

Research Outline

For my research paper I am looking into the death penalty of pre-confederation Canada. This will explore the many different crimes that were eligible to receive the death penalty (with examples), as well as how this affected the formation of Canada as a country, and its effects on the Canadian laws over time, relating back to modern day.

The evidence I will use to answer these questions consists of reliable records on the criminal laws in Canada as well as primary and secondary documents of real trials and cases with the possibility of the death penalty. I will also continue my search for more quality sources to add in my research paper, as well as more research into how the death penalty affected society in pre-confederation Canada.

Bibliography

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Statement of Process

1. How did you choose your topic?

I chose my topic from the suggested list in the course outline. First, I was going to research the beginning and formation of the school system in Canada, since I plan on going into the education program, however I was finding it difficult when looking for primary sources. I then quickly changed paths and went with the “crime and punishment” suggestion as I find the general topic quite interesting. I also found that it was slightly easier to search when trying to find sources. I enjoyed reading the articles I was finding in my initial search as many of the laws are vastly different from those in place today. It’s interesting to see how much the country has changed within approximately the last 150-250 years. The topic of “crime and punishment” was still a wide topic, so to narrow it down I skimmed the Magistrate’s Manual to find what stuck out the most to me. I found that the concept of the death penalty was the most intriguing because it is a deadly punishment that no longer is in effect today.

2. How did you choose your sources?

The first source I found was the primary document I used for my document analysis. Using Early Canadiana Online through the TRU website I found a very detailed manual on the punishments for many different crimes in 1843. This document was the second edition so I tried searching for the first edition using many different phrases. I did not have any luck finding the first edition. This document is over 600 pages long, so to find specific information regarding the death penalty I searched for the keyword “death” within the document and read or skimmed the highlighted sections. This will be my main source of information for my research essay, but I also wanted to find examples of some of the crimes and punishments detailed within the document. Using both Early Canadiana Online and the TRU Discover search engines, I found the remainder of the sources listed above. I also used Google to find keywords that I could search for in those educational search engines. The other documents I will be using in my essay will mainly be documents dissecting trials and explaining circumstances in which the death penalty was used.

3. What assumptions did you bring to your research? For example, what preconceived notions about the topic did you have before you began your research? Did your sources cause you to reconsider those ideas?

Before beginning my research I believed that I would find some “crazy” laws and more “creative” ways of punishing criminals. For example, stoning to death or maybe burning at the stake. Perhaps those punishments occurred in other places around the world for various reasons, or way before the time period I am researching. I also thought that the overall murder rates would be lower than today due to the smaller population size, and

guessing that more deaths happened during the wars. I also thought that the death penalty was only used for people who committed murder or attempted murder on high ranking members of society. During my research I did find some interesting laws that have been adapted over time. For example, one part stated that if someone left a window (or door) open, and another person took something from inside that window (or door), it would not be considered breaking and entering because there was technically no "breaking" that occurred. Another part I found interesting was regarding rape, and that it could not have been considered rape if the woman got pregnant. As for the punishments, I found that many ended in death, imprisonment, or hard labour. There were no other notable punishments that I came across in my research. The notion about lower murder rates I have not yet found. Finally, I found that the death penalty was more widely used as a punishment than I thought, and was the solution for many different crimes.

4. How has your view of the past changed as a result of the research that you have done? What unanswered questions about this topic do you still have?

My view of the past has changed greatly over the course of my research so far. For example, I wasn't aware of how often the death penalty was used for different crimes. I still have questions regarding the homicide rates of pre-confederation Canada compared to 2018 Canada. I am also curious about the laws concerning guns and gun ownership and how that changed over time, even though that does not deal specifically with the topic I have chosen.

5. What will you do differently next time?

The main thing I would do differently next time is begin searching and reading through my sources earlier. The process of finding the right articles and taking notes on those articles is very time consuming. It's always nice to get an assignment done and out of the way rather than worrying about it later.