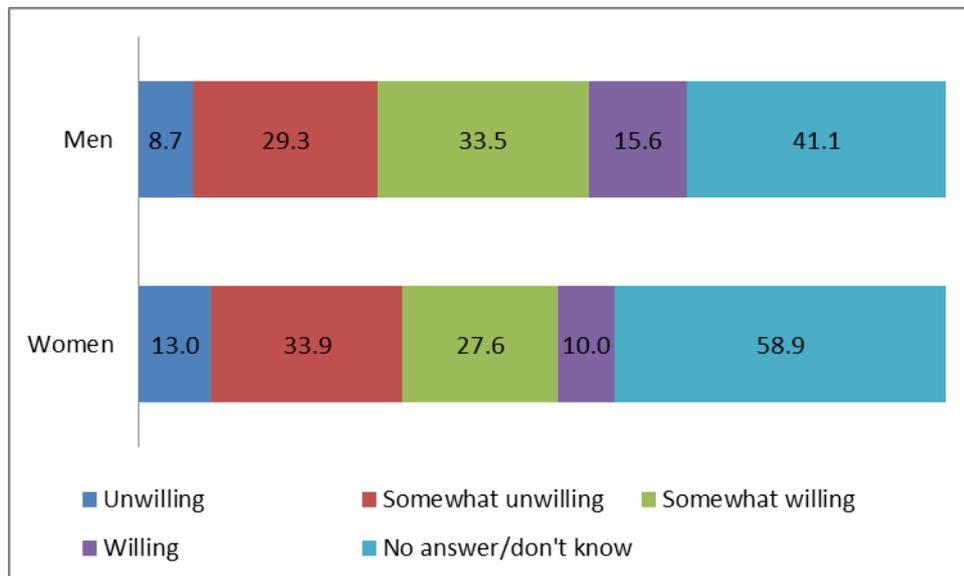


Figure 97: Respondents' readiness to work with a former prisoner by Gender (%; n=1100)

Minsk residents were more likely than residents of other areas to be ready to live, work, or have children with a former prisoner. Village residents were also fairly positive towards ex-offenders (Figures 98, 99, 100).

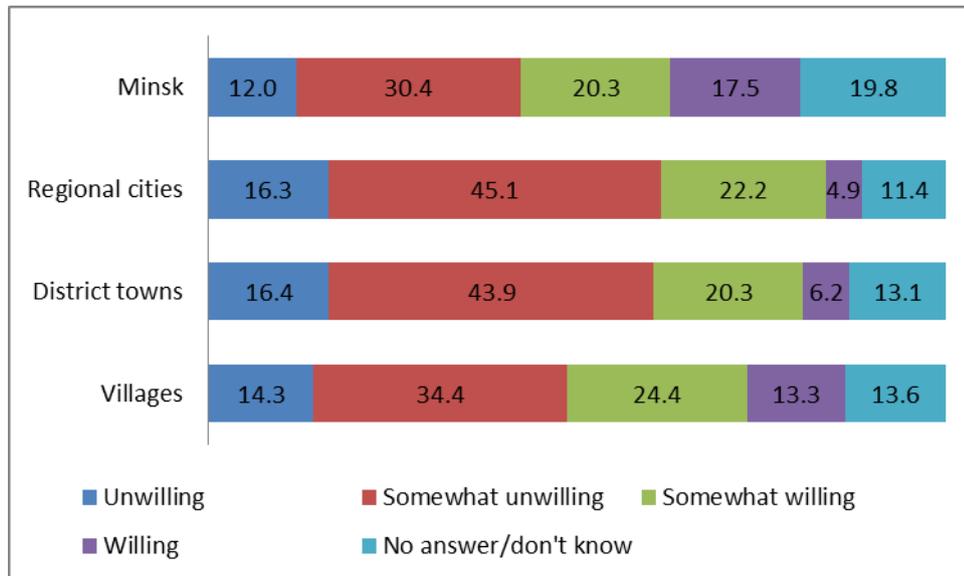


Figure 98: Respondents' readiness to live next to a former prisoner by Residence (%; n=1100)

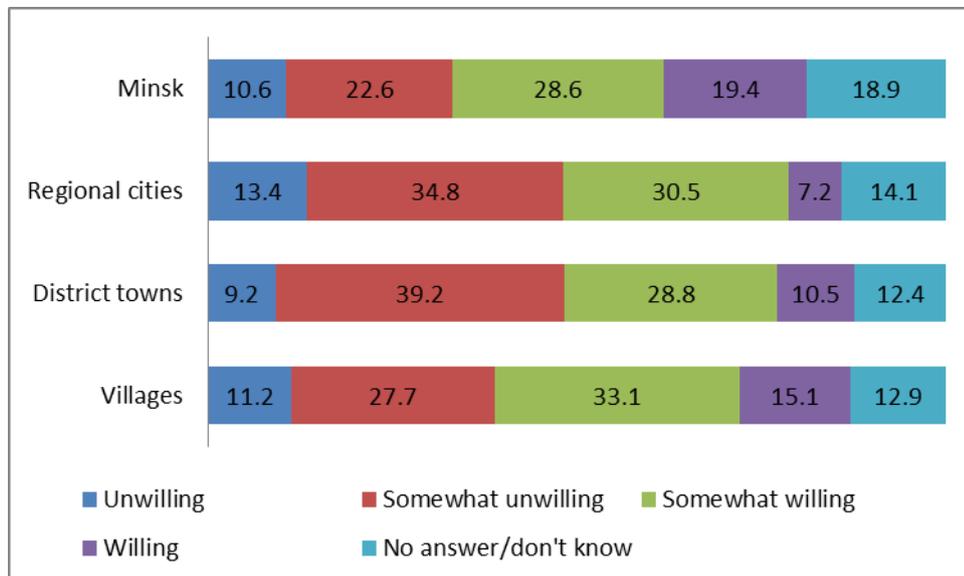


Figure 99: Respondents' readiness to work with a former prisoner by Residence (%; n=1100)

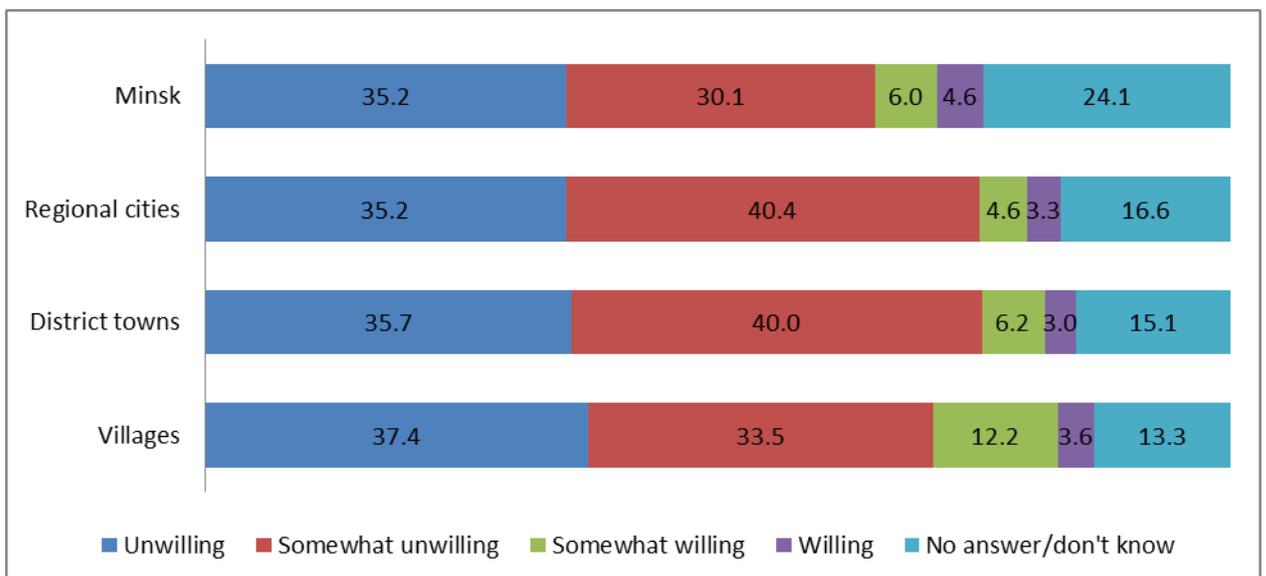


Figure 100: Respondents' readiness to have children with a former prisoner by Residence (%; n=1100)

People with **worse financial situations** were also more tolerant of former prisoners, being more ready to work together or have children with people with a history of offending (Figures 101, 102).

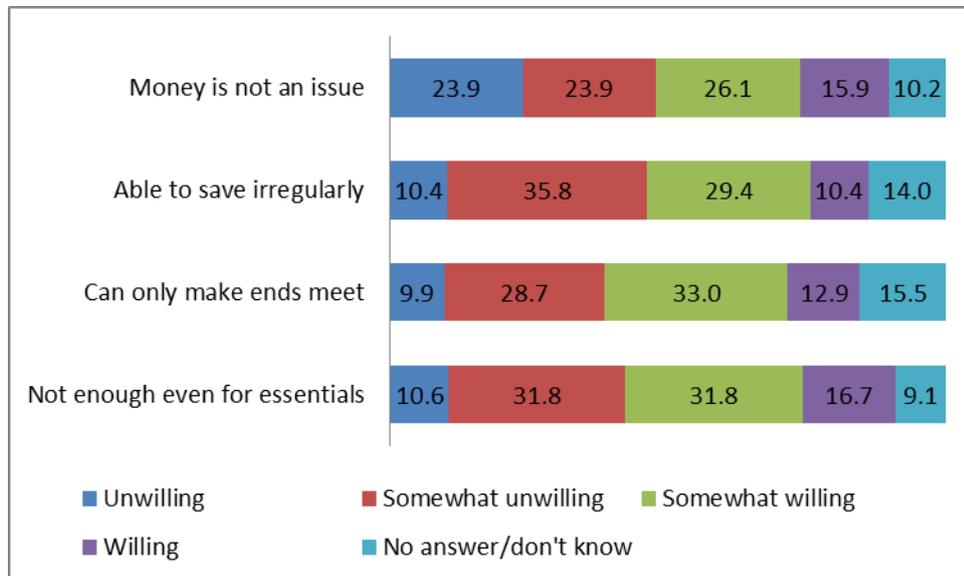


Figure 101: Respondents' readiness to work with a former prisoner by Financial situation (%; n=1100)

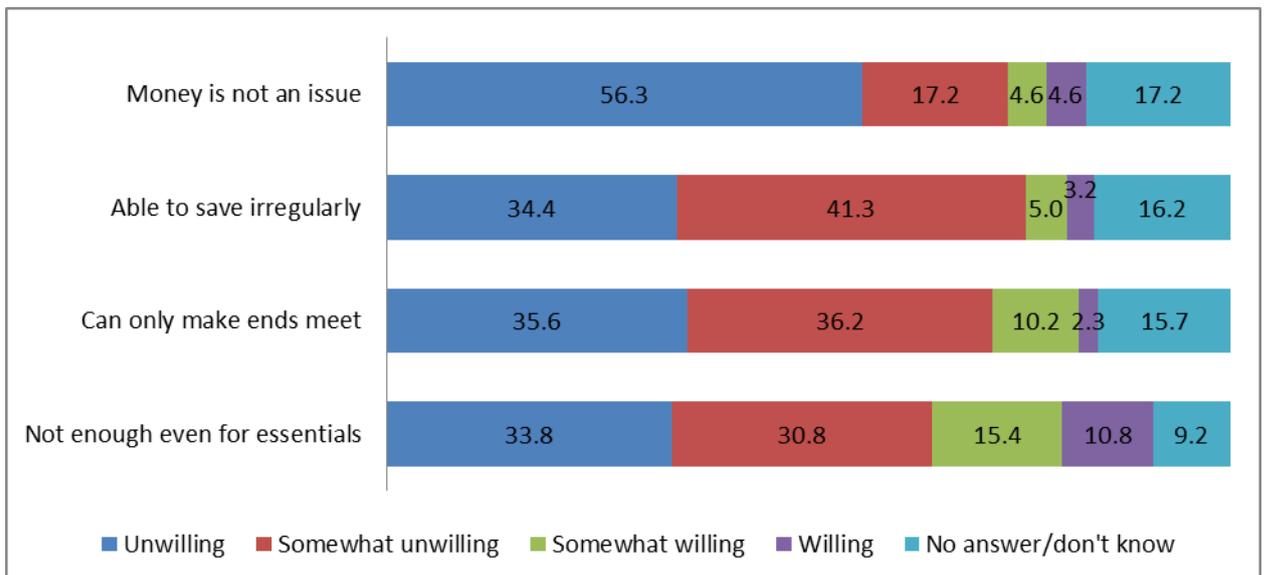


Figure 102: Respondents' readiness to have children with a former prisoner by Financial situation (%; n=1100)

Significant differences in willingness to live next to or have children with a former prisoner were found among respondents with different degrees of aggression. While the majority of respondents at each degree of aggression would prefer not to have close contact with former prisoners, respondents who frequently demonstrate aggression were *more* willing to interact with ex-offenders than non-aggressive groups. This may be because individuals from more aggressive groups were more likely to find out about or meet former prisoners via family and friends, which can give a perspective that differs from those in the media and is less biased. For precise numbers, see Figures 103 and 104.

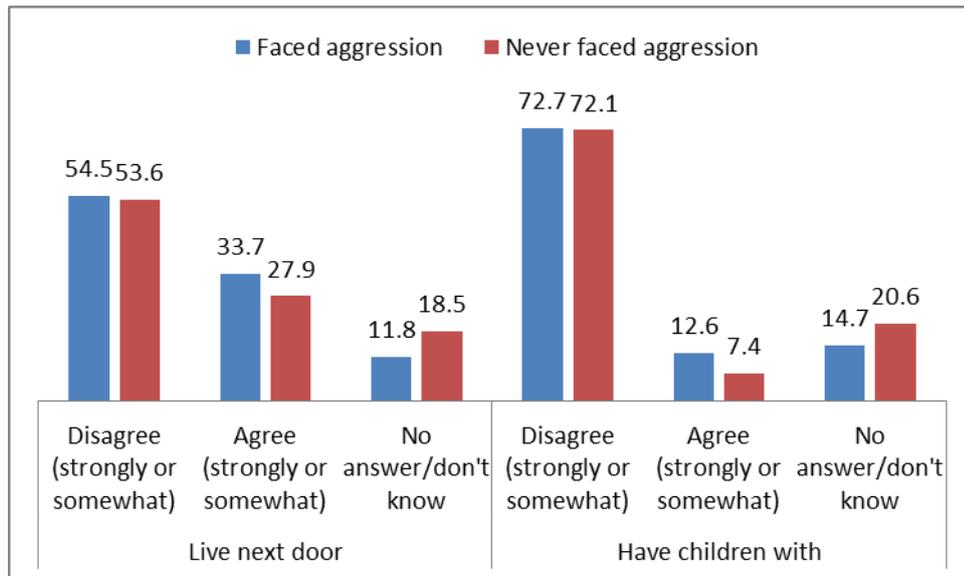


Figure 103: Respondents' readiness to co-exist with former prisoners by Whether faced aggression from others (%; n=1100)

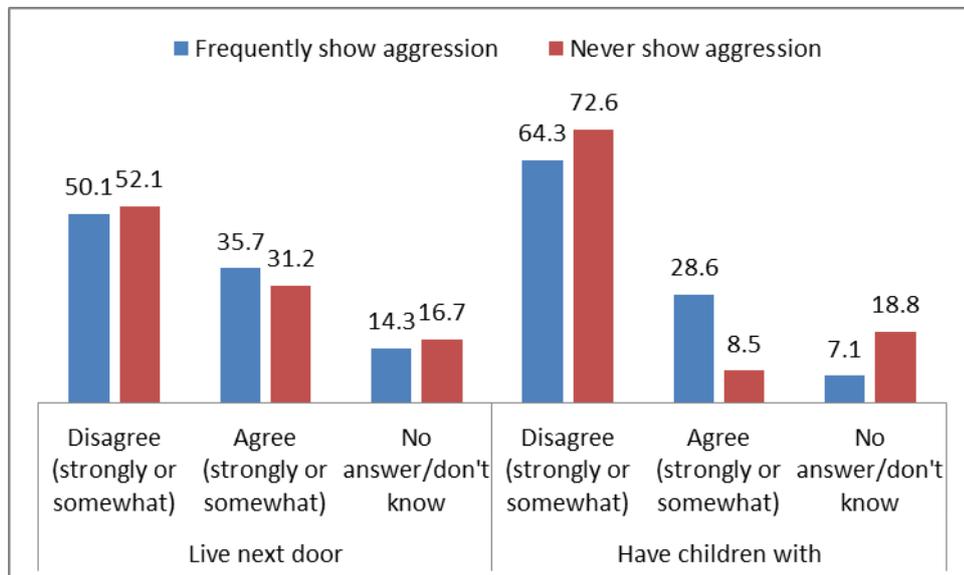


Figure 104: Readiness to co-exist with ex-convicts vs. Frequency of aggression shown towards others (%; n=1100)

Respondents' opinions on the possibility of reintegrating former prisoners into society were also closely linked to various factors (not just social and demographic characteristics):

- 1) Opinions about the current sentencing system in the country: those who felt that sentences were too lenient had a higher rate of those unwilling to have any contact with ex-offenders.
- 2) Opinions on the frequency of judicial errors: those who thought judicial errors happened frequently were more prepared to live/work/have children with ex-offenders.
- 3) Opinions towards prisoners' families: those who sympathised with prisoners' relatives were more likely to have contact with former prisoners.
- 4) Those who were willing to forgive repentant offenders were more likely to support the reintegration of ex-offenders into society.
- 5) Whether capital punishment makes people feel safe: respondents who did not feel safer knowing capital punishment exists were more prepared to have contact with ex-offenders.

- 6) Coverage of capital punishment in the Belarusian media: respondents who said capital punishment was well represented in the media were more supportive towards ex-offenders and more willing to live/work/have children with them.
- 7) Volunteering: respondents who undertook voluntary work were more ready to involve ex-offenders in their lives.

Public awareness about prisons, prisoners and former prisoners

Respondents' attitudes towards prisoners were affected by the amount of information (including from the media) they received about prisons and prisoners. The proportion of respondents who received/did not receive information on prisons and prisoners was almost exactly even, with 49.4% receiving information and 50.6% not.

Almost half (48.7%) of those who had received information got it from friends and family; 40.7% received information from TV and 28.3% watched films on this topic (see Figure 105).

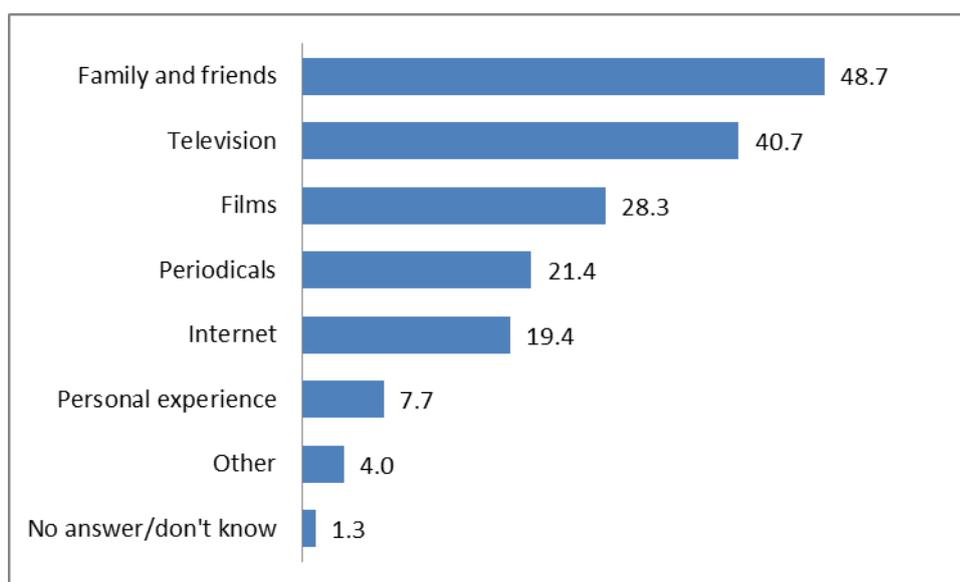


Figure 105: Sources of information on prisons and prisoners (%; n=1100)

When looking at where different groups received information, the following trends emerged:

- **Men** tended to get information on prisons and prisoners through the Internet, while women got it from periodicals.
- Unsurprisingly, **young people** preferred Internet sources, as opposed to older people who favoured periodicals.
- **More educated** people tended to use Internet and periodicals, while less educated people received information from TV.
- **More financially secure people** tended to get information on prisons from the Internet; less financially secure people used the TV.

Reintegration of ex-offenders into society

According to respondents, rehabilitating offenders convicted of grave offences required social support. 39.0% of the respondents said that convicts could be rehabilitated if they knew that society (family, friends, numbers) would be ready to accept them if they repented; 35.8% said rehabilitation primarily required support from friends and relatives (see Figure 106).

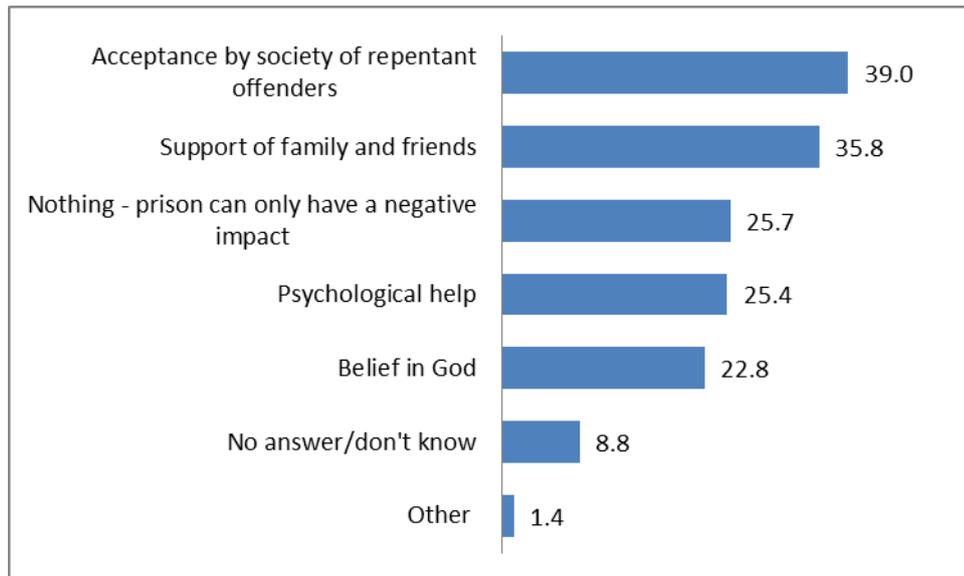


Figure 106: Opinions on factors that aid rehabilitation for those convicted of grave offences (%; n=1100)

Men were more pessimistic about the possibility of reforming prisoners. The proportion answering 'Prison can only have a negative impact' was higher among men than women (29.0% against 22.5%). Women considered that support from family and friends, and religious belief, were the most likely to aid rehabilitation.

Older respondents paid more attention to religion as a way to rehabilitate an offender. Young people said that rehabilitation depended on society's readiness to accept the former prisoner (see Figure 107).

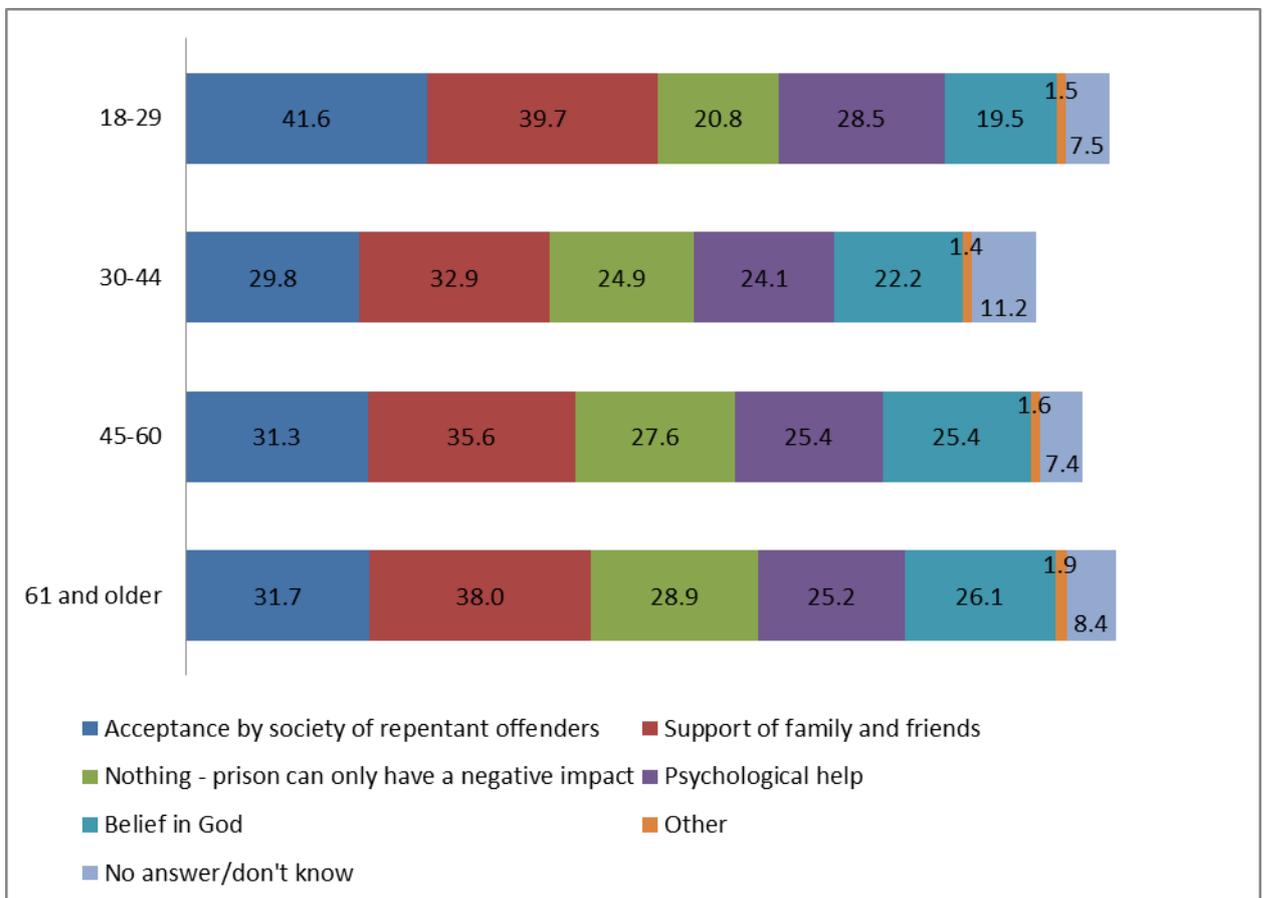


Figure 107: Opinions on factors that aid rehabilitation for those convicted of grave offences by Age (%; n=1100)

People who believed in God were, unsurprisingly, more likely to see religion as a supportive factor in rehabilitation than non-believers or those unsure about God. See Figure 108 for details.

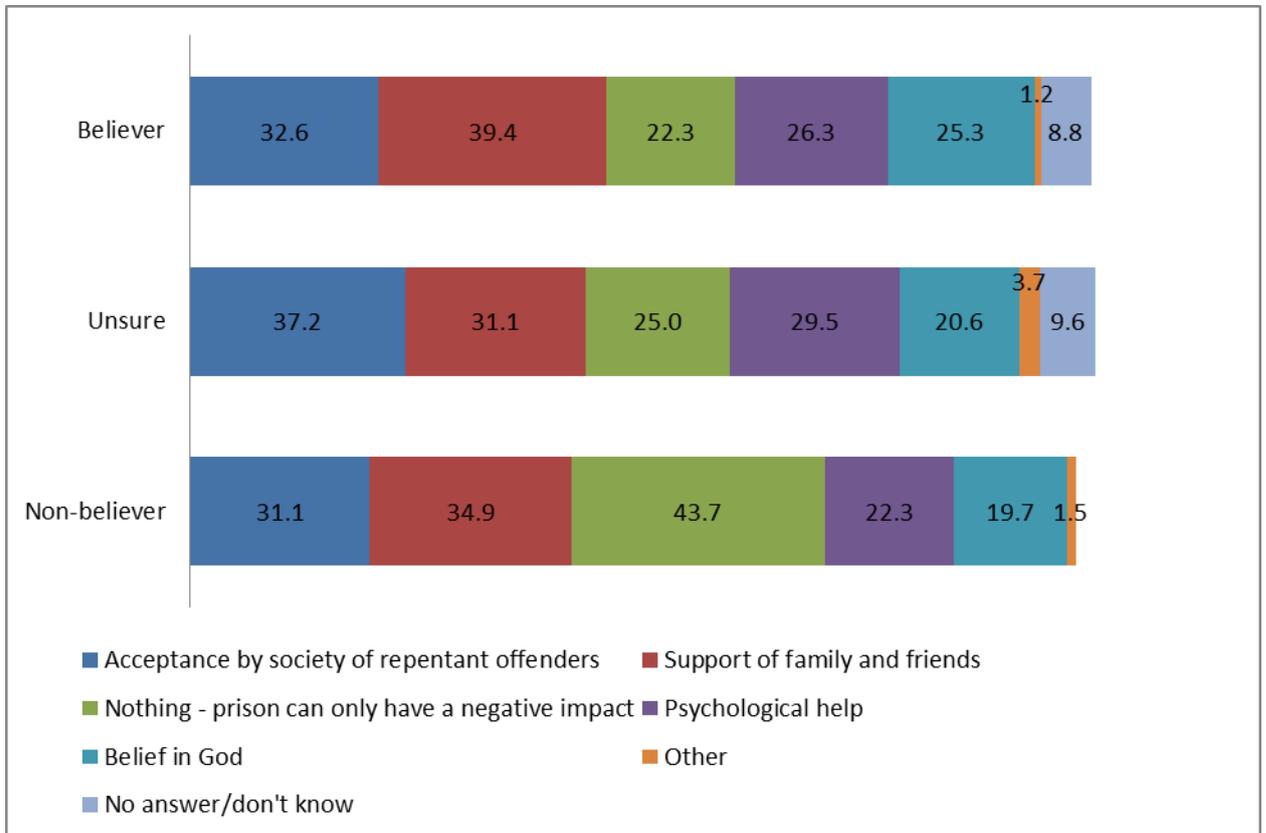


Figure 108: Opinions on factors that aid rehabilitation for those convicted of grave offences by Belief in God (%; n=1100)

More aggressive groups were less likely to think that rehabilitation depended on acceptance by society (see Figure 109). This might be explained by the fact that more aggressive respondents were more willing to share their lives with ex-offenders (see Figure 104 above).

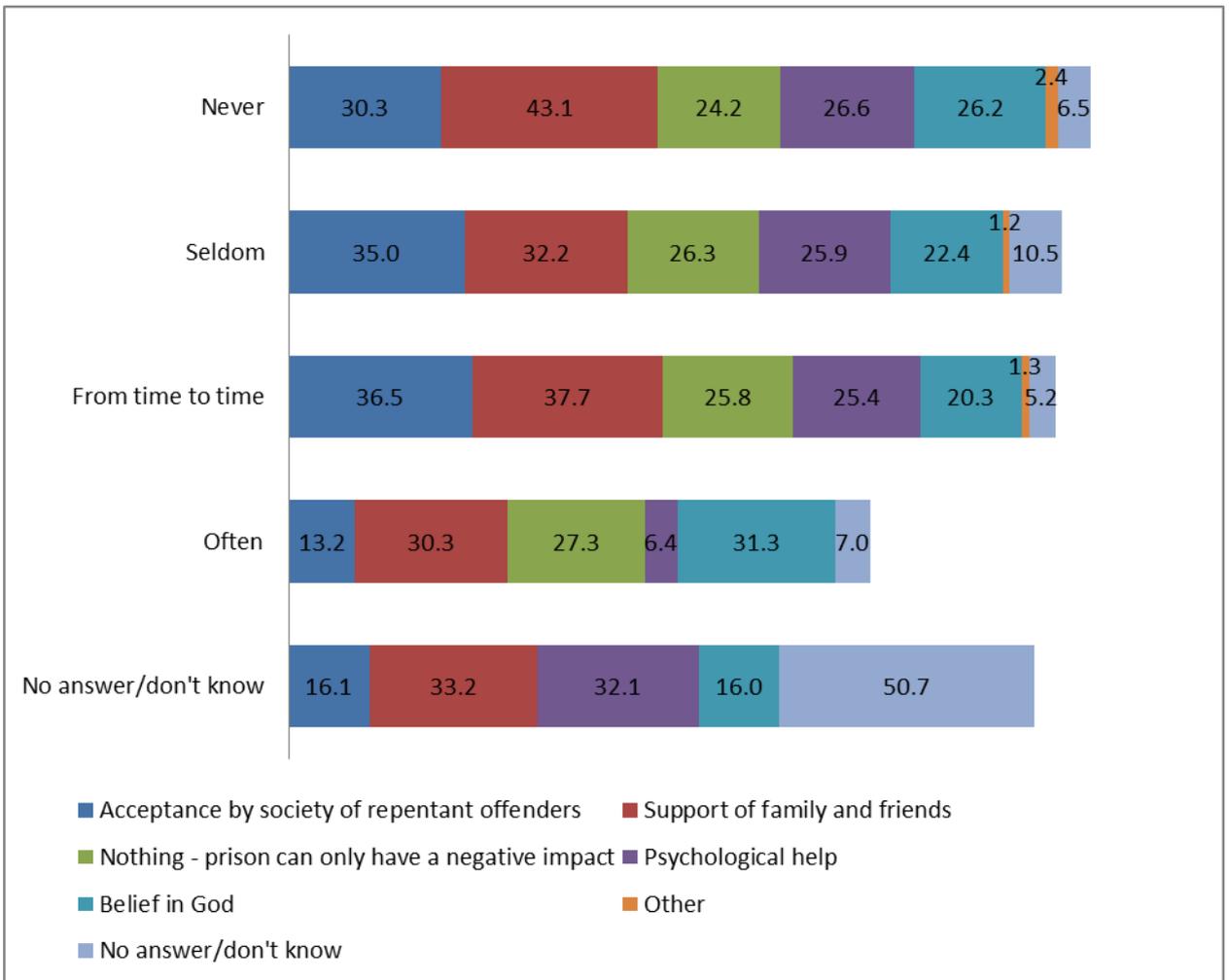


Figure 109: Opinions on factors that aid rehabilitation for those convicted of grave offences by Frequency of aggression shown towards others (%; n=1100)

3.2. Public attitudes towards prisoners' families

More than half of respondents sympathised with the families of those who had been sentenced to death or were serving life sentences. Notably, one third of respondents did not think about the relatives' feelings. These findings also demonstrate that people think differently about capital punishment and life sentences. See Figure 110 for details.

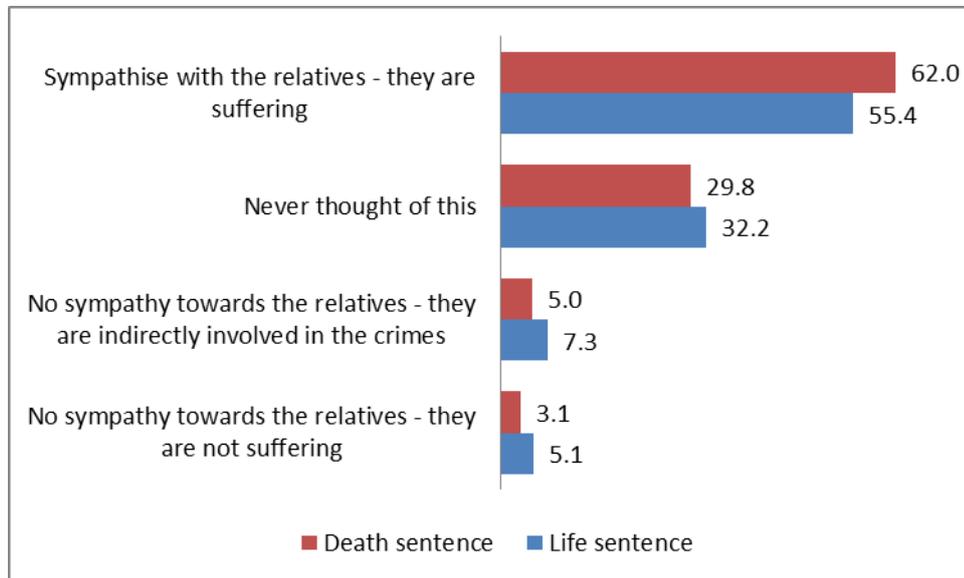


Figure 110: Opinions about the relatives of persons sentenced to death/life sentence (%; n=1100)

Public attitudes towards the relatives of **persons sentenced to death** correlated to respondents':

- Gender.
- Residence.
- Religious beliefs

Women were more sympathetic than men towards prisoners' relatives (see Figure 111).

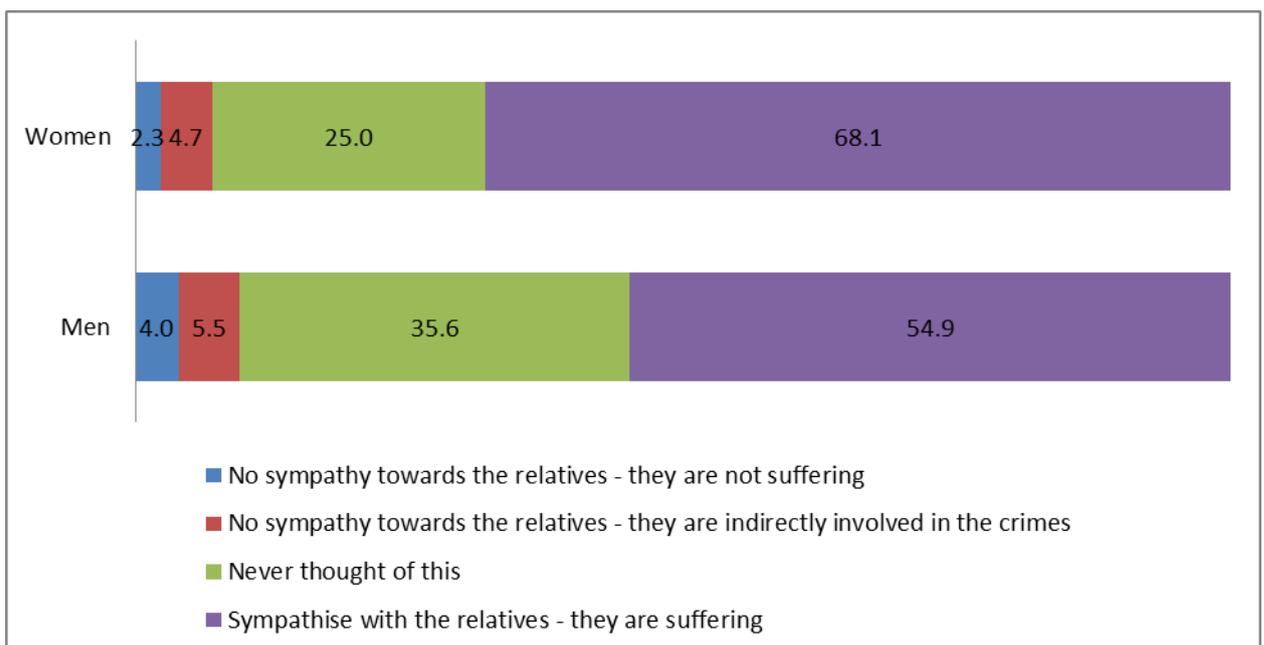


Figure 111: Opinions about the relatives of persons sentenced to death/life sentence by Gender (%; n=1100)

Residents of the capital and regional cities were less sympathetic towards prisoners' relatives. The share of respondents who felt no compassion towards relatives, indirectly blaming them for the crimes committed or stating they did not suffer, was higher in these groups than among respondents who lived in small towns or villages (see Figure 112).

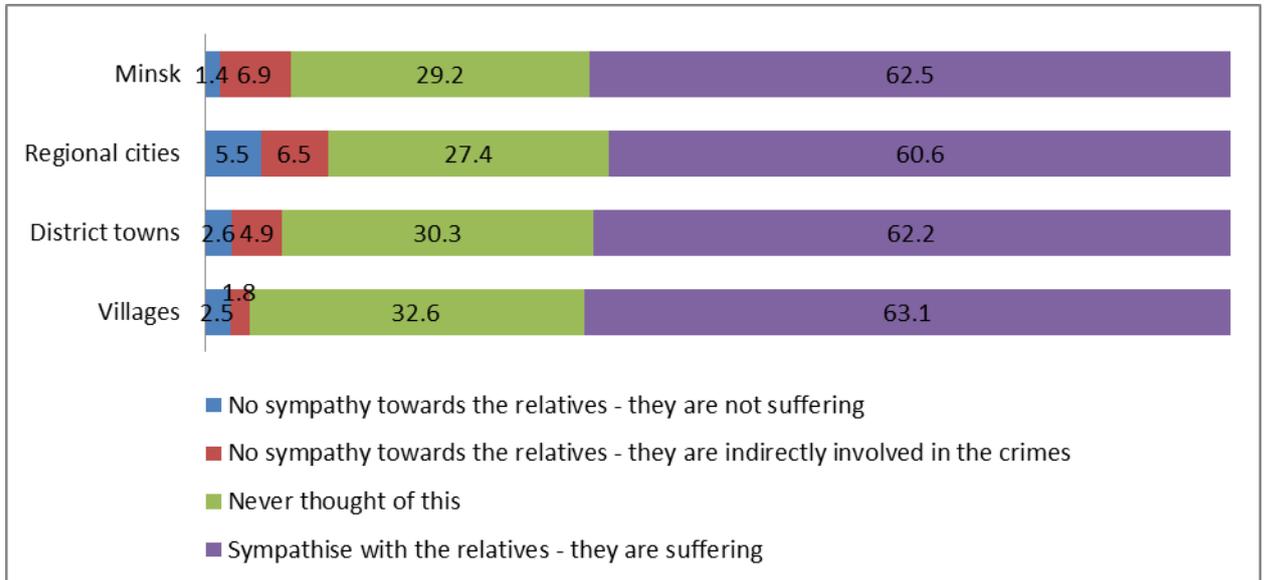


Figure 112: Opinions about the relatives of persons sentenced to death/life sentence by Residence (%; n=1100)

Religious beliefs also affected respondents' sympathy towards relatives of persons sentenced to death or life imprisonment. Respondents who believed in an immortal soul had a higher percentage sympathising with the relatives and a lower percentage of those who had not thought about this issue before, compared to those who did not believe in an immortal soul (see Figure 113).

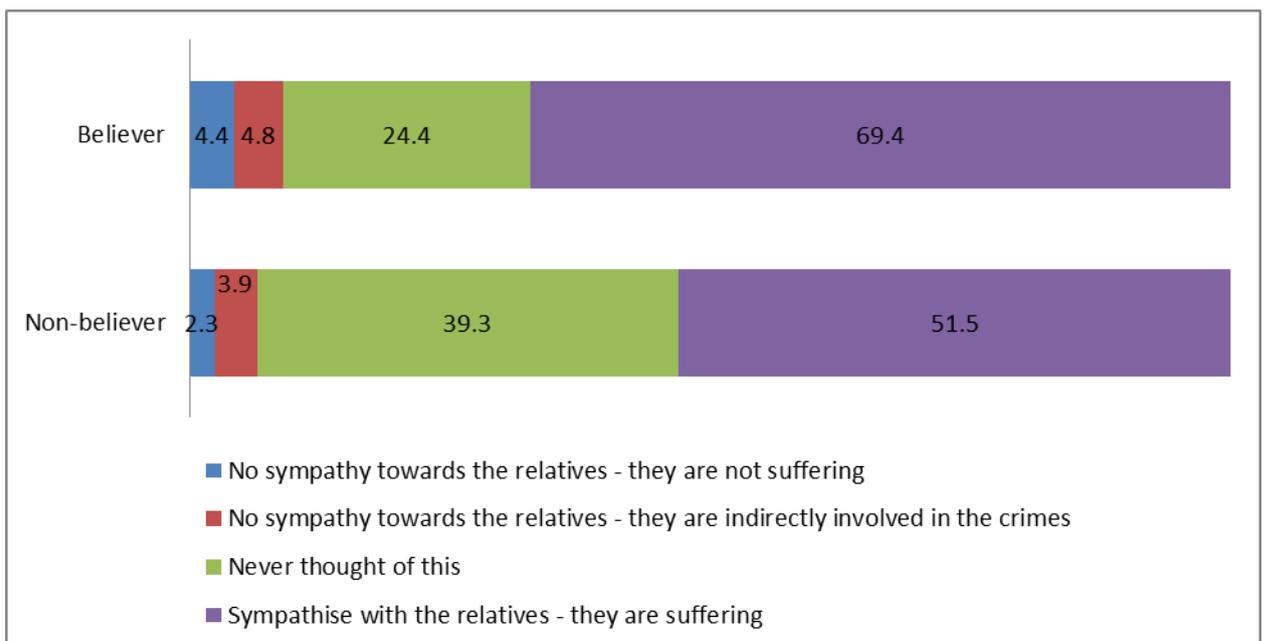


Figure 113: Opinions about the relatives of persons sentenced to death/life sentence by Belief in an immortal soul (%; n=1100)

Sympathy with the relatives varied according to degree of aggression towards others. As aggression towards other people grew, compassion became less common. Population groups with higher degrees of aggression were also more likely to believe that prisoners' relatives did not suffer. See Figure 114 for details.

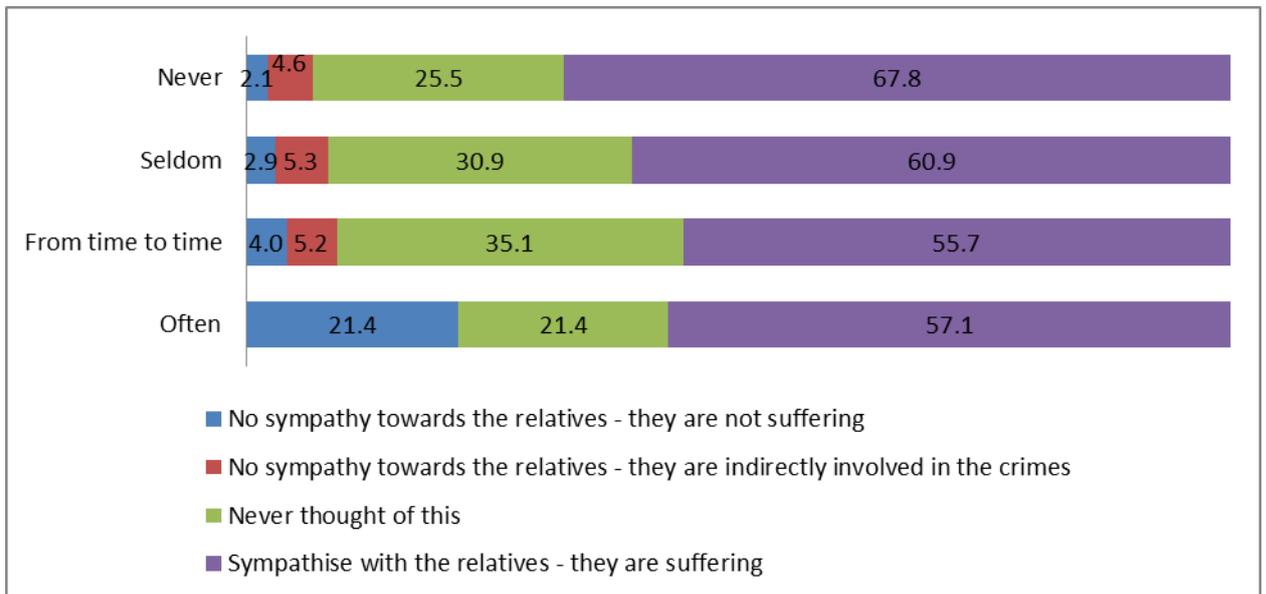


Figure 114: Opinions about the relatives of persons sentenced to death/life sentence by Frequency of aggression shown towards others (%; n=1100)

No significant differences were identified among respondents with different ages, educational levels or financial situations; the data for these groups followed the distribution of answers in the total surveyed population.

In addition to respondents' social and demographic characteristics, sympathy towards the relatives of those sentenced to life imprisonment or death was affected by the respondents' opinions about the judicial system in general. Those respondents who said that the Belarusian judicial system had a 'rather frequent' rate of judicial errors had more compassion towards the prisoners' relatives (see Figure 115-116).

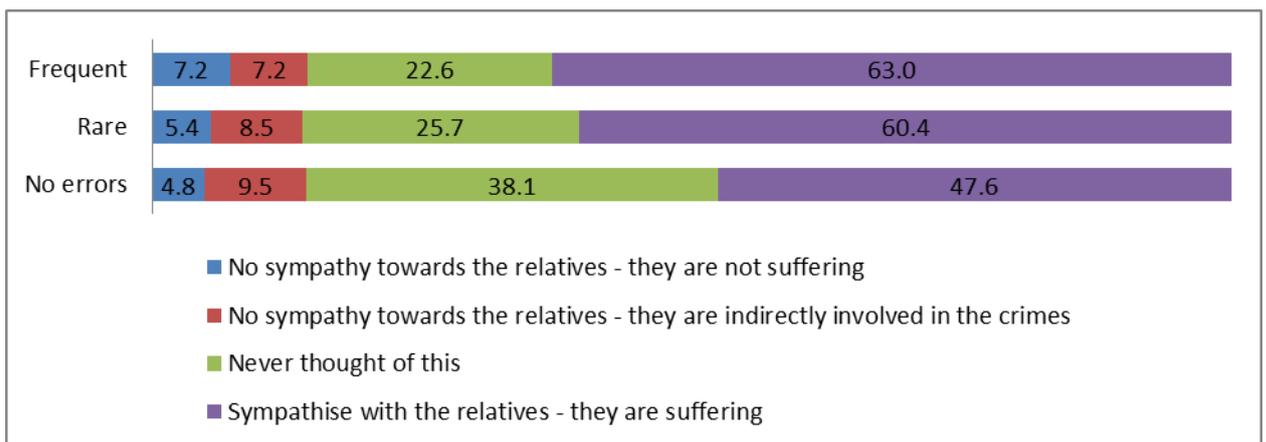


Figure 115: Opinions about frequency of judicial errors in Belarus by Opinions about the relatives of persons sentenced to life imprisonment (%; n=1100)

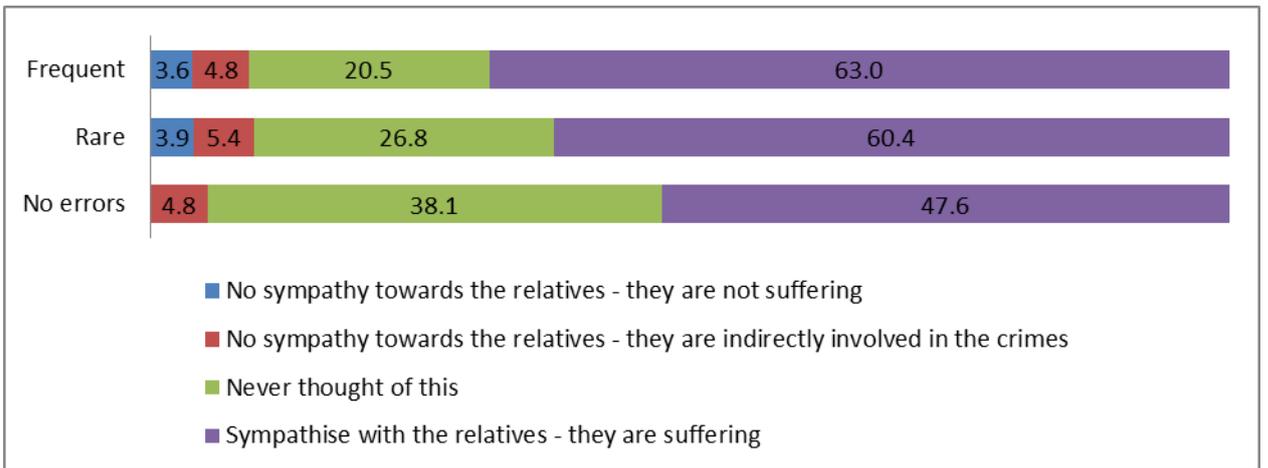


Figure 116: Opinions about frequency of judicial errors in Belarus by Opinions about the relatives of persons sentenced to death (%; n=1100)

3.3. Public values

Respondents were asked about what they consider antisocial or unacceptable forms of behaviour. Their responses suggest that the population is generally optimistic and that Belarusian society does not suffer from widespread pessimism or 'Durkheimian anomie'. Respondents tended to point to the very frequent occurrence of relatively harmless behaviour, such as swearing, rudeness, readiness to use aggression and physical force to resolve disputes. More extreme challenges to public order, such as extremism/terrorism and premeditated murder, were quite rare. See Figure 117 for details.

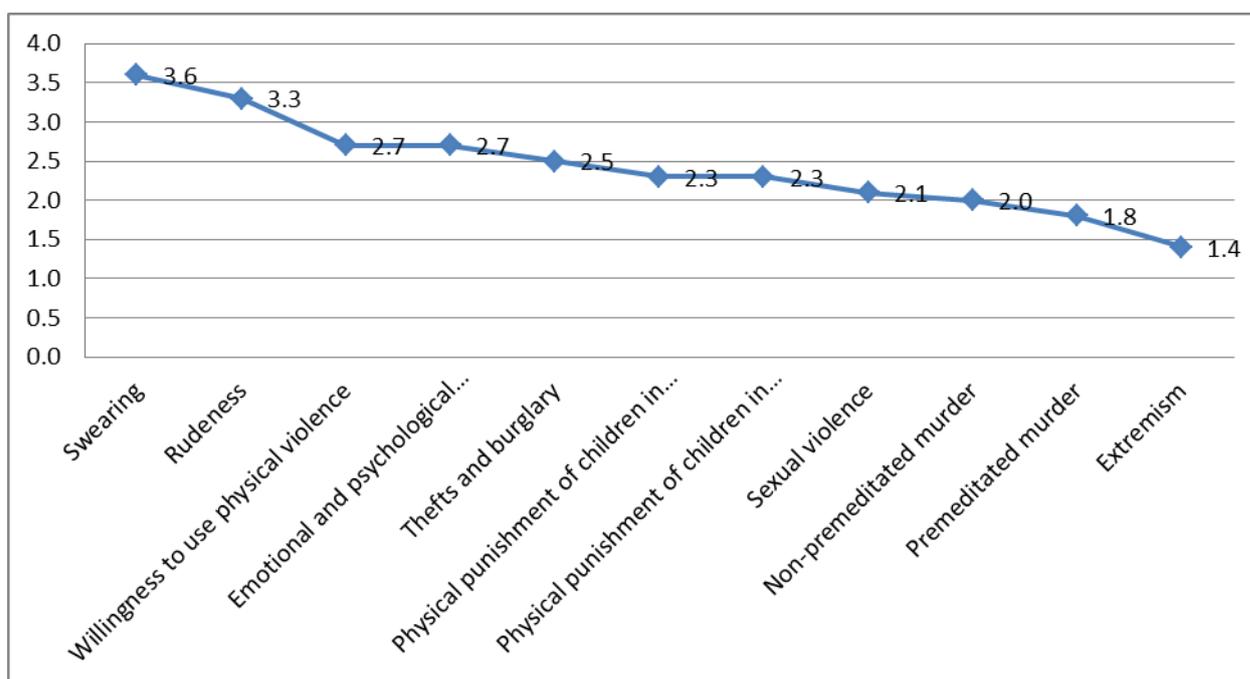


Figure 117: Opinions on the frequency of antisocial or unacceptable behaviour in Belarusian society (%; n=1100)

The group that was most concerned about the frequency of socially dangerous and unacceptable behaviour was **young people**, who, more often than respondents from other age groups, spoke about widespread use of physical violence against children within families, as well as sexual violence and emotional pressure.

Residents of villages and people with worse financial situations also reported higher frequencies of socially dangerous behaviour. The numbers are shown in Table 4. Only numbers that have statistically significant deviations in these social and demographic groups are listed.

Table 4: Opinions among selected social and demographic groups about ‘rather’ and ‘very’ common types of antisocial behaviour, %

	Physical punishment of children at home	Swearing	Rudeness	Using force to deal with problems	Theft/ burglary	Non-premeditated murder	Pressure	Sexual violence
Age: 18-29	39.4			52	23.8		39.2	26.5
Age: 60 and above	23.2			36.8	16.8		28.6	15.8
Residence: Minsk		58.5	48.1		6.4	15.0	30.2	
Residence: Villages		74.6	55.1		12.7	25.2	40.8	
Financial situation: sufficient			47.1	27.9*				
Financial situation: Insufficient			60.0	36.5*				
Gender: Men								18.0
Gender: Women								24.1

* Share of ‘Not common’ answers

Opinions about the frequency of certain acts were closely related to respondents’ beliefs about whether such acts were acceptable or unacceptable. Data analysis shows that those acts which commanded greatest support were the ones most widely committed in society.

The public was most supportive of the so-called ‘traditional’ bad habits – alcohol and tobacco use. Abortions and bribery were seen as less acceptable, allowed only in extreme circumstances, while respondents were most hostile towards drug use, suicide, theft and humiliating other people. See Figure 118 for details.

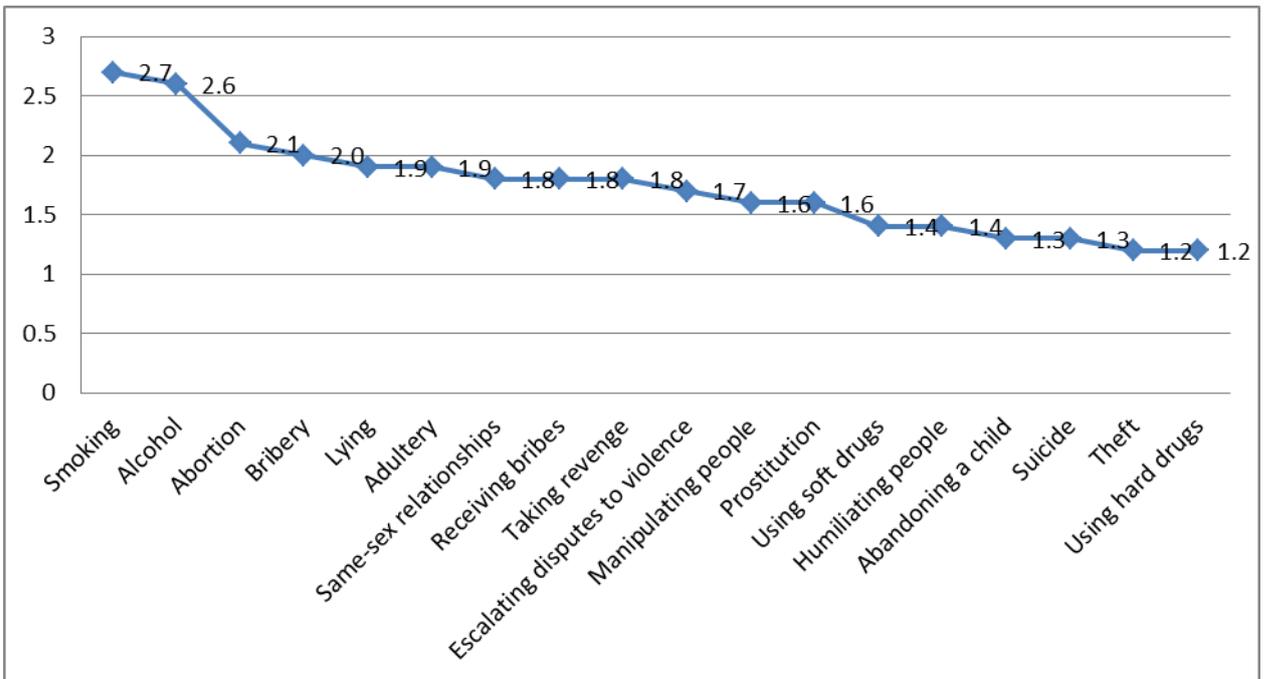


Figure 118: Opinions on acceptability of antisocial or unacceptable behaviour in Belarusian society (mean values, 1 = least acceptable 5 = most acceptable; n=1100)

Elderly respondents (aged 60 and above) were most negative about tolerating antisocial behaviour. The most tolerant group was people that did not believe in God and did not follow religious commandments and practices. See Figure 119 for details.

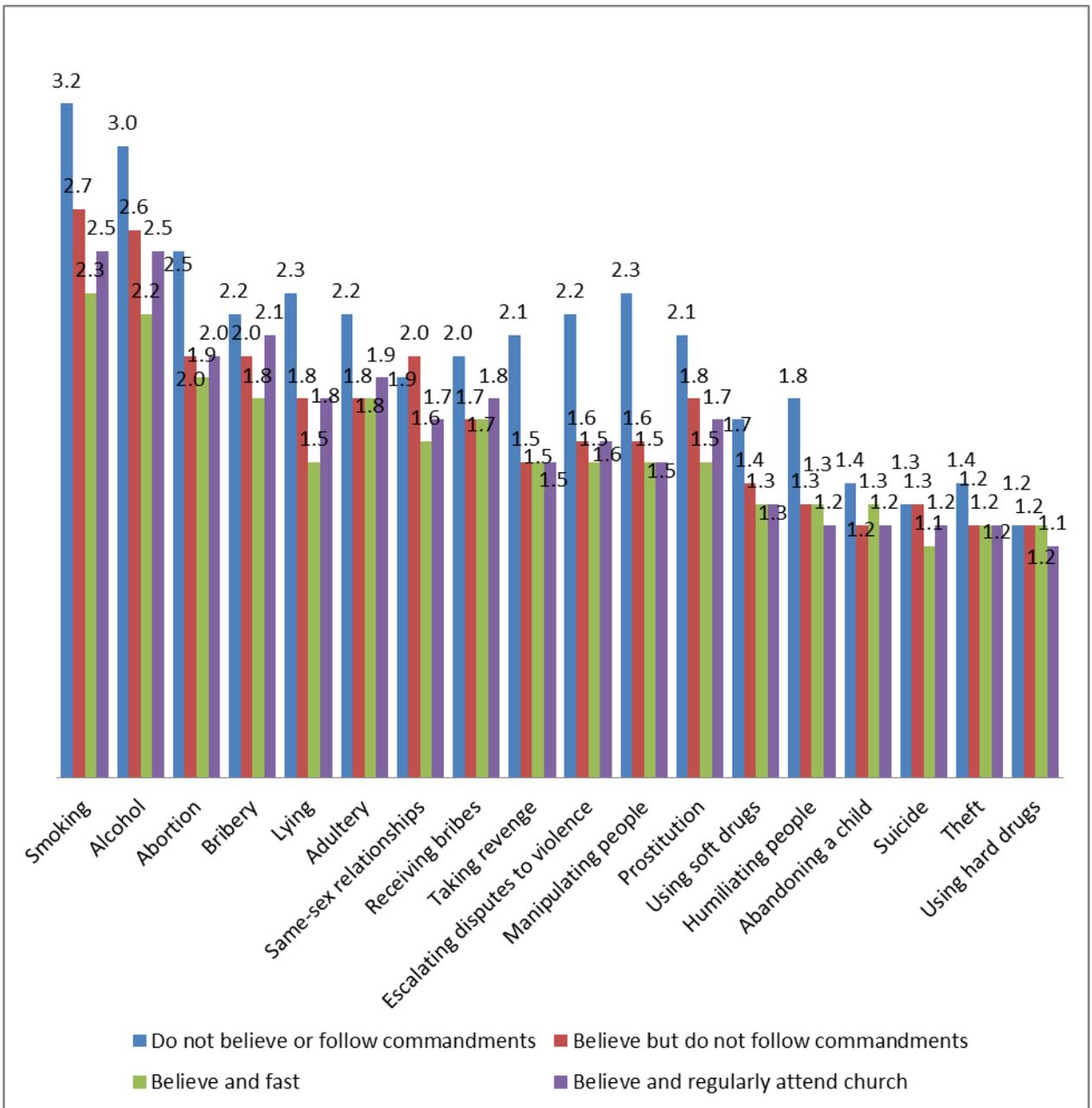


Figure 119: Opinions on admissibility of socially unacceptable and dangerous behaviour in Belarusian society by Observance of religious commandments and practices (where 1 means 'absolutely inadmissible', 5 means 'always acceptable'; n=507)

Significant differences in answers about the acceptability of various antisocial behaviours were identified between groups following/not following religious commandments and practices, and between those believing/not believing in an immortal soul.

- Respondents who followed religious commandments and practices were more likely to believe **lying and manipulating other people** is unacceptable – 45.3% (lying) and 66.3% (manipulating).
- Respondents who did not follow religious commandments and practices had a lower proportion who thought **revenge** was unacceptable – 43.7% (a number even lower than that of respondents who did not know about religious commandments and practices – 58.2%).
- Respondents who did not follow religious commandments and practices more commonly believed that **abortions** were an acceptable practice and people’s personal business – 31.6%.

- Respondents who did not follow religious commandments and practices also tended to believe that **abandoning a child** was acceptable and people's personal business – 11.0%.
- Respondents who believed in an immortal soul were more frequently opposed to **bribery** (48.5%); many were also opposed to **smoking** (32.2%) and **adultery** (64.5%).

The most liberal attitude was observed among people aged under 30 and among men. Residents of Minsk held different opinions from those living elsewhere in the country: see Table 5 for details (only numbers that have statistically significant deviations between social and demographic groups are listed).



Table 5: Acceptable (in green) and unacceptable (in red) types of antisocial behaviour according to selected social and demographic groups, %

	Giving bribes	Lying	Manipulating people	Taking revenge	Prostitution	Same-sex relationships	Suicide	Alcohol	Smoking	Using soft drugs	Adultery	Violence
Age: 18-29	14.8	33.5	53.4	55.6	12.1	24.5	7.8	35.5	39.3	12		41.8
Age: 60 and older	6.9	54.2	72.1	72.3	13.1	11.5	3.2	21.2	26.5	4.6		69.2
Residence: Minsk	11.5	5.7		11.0		64.7					10.0	38.0
Residence: Regional cities	22.2	15.0		9.0		58.6					26.8	
Residence: Villages	9.3	7.6		6.8		71.5					18.4	53.7
Financial situation: sufficient		9.3		7.1							14.9	
Financial situation: Insufficient		4.6		3.2							23.1	
Gender: Men					20.8			36.2	43.8	11.5		9.8
Gender: Women					15.9			27.6	32.7	6.1		4.1

3.4. Willingness to forgive a repentant criminal

Almost one third of respondents (31.0%) stated their willingness to forgive a repentant offender. Only 12.9% refused to forgive, while 39.8% said they did not have the right to condemn or forgive (see Figure 120).

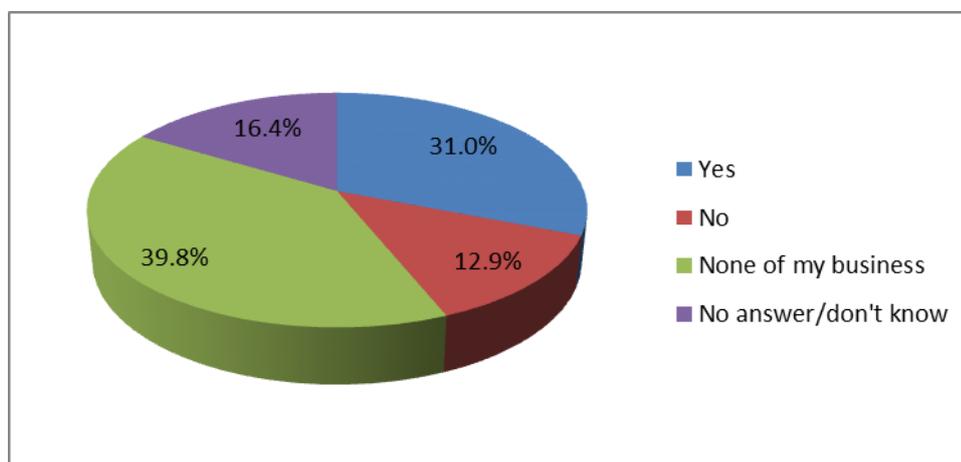


Figure 120: Respondents' readiness to forgive a repentant offender (%; n=1100)

Readiness to forgive a repentant offender varied according to:

- Age.
- Residence.
- Religious belief (belief in an immortal soul)

Minsk residents (39.8%) and **villagers** (32.6%) were more eager to forgive an offender who repented for their actions. Residents of regional cities and district towns were more unwilling to forgive: 17.3% and 15.7% respectively (see Figure 121).

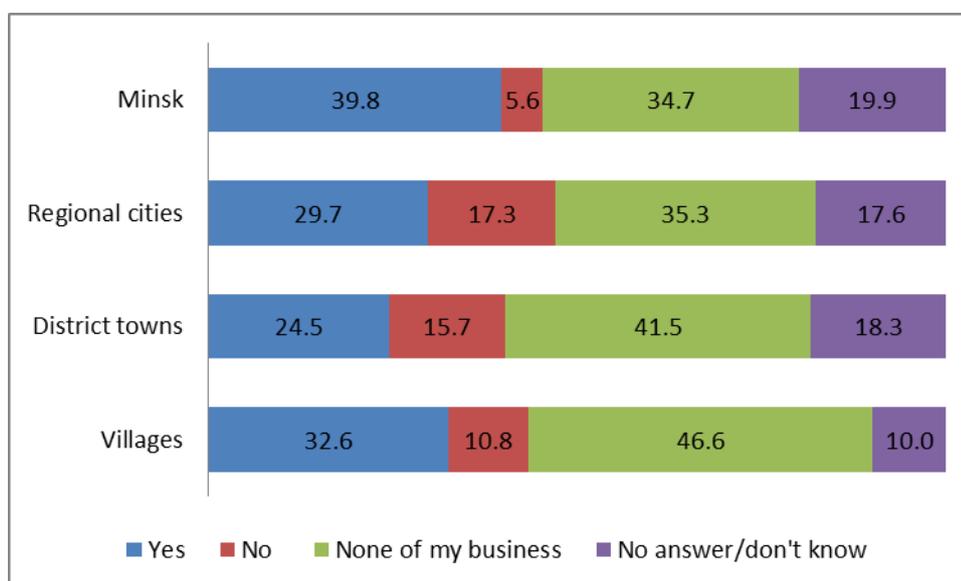


Figure 121: Respondents' readiness to forgive a repentant offender by Residence (%; n=1100)

Looking at different age groups, older respondents were found to be more willing to forgive (Figure 122).

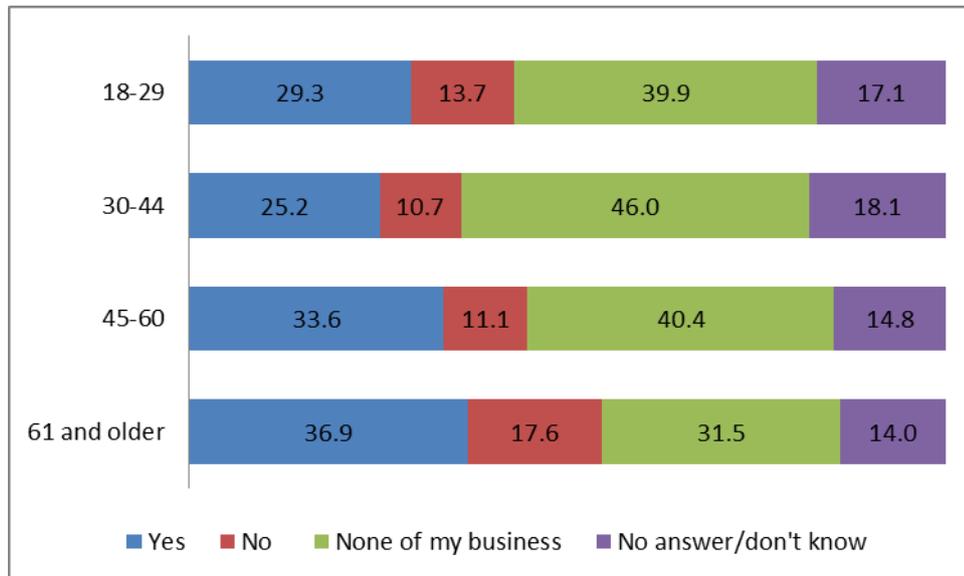


Figure 122: Respondents' readiness to forgive a repentant offender by Age (%; n=1100)

Respondents believing in an immortal soul were more likely to demonstrate forgiveness (Figure 123).

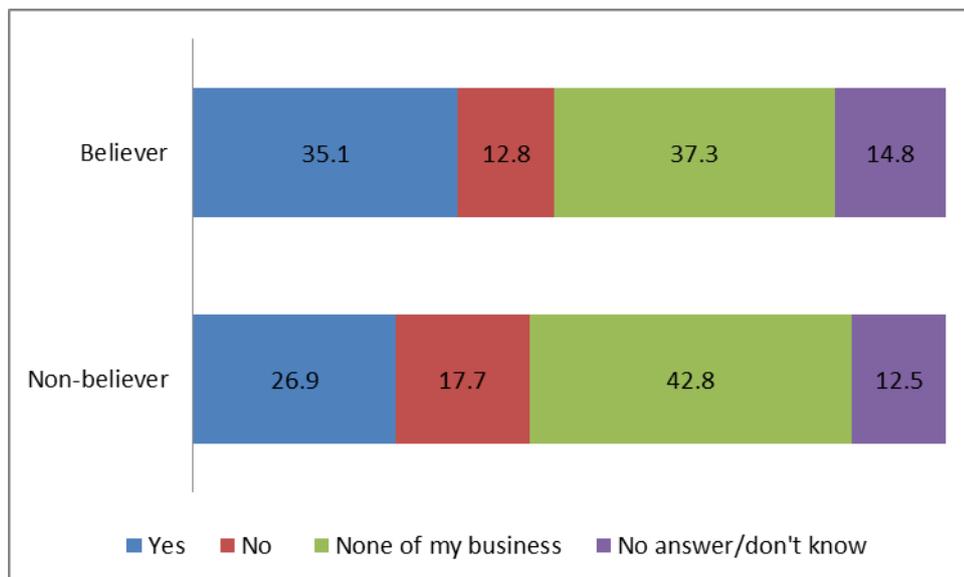


Figure 123: Respondents' readiness to forgive a repentant offender by Belief in an immortal soul (%; n=1100)

There were also correlations between respondents' attitudes towards offenders and their evaluation of the prison system in Belarus. In this context, the following trends are noteworthy:

- As opinions about the adequacy of the criminal justice system declined, attitudes towards offenders became harsher.
- As the readiness to forgive a repentant criminal declined, the fear of letting an offender escape punishment as a result of judicial error increased.

Respondents' attitudes towards capital punishment were largely determined by their readiness to forgive an offender. Respondents who strongly supported capital punishment were less willing to forgive a repentant offender (21.3%), while those who were opposed to the death penalty were twice as likely to forgive (43.3%) – see Figure 124.

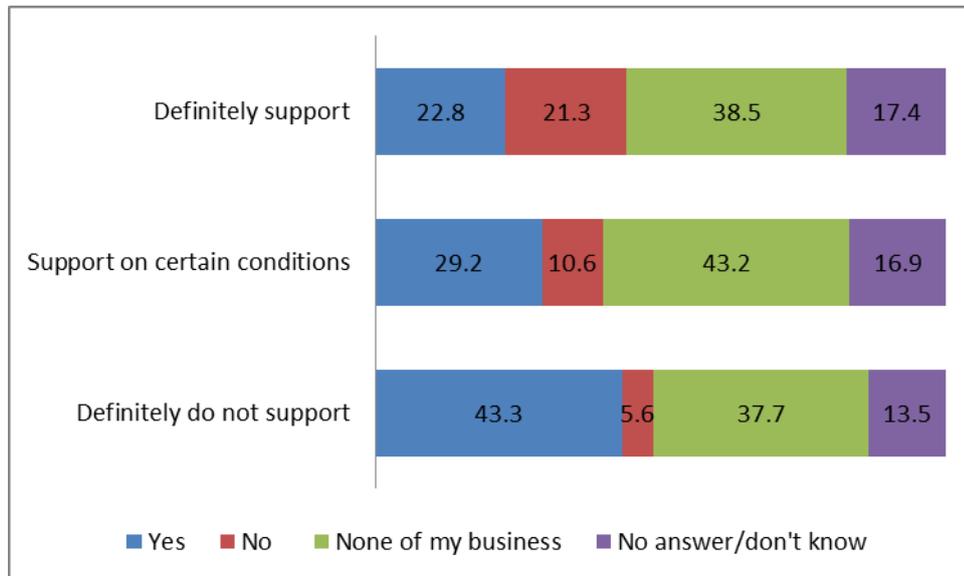


Figure 124: Respondents' readiness to forgive a repentant offender by Opinions about capital punishment (%; n=1100)

These survey findings were supported by qualitative research in the focus group discussions. The possibility of repentance held more weight for focus group participants opposed to the death penalty, while proponents of capital punishment had a more 'utilitarian' approach, saying that repentance should not affect the sentence and execution of the punishment. Participants often said that repentance could be just an act and that persons who commit violent offences are pathological by nature and cannot repent sincerely.

Readiness to forgive an offender was also closely linked to compassion towards their friends and family. Those who sympathised with the relatives of someone serving a long prison sentence had a higher rate of people ready to forgive (40.2%) – see Figure 125.

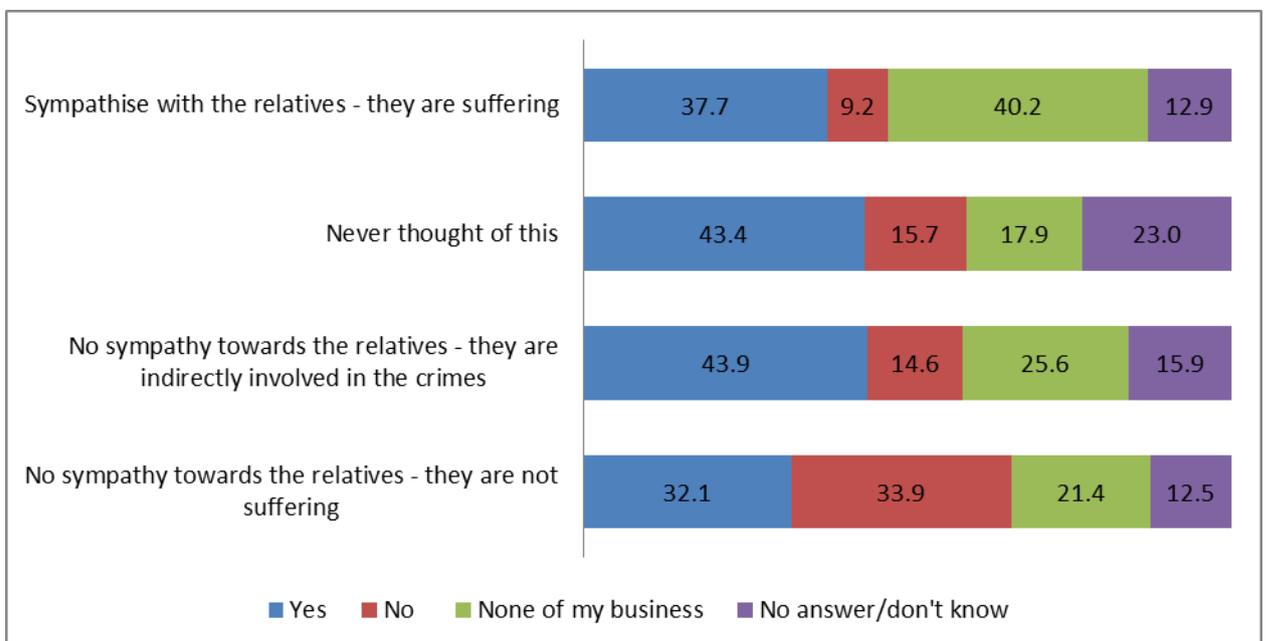


Figure 125: Respondents' readiness to forgive a repentant offender by Opinions about the relatives of persons sentenced to life imprisonment (%; n=1100)

A similar picture emerged regarding sympathy towards the relatives of someone sentenced to death (see Figure 126).

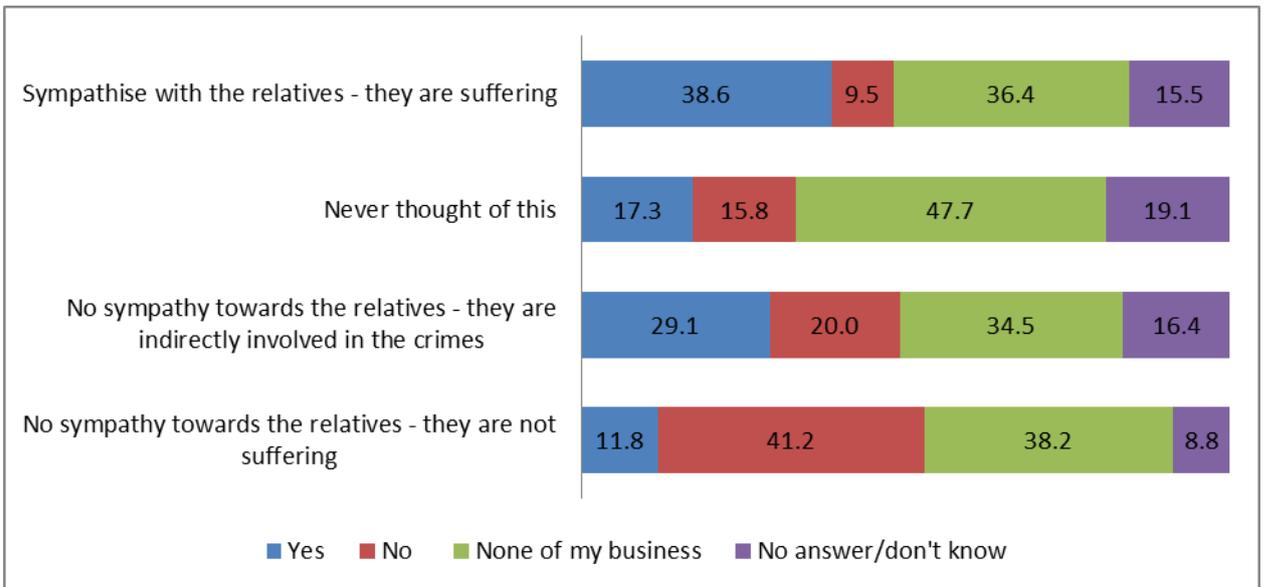


Figure 126: Respondents' readiness to forgive a repentant offender by Opinions about the relatives of persons sentenced to death (%; n=1100)

3.5. The impact of confidence, aggression and safety

Survey results suggested that Belarusians tended to have a neutral or negative attitude towards persons committing various types of antisocial or otherwise socially unacceptable behaviour. Only 46.2% of respondents reported a positive attitude towards such persons. However, only 4.7% of respondents were actually scared of those committing antisocial or unacceptable behaviour. See Figure 127 for details.

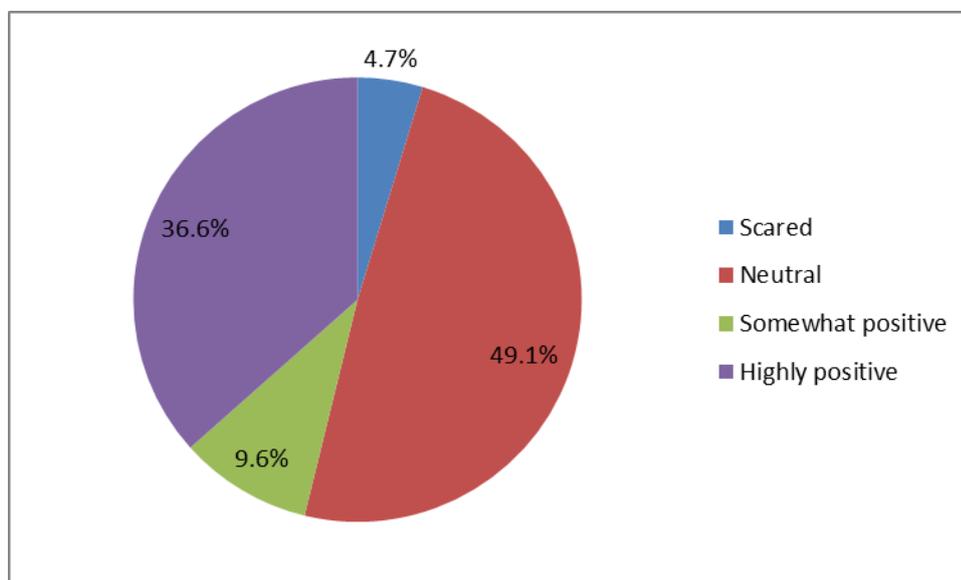


Figure 127: Opinions towards persons committing antisocial or socially unacceptable behaviour (%; n=1100)

The most negative attitudes were directed towards people with persistent deviant behaviour, drug or alcohol addicts, or those engaging in prostitution. This group included drug addicts, alcoholics, prostitutes, and – curiously – religious sects. A moderately negative assessment was given to HIV infected individuals, homeless children and homeless people. Respondents were neutral towards people with mental disorders and former prisoners. People with disabilities, human rights advocates and foreigners enjoyed a positive public attitude (see Figure 128).

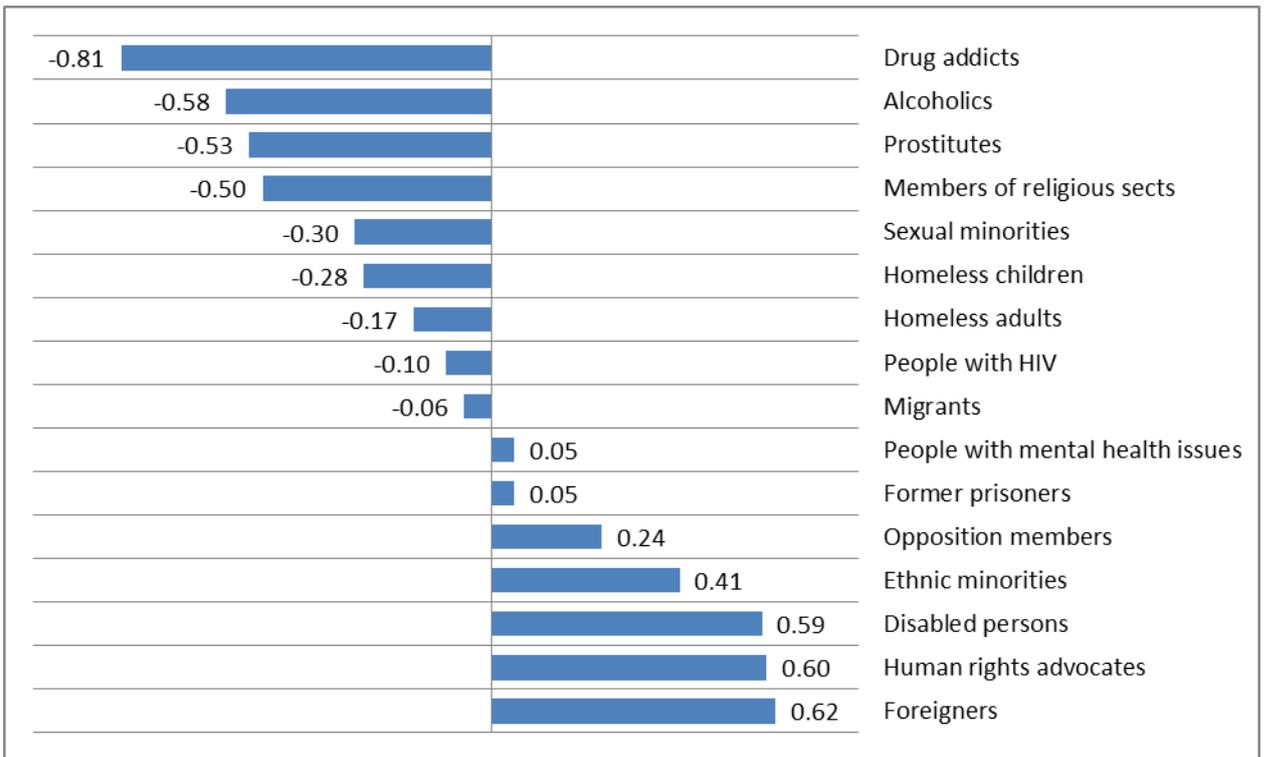


Figure 128: Neutrality index: public attitude towards groups of antisocial and socially unacceptable persons.* (Measured on a scale from –1 to 1, where –1 is ‘completely negative attitude’, 0 is ‘completely neutral attitude’ and 1 is ‘completely positive attitude’ (points; n=1100)

Attitudes toward ex-offenders were affected by:

- Religiosity (belief in God and following religious commandments and practices).
- Gender.
- Place of residence.

Atheist respondents were the least worried about ex-offenders. The more religious people were, the more they were afraid of ex-offenders and the more negatively they thought about them (see Figure 129).

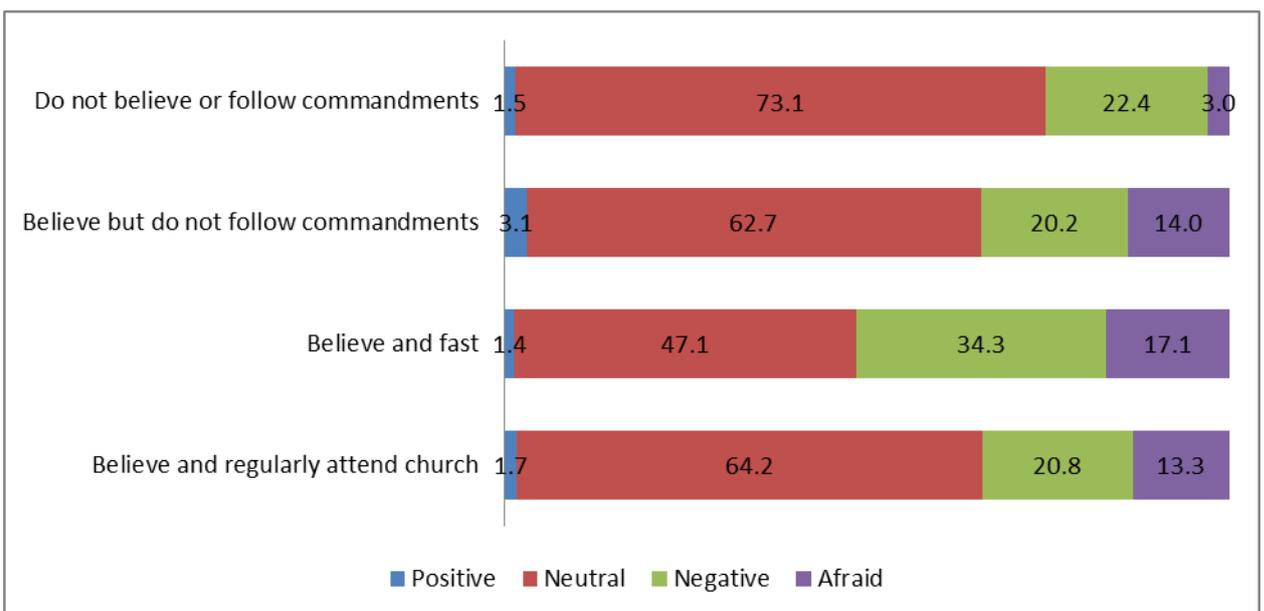


Figure 129: Attitude towards ex-offenders by Observance of religious commandments and practices (%; n=507)

People who **believed in God and followed religious commandments/practices** were most commonly afraid of ex-offenders; atheists were most likely to feel neutrally towards them.

Women, more than men, feared ex-offenders, and most men were neutral towards them.

Residents of Minsk were largely neutral. Outside the capital, respondents were more likely to have a negative attitude towards ex-offenders.

Respondents who followed religious commandments and practices, as well as women, were more afraid of the named antisocial groups.

Respondents had various opinions on the measures that should be taken towards people who are treated negatively. Least tolerance was shown towards religious sects and sexual minorities. 47.9% of respondents who had a negative opinion of members of religious sects thought they should be isolated from the rest of society. Those who had a negative attitude towards sexual minorities demonstrated some signs of homophobia: for example, the largest share (32.8%) of respondents who had negative opinions about sexual minorities said they should be isolated from society, 16.7% believed they should be re-educated, 16% believed that people with non-traditional sexual orientations should be given psychological assistance and only 17.6% believed such persons should be left alone.

Looking at attitudes towards people suffering from drug or alcohol dependency, it is clear that that drug users were less tolerated than those using alcohol. The share of respondents supporting isolation of drug users was higher (29.7%) than for alcohol users (17%). Nevertheless, a large group of respondents with negative attitudes towards alcohol and drug users agreed that both categories needed professional help.

Certain trends were observed among those who had negative attitudes towards women working in the sex industry. 24.4% of those who were negative towards prostitutes believed they should be isolated. 27.9% believed such women needed to be corrected/changed to be like everyone else. A similar share of respondents spoke in favour of psychological or other support. The share of respondents who wanted more humane responses towards these women was minimal.

Survey respondents were more tolerant towards homeless children. The majority of those with a negative view of such children supported the provision of various forms of help for the children (56.1%). Only 5.5% believed such children needed to be isolated from society.



Key findings

- 7.8% of the respondents believed the current punishment system is too harsh; 23.2% could not answer.
- 32.8% had incorrect knowledge about the existence and use of capital punishment.
- More than half of respondents believed the topic of capital punishment received insufficient media coverage (56.9%). 23.4% believed this issue did not interest the Belarusian media.
- More than half of respondents (63.8%) favoured capital punishment.
- 36.5% supported capital punishment unconditionally.
- 27.3% supported capital punishment under certain conditions. The key reasons justifying death sentences included committing particularly grave offences (primarily murder and violence against children) with aggravating circumstances.
- The most popular reason for supporting capital punishment was that it provided sufficient retribution for the crimes committed (66.7%).
- Supporters of the death penalty most commonly supported capital punishment for serial murder (78.2%), terrorism (73.8%) and violence against children (60.2%).
- Over half of death sentence supporters (56.4%) believed that pregnant women and mothers of children up to age 14 should be exempted from execution. Almost as many supported exemption for children (45%).
- 31.0% of respondents unconditionally opposed capital punishment.
- The main argument against the death penalty was the value of human life, expressed through such responses as ‘the government doesn’t grant life, and it’s not authorised to take it away’ (48.3%), and ‘judicial errors are possible’ (47.3%). At the same time, opponents of capital punishment were not moved by the argument that Belarus remains the only country in Europe that has not abolished capital punishment.
- More than one third of the respondents suggested that the death penalty should be kept as it is now (36.2%).
- 12.4% supported a moratorium on use of the death penalty.
- The main argument in support of moratorium on death sentence in Belarus was the risk of judicial errors and execution of innocent people (72.2%).
- There was no settled view among respondents on replacing the death penalty with life imprisonment. 49.4% of respondents strongly or somewhat supported life sentences as an appropriate alternative to capital punishment, while 44.8% strongly or somewhat disagreed with such a replacement.
- 73.5% of respondents believed it to be better to let a guilty person walk away than to convict an innocent person; 9.7% supported the opposite.



Annex

Glossary

Prison system – the system of punishing offenders by depriving them of liberty

Post-prison system – a set of rehabilitative measures and actions, directed towards former prisoners

Consequentialism – a justification for capital punishment whose main argument is that the death penalty prevents future crimes

Retributivism – a justification for capital punishment whose main argument is that execution is fair punishment for the offence committed

Post-prison adaptation – a process of helping former prisoners adjust to living in the community, directly linked to (voluntary or forced) actions of state institutions, public bodies and institutions, which are intended to reinforce the results of correctional measures and prevent new crimes.⁸

⁸ U.V. Andreeva, *Post-penitentiary adaptation of persons sentenced to imprisonment: published abstract of doctoral dissertation in law*, 12.00.08/U.V. Andreeva, Krasnoyarsk, 2008, p. 26

