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In Defense of the Right to Life: Analyzing Factors Affecting Filipino Opinion About Death Penalty

A Study by the Commission on Human Rights of the Philippines
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Message

The Commission on Human Rights is pleased to present our research entitled, “In Defense of the Right to Life: Analyzing Factors Affecting Filipino About the Death Penalty.” This work is the accumulation of the efforts of the team within the Commission, our partners from the Social Weather Stations, and fellow advocates from all over the world.

The reintroduction of the death penalty has been part of the current administration’s legislative agenda from the beginning of their term. The President has repeatedly mentioned this in his State of the Nation Addresses, most recently last July 2020, to fulfil his vow to end drugs and crime in the Philippines. This is despite our obligations under the 2nd Optional Protocol Aiming at the Abolition of the Death Penalty of the International Covenant on Civil and Political Rights.

Supporters of the measure to reintroduce capital punishment have always touted that an overwhelming majority of Filipinos want the death penalty. We understand that public opinion indeed has influence on public policy, which is to be expected since we are a democratic society. However, we needed to be certain as to whether Filipinos truly supported the death penalty and explore the factors that affect this supposed overwhelming support.

So we decided to be brave and faced the problem. We grappled with the question, why do majority of Filipinos want the death penalty? Inspired by my experience during the World Congress Against Death Penalty in Oslo two years ago, we moved to prove that the purveying overwhelming public opinion for death penalty was a myth. We embarked on the first ever comprehensive and dedicated survey on the death penalty and the results proved promising. This research study completes the initial results we released last 2018.

Our survey was inspired by Dr. Mai Sato and Dr. Paul Bacon’s study about public opinion and the death penalty in Japan, where the iceberg model was used to analyze how the Japanese government conducts its surveys on the death penalty. The support for the death penalty is just the tip of the iceberg. Public opinion swings toward favoring the death penalty but as one goes beyond the tip of the iceberg, layers and masses of conditions and intentions abound, showing a yearning for an efficient, impartial justice and due process for all. As Dr. Sato and Dr. Bacon found, public opinion surveys were technically flawed and do not really accurately depict the attitudes of the public towards the death penalty.

From this survey, the Commission learned about the Filipino’s opinion on death penalty. We gained insights on their views that when presented with facts about the death penalty, alternatives other than capital punishment, and its impact, an average of 7 of 10 will not choose the death penalty. We learned about what has shaped their opinion, who do they think they trust most in upholding human rights, and what was their preferred punishment for certain crimes.

In determining these layers and masses of intentions and beliefs, underneath the surface, we set out to identify the major supporters of the death penalty, and why they would

support it. We wanted to know on what grounds would they continue to support this measure as this is vital in informing the campaign against capital punishment in the Philippines.

This paper thus brings to the fore the complexity of public opinion wherein the Filipino public wavers their support for the death penalty when presented with options and alternatives to the death penalty. The government's argument that the public wants the death penalty is therefore flawed if its assumption is only based on perceived support and close-ended survey results. The lack of alternatives gives the impression that there are no other options available, which would have an impact in the accuracy of the survey being undertaken. This paper adds to the growing literature and policy advisories providing empirical evidence that support of the public for the death penalty is not as strong as what the government claims.

With the information gathered from the survey and the comprehensive analysis of its results, we would be able to craft policy recommendations that would retain the abolition of the death penalty and halt its reintroduction to the Philippine penal system.

We extend our gratitude to the Australian National University and Dr. Imelda Deinla and Dr. Mai Sato for their valuable advice and assistance in this endeavor.

The Commission on Human Rights has always maintained that we do not want any crime to go unpunished. What is a deterrent to crime is a functional, unbiased, efficient justice system that guarantees certainty of punishment for perpetrators through due process and rule of law, together with broad public confidence. We are working towards this goal.

Commissioner Karen Gomez-Dumpit,
Commission on Human Rights of the Philippines



Executive Summary

The Commission on Human Rights of the Philippines (CHRP) partnered with the Social Weather Stations, a social research institution, to conduct a research entitled, “National Survey on Public Perceptions about the Death Penalty” in order to determine what lies beneath the perception of Filipinos regarding the death penalty. This research was initiated because pro-death penalty policy makers were citing that Filipinos were in favor of reimposing the death penalty. The survey was based on the iceberg model seeking to provide the reasons why public opinion swings toward favoring the death penalty.

One of the main findings of the survey is that a majority (59%) of Filipinos are in favor of the death penalty being re-instated for people who were proven by the courts to have really committed heinous crimes, while 32% are against it. It was also found that if presented options, the survey found only minority support for the death penalty as punishment for serious drug-related crimes, where only around 30% preferred the death penalty.

These contrasting findings indicate that the Filipino public’s opinion on the death penalty is not a clear-cut in favor or against a position. The research conducted an in-depth analysis of three groups of independent variables – demographic variables, beliefs and attitudes, and alternatives to death penalty – beyond the basic descriptive needs to be undertaken to untangle such layers and complexities, to formulate grounded policy recommendations. The findings are as follows:

First, there is a modest support for the death penalty among Filipinos, but if they are provided with prison terms as an alternative punishment other than the death penalty, majority of Filipinos would prefer prison terms over the death penalty.

Second, knowledge-based instrumental factors associated with deterrence – feeling of safety and worry of being victimized by crime – rather than the experiential factors, are the strongest predictors of support for the death penalty, whether for its re-instatement or preferred punishment for the drug-related crimes.

Third, two symbolic factors emerged as consistent predictors of support for the death penalty – that the death penalty dispenses justice, and that people would follow the law over their religious principles.

In terms of the demographic factors, it showed that likelihood of support for the re-instatement of the death penalty was higher in urban areas and among males, and those who are older. Support was lower for the non-college educated, and those in Balance Luzon and/or Visayas, than in Mindanao.

TV news media usage has some limited, yet important role as a predictor of support for the death penalty. It emerged as a significant predictor when the instrumental and symbolic factors were added.

Internet likewise has some limited effect and was only found to be a significant predictor of support for the death penalty for the crimes of rape and murder under the influence, and importation of illegal drugs.



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¹ The Commission on Human Rights of the Philippines (CHR) is the National Human Rights Institution (NHRI) of the Philippines. Established by the 1987 Philippine Constitution, the CHR has a general jurisdiction for the protection of human rights of all persons within the Philippines, as well as Filipinos residing abroad, and provide for preventive measures and legal aid services to the underprivileged whose human rights have been violated or need protection. An "A" NHRI, the CHR complies with the Paris Principles on the Status of National Human Rights Institutions adopted by the UN General Assembly in 1995. The CHR demonstrates the following characteristics of Paris Principles- compliant NHRI: independence, pluralism, broad mandate, transparency, accessibility and operational efficiency. Principal authors and editors for this study from the CHR are Commissioner Karen Gomez-Dumpit, Atty. Kristoffer Claudio and Ms. Marizen Santos.

I. Background of the Study

A. The Brief History of the Death Penalty in the Philippines

The Philippines abolished the death penalty under the 1987 Constitution. In 1993, however, capital punishment was reintroduced under Republic Act No. 7659 to address perceived rising criminality.² Seven executions were committed in 1999, signaling the enforcement of the law and an attempt to abate criminality. In the same year, criminality increased by 15.3%.³ Appeals from groups against the death penalty, which cited its non-deterrent effect in the commission of crimes compelled the Philippine government to issue a moratorium. In 2003, de facto moratorium on executions were lifted, but reprieves were since then issued on scheduled executions because of evidence that exonerated persons on death row. On 24 June 2006, R.A. 9346, "An Act prohibiting the imposition of the Death Penalty in the Philippines" was enacted and effectively abolished the death penalty in the country, for the second time.

The Philippines ratified the International Covenant on Civil and Political Rights (ICCPR, 1966) on 23 October 1986, reinforcing its commitment to promote and protect civil and political rights, including the right to life enshrined in Article 6 of the Covenant. On 20 November 2007, the Philippines ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR 2nd OP, 1989). Article 6 of the Second Optional Protocol further states that "the present Protocol shall not be subject to any derogation," signifying that there is no mechanism provided for the State Party to withdraw from the Covenant, thus guaranteeing against reinstatement of the death penalty.

Presently, the legislative agenda of the government includes the re-imposition of the death penalty yet again. In his inaugural speech, President Rodrigo Duterte, espousing for real change in government, announced his political policies in eliminating corruption, criminality and the rampant trade of illegal drugs. This commitment to eradicate the ills of society was reiterated in his first State of the Nation Address and the reimposition of the death penalty has been declared to be one of the means to eliminate [criminality],⁴ and further emphasized once again in his fifth State of the Nation address.⁵

On 7 March 2017, House Bill 4727,⁶ a bill that proposes imposing death penalty for narcotic offenses, was passed on third reading at the House of Representatives with a final vote of 217 in favor and 54 against. The bill was approved at the level of the House of Representatives. Should the Senate approve the same version that year, it would be sent to the President for signing into law. However, the Senate did not approve the death penalty bills lodged with them.

As of October 2019, fourteen (14) bills on the re-imposition of the death penalty have been filed in the House of Representatives while eleven (11) bills were filed in the Senate, with inclusion of plunder and trafficking in persons as offenses punishable by death.

² An Act to Impose the Death Penalty on Certain Heinous Crimes, Amending for that Purpose the Revised Penal Code, as Amended, Other Special Penal Laws, and for Other Purposes, Republic Act No. 9346, (2006).

³ Commission on Human Rights of the Philippines, "The Philippine Experience in 'Abolishing' the Death Penalty," January 2007.

⁴ Commission on Human Rights of the Philippines, Advisory on the Reimposition of the Death Penalty, CHR (V) A2016-002, at 2 (7 November 2016).

⁵ Office of the President, 5th State of the Nation Address of Rodrigo Roa Duterte to the Congress of the Philippines [Delivered at the Session Hall of the House of Representatives, Batasang Pambansa Complex, Quezon City] (27 July 2020) available at <https://www.officialgazette.gov.ph/2020/07/27/rodrigo-roa-duterte-fifth-state-of-the-nation-address-july-27-2020/> (last accessed 4 September 2020).

⁶ An Act Imposing the Death Penalty on Certain Heinous Crimes, Repealing for the Purpose Republic Act No. 9346, Entitled "An Act Prohibiting the Imposition of Death Penalty in the Philippines", And Further Amending Act No. 3815, As Amended, Otherwise Known as the "Revised Penal Code", And Republic Act No. 9165, Otherwise Known as the "Comprehensive Dangerous Drugs Act of 2002," House Bill No. 4724, House of Representatives, 17th Congress (2017).

B. Public Opinion and the Death Penalty

It is widely accepted that public opinion has some influence on public policy, just as public policy shapes public opinion (see, for example, Burstein, 2003; Page and Shapiro, 1992; Wlezien & Soroka, 2010).⁷ This is expected of democratic societies, in which the public is expected to participate in public policy decisions, either through public consultations and dialogues, elections, or public opinion surveys. Indeed, public opinion has often been used to indicate support for or against public policies.

A review by Flanagan and Longmire (1996) cited two purposes of public opinion surveys on crime and justice.⁸ Citing Hindelang (1974), they noted that surveys document trends in public opinion on issues related to criminal justice across time. For example, surveys track the increase and decline in public support for the death penalty as well as changes in reasons for support. Increase of support may have happened when there is a high-profile criminal case or declined when a government signaled its intention to abolish it. In addition, public opinion surveys may serve as a “social barometer” to measure public sentiment on criminal justice, thereby providing policymakers direction in criminal justice policy-making. Strong public opposition to crime control policies, such as gun control, may compel policymakers to abandon such policies. On the other hand, public clamor for tighter crime control may force policymakers to act and proceed with legislative actions, such as imposing the death penalty.

Stack (2004), however, did not find any robust studies that establishes the nexus of public opinion and policy-making in criminal justice.⁹ Nevertheless, he noticed that policymakers often misuse the prevailing public opinion to rationalize the need for stricter criminal justice laws, particularly support for the death penalty. Policymaking actors insist that in democratic societies the public’s preferences in support of punishment should be upheld (Durham et al, 2006).¹⁰ For instance, proponents of the death penalty have almost always cited public support to justify legislative measures either to retain it (in the case of Japan and the United States) or to reinstate it (as in the case of the Philippines). Sato and Bacon (2015) noted how the Japanese government used public opinion to legitimize retention arguments.¹¹ Sato (2011) found that the surveys conducted by and used by the Japanese government as a justification of popular support for retention were technically flawed and do not accurately depict the public attitudes towards the death penalty.¹²

However, Justice Thurgood Marshall, in *Furman v. Georgia* (cited by Bohm, Clark & Aveni, 1991),¹³ cautioned of the possible impact of an uninformed public with regard to the death penalty. Marshall acknowledged the important role of public opinion on the constitutionality of the death penalty but warned that the public must make a “knowledgeable choice” in their position on the death penalty. The public’s underlying reasons in supporting the death penalty may have been formed because of uninformed sources.¹⁴

⁷ Paul Burstein, *The Impact of Public Opinion on Public Policy: A Review and an Agenda*, 56 *Political Research Quarterly*, (2003). BENJAMIN PAGE & ROBERT SHAPIRO, *THE RATIONAL PUBLIC: FIFTY YEARS OF TRENDS IN AMERICANS’ POLICY PREFERENCES* (1992). CHRISTOPHER WLEZIEN & STUART SOROKA, *PUBLIC OPINION AND PUBLIC POLICY* (2016).

⁸ TIMOTHY J. FLANAGAN & DENNIS LONGMIRE, *AMERICANS VIEW CRIME AND JUSTICE: A NATIONAL PUBLIC OPINION SURVEY* (1996).; Michael Hindelang, *Public Opinion Regarding Crime, Criminal Justice, And Related Topics*, 11 *J. Res. Crime Delinq.*, 101–116 (1974).

⁹ Steven Stack, *Public Opinion On The Death Penalty: Analysis of Individual-Level Data From 17 Nations*, 14(1) *Int. Crim. Justice Rev.* 69 (2004).

¹⁰ Alexis M. Durham, H. Preston Elrod & Patrick T. Kinkade, *Public Support for the Death Penalty: Beyond Gallup*, 13(4) *Justice Q.* 705 (1996).

¹¹ SATO & BACON, *infra* note 15.

¹² SATO, *infra* note 18.

¹³ Robert M. Bohm, Louise J. Clark, & Adrian F. Aveni, *Knowledge and Death Penalty Opinion: A Test of the Marshall Hypothesis*, 28(3) *J. Res. Crime Delinq.* 360 (1991).

¹⁴ *Id.*

We should note, as well, that the perceived rise in crime rates have a tendency to sway public attitudes towards the imposition of harsher penalties, as in this case, the death penalty. Roberts, et al. (2002) stated that media plays a role in this, where despite evidence, fear of crime due to media portrayal is heightened, and can only be assuaged by harsher penalties.¹⁵ Populist leaders respond to this by proposing the said measures, despite evidence of its inefficiency.

C. Filipino Public Opinion on the Death Penalty

In the Philippines, supporters of the bill aiming to reinstate the death penalty have cited high public support based on surveys to bolster their claim that the death penalty should be brought back to deter crime and as punishment for heinous crimes.¹⁶ Previous surveys done by Social Weather Stations (SWS) have shown that Filipinos, to varying degrees, have favored government proposals whether to impose the death penalty, especially for heinous crimes (see Table 1 in the annex). In 1991, prior to the re-introduction of the death penalty in 1993 under the Ramos administration, 59% agreed that “People convicted of murder should be subject to death penalty,” before increasing to 64% in 1992 and to 71% in 1993. In 1998, just before the execution of Leo Echagaray, the first since the death penalty’s reinstatement in 1993, 81% were in favor that “For heinous crimes, death penalty is the proper sentence.” In January 2001, 38% agreed, whereas 32% disagreed, with then-Pres. Estrada’s decision to commute the death sentence of prisoners, “President Estrada is right in lessening to life imprisonment the punishment for the 105 prisoners who at present are already sentenced to the death penalty.”

However, in 2004-2006, when the Arroyo government deliberated on abolishing the death penalty, pluralities favored abolishing the death penalty. Forty-six percent in 2004 agreed that “The government’s policy to avoid implementing the death penalty on those already sentenced to death is right”, and 48% in 2006 approved of Congress of passing a bill to remove death penalty for heinous crimes and replace it instead with life imprisonment. Public opinion once again mirrored the government policy in 2016, when 74% agreed with then-newly elected President Rodrigo Duterte to reimpose the death penalty for heinous crimes like murder, rape and selling of drugs. In a 2017 survey, after the administration limited the scope to crimes related to illegal drugs, 60% approved of the proposed law that will reimpose death penalty on heinous crimes pertaining to illegal drugs.

In a March 2017 survey,¹⁷ only 13% had extensive knowledge, while 35% had partial but sufficient knowledge of the proposal to reimpose the death penalty; a slim majority (52%) had either only a little (43%) or almost no knowledge (10%) of the proposal. Not unexpected, those with more knowledge were more likely to approve of the Duterte administration’s proposal to reimpose the death penalty than those with only a little or almost no knowledge about it. Approval was as high as 78% among those with extensive knowledge, 70% among those with partial but sufficient knowledge, 54% among those with only a little knowledge and 33% among those with almost no knowledge. More tellingly, a June 2017 survey¹⁸ found that 47% mistakenly thought that using illegal drugs is a crime punishable by death; only 53% correctly answered that this is not true. A higher 59% mistakenly believed that the selling of illegal drugs is punishable by death.

¹⁵ JULIAN ROBERTS, ET AL., *PENAL POPULISM AND PUBLIC OPINION: LESSONS FROM FIVE COUNTRIES* (2002).

¹⁶ MAI SATO & PAUL BACON, *THE PUBLIC OPINION MYTH: WHY JAPAN RETAINS THE DEATH PENALTY* (2015).

¹⁷ Social Weather Stations, *First Quarter 2017 Social Weather Survey: 48% of Pinoys have at least partial knowledge of the proposal to reimpose the death penalty on heinous crimes related to illegal drugs; Net approval of it a Good +38*, 25 April 2017, available at <https://www.sws.org.ph/swsmain/artclisppage/?artcsyscode=ART-20170425085448> (last accessed 08 September 2020).

¹⁸ Social Weather Stations, *June 23-26, 2017 Social Weather Survey: Nearly half of Filipinos mistakenly believe drug use is punishable by death*, 3 October 2017, available at <https://www.sws.org.ph/swsmain/artclisppage/?artcsyscode=ART-20171003133419> (last accessed 08 September 2020).

As for the justification of support for the death penalty, there are more adult Filipinos in recent years who believe in the deterrent effect of the death penalty, the most common justification yet often based on flawed research.¹⁹ Only pluralities believe that persons who committed a heinous crime can change and that the death penalty is anti-poor. The belief that the death penalty would deter people from committing heinous crimes was 45% in 1999 but declined to 38% in 2002. It increased to an all-time high 60% in 2011, but slightly declined to 56% in 2017. Only a plurality of Filipinos, meanwhile, believe that “The possibility that a person who committed a heinous crime can still change and be a good citizen is a good reason not to reimpose the death penalty”. In 1999, 45% believe that committing a crime due to poverty could be extenuating factor to reduce punishment to death penalty – “It is only proper to reduce the sentence from death penalty to life imprisonment if it is proven that the cause of crime is poverty”. But in 2017, a 41% plurality also believe that death penalty is more likely to be imposed on the poor, “Only the poor and not the rich will usually be meted the death penalty”. Opinion is divided about that “The possibility that an innocent person can be sentenced to death or be meted the death penalty is a good reason not to reimpose this law”.

D. Rationale of the Paper

Public opinion in support of the death penalty, as is often indicated by the percentages of those who are in favor of the death penalty, therefore, may only just be the “tip of the iceberg”, and as such, presents the need to delve deeper under the surface. As seen in Figure 1, on the surface, public opinion swings toward favoring the death penalty but as one goes beyond the tip of the iceberg, layers and masses of conditions and intentions abound, depicting, as the thesis, a commonality of yearning for an efficient, impartial justice and due process for all.

¹⁹ HOOD & HOYLE, *infra* note 23; MAI SATO, *THE DEATH PENALTY IN JAPAN: WILL THE PUBLIC TOLERATE ABOLITION* (2011); See Robert Bohm, et al. (1991), *supra* note 12; See JULIAN ROBERTS, ET AL., *PENAL POPULISM AND PUBLIC OPINION: LESSONS FROM FIVE COUNTRIES* (2002); DANIEL NAGIN AND JOHN PEPPERS, Eds., *NATIONAL RESEARCH COUNCIL. DETERRENCE AND THE DEATH PENALTY* (2012).

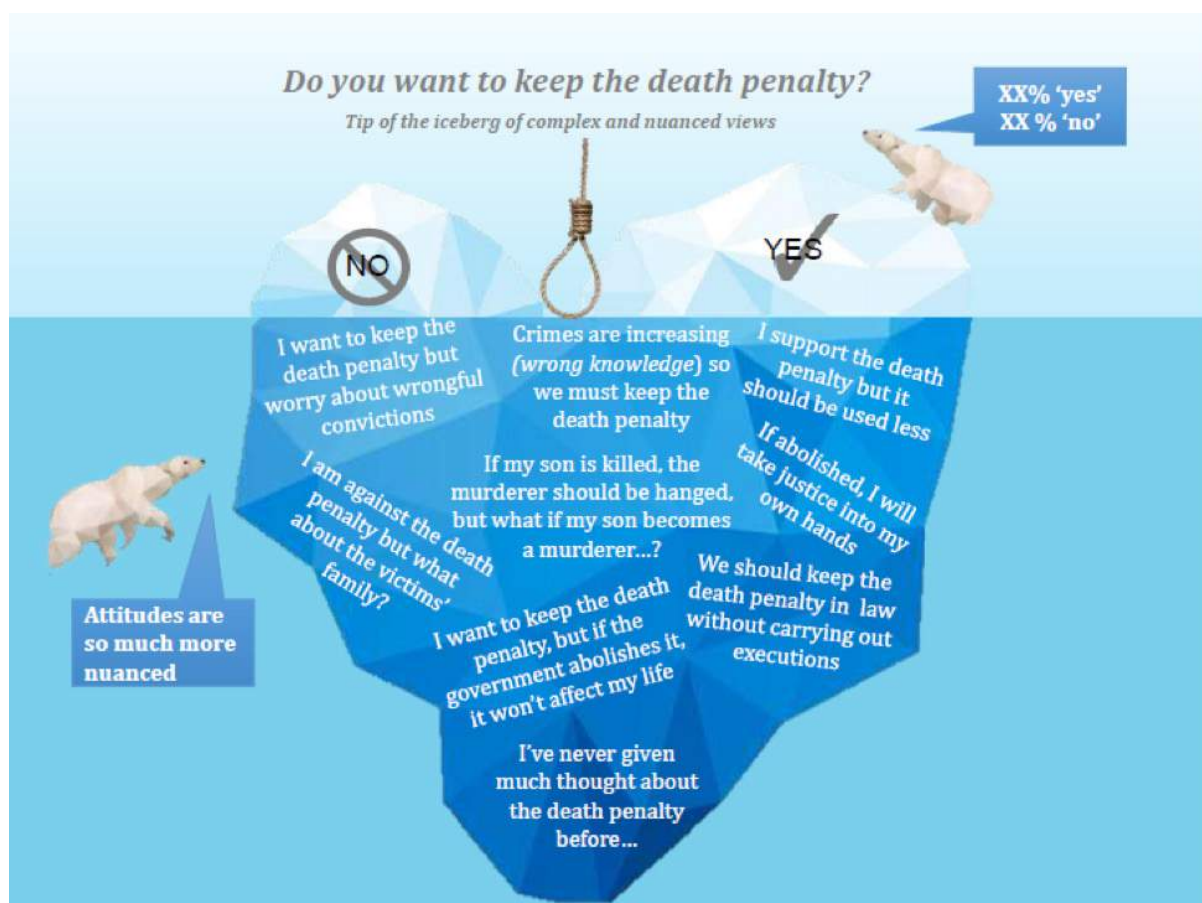


Figure 1. The Iceberg Model – from the presentation of Dr. Mai Sato, Public Opinion as a Barrier to Abolition? Plenary: Progress and Setbacks in Asia – Lessons to be Learnt, 6th World Congress Against the Death Penalty, Oslo, Norway, 21-23 June 2016.²⁰

With this in mind, The Commission on Human Rights of the Philippines (CHRP) commissioned the conduct of a nationwide survey in 2018, National Survey on Public Perception about The Death Penalty, perhaps the first of its kind in the Philippines, to explore beyond the surface of the Filipino public's opinion on the death penalty.²¹ It is the first to explore thought processes and disentangle layers of perceptions about the death penalty, and in the process unearth what is behind the choices of the respondents, through providing questions on different aspects that could have a relation to their perception of the death penalty.

The data for this paper was drawn from the aforementioned survey and its analysis presents findings from the survey on what are the factors underlying the Filipino public's position on the death penalty. This paper is expected to identify who supports the death penalty and why they support it. In doing so, CHRP will be able to target which sector of the public they would like to change their support for the death penalty, and thus craft policy recommendations that are aimed to weaken public support for the death penalty.

²⁰ Dr. Mai Sato, Public opinion as a barrier to abolition?, Presentation at the 6th World Congress Against the Death Penalty (21-23 June 2016) available at http://congres.ecpm.org/wp-content/uploads/2016/06/Presentations_Plenary-Asia.pdf (last accessed 4 September 2020).

²¹ Social Weather Stations, March 2018 National Survey on Public Perceptions on the Death Penalty: 33% or less demand the death penalty for 6 of 7 crimes related to illegal drugs, SWS, 10 October 2018, available at <https://www.sws.org.ph/swsmain/artclidispage/?artcsyscode=ART-20181010122553> (last accessed 4 September 2020).

II. Methodology

A. Data and Measures

1. Data

The National Survey on Public Perception about The Death Penalty was conducted nationwide from March 22 to 27, 2018, involving face-to-face interview of 2,000 respondents aged 15 and above nationwide. The survey covered the entire Philippines. No exclusions were done prior to the sampling. Multi-stage probability sampling was used in selecting the sampling units. Census-based population weight was applied to the survey data to yield representative figures at the national level. The weight was applied to the descriptive results. Introjected weights were applied in the correlation and regression analyses.

The questionnaire was developed and finalized through a collaborative process, drawing from the inputs of SWS technical survey specialists and CHRP team resources. The questionnaire was designed such that the questions asking about support for the death penalty were asked in the later part of the survey after the general questions, such as awareness of selected human rights, experience of crime victimization, sense of safety with the death penalty, attitudes and beliefs related to aspects of justice.

Socio-demographic Characteristics of Respondents. Applying census weights, 14% were from the National Capital Region, while 44% were from Balance of Luzon, 20% were from Visayas and 23% were from Mindanao. Fifty-eight percent were from urban areas and 42% were from rural areas.

Male and females were alternatively sampled and thus have 50-50 ratio. The mean age was 42.4 years; median age was 40 years. The distribution by highest educational attainment was as follows: 10% non-elementary graduates; 33% elementary graduates; 44% high school graduates; and, 13% college graduates. Four-fifths (82%) were Roman Catholics, while 5% were Muslims. A large majority were religious: 29% extremely/very religious and 60% were somewhat religious; only 5% were non-religious.

Filipinos largely source their news from television more frequently than from other traditional news media sources, such as radio or newspapers, and the Internet. Ninety-six percent watched news on TV, with as high as 67% who did so daily. Internet usage was at 52%, almost all of whom were online social media users.

2. Measures

a. Dependent Variables

The survey measured public support (or preference) for the death penalty using two measures – general support for the death penalty, and support for the death penalty given alternative punishment options. The survey thus has two dependent variables, measured independent of each other.

General support for the death penalty was measured using a Likert-type agree-disagree statement, “The death penalty should be re-instated for peoples who were proven by the courts to have really committed heinous crimes.” This was similar to the general favorability question-type often asked in surveys on support for the death penalty. Responses ranged from 1=strongly agree to 5=strongly disagree. Responses were recoded to a binary variable, 1=favors death penalty, 0=opposes death penalty, so binary logistic regression techniques can be employed.

Sandys and McGarrell (1995)²² and Vollum, Longmire and Buffington-Vollum (2004)²³ suggested that the general favorability question-type may not accurately measure the public position on the death penalty, considering that the public are only offered the binary choice of for or against the death penalty. Support for the death penalty may not be as strong if the public were offered alternative punishments, such as life imprisonment terms, or if there were mitigating factors, such as age when crime was committed or mental retardation. To measure preference for the death penalty over life imprisonment terms, respondents were asked what ought to be the punishment to be imposed on people who were found to have committed each of the following drug-related crimes: 1) importation of illegal drugs, 2) maintenance of drug dens, 3) manufacture of illegal drugs, 4) murder under the influence of drugs, 5) rape under the influence of drugs, 6) sale of illegal drugs, and 7) working in drug dens. They were given four punitive options: imprisonment for 20 years, or 40 years, or life, or the death penalty. Responses were recoded, 1=death penalty, 0=prison terms.

Note that these drug-related crimes tested in the survey were included solely because these were the crimes covered in the legislative bills proposed to re-instate the death penalty. The study does not, in any way, posit that the death penalty is an appropriate penalty for the crimes stated.

b. Independent Variables

Much research has been done examining factors that influence public opinion regarding the death penalty worldwide. Hood and Hoyle (2008) aptly stated that “no one can embark upon a study of the death penalty without making the commonplace observation that from a philosophical and policy standpoint, there appears to be nothing new to be said.”²⁴ Although “the arguments remain essentially the same,” most of the previous research were done in Western countries, particularly the United States. There are very few studies of correlates of public opinion on the death penalty in other countries like the Philippines. The research therefore hopes to address this gap.

In the literature, the factors that explain why the public support or oppose the death penalty were usually grouped into three themes – demographic background, instrumentalism and symbolic orientations.²⁵ The study examined the role of these three factors in forming the Filipino public’s position on the death penalty, as well as a fourth explanatory theme – opinions on alternatives to the death penalty.²⁶

i. Demographic Background

Demographic variables are perhaps the most studied correlates of opinion on the death penalty. Sex and age have been found to consistently predict support for the death penalty. Specifically, women were almost always less likely than men to support the death.²⁷ The gender gap could be explained by the “differential gender socialization” of men and women as

²² Marla Sandys & Edmund F. McGarrell, Attitudes Toward Capital Punishment: Preference for the Penalty or Mere Acceptance?, *J. Res. Crime Delinq.*, 32(2), 191 (1995).

²³ Scott Vollum, Dennis Longmire & Jacqueline Buffington-Vollum, Confidence in the Death Penalty and Support for Its Use: Exploring the Value-expressive Dimension of Death Penalty Attitudes, 21(3) *Justice Q.* 521, (2004).

²⁴ ROGER HOOD & CAROLYN HOYLE, *THE DEATH PENALTY: A WORLDWIDE PERSPECTIVE* (2008).

²⁵ SATO & BACON, *supra* note 15; Steven Stack, Support for the Death Penalty: A Gender-Specific Model, 43(3–4) *Sex Roles* 163, (2000); Stack (2004), *supra* note 8; Tom R. Tyler & Renee Weber, Support for the Death Penalty: Instrumental Response to Crime, or Symbolic Attitude?, 17(1) *Law Soc. Rev.* 21 (1982). See HOOD & HOYLE, *supra* note 23.

²⁶ Sandys & McGarrell (1995), *supra* note 21.

²⁷ Brandon K. Applegate, Francis T. Cullen & Brandon S. Fisher, Public Views Toward Crime and Correctional Policies: Is There a Gender Gap, 30(2) *J. Crim Justice* 89 (2002); James D. Unnever, Francis T. Cullen, & Brandon S. Fisher, “A Liberal Is Someone Who Has Not Been Mugged”: Criminal Victimization and Political Beliefs. 24(2) *Justice Q.* 1 (2007); Bohm, et al. (1991), *supra* note 12.

well as the biological differences of the sexes in aggressive behavior.²⁸ Because of the gender stereotype during childhood, women were brought up to be more nurturing and forgiving than men and are thus more likely to shun violent punishments as the death penalty. Hormonal differences could also explain why women tend to be less aggressive than men. Support for the death penalty was also found to be positively associated with age – where support is higher among older respondents than younger respondents.²⁹

Differences in support by educational attainment was less consistent. Fox, et al. (1990)³⁰ found support for the death penalty to be higher among high school graduates than non-high school graduates and college graduates. Halim and Stiles (2001) found that level of support was higher among those with lower education, although at modest levels.³¹ Religion and religiosity were likewise prominent demographic variables that have been extensively studied, although findings were mixed.³² There were very few studies that compare religious support among religious groups, and most studies were focused on the impact of membership in Christian fundamentalist groups in the United States and other predominantly Christian Western countries. Any differences observed therefore may not be applicable outside of the West. In the United States, ethnicity was found to be a significant predictor of support for the death penalty. Support for the death penalty is likely to be higher among whites than the African-Americans. However, several studies cautioned that higher support among whites could be due more to racial attitudes and core values than the actual support.³³ Ethnicity was not tested in the current study in the Philippines.

In this paper, the variables of sex, age, educational attainment, religion and religiosity as well as urbanicity and location were included in the analysis. Gender was coded 1=male and 0=female. Age was measured in years. Residence in urban areas was measured by the official urban-rural classification of barangays, 1=urban, and 0=rural. Dummy variables were created to test for the geographical location of respondents, with Mindanao as the baseline category with the expectations that support is slightly higher in Mindanao: 1=Metro Manila, and 0=all others; 1=Balance of Luzon, and 0=all others; and, 1=Visayas, and 0=all others. Dummy variables were also created for highest education level, with college-educated (those who graduated attended at least some college up to post-college degrees) as the baseline category: 1=up to elementary graduates, and 0=all others; and, 1=up to high school graduate, and 0=all others. Religion was coded 1=Roman Catholics, and 0=all others, and self-assessed religiosity was originally measured on a seven-point scale ranging from 1=extremely religious and 7=extremely non-religious; it was recoded to 1=religious, and 0=all others.

In addition to these demographic variables, the paper examined the role of access to news on television and Internet usage in one's support for the death penalty. The paper recognized Marshall's contention that the public essentially lacks the informed knowledge about the death penalty. Niven (2002) argued that media coverage of the death penalty, specifically its failure to also mention opposition to the death penalty of support for alternative punishments, could result in a biased public that heavily supports the death penalty.³⁴ Roberts, et al. (2002) also

²⁸ Stack (2000), *supra* note 24.

²⁹ Bohm, et al. (1991), *supra* note 12; Stack (2000), *supra* note 24; Stack (2004), *supra* note 8; James D. Unnever & Francis T. Cullen. Christian Fundamentalism and Support for Capital Punishment. *Journal of Research in Crime and Delinquency*, 43(2) J. Res. Crime Delinq. 169 (2006).

³⁰ James Allan Fox, Michael Radelet, & Julee Bonsteel, Death penalty opinion in the post-Furman years, 18 *Rev Law Soc Change*, 499-528 (1990-1991).

³¹ Shaheen Halim & Beverly Stiles, Differential Support for Police Use of Force, the Death Penalty, and Perceived Harshness of the Courts: Effects of Race, Gender, and Region, 28(1) *Crim. Justice Behav.* 28(1) 3 (2001).

³² Unnever and Cullen (2006), *supra* note 28; Robert L. Young, Religious Orientation, Race and Support for the Death Penalty, 31(1) *J. Sci. Study Relig.* 76 (1992).

³³ Joe Soss, Laura Langbein & Alan R. Metelko, Why Do White Americans Support the Death Penalty?, 65(2) *J Polit* 397 (2003); Unnever and Cullen (2006), *supra* note 28; Kevin Buckler, Mario Davila & Patti Ross Salinas, Racial Differences in Public Support for the Death Penalty: Can Racist sentiment and Core Values Explain the Racial Divide?, 33(2) *J. Crim. Justice* 151 (2008).

³⁴ David Niven, Bolstering an Illusory Majority: The Effects of the Media's Portrayal of Death Penalty Support, 83(3) *Soc. Sci. Q.* 671 (2002).

stated that the media has a role in the perceived rising crime rates, which affects the support for harsher punishments despite the statistics stating otherwise.³⁵ Television is the main source of news in the Philippines and Internet has become a cheap and accessible alternative source. Access to news on television was measured by frequency of use. Responses ranged from daily to never. Responses were recoded to 1=with access to TV news, and 0=without access to TV news. Internet use was also measured by frequency of use. Responses ranged from daily to never. Responses were recoded to 1=Internet user, and 0=non-Internet user.

ii. Instrumental factors

The instrumental response hypothesis is a crime-centered, utilitarian explanatory perspective in explaining support for the death penalty.³⁶ Tyler and Weber (1982) argued that support for the death penalty is driven by the public's desire to lower crime rates.³⁷ High crime rates may lead to heightened fear of crime/being victimized by crime or insecurity, consequently resulting to increased public demand or willingness to impose strict social controls, harsher punishments, or the death penalty, so as to deter crime. In this model, death penalty deters crime and makes people feel safe and secure. Instrumental factors may be experiential or knowledge-based (Sato, 2011).³⁸ Experiential refers to personal experience of crime victimization, while knowledge-based factors are perceptions on the utility of the death penalty as a deterrent. Examples of knowledge-based instrumental factors are perceptions that the death penalty is effective in deterring crime or in making people safe, and fear of crime.

Deterrence is perhaps the most frequently cited justification for supporting the death penalty³⁹ as well as for opposing it.⁴⁰ The doctrine of deterrence assumes that a punishment like the death penalty has a deterrent effect if the punishment of offenders – whether real or perceived – discourages or deters potential offenders from the committing the same crime.⁴¹ Deterrence is the main reason for support for the death penalty in Japan.⁴²

A review by Sato (2014) and Stack (2004) found that there were very few studies showing positive link of fear of crime and support for the death penalty, and some were mixed results.⁴³ Some found that personal experience of crime or fear of crime did not necessarily lead to punitiveness or support for punitive actions such as the death penalty (Gross, 1998; Sims and Johnston, 2004; Tyler & Weber 1982; Unnever, Cullen and Fisher, 2007).⁴⁴ In contrast, a review by Applegate, Cullen, and Fisher (2002) found that fear of crime or being victimized was positively related to support for the death penalty, increased harshness of punishments, and greater punitiveness. A study of Canadian publics (Hartnagel & Templeton, 2012) also found that a combination of emotions of fear and anger were found to have some limited yet direct effect on punitiveness.⁴⁵

Four instrumental factors were analyzed in the paper – two experiential and two knowledge-

³⁴ David Niven, *Bolstering an Illusory Majority: The Effects of the Media's Portrayal of Death Penalty Support*, 83(3) Soc. Sci. Q. 671 (2002).

³⁵ ROBERTS, ET AL., *supra* note 14.

³⁶ Stack (2004), *supra* note 8.

³⁷ Tyler & Weber (1982), *supra* note 24. ³⁸ Sato (2011), *supra* note 18.

³⁹ Hood & Hoyle, *supra* note 23.

⁴⁰ Bohm (1987), *infra* note 50.

⁴¹ Terrence D. Miethe & Hong Lu, *Punishment: A Comparative Historical Perspective* (2005).

⁴² Shianhe Jiang, Rebecca Pilot, & Toyoyi Saito, *Why Japanese Support the Death Penalty?* International 20(3) Crim. Justice Rev. 302 (2010).

⁴³ Stack (2004), *supra* note 8.

⁴⁴ Samuel R. Gross, *Update: American Public Opinion on the Death Penalty-It's Getting Personal*, 83(1) Cornell L. Rev. 1448 (1998); Tyler & Webber (1982), *supra* note 24; James D. Unnever & Francis T. Cullen, *The Racial Divide in Support for the Death Penalty: Does White Racism Matter?*, 85(3) Soc. Forces 1281 (2007); Barbara Sims & Eric Johnston, *Examining Public Opinion about Crime and Justice: A Statewide Study*, 15(3) Crim. Justice Policy Rev., 270–293 (2004).

⁴⁵ Timothy F. Hartnagel & Laura J. Templeton, *Emotions About Crime and Attitudes to Punishment*. 14(4) Punish. Soc. 452 (2012).

based. Experiential factors include experience of crime victimization and knowledge of criminality in own locality. For victimization, respondents were asked, "Have you or any member of your family ever been a victim of a crime in the past three (3) years?". Responses were recoded, 1=victimized by a crime, 0=not victimized. Perceived extent of criminality was measured in an ordinal scale, "As far as you know, how many heinous crimes have happened here in your locality approximately in the past three (3) years?" Responses ranged from 0=none to 4=very many. Responses were recoded, 1=heinous crime occurred, 0=none.

Knowledge-based instrumental factors include feeling of safety with the death penalty in place and worry of being victimized by crime. Feeling of safety was measured by the item, "I will feel safe from any crime if there is death penalty." Responses ranged from 1=strongly agree to 5=strongly disagree. Responses were recoded, 1=feel safe, 0= not feel safe. Worry for being victimized of a heinous crime was measured by this item: "How worried are you that you or someone in your immediate family might be a victim of a heinous crime." Responses ranged from 1=worried a great deal to 4=not worried at all. Responses were recoded, 1=worried, 0=not worried.

iii. Symbolic orientations

In contrast to the instrumental orientation which explains support for the death penalty from a utilitarian perspective, the symbolic orientations explain support for the death penalty as a "function" of the public's "deeply held beliefs and values" (Vollum, Longmire & Buffington-Vollum, 2004).⁴⁶ Symbolic attitudes, therefore, are political and social values and attitudes that were formed through the socialization process in childhood or before adulthood (Tyler & Weber, 1982).⁴⁷ These "core values" are highly resistant to change among adults (Unnever, Cullen and Roberts, 2005).⁴⁸ Nevertheless, salient political and social events may result in the shift of these core values in one's lifetime, highlighting the role of exposure to sources of information or knowledge, such as mass media, in forming values and attitudes towards social problems.

Four measures of symbolic orientations were explored in this paper – 1) attitudes on retribution; 2) belief on the possibility of wrongful death penalty sentencing; 3) opinion on whether the death penalty serves some justice to the victim and/or their families; and, 4) on whether one would follow the law over religious principles.

Retribution is "the oldest and most basic justification for punishment" (Miethe & Lu, 2005),⁴⁹ considering that it is embedded in the Judeo-Christian tradition of "an eye for an eye." Indeed, retribution has been widely accepted as one of the strongest predictor of support for the death penalty, along with deterrence.⁵⁰ Packer (1968, cited by Bohm 1987) noted that there are two versions of retribution.⁵¹ Firstly, there is the traditional conception of revenge in the Old Testament principle of *lex talionis* ("an eye for an eye") – "if a person takes a life, then he or she must sacrifice his or her own life" (Lambert, Clark, and Lambert, 2004).⁵² The second version is grounded on the "expiation theory," which believes that a person can only atone for a crime

⁴⁶ Vollum, et al., (2004), *supra* note 22.

⁴⁷ Tyler & Webber (1982), *supra* note 24.

⁴⁸ James D. Unnever, Francis T. Cullen & Julian V. Roberts, Not Everyone Strongly Supports the Death Penalty: Assessing Weakly- held Attitudes about Capital Punishment, 29 J. Crim. Justice 187 (2005).

⁴⁹ MIETHE & LU (2005), *supra* note 40.

⁵⁰ Bohm, et al. (1991), *supra* note 12; James O. Finckenaue, Public Support for the Death Penalty: Retribution as Just Deserts or Retribution as Revenge?, 5(1) Justice Q. 81 (1998); Lawrence Kohlberg & Donald Elfenbein, The Development of Moral Judgments Concerning Capital Punishment, 45(4) Am. J. Orthopsychiat 614 (1975); HOOD & HOYLE, *supra* note 23.

⁵¹ Robert Bohm, American death penalty attitudes: A critical examination of recent evidence, 14(3) Crim. Justice and Behav., 380– 396 (1987); HERBERT L. PACKER, THE LIMITS OF THE CRIMINAL SANCTION (1968).

⁵² Eric G. Lambert, Alan Clarke & Janet Lambert, Reasons for Supporting and Opposing Capital Punishment in the USA: A Preliminary Study, The Internet Journal of Criminology (2004).

he committed through suffering. The two versions of retribution were tested in the study. Retribution as revenge was measured by the item, “A life that is taken is also paid for by a life”. Retribution as expiation was measured by the item, “Most people in prison are actually guilty of committing the crimes they are in jail for”. For both items, responses ranged from 1=strongly agree to 5=strongly disagree. Responses were recoded, 1=agree, 0= not agree.

Gross (1998),⁵³ in a review of Gallup surveys, found that the concern for wrongly convicting an innocent person was one of the widely-cited reason for opposing the death penalty. Indeed, some studies confirmed that the belief that innocent people may be wrongly executed has led to lower support for the death penalty, or decreased support among those who previously supported it (Jiang et al, 2010; Unnever & Cullen 2005, Flanagan & Longmire 1996).⁵⁴ Opinion on the possibility of wrongful death penalty sentencing was measured as the mean of two items: “If a court wrongfully sentences a person to death, and was executed, the wrongful execution by the court can no longer be corrected,” and “The death penalty can only be imposed if the courts can show with certainty that they will not wrongfully sentence an innocent person.” Responses ranged from 1=strongly agree to 5=strongly disagree. The alpha reliability coefficient for these items is 0.34. The items were reverse coded (1=strongly disagree to 5=strongly agree) so that higher values indicate greater **wariness** of the possibility of wrongful death penalty sentencing. The means were derived to create an index score that ranged from 1 to 5. The index had a mean of 3.6.

Finally, the study examined the influence of two additional symbolic factors that were not studied elsewhere. One symbolic factor was the opinion on whether the death penalty dispenses some justice to the victim and/or their families. The survey tested for opinions on the justice system based on the previous survey findings that Filipinos only consider that “justice has been served” if the offenders have been punished accordingly, regardless of the severity of the punishment as long as they are punished. This factor was measured as the mean of three items: “The death penalty repairs the harm done by a criminal to his/her victim,” “Punishing a criminal with death penalty would provide some comfort to the family of the victim who was killed,” and “The death penalty speeds up justice for the victims” Responses ranged from 1=strongly agree to 5=strongly disagree. The alpha reliability coefficient for these items is 0.73. The items were reverse coded (1=strongly disagree to 5=strongly agree) and then the means were derived to create an index score that ranged from 1 to 5. Higher values indicate greater **belief that the death penalty dispenses justice**. The index had a mean of 3.6.

Another symbolic factor that was measured is whether respondents would follow their religious principles or the law (or vice-versa). This question was added in the questionnaire to measure the extent to which Filipinos are willing to overlook their religious beliefs if a law that is against their religious beliefs is passed. This is particularly relevant in the Philippines considering that 80% are Catholics, and that the Catholic Church has been very active, if not vocal, in their opposition to policies that are against the Catholic dogma, such as the death penalty. Respondents were asked: “Suppose a law was passed which conflicted with your religious principles and teachings. Would you ... definitely follow the law, probably follow the law, probably follow religion, definitely follow religion?” Responses were recoded, 1=follow the law, 0=follow religion.

⁵³ Samuel Gross, Update: American Public Opinion on the Death Penalty-It's Getting Personal, 83(1) Cornell L. Rev., 1448–1475 (1998).

⁵⁴ Jiang, Pilot & Saito (2010), *supra* note 41; James Unnever & Francis Cullen, Executing the innocent and support for capital punishment: Implications for public policy, 4(1) Criminol. & Public Policy, 3-38 (2005); DENNIS R. LONGMIRE, AMERICANS' ATTITUDES ABOUT THE ULTIMATE WEAPON: CAPITAL PUNISHMENT IN T. J. FLANAGAN & D. R. LONGMIRE (Eds.), AMERICANS VIEW CRIME AND JUSTICE: A NATIONAL PUBLIC OPINION SURVEY (1996), at 93–108.

iv. Alternatives to the death penalty

The fourth set of factors to be independent variables considered were the opinions on alternatives to the death penalty. Previous research has shown that support for the death penalty is lower among those who were presented with punitive options other than the death penalty.⁵⁵ One alternative was punishment by imprisonment, whether life sentence or life sentence with parole. Sandys & McGarrell (1995) found that support for the death penalty declined when the options of life without parole with work and restitution was offered.⁵⁶ Other studies also showed the support for the death penalty among the American public decreased when the alternative life without parole was offered.⁵⁷ The possibility of reform through rehabilitation may likewise affect support for the death penalty. Rehabilitation aims to restore a convicted offender to a constructive place in the society (Miethe & Lu, 2005).⁵⁸ Support for the death penalty tended to be lower among those who support rehabilitation options (Lambert et al., 2004).⁵⁹

Preference for alternatives to the death penalty was measured as the mean of five items: “If the crime did not result in killing a person, the person who committed the crime may be punished by a prolonged prison sentence instead of the death penalty,” “Life imprisonment is a sufficient penalty for people who commit heinous crimes,” “It is more important that a person who commits heinous crime should suffer life in prison rather than be punished by death penalty,” “The possibility that a person who committed a heinous crime could still change his/her life and be a good citizen is a good reason not to restore the death penalty,” and, “If a person who committed a heinous crime can pay, his sentence should be reduced to imprisonment and he should be allowed to pay damages to the victim or family of victims instead of suffering the death penalty”. The alpha reliability coefficient for these items is 0.65. The items were reverse coded (1=strongly disagree to 5=strongly agree) and then the means were derived to create an index score that ranged from 1 to 5. Higher values indicate greater support for the alternative forms of punishment over the death penalty. The index had a mean of 3.7.

B. Analysis Plan

The analysis was done in two steps. First, a correlational analysis of support for the death penalty and various predictors was conducted for a preliminary test of association between support and the expected predictors. Results from the zero-order correlations were used to delimit the number of predictors that will be used, aimed to come up with parsimonious models for the analysis.

Binary logistic regression was then used to determine which of the variables, or a combination of the variables, are the best predictors of public support for the death penalty. Utilizing binary logistic regression methods allowed the study to identify the individual who would most likely support the death penalty – its socio-demographic characteristics, its opinions and attitudes on justice and on the death penalty – and eventually target this individual to change his or her mind towards not supporting the death penalty. A hierarchical logistic regression method was employed to allow the inclusion of the blocks of factors based on previous research. The socio-demographic variables were added first into the equation. Exposure to TV news and internet usage was added next, followed by the group of instrumental factors, and by the group of symbolic factors. Opinions on the alternatives to the death penalty was added last.

⁵⁵ Sandys and McGarrell (1995), *supra* note 21; Vollum, et al. (2004), *supra* note 22. ⁵⁶ *Id.*

⁵⁷ Gross, *supra* note 52.

⁵⁸ MIETHE & LU (2005), *supra* note 40.

⁵⁹ Lambert, et al. (2004), *supra* note 51.

III. Findings

A. The death penalty should be re-instated for peoples who were proven by the courts to have really committed heinous crimes

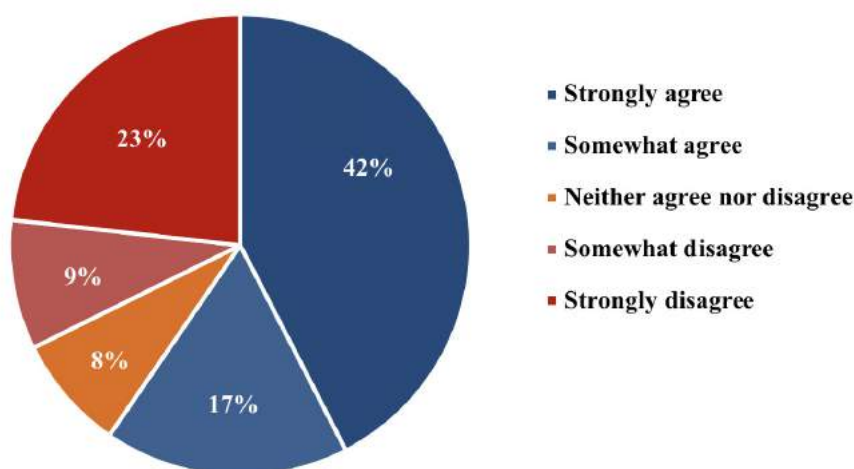
As shown in Figure 2, there was a moderate support for the death penalty, with 60% who agreed (strongly + somewhat) that, “The death penalty should be re-instated for peoples who were proven by the courts to have really committed heinous crimes”; only 32% disagreed, and 8% neither agreed nor disagreed. To gauge the top-of-mind reason for supporting or not supporting the death penalty, the survey asked in an open-ended manner what are their reasons for agreeing or disagreeing with the main statement on support for the death penalty. The main reason for **support** was that death penalty deters crime, with 55%, followed by 37% who said the death penalty dispenses justice. The main reason for **not supporting** the death penalty was religious reasons, with 42%, followed by 21% who cited the possibility of reform, 14% who said there are alternative forms of punishment, and 10% who cited questionable/ issues with the justice system. But these reasons for support or opposition to the death penalty were just the tip of the iceberg. The paper will now delve deeper under the surface and examine if the same set of factors will be observed after a systematic multivariate analysis of all other factors.

Table 2 in the annex shows the descriptive statistics of attitudes of Filipinos towards the death penalty. Most Filipinos feel safe with the death penalty. While 55% disagreed that a life that is taken is also paid for by a life, 61% believed that most people in prison are actually guilty of committing the crimes they are in jail for – which indicted that while most believe that offenders should be punished in jail, they need not be punished by as severe as death. Most Filipinos were also concerned of wrongful execution/sentencing of persons to death. About 6 in 10 believed that the death penalty somehow provides some sense of justice to the victims, such as repairing harm, providing comfort to the victim’s family, and speeding up disposition of justice. Except for reparative payments, around 7 in 10 were in favor of alternative punishments, such as life imprisonment or prolonged prison sentence.

Table 3 in the annex shows the preliminary zero-order correlations of the predictors used in the study. Results indicate support for the death penalty was stronger in urban areas, among males, among those with higher education, among those who would follow the law, and among those who would feel safe with death penalty in place. Support for the death penalty was likewise higher among those who believe that the death penalty serves some justice: repairs harm done, provides some comfort, and speeds up justice. Moreover, those who do not approve of various alternative modalities of punishment also tended to support the death penalty than those who approve of the alternatives.

Figure 2

Opinion on the Test Statement "The death penalty should be re-instated for peoples who were proven by the courts to have really committed heinous crimes"



Notes

Data from the March 22 - 26, 2018 National Survey on Public Perception about the Death Penalty. Figures exclude don't know and refused responses.

Table 4 in the annex presents the results of the logistic regression models to determine the factors that predict support for the death penalty. Model 1 examined the influence of demographic factors, model 2 examined the influence of TV news access and internet use, model 3 examined the influence of instrumental factors, model 4 examined the influence of symbolic factors, and model 5 examined the influence of attitudes to alternatives to the death penalty.

Overall, the strongest predictors of support for the death penalty were urbanicity, sex, location, level of education, feeling of safety with the death penalty, worry of being victimized by a crime, following the law over religious principles, opinion that the death penalty serves and provides speedy justice, and preference for the death penalty over other forms of punishment.

Across all models, support for the death penalty was associated with being from urban areas and being male. In terms of location, support for the death penalty was found to be significantly lower in Balance Luzon and Visayas than in Mindanao. The level of education likewise has a significant direct effect on support for the death penalty – support was lower for those who only reached or completed elementary or high school than those who are college-educated. Contrary to expectations, religion and religiosity did not influence one's likelihood to support the death penalty; this was observed for all models.

Results from model 3 shows that the knowledge-based instrumental predictors, rather than experiential, were the main predictors of support for the death. Those who would feel safe with the death penalty were 4.3 times more likely than those who do not feel safe to support the death penalty. Those worried of being victimized by a crime were 1.9 times more likely than those not worried to also support the death penalty. The influence of feeling safe with the death penalty was reduced in models 4 and 5 (2.7 times more likely) when the set of symbolic attitudes were added.

TV news media usage was only found to be a significant predictor of support in model 4, when the symbolic factors were added to the equation. This raises the possibility that TV news media usage mediated attitudes related to the justice system. Internet usage did not have an influence, and this was observed for all models.

Of the five symbolic variables, only two were found to be significant predictors of support for the death penalty – following the law over religious principles, and the opinion that the death penalty serves justice. Those who would follow the law over their religious principles were 1.4 times more likely to support the death penalty than those who would follow their religious principles. The opinion that the death penalty serves justice was likewise a strong predictor of support for the death penalty – the likelihood of support for the death penalty was 1.7 times higher among those who agree that death penalty serves justice than those who do not agree. This pattern was observed in the two models where the instrumental variables were entered.

Lastly, position on the alternatives to the death penalty was found to be a significant predictor of support for the death penalty. The likelihood of support for the death penalty is **lower** among those who support for the alternative forms of punishment over the death penalty.

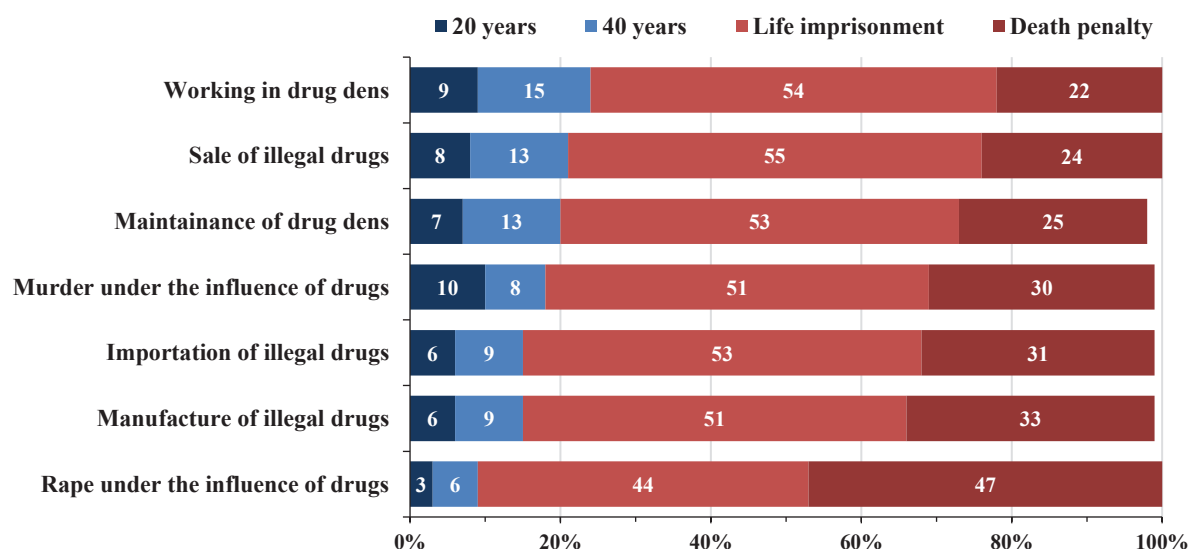
B. Preference for Imprisonment Over the Death Penalty for Drug-Related Crimes

Figure 2 shows that for six out of the seven specific serious crimes related to illegal drugs that were tested in the survey, majorities of the Filipino public prefer imprisonment terms ranging from 20 years to life imprisonment over the death penalty. Preference for imprisonment, instead of death, was over 70% for those found guilty of working in drug dens (78%), sale of illegal drugs (76%), and maintenance of drug dens (73%). It was followed by murder under the influence of drugs (69%), importation of illegal drugs (68%), and manufacture of illegal drugs (66%). Preference for imprisonment as a punishment for those guilty of rape under the influence of drugs was 53%. On the other hand, only a high of 33% preferred the death penalty for these crimes. The strongest preference for the death penalty was at 47%, for rape under the influence of drugs. For the other six crimes, preference for the death penalty ranged from 22% to 33%.

The results of the logistic regression models to determine the factors that predict preference for the death penalty over prison terms are shown in Tables 5-11. Model 1 examined the influence of demographic factors, model 2 examined the influence of TV news access and internet use, model 3 examined the influence of the influence of instrumental factors, model 4 examines the influence of symbolic factors, and model 5 examined the influence of attitudes to alternatives to the death penalty.

Figure 2

Preferred punishment for people found to have committed specific crimes

*Notes*

Data from the March 22 - 26, 2018 National Survey on Public Perception about the Death Penalty. Figures excludes don't know and refused responses

Overall, the strongest predictors of preference for the death penalty over prison terms for murder and rape under the influence of illegal drugs were: level of education, religiosity, Internet use, feeling of safety with the death penalty, following the law over religious principles, opinion that the death penalty serves justice, and preference for the death penalty over other forms of punishment. For the crimes of sale, manufacture, and importation of illegal drugs, and working in and maintenance of drug dens, the strongest predictors were age, feeling of safety with the death penalty, worry of wrongful death penalty sentencing, opinion that the death penalty serves justice, and preference for the death penalty over other forms of punishment.

In terms of the demographic factors, preference for the death penalty over prison terms varied by the type of drug-related crime. For instance, urbanicity remained a significant predictor for preference for the death penalty for the crimes of murder and rape but only in model 1 with socio- demographic controls; its effect disappeared in other models. Results for location vary by type of crime. Sex emerged as a significant predictor but only for the crimes manufacture and importation of drugs – men were more likely than women to prefer death penalty for these crimes. Age was a significant predictor for all drug-related crimes – the likelihood of preference for the death penalty was higher among older respondents. Level of education was only significant for the crimes of rape, murder, manufacture and importation of illegal drugs – support was lower for those with lower education. Religion still did not influence support for the death penalty. However, religiosity was found to be a significant predictor for the crimes of rape and murder– support for the death penalty is lower among those who are non-religious than those who are religious.

TV news media usage was a significant predictor of preference for the death penalty for some of the crimes and in some models. It was a consistent predictor for preference for the death penalty for the crimes of sale and importation of illegal drugs, for all models; for murder, it was a predictor in model 4, and for rape, only in models 3 and 4. Likelihood of preference for the death penalty for these crimes was higher among those who watch news on TV. Internet use

likewise emerged as a significant predictor of preference for death penalty for the crimes of murder and rape over prison terms in all models. For example, internet users were 1.5 times more likely than non- internet users to prefer death penalty for murder.

The block of instrumental variables resulted in feeling safe with the death penalty to be a strongest predictor of preference for the death penalty for all crimes, although its effect was reduced when the set of symbolic attitudes and opinions on the alternatives to the death penalty were added. Likelihood of preference for the death penalty was higher among those who would feel safe with the death penalty, and its effect was higher especially in model 3 but was reduced in model 4 and model 5. Worry of being victimized by crime was no longer found to be a significant predictor. The presence of heinous crimes in locality was a predictor for preference of the death penalty for the crime of working in drug dens, and in model 5 for the crimes of murder, rape, and sale and manufacture of illegal drugs.

Two symbolic variables emerged as consistent predictors of preference for the death penalty for all crimes – retribution as expiation and death penalty serves justice. Of these two, death penalty serves justice was the strongest predictor of preference for the death penalty – likelihood of preference is higher among those who agree that death penalty serves justice than those who do not agree. Meanwhile, the opinion that most people in jail are guilty had some modest effect and emerged as a predictor of preference for all crimes. Support for the death penalty was lower among those who believe that most people in jail are guilty. The symbolic factor, possibility of wrongful sentencing, emerged as a predictor of preference for death penalty for the crimes of the sale and importation of drugs and working in drug dens, but only in model 5. The likelihood of preference for the death penalty was higher among those wary of possible wrongful sentencing. Following the law over religious principle was only found to be a significant predictor of preference of the death penalty for the crime of murder.

For all drug-related crimes, position on the alternatives to the death penalty was found to be a significant predictor of preference for the death penalty. The likelihood of support for the death penalty for this crime was **lower** among those who support for the alternative forms of punishment over the death penalty.

IV. Conclusion and Recommendations

The paper examined the factors underlying the Filipino public's position on the death penalty, specifically, to identify who supports the death penalty and why they support it. The paper largely confirms some of the findings of previous research on predictors of support for the death penalty.

First, there is a modest support for the death penalty among Filipinos, but if they are provided with imprisonment as an alternative punishment other than the death penalty, majority would prefer prison terms over the death penalty. As much as 60% are in favor of the re-instatement of the death penalty when asked whether they agree with the measure or not, yet majority prefers imprisonment (mainly life imprisonment) for the drug-related crimes tested when given the choice of what penalty to impose—the largest support for the death penalty was for rape under the influence of drugs. This was confirmed by the regression models, wherein the support for the death penalty was found to be consistently lower among those who are in favor of alternatives to the death penalty, such as life imprisonment, possibility of reform, or paying the victims/their families. It is also good to note that the strongest supporters of the death penalty amount to only about 30%. These findings are in line with the findings of Sandys and McGarrell (1995) of an “acceptance of capital punishment but preference for an alternative penalty.”⁶⁰ The Filipino public's support for the death penalty may reflect the policy inclinations of the government only because the government framed the death penalty as the only solution without providing options for alternative punishments.

Second, knowledge-based instrumental factors associated with deterrence – feeling of safety and worry of being victimized by crime – rather than the experiential factors, are the strongest predictors of support for the death penalty, whether for its re-instatement or preferred punishment for the drug-related crimes. The effects of these factors on support are particularly stronger before the symbolic factors or attitudes were added, after which the effects are diminished. The two experiential instrumental factors of crime victimization and criminality in the neighborhood were not significant predictors of support, except for the crime of manufacture of illegal drugs and working in drug dens and in only some models. The results are consistent with the findings of Applegate, Cullen and Fisher (2002)⁶¹ and Hartnagel and Templeton (2002)⁶² that the emotions of fear or anger about crime results to increased public anxiety, and therefore increased public need for stricter punitive actions to control crime.⁶³ Based on the survey, a large proportion of the Filipino public were worried that they or their immediate family might be a victim of a heinous crime (87%), even though a very small percentage of 3% reported being victimized by crime and 56% reported that no heinous crime happened in their locality in the previous three years. What the public consider as “heinous crime” may have heightened their fear of being victimized – Filipinos largely consider “killing” as a heinous crime, with 56%; this is followed by 37% who mentioned “rape”.

Third, two symbolic factors emerged as consistent predictors of support for the death penalty – that the death penalty dispenses justice, and that people would follow the law over their religious principles. That there is a pervasive belief that the death penalty dispenses justice is consistent with survey findings that to most Filipinos, justice is served when those who committed the crimes were already being punished/or imprisoned. And the death penalty provides an expedient course of punishing perpetrators of crime. In the 2018 survey, 58% believed that showing that the people who have been proven guilty of committing a crime are punished is an essential indicator that justice is being served, compared to 51% for equal treatment of the rich and poor in court is essential, and 45% for courts swiftly deciding

⁶⁰ Sandys and McGarrell (1995), *supra* note 21. ⁶¹ Applegate, et al. (2002), *supra* note 26.

⁶² Hartnagel & Templeton (2012), *supra* note 44. ⁶³ See ROBERTS, ET AL., *supra* note 14.

on cases. Surveys conducted by SWS for The Asia Foundation in 2013 and in 2015 (TAF Survey) found that most Filipinos consider that justice has been served if cases against the perpetrators have been filed or they have been caught, or that actual cases have already been resolved. Alternatively, most said that clear injustice has been done if the cases are not resolved or the perpetrators are not caught or set free.

This paper also revealed an interesting finding that following the law over religious principles would be a significant predictor of support for the death penalty, while the religion variables were not significant at all. This was largely because it was expected that religion and religiosity would have significant effects, since 85% of Filipinos are Catholics, who, if they follow the Catholic Church's pro-life arguments against the death penalty, should also be anti-death penalty.

The results on the influence of demographic factors confirms previous research findings, to some extent. Likelihood of support for the re-instatement of the death penalty was higher in urban areas and among males, and those who are older. Support was lower among the non-college educated, and those in Balance Luzon and/or Visayas, than in Mindanao.⁶⁴

TV news media usage has some limited, yet important role as a predictor of support for the death penalty. It emerged as a significant predictor when the instrumental and symbolic factors were added. This raises the possibility of the indirect role of television content in heightening the emotion of not being safe or of being worried of crime victimization, as well as in forming the symbolic values of Filipinos in so far as the attitudes to the death penalty and the criminal justice are concerned. In surveys conducted by SWS in 2013 and in 2015 (TAF Survey), the top source of knowledge about the system of justice were portrayals of court proceedings in television drama series, followed by radio/television programs that provide legal advice and news about known cases from mass media, which is presumably through television.

Internet likewise has some limited effect and was only found to be a significant predictor of support for the death penalty for the crimes of rape and murder under the influence, and importation of illegal drugs. While the internet and social media are not yet as popular as television as the top source of news, Internet news media content is getting more accessible to the old, to the non- educated, and to those in Mindanao – the same demographic groups who are more likely to support the death penalty.

This paper thus brings to the fore the complexity of public opinion in which the Filipino public wavers support for the death penalty when presented with options and alternatives to the death penalty. The Philippine government's argument that the public wants the death penalty is therefore flawed if its assumption is only based on perceived support and close-ended survey results. The lack of alternatives gives the impression that there are no other options available, which would have an impact in the accuracy of the survey being undertaken. This paper adds to the growing literature and policy advisories providing empirical evidence that support of the public for the death penalty is not as strong as what the government claims.

The argument from government also asserts that several research calling for abolition of the death penalty are largely in Western contexts and as such cannot be applied to the situations

⁶⁴ The researchers note the challenges in the justice system, which are exacerbated by the situation of Mindanao. See Imelda Deinla, *Legal Hybridity, Trust, and the Legitimacy of the Shari-ah in the Bangsamoro*, 41 *DenvJIntlL&Pol* 198 (2019) at 203. See also Jose Manuel I. Diokno, Chairman, Free Legal Assistance Group / Dean, De La Salle Law School, Keynote Presentation at the Kapihan on Human Rights – "Philippines Human Rights Agenda," Philippine Working Group for an ASEAN Human Rights Mechanism Kapihan on Human Hive Hotel, Quezon City, (20 October 2016).

in Asian countries in general and the Philippines in particular.⁶⁵ This paper and the 2018 Nationwide Survey dispel that assertion, as well as several research done in developing and developed countries in Asia and Africa.⁶⁶

Based on the findings, this paper puts forward the following **recommendations to the Philippine government**:

1. Abandon any proposed legislation that calls for reinstatement of the death penalty. Uphold its commitment to the abolition of the death penalty and honor its obligations under the Second Optional Protocol of the International Covenant on Civil and Political Rights and relevant international human rights treaties and standards.
2. Assess the impact of reinstating the death penalty, beyond close-ended public opinion surveys. In citing public opinion as one of the main reasons to reinstate the death penalty, the Government has failed to consider that the public is not completely aware of the real facts about the death penalty. One of the findings of this paper shows that Filipinos who support the death penalty do so not based on their knowledge, but rather, because it gives them the feeling of safety. Reinstating the death penalty based on the wrong premise will result to injustice.
3. Focus on strengthening methods on crime investigation such as application of reliable scientific evidence, forensic techniques, DNA testing, efficient case documentation and sound judgment of facts. Hone the skills of the police and investigators to gather and handle data and information in ways that will materially enhance the reliability of all evidence presented in prosecutions. Train prosecutors to ensure no form of prosecutorial misconduct. All this will help ensure that those who commit crimes are caught and held accountable. It has been demonstrated time and again, that a fair, professional and competent judicial system provides better overall results than one endemic with corruption, incompetence or lack of resources.
4. Collect and present reliable disaggregated data on crime statistics, prosecution of cases and other relevant quantitative and qualitative data on the criminal justice system and penal reform. Another concern that this paper has found is that the Government does not have disaggregated data on the death penalty, and how it was implemented. The absence of reliable information makes it difficult and problematic for the Government to determine whether death penalty was even a sound punishment of the criminal justice system when it was still being implemented in the country. Collection and documentation of proper data should be prioritized in the measures by the Government to assess the efficiency and effectivity of the criminal justice system.

⁶⁵ House of Representatives of the Philippines, Regular Meeting of the Committee on Justice on the Bills Imposing the Death Penalty for Heinous Crimes, 05 August 2020, available at <https://www.facebook.com/HouseofRepsPH/videos/1141481429568615/> (Last accessed 03 September 2020).

⁶⁶ Cornell Law School, Public Opinion on the Death Penalty, available at <https://www.deathpenaltyworldwide.org/publication/public-opinion-on-the-death-penalty/public-opinion-on-the-death-penalty-html/> (Last accessed 03 September 2020).

This paper has also been able to surface issues that can be (but not limited to) **future topics for academic and policy research:**

1. Whether the death penalty has a deterrent effect through a survey of the Philippine crime rates before, during and after the existence of the death penalty in the Philippines;
2. An analysis of the media portrayal of crime and the justice system in the Philippines in television, in print and in social media;
3. The impact of knowledge of the death penalty assessed in a long period of time among Filipinos through time series analysis as one methodology;
4. An analysis of the tendency of Filipinos to support the measures proposed by the Government;
5. The impact of income in public opinion surveys.

The CHRP and advocates against the death penalty can glean awareness and education campaign strategies from the findings of the paper. They may endeavor to bridge dialogues with the legislators about alternatives to the death penalty and engage with the relevant government agencies, such as the Philippine National Police, the Bureau of Jail Management and Penology, the Armed Forces of the Philippines, the Local Government Units, and all those relating to security. The public will have nothing to fear from a criminal justice system that follows the rule of law and respects the rights of all - defendants, victims and witnesses.

This paper can also serve as reference in the discussions with the media that covers the news on crimes and the justice system, as the findings contextualized public perception on the death penalty and their feeling of safety and worry of being victimized by crime. Further information and education campaign with the media can include featuring stories of how the State is able to resolve crimes and prevent the commission of crimes through human rights-based approaches and presentation of reliable data on crime statistics, prosecution of criminal cases and penal reform.

Annex A – Tables

Table 1. Filipino Public Opinion on the Death Penalty, 1991 to 2017 ^a

	SA	SW	UN D	SW D	SD ^b
People convicted of murder should be subject to the death penalty					
July 1991	12	47	18	20	3
November 1992	16	48	18	14	4
April 1993	20	51	13	15	2
For heinous crimes, death penalty is the proper sentence					
November 1998	57	24	9	5	4
President Estrada is right in lessening to life imprisonment the punishment for the 105 prisoners who at present are already sentenced to the death penalty.					
January 2001	19	18	26	11	20
The government's policy to avoid implementing the death penalty on those already sentenced to death is right					
2004	24	22	19	15	19
Reimposition of death penalty for heinous crimes like murder, rape and selling of drugs					
June 2016	57	17	8	6	12

^a Data from nationwide surveys conducted by Social Weather Stations (SWS)

^b SA = strongly agree, SWA = somewhat agree, UND = undecided, SWD = somewhat disagree, SD = strongly disagree

Table 2. Filipino Attitudes Towards the Death Penalty, Descriptive Statistics

	SA	SW	UN D	SW D	SD ^a
The death penalty should be re-instated for peoples who were proven by the courts to have really committed heinous crimes	42	17	8	9	23
Feeling of Safety with the Death Penalty					
I will feel safe from any crime if there is death penalty	37	28	14	10	10
Retribution					
A life that is taken is also paid for by a life	20	11	14	14	42
Most people in prison are actually guilty of committing the crimes they are in jail for	30	30	16	16	7
Wrongful Death Penalty Sentencing ^b					
If a court wrongfully sentences a person to death, and was executed, the wrongful execution by the court can no longer be corrected	26	26	26	26	26
The death penalty can only be imposed if the courts can show with certainty that they will not wrongfully sentence an innocent person	40	40	40	40	40
Justice Has Been Served ^b					
The death penalty repairs the harm done by a criminal to his/her victim	27	27	27	27	27
Punishing a criminal with death penalty would provide some comfort to the family of the victim who was killed	35	35	35	35	35
The death penalty speeds up justice for the victims	34	34	34	34	34
Preference for alternatives to the Death Penalty					
If the crime did not result in killing a person, the person who committed the crime may be punished by a prolonged prison sentence instead of the death penalty	42	35	11	7	5
Life imprisonment is a sufficient penalty for people who commit heinous crimes	42	30	9	9	10
It is more important that a person who commits heinous crime should suffer life in prison rather than be punished by death penalty	41	28	12	10	9
The possibility that a person who committed a heinous crimes could still change his/her life and be a good citizen is a good reason not to restore the death penalty	40	29	15	9	6
If a person who committed a heinous crime can pay, his sentence should be reduced to imprisonment and he should be allowed to pay damages to the victim or family of victims instead of suffering the death penalty	17	22	16	18	26

^a SA = strongly agree, SWA = somewhat agree, UND = undecided, SWD = somewhat disagree, SD = strongly disagree

^b The table presents the results of the original responses before reverse coding was done to compute the mean scores.

Table 3. The death penalty should be re-instated for peoples who were proven by the courts to have really committed heinous crimes, Bivariate correlations

	Correlation coefficients
Urban-Rural	0.088**
Area	-0.044*
Sex	0.067**
Age	0.027
Highest educational attainment	-0.101**
Religion	0.025
Religiosity	-0.024
I will feel safe from any crime if there is death penalty	0.357**
Heinous crimes in one's locality in the past 3 years	-0.027
Extent of worry that one might be a victim of a heinous crime	0.094**
Whether household has experienced crime	0.03
Follow the law or religious principles	0.108**
A life that is taken is also paid for by a life	0.106**
Most people in prison are actually guilty of committing the crimes they are in jail for	0.062**
Justice (Justice repairs harms done/provides comfort to victims/speedy disposition of justice)	-0.367**
Wrongful (Possibility of wrongful DP sentencing)	-0.125**
Alternatives (Alternatives to DP)	0.237**

Table 4. Logistic Regression Results: Odds Ratios of Support for the Death Penalty (The death penalty should be re-instated for peoples who were proven by the courts to have really committed heinous crimes)

Independent variables	Model 1		Model 2		Model 3		Model 4		Model 5	
	B	OR	B	OR	B	OR	OR	OR	B	OR
Urban	0.370***	1.448	0.347***	1.415	0.325**	1.384	0.429***	1.536	0.348**	1.417
Sex	0.301**	1.351	0.306**	1.358	0.273**	1.314	0.220*	1.247	0.238*	1.268
Age	-0.004	0.996	-0.002	0.998	-0.001	0.999	-0.002	0.998	-0.004	0.996
Area (reference: Mindanao)										
Metro Manila	-0.254	0.776	-0.302	0.740	-0.305	0.737	-0.198	0.820	-0.284	0.753
Balance Luzon	-0.561***	0.571	-0.590***	0.554	-0.562***	0.570	-0.411**	0.663	-0.526*	0.591
Visayas	-0.458**	0.633	-0.479**	0.620	-0.532***	0.587	-0.414*	0.661	-0.510**	0.600
Educ (reference: Some college/grad)										
Elem grad	-0.482***	0.617	-0.390*	0.677	-0.377*	0.686	-0.352**	0.703	-0.346*	0.707
HS grad	-0.386**	0.680	-0.337**	0.714	-0.361***	0.697	-0.370	0.691	-0.339*	0.713
Religion (ref Catholics)	0.121	1.129	0.113	1.120	0.180	1.197	0.172	1.188	0.227	1.254
Religiosity	0.251	1.285	0.242	1.273	0.167	1.181	0.190	1.209	0.275	1.316
TV for news			0.130	1.139	0.212	1.236	0.271*	1.311	0.208	1.232
Internet users			0.183	1.201	0.200	1.222	0.244	1.276	0.196	1.216
Heinous crime in locality					-0.022	0.978	-0.009	0.991	0.067	1.069
HH crime victimization					0.138	1.148	-0.061	0.941	-0.109	0.897
Will feel safe with DP					1.460***	4.306	1.027***	2.794	1.025***	2.788
Worry of heinous crime victimization					0.681***	1.975	0.674***	1.962	0.643***	1.902
Retribution as revenge (A life that is taken is also paid for by a life)							0.227	1.255	0.201	1.223
Retribution as expiation (Most people in jail are guilty of the crimes)							-0.011	0.989	0.073	1.076
Follow law over religious principles							0.367**	1.443	0.322**	1.380
Wrongful (Possibility of wrongful DP sentencing)							0.013	1.013	0.109	1.116
Justice (Justice repairs harms done + provides comfort to victims + speedy disposition of justice)							0.561***	1.753	0.556***	1.744
Alternatives (Alternatives to DP)									-0.683***	0.505
Constant	0.557		0.305		-1.270		-3.570		-1.198	
-2 Log likelihood	2428.61		2424.815		2205.858		2080.848		1987.609	
Cox & Snell R Square	0.036		0.038		0.146		0.202		0.241	
Nagelkerke R Square	0.048		0.051		0.196		0.272		0.325	

*p < 0.05; **p < 0.01; ***p < 0.001

Table 5. Logistic Regression Results: Odds Ratios of Support for Death Penalty for Murder Under the Influence of Drugs

Independent variables	Model 1		Model 2		Model 3		Model 4		Model 5	
	B	OR	B	OR	B	OR	OR	OR	B	OR
Urban	.265*	1.304	.210	1.234	.168	1.183	.214	1.238	.058	1.059
Sex	.048	1.049	.067	1.069	.026	1.026	-.027	.973	-.056	.945
Age	.003	1.003	.008*	1.008	.009*	1.009	.009*	1.009	.006	1.006
Area (reference: Mindanao)										
Metro Manila	.200	1.222	.120	1.127	.095	1.100	.207	1.230	.144	1.155
Balance Luzon	-.277*	.758	-.327*	.721	-.319*	.727	-.176	.839	-.260	.771
Visayas	-.199	.820	-.233	.792	-.254	.776	-.146	.864	-.249	.780
Educ (reference: Some college/grad)										
Elem grad	-.673***	.510	-.485*	.616	-.468*	.626	-.433*	.648	-.373*	.688
HS grad	-.558***	.572	-.458***	.632	-.445**	.641	-.459***	.632	-.395**	.674
Religion (ref Catholics)	-.152	.859	-.158	.854	-.117	.889	-.145	.865	-.120	.887
Religiosity	-.327*	.721	-.338*	.713	-.440**	.644	-.477**	.620	-.450**	.637
TV for news			.194	1.214	.233	1.263	.284*	1.328	.211	1.235
Internet users			.415**	1.515	.413**	1.512	.445***	1.561	.394***	1.482
Heinous crime in locality					.163	1.177	.190	1.209	.299*	1.348
HH crime victimization					.412	1.510	.298	1.347	.190	1.209
Will feel safe with DP					1.154***	3.170	.708***	2.029	.647***	1.910
Worry of heinous crime victimization					-.001	.999	-.005	.995	-.031	.969
Retribution as revenge (A life that is taken is also paid for by a life)							.101	1.106	.034	1.035
Retribution as expiation (Most people in jail are guilty of the crimes)							-.259*	.772	-.175	.840
Follow law over religious principles							.312*	1.365	.264*	1.302
Wrongful (Possibility of wrongful DP sentencing)							.050	1.051	.164*	1.178
Justice (Justice repairs harms done + provides comfort to victims + speedy disposition of justice)							.569***	1.766	.571***	1.770
Alternatives (Alternatives to DP)									-.797**	.451
Constant	-.165		-.721		-1.608		-3.811		-1.052	
-2 Log likelihood	2195.127		2182.214		2083.221		1983.842		1847.94	
Cox & Snell R Square	.032		.039		.089		.137		.198	
Nagelkerke R Square	.045		.055		.126		.194		.281	

*p < 0.05; **p < 0.01; ***p < 0.001

Table 6. Logistic Regression Results: Odds Ratios of Support for Death Penalty for Rape Under the Influence of Drugs

Independent variables	Model 1		Model 2		Model 3		Model 4		Model 5	
	B	OR	B	OR	B	OR	OR	OR	B	OR
Urban	.250*	1.284	.209	1.233	.163	1.178	.209	1.232	.086	1.090
Sex	.148	1.159	.160	1.174	.129	1.138	.101	1.106	.106	1.111
Age	.003	1.003	.007*	1.007	.008*	1.008	.008*	1.008	.005	1.006
Area (reference: Mindanao)										
Metro Manila	-.107	.899	-.177	.838	-.198	.821	-.137	.872	-.229	.795
Balance Luzon	-.414***	.661	-.456***	.634	-.442***	.643	-.353*	.703	-.463***	.630
Visayas	-.389*	.678	-.420**	.657	-.445**	.641	-.377*	.686	-.491**	.612
Educ (reference: Some college/grad)										
Elem grad	-.468***	.627	-.319*	.727	-.297	.743	-.265	.767	-.233	.793
HS grad	-.272*	.762	-.192	.825	-.173	.841	-.174	.841	-.108	.898
Religion (ref Catholics)	.059	1.061	.051	1.053	.103	1.108	.108	1.115	.148	1.159
Religiosity	-.297*	.743	-.310*	.733	-.388*	.678	-.394*	.674	-.359*	.698
TV for news			.179	1.196	.218*	1.243	.243*	1.275	.181	1.198
Internet users			.313*	1.367	.312*	1.366	.339**	1.404	.297*	1.346
Heinous crime in locality					.147	1.158	.168	1.183	.263*	1.300
HH crime victimization					.285	1.330	.189	1.208	.117	1.124
Will feel safe with DP					.993***	2.698	.643***	1.903	.612***	1.844
Worry of heinous crime victimization					.160	1.173	.154	1.166	.113	1.119
Retribution as revenge (A life that is taken is also paid for by a life)							.081	1.085	.031	1.031
Retribution as expiation (Most people in jail are guilty of the crimes)							-.300**	.741	-.229*	.796
Follow law over religious principles							.099	1.104	.040	1.041
Wrongful (Possibility of wrongful DP sentencing)							.031	1.032	.140*	1.150
Justice (Justice repairs harms done + provides comfort to victims + speedy disposition of justice)							.457***	1.579	.449***	1.566
Alternatives (Alternatives to DP)									-.744***	.475
Constant	.209		-.213		-1.107		-2.667		-.038	
-2 Log likelihood	2501.504		2491.721		2393.432		2311.617		2179.091	
Cox & Snell R Square	.023		.029		.079		.119		.180	
Nagelkerke R Square	.031		.038		.106		.159		.241	

*p < 0.05; **p < 0.01; ***p < 0.001

Table 7. Logistic Regression Results: Odds Ratios of Support for Death Penalty for the Sale of Illegal Drugs

Independent variables	Model 1		Model 2		Model 3		Model 4		Model 5	
	B	OR	B	OR	B	OR	OR	OR	B	OR
Urban	.266*	1.305	.235	1.265	.187	1.205	.214	1.239	.065	1.067
Sex	.289*	1.335	.289*	1.335	.258*	1.294	.235*	1.265	.233	1.263
Age	.019***	1.019	.021***	1.021	.023***	1.023	.023***	1.023	.021***	1.022
Area (reference: Mindanao)										
Metro Manila	-.386*	.680	-.457*	.633	-.493*	.611	-.493*	.611	-.594**	.552
Balance Luzon	-.373**	.688	-.425**	.654	-.411**	.663	-.355*	.701	-.441**	.643
Visayas	-.598**	.550	-.625***	.535	-.660***	.517	-.629***	.533	-.751***	.472
Educ (reference: Some college/grad)										
Elem grad	-.272	.762	-.144	.866	-.120	.887	-.072	.930	-.004	.996
HS grad	-.136	.873	-.072	.931	-.046	.955	-.048	.953	.044	1.045
Religion (ref Catholics)	-.141	.868	-.161	.851	-.114	.893	-.107	.899	-.078	.925
Religiosity	-.130	.878	-.152	.859	-.233	.792	-.261	.770	-.215	.806
TV for news			.283*	1.327	.323*	1.382	.345**	1.412	.287*	1.332
Internet users			.212	1.236	.198	1.219	.200	1.221	.131	1.140
Heinous crime in locality					.188	1.207	.202	1.224	.296*	1.344
HH crime victimization					.167	1.182	.099	1.104	-.046	.955
Will feel safe with DP					.935***	2.548	.560***	1.751	.494***	1.640
Worry of heinous crime victimization					.090	1.094	.112	1.118	.094	1.099
Retribution as revenge (A life that is taken is also paid for by a life)							-.067	.935	-.136	.873
Retribution as expiation (Most people in jail are guilty of the crimes)							-.314**	.731	-.239	.788
Follow law over religious principles							.127	1.135	.072	1.074
Wrongful (Possibility of wrongful DP sentencing)							.158*	1.171	.262***	1.299
Justice (Justice repairs harms done + provides comfort to victims + speedy disposition of justice)							.452***	1.572	.429***	1.536
Alternatives (Alternatives to DP)									-.662***	.516
Constant	-1.617		-1.965		-2.824		-4.799		-2.512	
-2 Log likelihood	1952.488		1945.189		1887.503		1822.454		1731.165	
Cox & Snell R Square	.032		.036		.065		.098		.142	
Nagelkerke R Square	.048		.053		.098		.147		.213	

*p < 0.05; **p < 0.01; ***p < 0.001

Table 8. Logistic Regression Results: Odds Ratios of Support for Death Penalty for Manufacturing Illegal Drugs

Independent variables	Model 1		Model 2		Model 3		Model 4		Model 5	
	B	OR	B	OR	B	OR	OR	OR	B	OR
Urban	.143	1.154	.116	1.123	.082	1.085	.111	1.117	-.020	.980
Sex	.200*	1.222	.205*	1.227	.177	1.193	.155	1.168	.159	1.172
Age	.016***	1.016	.018***	1.018	.019***	1.020	.019***	1.019	.018***	1.018
Area (reference: Mindanao)										
Metro Manila	-.090	.914	-.144	.866	-.173	.841	-.095	.909	-.175	.839
Balance Luzon	-.195	.823	-.231	.794	-.224	.799	-.121	.886	-.197	.821
Visayas	-.384*	.681	-.406*	.667	-.429**	.651	-.360*	.698	-.470**	.625
Educ (reference: Some college/grad)										
Elem grad	-.443*	.642	-.339*	.713	-.322*	.725	-.283	.753	-.239	.787
HS grad	-.092	.913	-.037	.964	-.013	.987	.006	1.006	.091	1.095
Religion (ref Catholics)	-.065	.937	-.077	.926	-.039	.962	-.068	.935	-.037	.964
Religiosity	-.115	.891	-.129	.879	-.195	.823	-.200	.819	-.156	.855
TV for news			.185	1.204	.216	1.240	.236*	1.266	.180	1.197
Internet users			.196	1.216	.183	1.201	.197	1.217	.144	1.155
Heinous crime in locality					.127	1.136	.146	1.157	.231*	1.260
HH crime victimization					.094	1.099	.032	1.033	-.079	.924
Will feel safe with DP					.829***	2.291	.546***	1.727	.502***	1.651
Worry of heinous crime victimization					.010	1.010	-.002	.998	-.037	.963
Retribution as revenge (A life that is taken is also paid for by a life)							-.080	.923	-.148	.863
Retribution as expiation (Most people in jail are guilty of the crimes)							-.335**	.716	-.262*	.769
Follow law over religious principles							.181	1.198	.130	1.139
Wrongful (Possibility of wrongful DP sentencing)							-.022	.978	.067	1.069
Justice (Justice repairs harms done + provides comfort to victims + speedy disposition of justice)							.414***	1.513	.394***	1.482
Alternatives (Alternatives to DP)									-.651***	.521
Constant	-1.110		-1.402		-2.054		-3.285		-.983	
-2 Log likelihood	2288.131		2282.998		2225.856		2168.348		2064.845	
Cox & Snell R Square	.024		.026		.056		.085		.135	
Nagelkerke R Square	.033		.037		.078		.119		.188	

*p < 0.05; **p < 0.01; ***p < 0.001

Table 9. Logistic Regression Results: Odds Ratios of Support for Death Penalty for Importation of Illegal Drugs

Independent variables	Model 1		Model 2		Model 3		Model 4		Model 5	
	B	OR	B	OR	B	OR	OR	OR	B	OR
Urban	.135	1.144	.091	1.096	.049	1.050	.069	1.072	-.057	.944
Sex	.246*	1.279	.256*	1.292	.230*	1.259	.224*	1.251	.229*	1.258
Age	.019***	1.019	.023***	1.023	.024***	1.025	.024***	1.024	.023***	1.023
Area (reference: Mindanao)										
Metro Manila	-.036	.964	-.119	.887	-.152	.859	-.113	.893	-.180	.835
Balance Luzon	-.200	.819	-.254	.775	-.248	.780	-.178	.837	-.246	.782
Visayas	-.287	.750	-.320	.726	-.339*	.713	-.295	.745	-.381*	.684
Educ (reference: Some college/grad)										
Elem grad	-.576***	.562	-.410*	.663	-.391*	.677	-.354*	.702	-.323	.724
HS grad	-.057	.945	.032	1.032	.062	1.064	.066	1.069	.146	1.158
Religion (ref Catholics)	-.165	.847	-.180	.835	-.142	.868	-.141	.868	-.120	.887
Religiosity	-.023	.978	-.041	.960	-.105	.900	-.116	.890	-.064	.938
TV for news			.266*	1.304	.301*	1.351	.303*	1.354	.254*	1.290
Internet users			.326*	1.385	.319*	1.376	.334*	1.396	.288*	1.334
Heinous crime in locality					.124	1.132	.137	1.146	.212	1.236
HH crime victimization					.281	1.324	.230	1.259	.126	1.134
Will feel safe with DP					.847***	2.334	.553***	1.739	.498***	1.646
Worry of heinous crime victimization					.011	1.011	.020	1.020	-.012	.988
Retribution as revenge (A life that is taken is also paid for by a life)							-.115	.891	-.181	.835
Retribution as expiation (Most people in jail are guilty of the crimes)							-.347**	.707	-.280*	.755
Follow law over religious principles							.001	1.001	-.054	.948
Wrongful (Possibility of wrongful DP sentencing)							.052	1.053	.135*	1.144
Justice (Justice repairs harms done + provides comfort to victims + speedy disposition of justice)							.405***	1.500	.382***	1.465
Alternatives (Alternatives to DP)									-.582***	.559
Constant	-1.392		-1.873		-2.568		-3.884		-1.811	
-2 Log likelihood	2204.724		2193.176		2136.291		2081.153		2000.28	
Cox & Snell R Square	.031		.037		.066		.094		.133	
Nagelkerke R Square	.043		.052		.093		.132		.187	

*p < 0.05; **p < 0.01; ***p < 0.001

Table 10. Logistic Regression Results: Odds Ratios of Support for Death Penalty for Working in Drug Dens

Independent variables	Model 1		Model 2		Model 3		Model 4		Model 5	
	B	OR	B	OR	B	OR	OR	OR	B	OR
Urban	-.034	.967	-.060	.942	-.139	.870	-.123	.884	-.282	.754
Sex	.169	1.184	.170	1.185	.140	1.151	.107	1.112	.096	1.101
Age	.021***	1.021	.023***	1.023	.025***	1.025	.024***	1.025	.023***	1.023
Area (reference: Mindanao)										
Metro Manila	-.563**	.569	-.619**	.538	-.657**	.519	-.629**	.533	-.730**	.482
Balance Luzon	-.332*	.718	-.371*	.690	-.349*	.705	-.268	.765	-.344*	.709
Visayas	-.425*	.653	-.447*	.639	-.472*	.624	-.411*	.663	-.511**	.600
Educ (reference: Some college/grad)										
Elem grad	-.339*	.713	-.235	.791	-.216	.806	-.173	.841	-.116	.891
HS grad	-.026	.975	.029	1.029	.064	1.066	.079	1.082	.172	1.187
Religion (ref Catholics)	-.106	.899	-.121	.886	-.065	.937	-.075	.927	-.047	.954
Religiosity	-.199	.820	-.214	.808	-.284	.753	-.296	.743	-.246	.782
TV for news			.202	1.224	.239	1.270	.265	1.304	.209	1.232
Internet users			.184	1.202	.166	1.181	.168	1.183	.100	1.105
Heinous crime in locality					.290*	1.337	.306*	1.358	.390**	1.477
HH crime victimization					.263	1.301	.206	1.229	.062	1.063
Will feel safe with DP					.971***	2.641	.620***	1.860	.570***	1.767
Worry of heinous crime victimization					.092	1.096	.113	1.119	.098	1.103
Retribution as revenge (A life that is taken is also paid for by a life)							.031	1.031	-.029	.971
Retribution as expiation (Most people in jail are guilty of the crimes)							-.384*	.681	-.315*	.730
Follow law over religious principles							.170	1.186	.116	1.123
Wrongful (Possibility of wrongful DP sentencing)							.073	1.075	.163*	1.177
Justice (Justice repairs harms done + provides comfort to victims + speedy disposition of justice)							.462***	1.587	.441***	1.554
Alternatives (Alternatives to DP)									-.612***	.542
Constant	-1.640		-1.924		-2.877		-4.623		-2.490	
-2 Log likelihood	1857.332		1853.311		1791.969		1735.105		1659.887	
Cox & Snell R Square	.027		.029		.061		.089		.126	
Nagelkerke R Square	.041		.044		.094		.138		.195	

*p < 0.05; **p < 0.01; ***p < 0.001

Table 11. Logistic Regression Results: Odds Ratios of Support for Death Penalty for Managing Drug Dens

Independent variables	Model 1		Model 2		Model 3		Model 4		Model 5	
	B	OR	B	OR	B	OR	OR	OR	B	OR
Urban	-.005	.995	-.028	.972	-.077	.926	-.061	.941	-.239	.787
Sex	.185	1.204	.191	1.210	.156	1.169	.128	1.137	.125	1.133
Age	.015***	1.015	.017***	1.017	.018***	1.018	.017***	1.018	.016***	1.016
Area (reference: Mindanao)										
Metro Manila	-.219	.803	-.258	.772	-.282	.754	-.272	.762	-.370	.691
Balance Luzon	-.392**	.675	-.417**	.659	-.403**	.668	-.355*	.701	-.456**	.634
Visayas	-.471**	.624	-.487**	.615	-.508**	.601	-.463*	.629	-.598**	.550
Educ (reference: Some college/grad)										
Elem grad	-.280	.756	-.197	.821	-.175	.840	-.131	.877	-.061	.941
HS grad	-.152	.859	-.108	.898	-.084	.919	-.073	.929	.024	1.024
Religion (ref Catholics)	-.077	.925	-.083	.920	-.037	.964	-.025	.976	.017	1.017
Religiosity	.056	1.057	.049	1.050	-.018	.983	-.016	.984	.060	1.062
TV for news			.113	1.120	.149	1.161	.169	1.184	.101	1.107
Internet users			.169	1.185	.154	1.166	.156	1.169	.078	1.081
Heinous crime in locality					.134	1.144	.145	1.156	.238	1.269
HH crime victimization					.083	1.086	.023	1.023	-.163	.850
Will feel safe with DP					.957***	2.605	.648***	1.911	.600**	1.822
Worry of heinous crime victimization					.109	1.115	.131	1.140	.118	1.126
Retribution as revenge (A life that is taken is also paid for by a life)							.142	1.152	.084	1.088
Retribution as expiation (Most people in jail are guilty of the crimes)							-.362**	.697	-.283**	.753
Follow law over religious principles							.074	1.077	.012	1.013
Wrongful (Possibility of wrongful DP sentencing)							.093	1.098	.204	1.226
Justice (Justice repairs harms done + provides comfort to victims + speedy disposition of justice)							.382***	1.466	.354**	1.424
Alternatives (Alternatives to DP)									-.721**	.486
Constant	-1.389		-1.624		-2.481		-3.996		-1.499	
-2 Log likelihood	2030.83		2028.447		1966.576		1914.782		1801.831	
Cox & Snell R Square	.020		.021		.054		.080		.135	
Nagelkerke R Square	.030		.032		.080		.118		.200	

*p < 0.05; **p < 0.01; ***p < 0.001

Annex B – Question Items

1. Now, I have here some sayings. Please tell me if you agree or disagree with the following sayings. You may indicate your answers by placing the card with the statement in the appropriate place on this rating board. (Strongly agree, Somewhat agree, Undecided if agree or disagree, Somewhat disagree, or Strongly disagree)
 - a) A life that is taken is also paid for by a life.
2. As far as you know, what crime would you consider “heinous”? **(VERBATIM RESPONSE, ONE ANSWER ONLY)**
3. As far as you know, how many heinous crimes have happened here in your locality **approximately in the past three (3) years**? (None, 1 or 2, Some, Many, Very many, Don't know)
4. How worried are you that you or someone in your immediate family **might be a victim of a heinous crime**? **(SHOWCARD)** (Worried a great deal, Somewhat worried, Not worried too much, Not worried at all)
5. Now, we would also like to know your experiences and those of other family members residing here, regarding crime. Have you or any member of your family ever been **a victim of a crime** in the **past three (3) years**?
6. In your opinion, what **ought** to be the punishment to be imposed on people who were found to have committed these crimes? (20 years, 40 years, life imprisonment, death penalty)
 - a) Murder under the influence of drugs
 - b) Rape under the influence of drugs
 - c) Importation of dangerous drugs and/or controlled precursors and essential chemicals
 - d) Sale, trading, administration, dispensation, delivery, distribution and transportation of dangerous drugs and/or controlled precursors and essential chemicals
 - e) Working in drug dens or places where any dangerous drug is used or sold
 - f) Maintenance of drug dens or places where any dangerous drug is used or sold
 - g) Manufacture of dangerous drugs and/or controlled precursors and essential chemicals

7. I have here some statements which may reflect how people feel or think about certain matters at present. Please tell me if you agree or disagree with these statements. You may indicate your answers by placing the card with the statement in the appropriate place on this rating board. (Strongly agree, Somewhat agree, Undecided if agree or disagree, Somewhat disagree, or Strongly disagree)
- a. I will feel safe from any crime if there is death penalty
 - b) A life that is taken is also paid for by a life
 - c) Most people in prison are actually guilty of committing the crimes they are in jail for
 - d) If a court wrongfully sentences a person to death, and was executed, the wrongful execution by the court can no longer be corrected
 - e) The death penalty can only be imposed if the courts can show with certainty that they will not wrongfully sentence an innocent person
 - f) The death penalty repairs the harm done by a criminal to his/her victim
 - g) Punishing a criminal with death penalty would provide some comfort to the family of the victim who was killed
 - h) The death penalty speeds up justice for the victims
 - i) If the crime did not result in killing a person, the person who committed the crime may be punished by a prolonged prison sentence instead of the death penalty
 - j) Life imprisonment is a sufficient penalty for people who commit heinous crimes
 - k) It is more important that a person who commits heinous crime should suffer life in prison rather than be punished by death penalty
 - l) The possibility that a person who committed a heinous crimes could still change his/her life and be a good citizen is a good reason not to restore the death penalty
 - m) If a person who committed a heinous crime can pay, his sentence should be reduced to imprisonment and he should be allowed to pay damages to the victim or family of victims instead of suffering the death penalty
8. To what extent do you agree or disagree that: The death penalty should be re-instated for peoples who were proven by the courts to have really committed heinous crimes.
(SHOW CARD)
9. Why do you say that you AGREE that the death penalty should be re-instated for people who were proven by the courts to have really committed heinous crimes?
10. Why do you say that you are UNDECIDED or ANSWERED IT DEPENDS that the death penalty should be re-instated for people who were proven by the courts to have really committed heinous crimes?
11. Why do you say that you DISAGREE that the death penalty should be re-instated for people who were proven by the courts to have really committed heinous crimes?

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