

**ATTITUDES TOWARDS THE DEATH PENALTY: A CROSS -
CULTURAL INVESTIGATION**

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I declare that the article hereby submitted by me for the Master's Degree in (Research Psychology) at the University of the Free State is my own independent work and has not previously been submitted by me to another University/Faculty. I furthermore cede copyright of this article in favour of the University of the Free State.

Célia Ambrosio (Miss)

UFS

ARTICLE 1:

**THE INFLUENCE OF GENDER, AGE AND RACE ON
PEOPLE'S ATTITUDES TOWARDS THE DEATH
PENALTY**

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THE INFLUENCE OF GENDER, AGE AND RACE ON PEOPLE'S ATTITUDES TOWARDS THE DEATH PENALTY

Opsomming

Die doel van die studie was om mense se houding teenoor die doodstraf te bepaal. Die doelstellings is bereik deur data van 'n aantal respondente wat 16 jaar en ouer was by verskeie kerke in die Bloemfontein-area in te samel. Vier denominasies en ses kerke was by die ondersoek betrokke, en het 'n totaal van 400 uitgemaak.

'n Biografiese vraelys, asook 'n Houding teenoor die Doodstraf-vraelys, is in die ondersoek gebruik. Die invloed van drie onafhanklike veranderlikes, naamlik geslag, ouderdom en ras is ondersoek. 'n Faktoriale variansie-ontleding is op die data toegepas. Na toepassing van die statistiese ontleding, is gevind dat ras en geslag die twee veranderlikes is wat die grootste invloed op mense se houdings teenoor die doodstraf uitgeoefen het. Die groep as geheel het 'n negatiewe houding teenoor die toepassing van die doodstraf gehad. Die wit groep was egter beduidend meer positief teenoor die toepassing van die doodstraf as die swart en gekleurde groep, terwyl die mans beduidend meer positief as die vroue hieroor was. Ouderdom het geen beduidende effek op die respondente se houdings gehad nie.

(Sleutelwoorde: Doodstraf, houdings, geweld, Suid-Afrika, ras, geslag, ouderdom)

Abstract

The purpose of this study was to determine people's attitudes towards the death penalty. The aims of this research study were achieved by gathering data from a number of respondents aged 16 and older at several churches in the Bloemfontein area. Four denominations and six churches with a total of 400 respondents were involved in the study.

A biographical questionnaire as well as a Death Penalty Attitude Scale were used. The influence of three independent variables such as gender, age and race were investigated. A factorial analysis of variance was used. After the statistical analysis, the variables found to have the greatest influence on people's attitudes towards the death penalty were race and gender. The group as a whole had a negative attitude towards the death penalty. The white group was significantly more positive towards the death penalty than the black and coloured groups, while male's attitudes towards the death penalty were significantly more positive than the females'. The variable age was not found to have a significant effect on the respondents' attitudes towards the death penalty.

(Key words: Death penalty, attitudes, violence, South Africa, race, gender, age)

THE INFLUENCE OF GENDER, AGE AND RACE ON PEOPLE'S ATTITUDES TOWARDS THE DEATH PENALTY

1. INTRODUCTION

A decade ago South Africa's legal system tried to bridge the gap between the past where the law scarcely protected human rights and the present, where such protection is guaranteed. According to Kgamedi and Setsetse (1999) it can be argued that although the courts protect human rights, public opinion ought not to be ignored in determining the validity of the death penalty.

Benjamin (2003) states that almost all research conducted on crime shows that South Africans believe that crime is the most serious problem in the country. While many believe that the death penalty is the solution to crime, scientific studies have consistently failed to find convincing evidence that the death penalty deters crime more effectively than other punishments. The most recent survey of research findings on the relation between the death penalty and homicide rates, conducted for the United Nations in 1988 and updated in 2002, concluded that "it is not prudent to accept the hypothesis that capital punishment deters murder to a marginally greater extent than does the threat and application of the supposedly lesser punishment of life imprisonment" (Hood, 2002, p.77). Many South Africans, however, still feel that the death penalty would be an excellent deterrent factor to bring down the increasing crime rates in the country.

In addition to examining race, Parekh and De la Rey (1996) suggest that to achieve the above results of a similar survey conducted on the public's attitude towards the death penalty other variables such as age groups and gender, will help identify which groups agree or oppose the death penalty.

2. PROBLEM STATEMENT

According to Hamber and Lewis (1997) violent crime and trauma are currently normative within South African society. Many commentators have come to refer to South Africa as a "culture of violence" - a society which endorses and accepts violence as an acceptable and legitimate means to resolve problems and achieve goals (Vogelman & Simpson, 1990).

Research studies undertaken by the Human Sciences Research Council (HSRC) showed that most findings were in favour of reinstating the death penalty. A Markinor survey done in 1993 indicated that 82% of whites favoured the retention of capital punishment, compared to 57% of blacks. In 1995 the survey indicated that 62% of the entire population favoured the retention of capital punishment. In 1996 results showed that 71, 4% of the population favoured the death penalty (HSRC, 1996).

3. PURPOSE OF THE STUDY

The purpose of this study is therefore to investigate what differences factors such as age, race and gender have on people's attitudes towards the death penalty in the South African context.

4. NECESSITY OF THE STUDY

Statistics seem to support the view that South Africa is an extremely violent country. A 1996 study indicated that over a period of five years, about 70 percent of the urban population in South Africa were victimised at least once (Hamber & Lewis, 1997). The experience of being violently victimised in South Africa has become a statistically normal feature of everyday life in both the urban and rural setting. As a result of these statistics and owing to the fact that Interpol identified South Africa as the fourth most murderous society in the world, the death penalty debate has received a great deal of attention (Louw, 1996).

In a survey conducted by the Human Sciences Research Council (1999) it was found that more than two out of every five (41%) respondents believed "fighting crime" should be the leading priority in the government's ten-year agenda. This was followed by "creating more jobs" (32%), improving local services and the educational system (14% combined), and various considerations related to the political process (10% combined).

In light of the rising crime in South Africa every year there is room for research involving the public's attitude towards either reinstating or retaining the abolishment of the death penalty.

5. ATTITUDES

An attitude is defined as any cognitive representation that summarises an evaluation of an attitude object – the self, other people, things, actions, events, or ideas (McGuire, 1985; Ostrom, 1969; Zanna & Rempel, 1988).

Our evaluations of attitude objects according to Smith and Mackie (1995) can be favourable, neutral, or unfavourable. Attitudes are said to have positive, neutral, or negative direction. They also differ in intensity, reflecting whether the evaluation is strong or weak.

5.1 Attitude formation

We develop attitudes because they are useful to us (Katz, 1960). Firstly, attitudes help people master the environment. This object appraisal function of attitudes orients us to the important characteristics of an attitude object so that we can deal with it effectively and efficiently. Secondly, they help people express their real selves, voice their convictions, show what they stand for, and affirm their significant relationships. This social identity function of attitudes helps people gain and maintain connectedness with others (Smith & Mackie, 1995).

Attitudes involve the categorization of a stimulus along an evaluative dimension, based on affective, behavioural, and cognitive information. The affective component consists of the person's emotions and affect toward and object, especially positive or negative evaluations. The behavioural component consists of how the person tends to act regarding the object. The cognitive component consists of thoughts the person has about a particular attitude object, including facts, knowledge, and beliefs (Taylor, Peplau, & Sears, 2003). Crites, Fabrigar and Petty (1994) state that these three components of attitudes are not always highly related to each other, so it is important to consider all three aspects.

5.2 Attitude theories

The learning approach according to Taylor et al. (2003) views attitudes as learned by association, reinforcement, and imitation. Cognitive consistency theories view people as attempting to maintain consistency among their attitudes and among the affective, cognitive, and behavioural components of a particular attitude. The expectancy-value approach views attitudes as cost-benefit calculations by the individual based on pros and cons of the arguments.

Foster and Louw-Potgieter (1991) state that when two cognitive elements are in an inconsistent relationship with each other, this produces an aversive emotional state (dissonance) which acts as a motivation to change in some form or another. If people were induced to behave in a way that was inconsistent with their attitude, it would produce a state of dissonance.

Alternative explanations for these dissonance effects have been generated by self-perception theory. When we have rather vague, undefined attitudes, behavioural acts may lead to new perceptions of our own, thus leading to attitude behaviour consistency through self-perception rather than dissonance reduction (Taylor et al., 2003).

The common strand of a number of different approaches to cognitive consistency according to Foster and Louw-Potgieter (1991) is the principle that people strive to maintain consistency between cognitive elements or among their beliefs, attitudes and actions.

5.3 Attitude influence and change

Tubbs and Moss (1994) explain that the process of changing and reformulating attitudes, or attitude influence, goes on throughout our lives. In two-person situations, attitude influence is often referred to as 'social influence'. When applied to public and mass communication contexts, the process of attitude influence is referred to as 'persuasion'.

According to accumulated research, four steps are necessary if discrepant acts are to produce dissonance and then attitude change. If any step fails to occur, no attitude change will follow (Smith & Mackie, 1995):

- a) The individual must realize that the attitude-discrepant action has negative consequences.
- b) The individual must take personal responsibility for the action.
- c) The individual must experience physiological arousal.
- d) The individual must attribute the arousal to the action.

Smith and Mackie (1995) state that when attitudes and behaviours are uncomfortably inconsistent, something has to change. Because freely chosen behaviour and its negative consequences are hard to take back or deny, we can restore consistency most easily by changing our attitude.

6. THE EXTENT OF VIOLENCE IN SOUTH AFRICA

Statistics seem to support the view that South Africa is an extremely violent country. A 1996 study indicated that over a period of five years, about 70 percent of the urban population in South Africa were victimised at least once (Hamber & Lewis, 1997). The experience of being violently victimised in South Africa has become a statistically normal feature of everyday life in the urban and rural setting. Vetten (1995) explains that South African Police Service (SAPS) figures indicated that in 1995 there were a total of 25 782 reported murders, 28 516 attempted murders and 12 860 car hijackings. In terms of sexual violence, there were a total of 50 481 rapes. South African children are not exempt from violence. In 1996, 20 333 crimes of a sexual nature were reported to the Child Protection Units, while there were 8 626 reported assaults of children.

These statistics, however, are likely to gravely underestimate the incidence of violence. In reality they are likely to reflect patterns of reporting, as opposed to the actual incidence of crime. With regard to rape, for example, it is estimated that only 1 in 20 to 1 in 35 rapes are ever reported to the South African Police Service (Vetten, 1995). This would indicate that approximately one million women were affected by this crime in 1996. The treatment accorded to victims of gender violence by police personnel also often constitutes secondary victimisation. Police insensitivity and ill-treatment of these victims, in combination with ignorance of the legal provisions protecting women reporting a crime, can result in feelings of helplessness and reluctance to report rape (Jackson, 1997). As a result, there is a huge discrepancy between the numbers of cases reported to the police and estimates of the real incidence (Jackson, 1997; Vetten, 1995).

These sorts of broad statistics - particularly focusing on mortality - give an overall view of the impact of violence; however, they miss the largest incidence of crime and violence which is related to injuries both intentional and unintentional. It is estimated that for every death in Cape Town there are 80 injuries (Butchart, Peden, Bass, du Toit & Lerer, 1996). Using this figure, a simple calculation and extrapolation indicates there were over two million South Africans who suffered some sort of violent injury in 1996.

According to Masuku and Maepa (2004) levels of crime in South Africa have been increasing over the past two decades. The democratisation of the country in 1994 created expectations for most South Africans that crime would decrease. However, these expectations did not materialise as crime trends continued to increase after 1994. The 2001/02 South African Police Survey annual report shows that recorded crime increased slightly from 1994/95 to 2000/01 and levelled off in 2001/02 (Figure 1). Results of a recent national victim survey conducted by the Institute for Security Studies (ISS) confirm this trend (Masuku & Maepa, 2004).

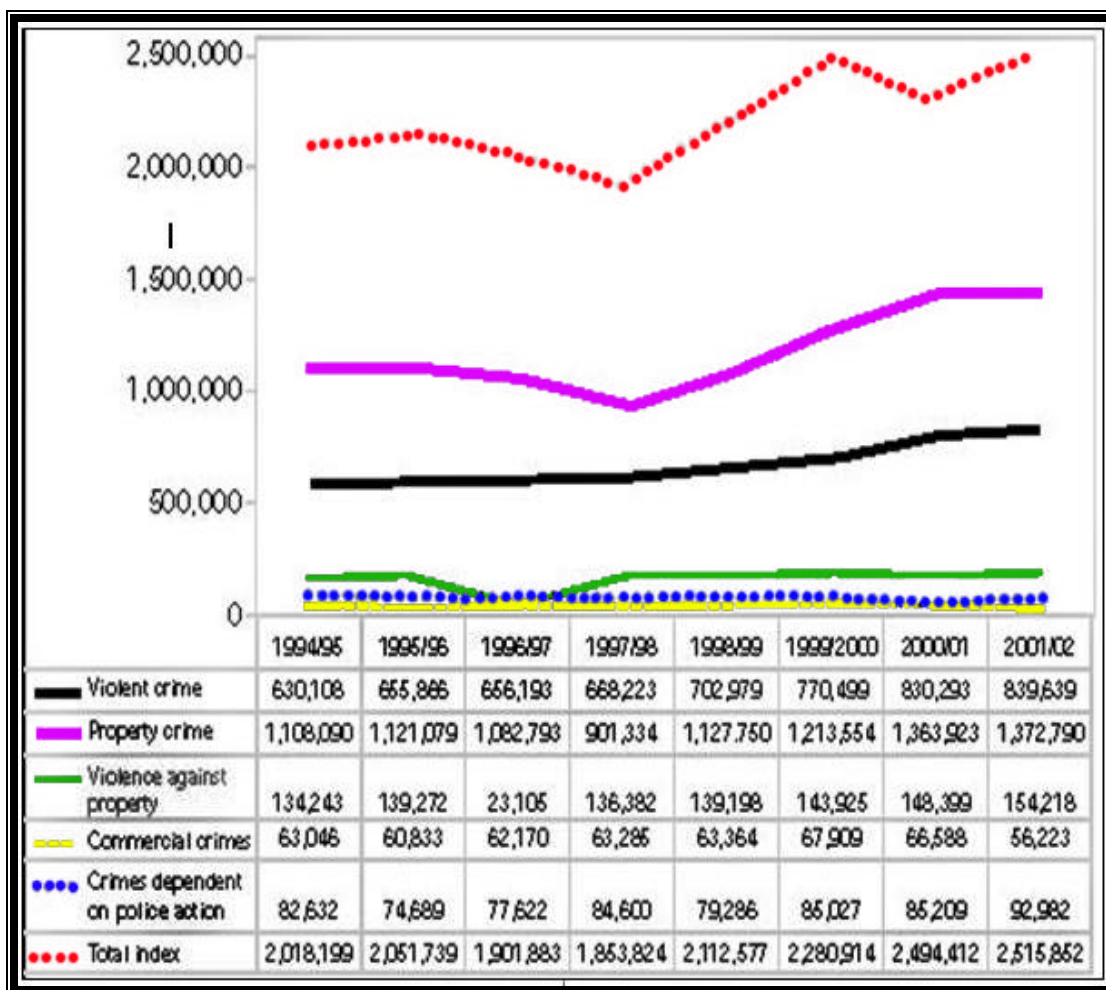


Figure 1: Number of crimes recorded by police, March 1994 - March 2002

(Directly taken from Masuku & Maepa (2004), Overview of the crime problem, p.1)

Trends for some crime types are, however, less positive. Levels of some violent crimes increased: attempted murder increased by 12%, common assault by 6%, and all robberies by 8% between April 2002 and March 2003. Murder is the only violent crime that has been clearly decreasing, both in the short and long-term period. Decreases were also recorded for rape and serious assault (5% and 1% respectively), although these trends are not established over as long a time period as for murder (Masuku & Maepa, 2004).

Altbeker (2005) explains that there are two sources of official crime data from which a ranking of countries by their per capita homicide rate might be constructed. The first is the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems run by the United Nations Office on Drugs and Crime (UNODC) every three years since the early 1970s, with the latest data available being for 2000. The survey consists of 518 separate items and is sent to every country represented at the UN. It does not, however, have a particularly high response rate, with far fewer than half of the represented countries responding.

Interpol is a second source of data, although the organisation's statistics are no longer available to the public (Altbeker, 2005). Data that continues to exist in the public domain, however, are sourced from the same databases – official police records in each country as are the data that the UNODC surveys draw on and are, therefore, subject to the same limitations. From the data represented in Figure 1 it does appear as if South Africa (with a rate of 51 per 100,000 people) has one of the highest homicide rates in the world. It is often this kind of statistic which is relied upon when people seek to describe this country as the crime capital of the world. But a couple of factors should be reflected upon before reaching an overly definitive conclusion.

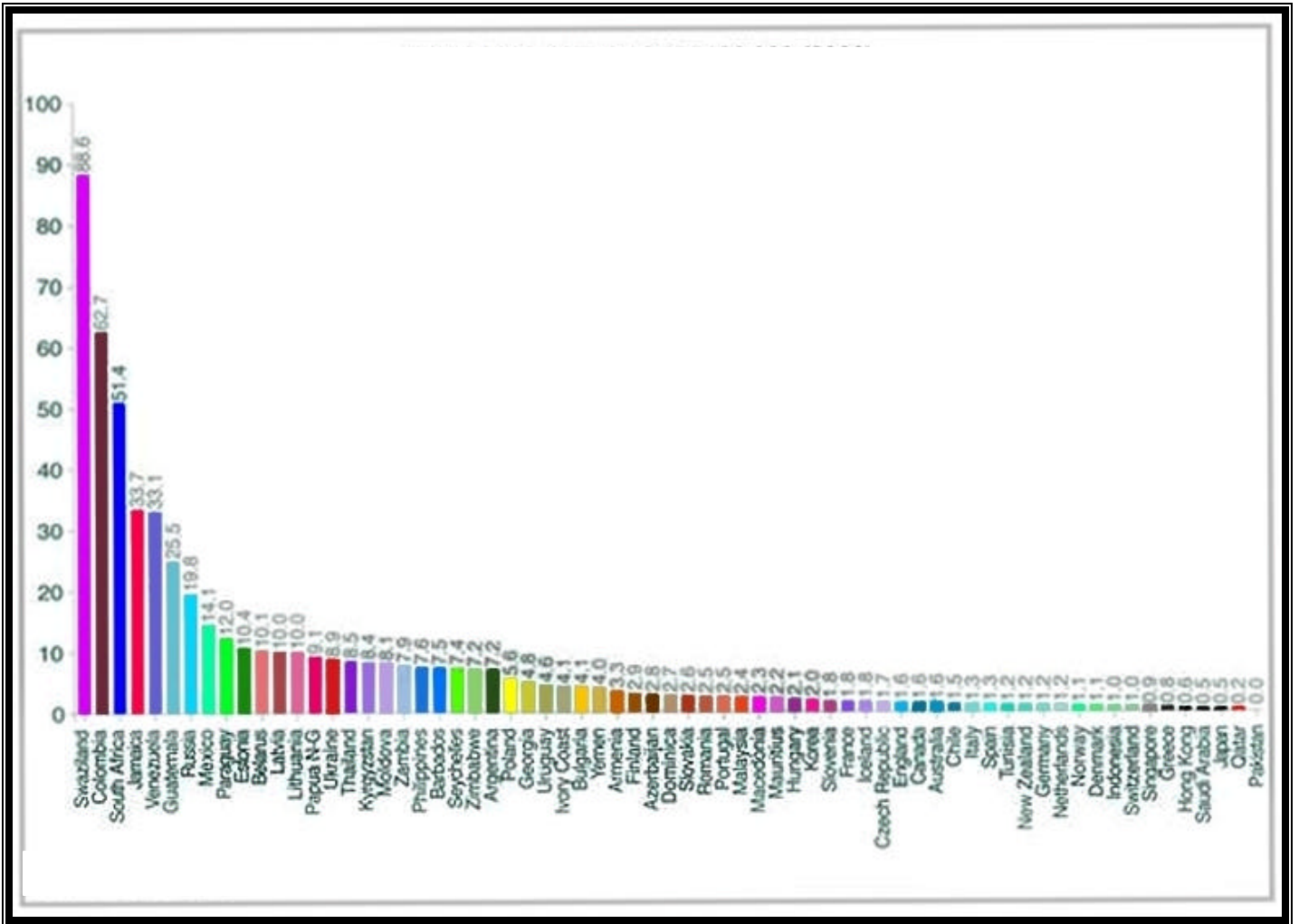


FIGURE 2: MURDER RATES PER 100,000 (2000)

(Directly taken from Altbeker (2005), Is South Africa really the world's crime capital? p. 2)

The first is that only 62 countries (out of 191 UN member states) are represented on this list and some of the omissions are startling. China and India, home to around a third of humanity, do not appear. Neither do other large countries like Brazil, Bangladesh, Egypt, Nigeria and even the United States of America. With data for only eight of the 53 African states (two of which are Mauritius and the Seychelles), developing countries are dramatically under-represented, while the most developed and most stable countries in the world are over-represented; there are 13 countries from western Europe, for example (Altbeker, 2005).

Altbeker (2005) explains that the problem of missing data can be rectified by using responses from countries made in earlier years as reflected in Figure 2. This adds 43 countries to the list of those for which data exist, taking the total to 105, but at the cost of comparing statistics for the same time period. Adding these countries, however, means that data is now available for the United States (4.6 murders per 100,000 in 1999), India (3.7 in 1999), China (2.1 in 1999), Nigeria (1.5 in 1994) and Egypt (0.4 in 1994).

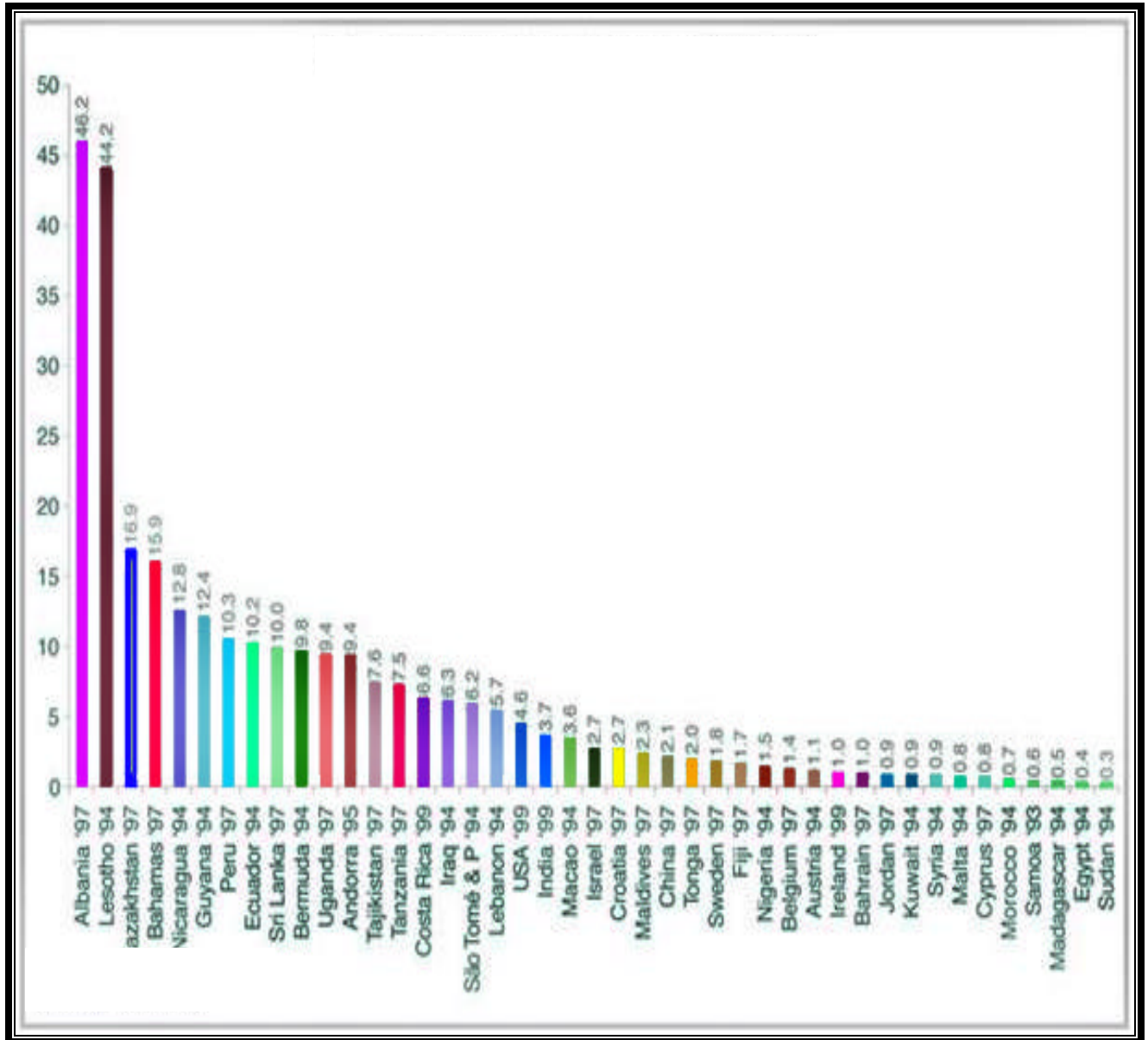


FIGURE 3: MURDER RATES PER 100,000 (VARIOUS YEARS)

(Directly taken from Altbeker (2005), Is South Africa really the world's crime capital? p.2)

We are, therefore, Altbeker (2005) says in a better position to judge the extent to which South Africa is the world's murder capital. The available data suggest that this is the case as we are third on the top-ten list which is headed by Swaziland and Colombia, and which also includes Albania, Lesotho, Jamaica, Venezuela, Guatemala, Russia and Kazakhstan.

To determine if this list is a reasonable reflection of reality, however, we must return to the premise that murder statistics can be compared across countries because definitions of the crime are common, and because rates of reporting and recording are high (Altbeker, 2005).

Although it seems that our crime levels in South Africa are still quite high, South Africa Info (2004) disagrees as the report states that South Africa's second national victim survey supports claims about stabilising crime levels, revealing a 2% drop-off in the last five years. The study also confirms that the most prevalent crimes are non-violent - but finds a sharp disparity between the reality and the public's perception of crime.

7. THE DEATH PENALTY IN SOUTH AFRICA

The death penalty is a highly contentious and politicized issue in South Africa. Sarkin (1996) states that the death penalty was introduced into South Africa by the colonial powers that first settled at the Cape in 1652. The death penalty was widely used in Roman-Dutch law. It would be imposed for a variety of crimes, including murder, rape, arson, theft, robbery, fraud, sodomy, bestiality, falsifying coins, public violence and incest.

Sarkin (1996) states that the use of the death penalty in South Africa came to international attention during the 1980s when the execution rate increased sharply, due in part to the fact that people were being sent to the gallows for political crimes. These cases received worldwide attention. There were 537 hangings between 1985 and the middle of

1988, making South Africa, with its population of about 35 million, a global leader in judicial execution (Sarkin, 1996).

Smit (1996) points out that under apartheid blacks were more likely to get the death penalty than whites. Many blacks in South Africa convicted by the 'people's courts' were necklaced as informers. In the South African Bill of Rights the right to life is subject to a limitation clause which specifies that rights can only be limited to an extent reasonable and justifiable in an open and democratic society based on freedom and equality and if its essential content is not negated (Smit, 1996).

According to Louw (1996) the 1995 judgment by the Constitutional court declared the death penalty to be in contravention of a clause in the Bill of Rights enshrining the right to life as a fundamental tenet of the interim constitution and therefore saw that it was abolished.

8. ATTITUDES TOWARDS THE DEATH PENALTY IN SOUTH AFRICA

There are many people who seem to subscribe to the views of the learned Victorian legal historian, Sir James Fitzjames Stephen, who wrote:

In cases which outrage the moral feelings of the community to a great degree, the feeling of indignation and desire for revenge, which is excited in the minds of decent people, I think, deserves a legitimate satisfaction. If a man commits a brutal murder, or if he does his best to do so and fails only by accident...I think [he] should be destroyed, partly in order to gratify the indignation which such crimes produce...and partly in order to make the world wholesomer than it would otherwise be by ridding it of people as much misplaced in civilized society as wolves or tigers would be in a populous country.

(Taken from Sellin, 1980, p.36).

According to Lester (1987) people who agree with the above statement will argue that the death penalty has the following in its favour for its use:

- It is a deterrent
- It prevents recidivism

- It is a moral duty
- It is more economical than life imprisonment
- It is kinder than life imprisonment
- Those executed are the worst offenders and beyond rehabilitation
- Those executed are less than human

Although the death penalty has been abolished in South Africa since 1995 (Louw, 1996), a recent public opinion poll gauged by the Human Science Research Council (2004) of nearly 5 000 adults (aged 16 and older) indicates that 50% of South African adults (aged 16 and older) strongly agree and a further 25% agree that capital punishment should be imposed on someone convicted of murder. In contrast 7% strongly disagree, 11% disagree, 5% are neutral on the issue and 2% do not know. More females (78%) than males (72%) strongly agree or agree with the death penalty, as do more of those aged 35 and older (79%) than those in the below 35 age group (72%). Agreement or strong agreement ranges from 72% among black Africans and 76% among coloureds to 86% among Indians and 92% among whites and, lastly, pro-death penalty sentiment is strongest in urban formal areas (78%).

8.1 Age and attitudes towards the death penalty in South Africa

According to Reber (1985) age should always be taken as the length of time since the birth of an organism, i.e., its chronological age. The birth of any human involves its development and although the development of the individual is one continuous process from conception to death, it can, however, be divided into different stages (Louw, Van Ede & Louw, 1998). For the purposes of this research, the researcher will be looking at the developmental stages of early, middle and late adulthood.

To determine how age differences affect the individual's attitudes towards the death penalty the researcher will examine the developmental task of morality in each of the three above-mentioned developmental stages.

It seems that the attainment of the highest level of moral development as indicated by Kohlberg (1969, 1984, 1987), namely post conventional level, is only achieved in adulthood. At this level the individual defines and internalizes moral values and principles independent from the groups or people who uphold these principles. Existing social and political values are not accepted unconditionally and alternative moral principles are recognized. All possibilities are investigated and individuals decide for themselves what their own personal moral code should be. Besides being aware of personal values and opinions, individuals nevertheless conform to established norms if these help to promote human welfare (Louw et al., 1998).

Kohlberg (1969, 1984, 1987) identified the following two stages on this level:

Stage 5: Morality of social contract, usefulness and individual rights which explain that moral or immoral behaviour is defined in terms of laws or established rules relating to general rights and standards. These rules promote the welfare of society and they are necessary for the optimal functioning of society and apart from conforming to general standards, the individual's personal values and beliefs also serve as guidelines in determining what is correct and incorrect. Therefore rules could be changed if the change is rationally, and socially justified, and if the individual and society have agreed to the change.

Stage 6: Morality of universal ethical principles which explains that individuals judge behaviour not only as the basis of society's existing norms, but also on the basis of their own conscience or own internalized abstract ethical principles. These principles are not concrete moral rules, but rather universal principles of justice, equality of human rights and respect for the dignity of the individual. Persons who have reached this level of moral judgement act according to their own principles, no matter how other people react to them.

Figure 4 shows quite clearly, although the percentages are quite close, that people between the ages of 16-24 and 25-34 are still more opposed towards the death penalty than those between the ages of 35-49 and 50 years and older.

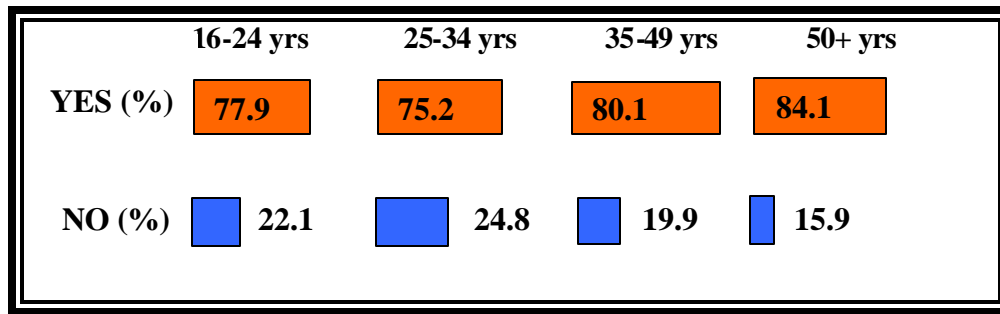


FIGURE 4: AGE AND THE DEATH PENALTY

(Directly taken from Benjamin (2003), Crime in new SA: is the death penalty cure or an illusion? p. 4)

In the Centre for the Study of Violence and Reconciliation (Theissen, 2004) survey, support for the death penalty by the youngest respondents, i.e. those under the age of 30, showed less support for the death penalty (74%) and in survey conducted by the Human Science Research Council (2004), 50% of South African adults (aged 16 and older) strongly agreed and a further 25% agreed that capital punishment should be imposed on someone convicted of murder.

8.2. Race and attitudes towards the death penalty in South Africa

According to Sellin (1980) the question of whether the death penalty is to be dropped, retained or instituted is not dependent on the evidence as to its utilitarian effects, but on the strength of popular beliefs and sentiments not easily influenced by such evidence. These beliefs and sentiments have their roots in a people's culture.

Almost all research conducted on crime shows that most South Africans across cultures believe crime is the most serious problem in the country. An overwhelming majority favour the death penalty for murder, aggravated rape and child abuse (Benjamin, 2003).

Steinberg (2000) writes that for the many whites who feel covert nostalgia for 'the old days', the end of capital punishment is what they believe is wrong with post-apartheid South Africa: growing disorder and an alarming lack of will to deal with it. Furthermore

for many blacks, abolition affirms that democracy is a far more important achievement than constitutionalism.

Benjamin (2003) argues that the above statement may not necessarily hold true because the number of black people who want the death penalty reinstated are far more nowadays than was in previous years as shown in Figure 5. It is also evident from the below results in Figure 6 that females are more for reinstating the death penalty than males.

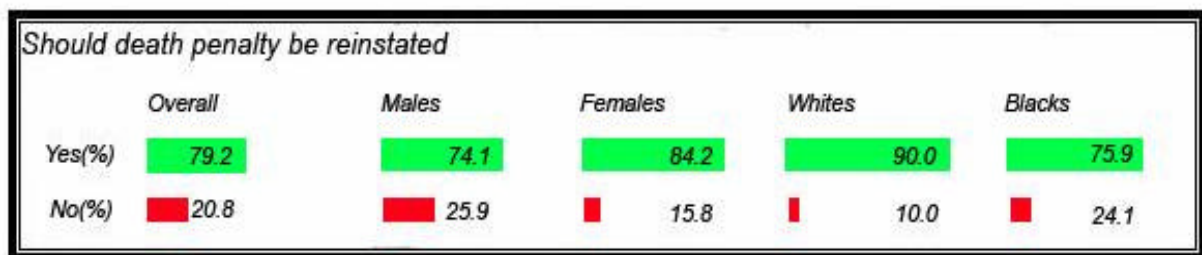


FIGURE 6: SURVEY RESULTS ON THE DEATH PENALTY

(Directly taken from Benjamin 2003, Crime in new SA: is the death penalty cure or an illusion, p.3)

A survey polled in 1997 agrees with the above survey in that a total of 49 percent of black women polled wanted the death penalty for rapists, compared with 24 percent three years ago. Among white women this had increased to 46 percent from 29 percent in 1994 ('Rapes cause women to seek return of death penalty', 1997).

Russell (1998) states that a survey conducted in 1998 showed that 98 percent of white and 76 percent of black respondents favoured the return of the death penalty. This particular research indicates a marked increase of the previous research mentioned above done in 1997, in particular amongst blacks that showed a strong hardening attitude.

Although there is an overwhelming public need as seen by the above survey results to have the death penalty reinstated, Levine (1999) states that in South Africa, democracy does not mean that the will of the majority becomes law. Section 1 of our Constitution asserts the 'supremacy of the Constitution and the rule of law'. Section 2 unequivocally

states that the 'Constitution is the supreme law of the Republic; law or conduct inconsistent with it is invalid, and the obligations imposed by it must be fulfilled'.

Maduna (1996) writes that participating in the parliamentary debate of 17 June, 1996 on a free basis and propounding his own view, Mr. Koornhof MP (NP) said this with regard to public opinion:

'Many people, especially the public, argue that the death penalty should be retained simply because public opinion wants it. This is a fallacious argument. Nowhere in the world have leaders permitted themselves to be prescribed by public opinion on such a moral case. If this were to be so, what would we do in this Parliament if public opinion chose torture. Would we introduce it?

... Public opinion in South Africa is emotionally loaded in favour of the death penalty at present. In such circumstances there is no answer. The public must not turn the death penalty into a magic formula, however, which will restore law and order. This will not happen (p. 195).

Pillay (1997) believes that irrespective of race, colour or creed, the people most vehement in their rejection of the death penalty are those who live most safely in comfortable suburban homes, walled behind an array of security devices. Those at the sharp end predominantly have always been those less well off, who cannot afford costly rapid-response security firms, who are reliant on public transport, who live lives exposed to the gates of criminal violence.

8.3 Gender and attitudes towards the death penalty in South Africa

Capital punishment has changed in many ways. Michael Radelet (2000) states that arguments supporting the death penalty today, compared with 25 years ago, rely less on issues such as deterrence, cost, and religious principles, and more on the grounds of retribution. Radelet also agrees that those who support the death penalty, are more likely

today than in years past to acknowledge the inevitability of racial, gender, and class bias in death sentencing, as well as the inevitability of executing the innocent.

Although very little research has been done on the death penalty and gender discrimination, Rapaport (1991) states that gender could have an impact on the views of capital punishment.

The age old battle of the sexes for either superiority or even equality, which has ensued since the dawn of mankind, seems to emphasise that there are indeed differences between both males and females. Bland (1998) suggests that stereotypically women are more sociable, more nurturing, more compliant, have lower self-esteem, and that men are generally more aggressive, physically and verbally, and enjoy taking risks. They play fighting games and enjoy 'dares.' More men than women are convicted for crimes, especially crimes of violence. It would then seem plausible that women should be more against capital punishment than men would be.

In a study done by Valliant and Oliver (1997), the research did not support their hypothesis that males would hold harsher attitudes than females towards capital punishment. Males and females were found to be evenly split in their support of capital punishment. Starr (1983), however, reported that women were less in favour of the death penalty than were men (as cited in Lester, 1987).

In a Centre for the Study of Violence and Reconciliation survey, support for the death penalty, there were more abolitionists among female respondents (16%) than male (11%) (Theissen, 2004) and yet in a more recent survey conducted by the Human Science Research Council (2004) more females (78%) than males (72%) strongly agree with the death penalty, as do more of those aged 35 and older (79%) than those in the below 35 age group (72%). In contrast, 7% strongly disagree, 11% disagree, 5% are neutral on the issue and 2% do not know.

9. RESEARCH METHOD

The primary aim of this research was to investigate people's attitudes towards the death penalty. This investigation was done cross-culturally and the influence of a number of independent variables on people's attitudes towards the death penalty such as gender, culture and age were investigated.

9.1 Formulation of research problem

From the existing literature on the death penalty, it was predicted that people's attitudes towards the death penalty would differ in terms of gender, culture and age. In the light of the above-mentioned, it was hypothesized that:

- People's attitudes towards the death penalty differ in terms of gender, culture and age.

9.2. Subjects and data collection

The aims of this research study were achieved by gathering data from a number of people at several churches in the Bloemfontein area. The following churches were included in the study through random selection: Scared Heart Cathedral, St Joseph's Cathedral, Trinity Methodist Church, United Reformed Church, Heidedal West, United Reformed Church, Heatherdale and the Dutch Reformed Church. The above-mentioned churches included black, coloured and white respondents. The sample (N=403) was gathered from church congregations because of the number of people that attend church services and because it includes people from all walks of life.

Permission was obtained from the parishioners to approach the congregation. The questionnaires were handed out at both morning and evening services. Male and female respondents from the ages of 16 and above from the race groups black, coloured and white and from the denominations of Catholic, Methodist, Dutch Reformed and United Reformed, with or without education and income, were asked to complete the

questionnaires after the church service had ended and to hand it in to the field workers on their way out. Two questionnaire batteries were administered in English and Afrikaans only. A total of 403 questionnaires were completed. Each response was recorded in written format.

Participation in this study was on a voluntary basis and an availability sample was used. The questionnaires were anonymous ensuring confidentiality and objectivity to all participants.

9.3 Measuring instruments

The measuring instruments used in this study consisted of a biographical questionnaire (Appendix A) and an Attitudes towards the Death Penalty Scale (Le Roux, 1995) (Appendix B).

9.3.1. Death Penalty Attitude Scale

The scale has a semantic differential format and consists of 20 bipolar items, with six response categories. In respect of each item, respondents have to indicate their attitude towards the particular attitudinal object (the death penalty) by making a cross along a continuum (between two end points). Each pair of bipolar adjectives represents a scale on its own and the participant's total score on the scale is the sum of the chosen scale values of all the individual items (Huysamen, 1994). The positive items in the scale were scored from six to one in the response category and vice versa. The highest score that can be attained is 120 and the lowest 20, with a theoretical mean score of 70. As for the interpretation of the results, a person with a raw score below the mean can be described as having a negative attitude towards the death penalty, while persons whose scores lie above the mean, can be described as having positive attitudes towards the death penalty. The reliability was calculated by Cronbach's alpha coefficient at 0.855. No data is available verifying the validity of the test cross-culturally.

9.4 Statistical techniques

Analysis of variance (ANOVA) is used to analyse the data. According to Aron and Aron (1994), the statistical procedure used for testing variation among the means of three or more groups is called the analysis of variance (ANOVA). It is a powerful technique for examining the combined influence of one or more independent variables on one or more dependent variables (the latter being known as MANOVA). Specifically, a factorial ANOVA allows the researcher to investigate the individual and combined (interaction) effects of any number of independent variables on a single dependent variable. If the F test is significant, it means that at least one of the possible comparisons is significant. One of the available *post hoc* procedures can be used to determine exactly which comparisons are significantly different from zero. The researcher will be using Scheffé's *post hoc* test for the purpose of this study.

10. RESULTS

10.1 Sample characteristics

A total of 403 respondents participated in the study. Of the 398 who reported their gender, 175 were male, and 223 were female. The age distribution of the sample is shown in Table 1.

Table 1 *Frequencies, percentages and cumulative percentages of the respondents' age*

AGE	Frequency	%	Cumulative %
16-19	42	10.5	10.5
20-39	139	34.8	45.3
40-59	154	38.5	83.8
60+	65	16.3	100.0
Total	400	100.0	

From Table 1 it is evident that the various age groups were well represented with the largest proportion of the sample being respondents in the age category of 40-59 (38.5%) followed by the age groups 20-39 (34.8%), 60+ (16.3%) and lastly 16-19 (10.5%).

Table 2 indicates the race distribution of the sample.

Table 2 *Frequencies, percentages and cumulative percentages of the respondents' race*

RACE	Frequency	%	Cumulative %
Black	85	21.5	21.5
Coloured	151	38.1	59.6
White	160	40.4	100.0
Total	396	100.0	

Table 2 shows the various cultural groups were well represented in the sample, with the largest proportion of the sample being white (40.4%) followed by the coloured group (38.1%) and lastly the black group (21.5%).

10.2 Reliability of the Attitudes towards the Death Penalty Scale

The reliability of the above-mentioned scale by Le Roux (1995) was assessed using listwise deletion of all missing data. In total, the Cronbach's alpha could be computed (N=333) at .855. The reliability for each subgroup or race was satisfactory.

10.3 Mean scores and standard deviations

Table 3 *Frequencies, mean scores and standard deviations for race*

Race	\bar{X}	N	s
Black	65.0588	85	20.03054
Coloured	61.4702	151	17.96656
White	73.0438	160	18.93828
Total	66.9167	396	19.48243

From Table 3 it is evident that the total score for race is 66.91. The groups as a whole are negative towards the death penalty because their mean lies below the theoretical mean of 70 (see 9.3.1). The white groups' mean score, however, is higher than those of the other groups (73.04) and above the theoretical mean of 70 and it can therefore be said that they are more positive towards the death penalty. The coloured group is the most negative towards the death penalty with their mean being the lowest (61.47).

Table 4 *Frequencies, mean scores and standard deviations for gender*

Gender	\bar{X}	N	s
Male	70.7371	175	20.53563
Female	64.0717	223	18.07777
Total	67.0025	398	19.45640

From the above table it can be seen that the total score for the two gender groups (67.00) lies below the theoretical mean of 70. This implies that both groups are negative towards the death penalty. The male group, however, has a mean (70.73) higher than that of the female group (64.07) and they are therefore slightly more positive than females towards the death penalty.

Table 5 *Frequencies, mean scores and standard deviations for age*

Age	\bar{X}	N	s
16-19	66.7143	42	16.92492
20-39	66.3669	139	19.36909
40-59	67.0065	154	19.24065
60+	68.1846	65	21.78294
Total	66.9450	400	19.43273

From the above table it is clear that the total score for the age groups (66.94) was below the theoretical mean of 70 and therefore as a group they are mostly negative towards the death penalty. The means of the above age groups in this study are all below the theoretical mean of 70 and therefore each group is negative towards the death penalty.

3.4 Analysis of variance

In this study, a factorial ANOVA was conducted with gender, age and race as independent variables. The results of the ANOVA are shown in Table 6. As is evident from this table, two effects were highly significant, viz. gender and race.

Table 6 *Factorial Anova for Gender, Age and Race*

	Effect	Sum of Squares	df	Mean Square	F	Sig.
Main Effects	(Combined)	20405.714	15	1360.381	3.853	.000
	Gender	5416.873	1	5416.873	15.343	.000
	Age	685.101	3	228.367	.647	.585
	Race	10459.861	2	5229.931	14.813	.000
Model		20405.714	15	1360.381	3.853	.000
Residual		114744.174	325	353.059		
Total		135149.889	340	397.500		

**p<0.00

However, since there were three different race groups in the sample, determining what the differences between them were, required the performing of a one-way ANOVA, with a post-hoc Scheffé test. This test allows the researcher to test the significance of the comparison between each combination of means from each level of the independent variable, while containing the Type-I error rate. The Anova results are shown in Table 7, and the Scheffé test results in Table 8.

Table 7 *One-way Anova for Race*

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	10779.234	2	5389.617	15.222	.000
Within Groups	139149.016	393	354.069		
Total	149928.250	395			

**p<0.01

Table 8 *Scheffé Test Results for One-way Anova for Race*

	Mean differences			
	Black	White	N	Mean
Black			85	65.0588
White	-7.98493(**)		151	61.4702
Coloured	3.58862	-11.57355(**)	160	73.0438

**p<0.01

As is evident in Table 7, there is no significant difference between the black and coloured respondents, but both of these differ from the white respondents, and specifically in that they are both significantly less positive towards the death penalty than are whites.

Returning to the significant gender effect, the average scores for the males was 70.74, and for females it was 64.08. This would indicate that males are significantly more positive towards the death penalty than females.

11. DISCUSSION

11.1 Introduction

The purpose of this study was to investigate people's attitudes towards the death penalty. The independent variables viz. gender, age and race were included in the study to determine their influence on the participants' attitudes towards the death penalty.

11.2 Race

The first main finding of this research is that race is a very important variable when investigating people's attitudes towards the death penalty. As seen from the results in Table 5 it was found that white respondents are significantly more positive towards the death penalty than the black and coloured respondents. No significant differences between these two groups were found. Therefore the hypothesis for race stated in 9.1 is to be retained.

Almost all research conducted on crime shows that most South Africans across cultures believe crime is the most serious problem in the country. An overwhelming majority favour the death penalty for murder, aggravated rape and child abuse (Benjamin, 2003).

Steinberg (2000) writes that for the many whites who feel covert nostalgia for 'the old days', the end of capital punishment is what they believe is wrong with post-apartheid South Africa: growing disorder and an alarming lack of will to deal with it. Furthermore for many blacks, abolition affirms that democracy is a far more important achievement than constitutionalism.

The results of this study are in accordance with Russell (1998) in which his survey conducted in 1998 showed that 98 percent of white and 76 percent of black respondents favoured the return of the death penalty.

Pillay (1997) believes that irrespective of race, colour or creed, the people most vehement in their rejection of the death penalty are those who live most safely in comfortable suburban homes, walled behind an array of security devices. Those at the sharp end predominantly have always been those less well off, who cannot afford costly rapid-response security firms, who are reliant on public transport, who live lives exposed to the gates of criminal violence.

11.3 Gender

The second finding of this research was that gender is also an important variable when investigating people's attitudes towards the death penalty. It was found that males are significantly more positive towards the death penalty than females. Therefore the hypothesis for gender stated in 9.1 is to be retained.

Bland (1998) suggests that stereotypically women are more sociable, more nurturing, more compliant, have lower self-esteem, and that men are generally more aggressive, physically and verbally, and enjoy taking risks. They play fighting games and enjoy 'dares'. More men than women are convicted for crimes, especially crimes of violence. It would then seem plausible that women should be more against capital punishment than men would be.

The results of this study are in accordance with a study done by Starr (1983) in which it was reported that women were less in favour of the death penalty than were men (as cited in Lester, 1997).

Another study done by the Centre for the Study of Violence and Reconciliation survey, showed that in support for the death penalty, there were more abolitionists among female respondents (16%) than male (11%) (Theissen, 2004).

A more recent study done by Valliant and Oliver (1997) however, did not support their hypothesis that males would hold harsher attitudes than females towards capital

punishment. Males and females were found to be evenly split in their support of capital punishment.

11.4 Age

Age did not produce any statistically significant differences in people's attitudes towards the death penalty. This differs from a study done by the Centre for the Study of Violence and Reconciliation (Theissen, 2004) in which the survey showed that support for the death penalty by the youngest respondents, i.e. those under the age of 30 showed less support for the death penalty (74%) and in a survey conducted by the Human Science Research Council (2004), 50% of South African adults (aged 16 and older) strongly agree and a further 25% agree that capital punishment should be imposed on someone convicted of murder.

As far as age is concerned, the hypothesis as stated in 9.1 should be rejected.

12. CONCLUSION

The results of this present study showed that both race and gender have a significant effect on people's attitudes towards the death penalty. Whites were more positive towards reinstating the death penalty as opposed to the blacks and coloureds who retain an abolitionist stance. Males were also more significantly pro death penalty than their female counterparts.

This study failed, however, to prove that age has a significant effect on people's attitudes towards the death penalty despite evidence from the literature that indicates the opposite.

As mentioned earlier in the literature, the controversy regarding the use of the death penalty is essentially a controversy about ethics and morality. The main reason that the death penalty is so hotly debated all over the world is that it challenges the value systems of people.

Benjamin (2003) states that almost all research conducted on crime shows that South Africans believe that crime is the most serious problem in the country. While many believe that the death penalty is the solution to crime, scientific studies have consistently failed to find convincing evidence that the death penalty deters crime more effectively than other punishments. The most recent survey of research findings on the relation between the death penalty and homicide rates, conducted for the United Nations in 1988 and updated in 2002, concluded that "it is not prudent to accept the hypothesis that capital punishment deters murder to a marginally greater extent than does the threat and application of the supposedly lesser punishment of life imprisonment" (Hood, 2002, p. 77). Many South Africans, however, still feel that the death penalty would be an excellent deterrent factor to bring down the increasing crime rates in the country.

It is therefore of the utmost importance that research in the field of reinstating or retaining the abolishment of the death penalty is increasingly carried out.

13. SHORTCOMINGS

The first shortcoming encountered was that the questionnaires were administered in English and Afrikaans only. For many respondents English or Afrikaans is their second or third language. No standardized explanations were given and varied between groups being tested. In addition to this, the measuring instrument used has not been standardized for the South African population. This could affect the results' validity and reliability.

In addition, the fact that this study was only conducted on urban individuals in the Free State makes it difficult to determine whether these results are truly representative of the rest of the nation's people. It may be argued that individuals from urban areas may be more or less conservative than people from other provinces or from rural areas in the country respectively.

A further shortcoming of this study is that it does not look at differences within cultural groups. For example, differences between English and Afrikaans people were not investigated. There are also differences between Black ethnic groups such as Zulu, Tswana and Xhosa, which were not investigated.

14. RECOMMENDATIONS

In order to counter the above-mentioned problems, it is recommended that further research be done and that the study should incorporate people from different provinces, as well as from both rural and urban areas. The study should involve a larger sample, if possible from all the provinces. Measuring instruments would have to be standardized and individuals should preferably be able to complete the questionnaires in their first language.

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ARTICLE 2:

**THE INFLUENCE OF RACE, EDUCATION, RELIGION
AND SOCIO-ECONOMIC STATUS ON PEOPLE'S
ATTITUDES TOWARDS THE DEATH PENALTY**

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THE INFLUENCE OF RACE, EDUCATION, RELIGION AND SOCIO-ECONOMIC STATUS ON PEOPLE'S ATTITUDES TOWARDS THE DEATH PENALTY

Opsomming

Baie Suid-Afrikaners is van mening dat die herinstelling van die doodstraf sal help om die ernstige misdaad in die land te verminder, asook 'n afskrikmiddel vir misdadigers sal wees. Die doel van die ondersoek was derhalwe om mense se houding teenoor die doodstraf te bepaal. Die doelstellings is bereik deur data van 'n aantal respondente wat 16 jaar en ouer was by verskeie kerke in die Bloemfontein-area in te samel. Vier denominasies en ses kerke was by die ondersoek betrokke, en het 'n totaal van 403 uitgemaak.

'n Biografiese vraelys, asook 'n Houdings teenoor die Doodstraf-vraelys, is in die ondersoek gebruik. Die invloed van vier onafhanklike veranderlikes, naamlik ras, opleiding, godsdienst en sosio-ekonomiese status is ondersoek.. 'n Faktoriale variansie-ontleding is op die data toegepas. Na toepassing van die statistiese ontleding, is gevind dat ras die een veranderlike is wat die grootste invloed op mense se houdings teenoor die doodstraf uitgeoefen het. Die groep as geheel het 'n negatiewe houding teenoor die toepassing van die doodstraf gehad. Die wit groep was egter beduidend meer positief teenoor die toepassing van die doodstraf as die swart en gekleurde groep, terwyl opvoeding, godiens en maandelikse inkomste geen beduidende effek op die respondente se houdings gehad het nie.

(Sleutelwoorde: Doodstraf, houdings, Suid-Afrika, ras, opvoeding, godsdienst, maandelikse inkomste)

Abstract

Many South Africans are of the opinion that a return of the death penalty would help reduce serious crimes and serve as a deterrent to criminals. The purpose of this study was therefore to determine people's attitudes towards the death penalty. The aims of this research study were achieved by gathering data from a number of respondents aged 16 and older at several churches in the Bloemfontein area. Four denominations and six churches with a total of 403 respondents were involved in the study.

A biographical questionnaire as well as Death Penalty Attitude Scale was used. The influence of four variables such as race, education, religion and socio-economic status were investigated. A factorial ANOVA was applied on the data. After the statistical analysis, the variable found to have the greatest influence on people's attitudes towards the death penalty was race. The variables education, religion and socio-economic status had no significant effect on people's attitude towards the death penalty.

(Key words: Death penalty, attitudes, South Africa, race, education, religion, socio-economic status)

THE INFLUENCE OF RACE, EDUCATION, RELIGION AND SOCIO-ECONOMIC STATUS ON PEOPLE'S ATTITUDES TOWARDS THE DEATH PENALTY

1. INTRODUCTION

For centuries, capital punishment has been a central topic of concern for mankind. According to Glauber (2004) there is uniqueness about this extraordinary obsession that intrudes into people's minds at virtually all levels of society in virtually all countries as a matter on which virtually all people take a view with varying degrees of passion.

2. PROBLEM STATEMENT

Altbeker (2005) writes that since the 1990s South Africa has developed a reputation for being 'the crime capital of the world'. It is believed, in other words, that crime levels here are at least as high, but usually higher, than those with which the rest of humanity must contend.

While many believe that the death penalty is the solution to crime, social scientists (for example, Schuessler, Dann, Sellin) believe that capital punishment is not a deterrent (Smit, 1996). Many South Africans, however, still feel that the death penalty would be an excellent deterrent factor to bring down the increasing crime rates in the country.

Parekh and De la Rey (1996) suggest that in addition to examining race and in order to achieve the results of a similar survey conducted on the public's attitude towards the death penalty, other variables such as religion, education and socio-economic status, will help identify which groups agree or oppose the death penalty.

3. PURPOSE OF THE STUDY

In the light of the above-mentioned, the purpose of this study is to investigate whether factors such as race, religion, education and socio-economic status have an influence on people's attitudes towards the death penalty in the South African context.

4. NECESSITY OF THE STUDY

Statistics seem to support the view that South Africa is an extremely violent country. According to Hamber and Lewis (1997) who conducted a study in 1996 over a period of five years, about 70 percent of the urban population in South Africa have been victimised at least once. The experience of being violently victimised in South Africa has become a statistically normal feature of everyday life in the urban and rural setting. As a result of these statistics and due to the fact that Interpol identified South Africa as the fourth most murderous society in the world, the death penalty debate has received a lot of attention (Louw, 1996).

In a survey conducted by the Human Sciences Research Council (1999) it was found that more than two out of every five (41%) respondents believed "fighting crime" should be the leading priority on the government's ten-year agenda. This was followed by "creating more jobs" (32%), improving local services and the educational system (14% combined), and various considerations related to the political process (10% combined).

In light of the rising crime in South Africa every year, there is room for research involving the public's attitude towards either reinstating or retaining the abolishment of the death penalty.

5. ATTITUDES

According to Hogg and Vaughan (2005) an attitude can be defined as a relatively enduring organisation of beliefs, feelings and behavioural tendencies towards socially significant objects, groups, events or symbols. This definition includes three components and emphasizes that:

- Attitudes are relatively permanent: they persist across time and situations.
- Attitudes are limited to socially significant objects or events.
- Attitudes are generalisable and involve at least some degree of abstraction.

5.1 Functions of attitudes

Katz (1960) proposed that there are various kinds of attitudes, each serving a different function, such as:

- knowledge;
- instrumentality (means to an end or goal)
- ego defence (protecting one's self esteem);
- value expressiveness (allowing people to display those values that uniquely identify and define them).

According to Smith, Bruner and White (1956), an attitude saves energy, as we do not have to figure out 'from scratch' how we should relate to the object or situation in question. Their proposition is that an attitude enables a person to maximize the probability of having positive experiences while minimising aversive ones (Smith, et al., 1956).

Fazio (1989) later argued that the main function of any kind of attitude is a utilitarian one: the object of appraisal. This should hold regardless of whether the attitude has a positive or negative valence: that is whether our feelings about the object are good or bad.

5.2 Attitude formation

Attitude formation is the process of forming our attitudes, mainly from our own experiences, the influences of others and our emotional reactions (Hogg & Vaughan, 2005).

Attitudes involve the categorisation of a stimulus along an evaluative dimension, based on affective, behavioural, and cognitive information. The affective component consists of the person's emotions and affect toward an object, especially positive or negative evaluations. The behavioural component consists of how the person tends to act regarding the object. The cognitive component consists of thoughts the person has about a particular attitude object, including facts, knowledge, and beliefs (Taylor, Peplau, & Sears, 2003). Crites, Fabrigar and Petty (1994) state that these three components of attitudes are not always highly related to each other, so it is important to consider all three aspects.

5.3 Attitude strength

According to Hogg and Vaughan (2005) strong attitudes come to mind more readily and exert more influence over behaviour than do weak attitudes. Direct experience of an object and having a vested interest in it will make the attitude more accessible and increase its effect on behaviour and as a result, such people's behaviour will be motivated by their attitudes (Hogg & Vaughan, 2005).

5.4 Attitude accessibility

According to Eagly and Chaiken (1998) accessible attitudes are those that can be recalled from memory more easily and expressed more quickly. They can exert a strong influence on behaviour (Fazio, 1986) and are associated with improved attitude-behaviour consistency (Doll & Ajzen, 1992). They are also more stable, more selective in judging relevant information and more resistant to change (Fazio, 1995).

In addition to facilitating decision-making, accessible attitudes orient visual attention and categorisation processes in useful ways (Roskos-Ewoldsen & Fazio, 1992; Smith, Fazio & Cejka, 1996).

5.5 Moderator variables

In attitude-behaviour context, a moderator variable improves prediction by specifying conditions under which the attitude-behaviour relationship is stronger or weaker. Moderator variables include the situation, personality, habit, sense of control and direct experience (Hogg & Vaughan, 2005).

6. ATTITUDES TOWARDS THE DEATH PENALTY

Discussions of the death penalty tend to resolve themselves into debates between retentionists, who wish to see the death penalty retained, and abolitionists, who wish to see it abolished (Kronenwetter, 1993). According to the latter both retentionists and abolitionists each claim a religious foundation for their views, while others approach capital punishment as a practical question, and still others consider it a moral issue. Some are primarily concerned with the protection of society, others with legal technicalities, and so on.

Lester (1987) believes that abolitionists agree with the following about the use of the death penalty:

- It is not a deterrent
- Murderers rarely murder again
- It is morally wrong
- It is less economical than life imprisonment
- It is cruel and inhumane
- Those executed are not beyond rehabilitation
- Those executed may have potential as humans, at least in some areas

Some retentionists would like to see capital punishment maintained, but used as little as possible. They favour reserving the death penalty for such specific and rare offences as presidential assassination and treason in times of war. Others would like to see the use of the death penalty expanded: either by increasing the number of capital crimes or by actually executing a higher percentage of those convicted of the crimes already punishable by death (Kronenwetter, 1993).

Although South Africa has been without the death penalty since 1995, a study conducted in the Eastern Cape by the Institute for Security Studies (2000) showed that most respondents believed that crime levels are affected by the sentences handed down by the country's courts. A substantial majority thought that sentences were too lenient, and that lenient sentences had played a major role in the increase in crime since 1994. Most respondents thought that the introduction of harsher sentences would decrease the crime rate.

This study also showed that three-quarters of the respondents were in favour of the reintroduction of the death penalty for persons convicted of the most serious crimes. Most respondents who favoured a return of the death penalty did so because they believed that it would help to reduce serious crimes and serve as a deterrent to criminals (Institute for Security Studies, 2000).

7. THE DEATH PENALTY IN SOUTH AFRICA

The notion of a Bill of Rights for South Africa can be traced back to an ANC document in the early 1920s. The Freedom Charter of 1956 carried the idea forward. In the following decades the idea of an entrenched Bill of Rights received support from liberal academics and judges. The question of who would enforce it, was, however, left open. This issue was debated at a conference organised by the Constitutional Committee of the ANC in 1991. What emerged was a commitment to a Constitutional Court in a hybrid continental form, such as that of Germany: able to hear cases by direct access, as well as by referral and on appeal (History of the Constitutional Court, n.d.).

According to the History of the Constitutional Court (n.d.) on 15 February 1995, 11 judges took their seats to hear the first case. The case, *S v Makwanyane*, raised the question of the constitutionality of the death penalty. For three days the judges heard arguments. The facts of the case, in which Makwanyane had been sentenced to death, were not directly relevant: the core issue was what bearing the interim Constitution had on the death penalty. Did the death penalty violate sections 9, 10 and 11(2), which guaranteed every individual the right to life, the right to dignity and the right to be free from torture and cruel punishment?

In its judgment, handed down on 6 June 1995, the Court unanimously found that the death penalty was indeed unconstitutional (History of the Constitutional Court, n.d.).

7.1 Race and attitudes towards the death penalty in South Africa

According to Sellin (1980) the question of whether the death penalty is to be dropped, retained or instituted is not dependent on the evidence as to its utilitarian effects, but on the strength of popular beliefs and sentiments not easily influenced by such evidence. These beliefs and sentiments have their roots in a people's culture.

Almost all research conducted on crime shows that most South Africans across cultures believe crime is the most serious problem in the country. An overwhelming majority favours the death penalty for murder, aggravated rape and child abuse (Benjamin, 2003).

A victimization survey conducted by the Institute for Security Studies (2001) found that the vast majority of people believed that the government should intervene by improving the criminal justice sector. Most emphasis lay with the police rather than with the courts and justice system. A quarter of respondents called for harsher punishment (13% of these wanted the death penalty). White respondents were three and a half times more likely to call for harsher punishment than Africans as can be seen in Figure 2. Not surprisingly (due to their better economic status), whites were the least likely of all race groups to think that the government should focus on employment and development. It is significant that African respondents were more inclined to say that the government should improve police effectiveness and increase their numbers than white people. This probably reflects the better standards of policing in white areas. However, the fact that half of all white respondents called for harsher punishment, also indicates a substantial lack of confidence in the government's ability to provide safety in general.

	African	White	Asian	Total
	%	%	%	%
Harsher punishment, justice	14	50	31	24
More effective police	25	17	26	24
More police	24	12	11	19
More visible police/patrols	11	11	10	11
Create employment opportunities	13	3	5	9
Infrastructure, housing, develop informal areas	9	4	14	9
End corruption	2	1	0	1
Build more schools	2	0	1	1
Involve community	1	1	1	1
Total	100	100	100	100

FIGURE 1 RACE AND THE DEATH PENALTY

(Directly taken from Institute for Security Studies 2001, Reducing Crime in Durban, p.2)

Although there is an overwhelming public need as seen by the above survey results to have the death penalty reinstated, Levine (1999) states that in South Africa, democracy does not mean that the will of the majority becomes law. Section 1 of our Constitution asserts the ‘supremacy of the Constitution and the rule of law’. Section 2 unequivocally states that the ‘Constitution is the supreme law of the Republic; law or conduct inconsistent with it is invalid, and the obligations imposed by it must be fulfilled’.

Maduna (1996, p. 195) writes that participating in the parliamentary debate of 17 June 1996 on a free basis and propounding his own view, Mr. Koornhof MP (NP) said in this regard to public opinion:

‘Many people especially the public argue that the death penalty should be retained simply because public opinion wants it. This is a fallacious argument. Nowhere in the world have leaders permitted themselves to be prescribed by public opinion on such a moral

case. If this were to be so, what would we do in this Parliament if public opinion chose torture. Would we introduce it?

... Public opinion in South Africa is emotionally loaded in favour of the death penalty at present. In such circumstances there is no answer. The public must not turn the death penalty into a magic formula, however, which will restore law and order. This will not happen.

Pillay (1997) believes that irrespective of race, colour or creed the people most vehement in their rejection towards the death penalty are those who live most safely in comfortable suburban homes, walled behind an array of security devices. Those at the sharp end predominantly have always been those less well off, who cannot afford costly rapid-response security firms, who are reliant on public transport, who live lives exposed to the gates of criminal violence.

7.2 Religion and attitudes towards the death penalty in South Africa

It is one of the truisms of South African popular opinion and scholarship that this society is thoroughly religious. It is also accepted without serious doubt that religion (whichever way it is defined) plays a significant role in value formation, public strategies and power relations. Furthermore, it is generally assumed that the Christian religion is the major religious influence in private and public life in South Africa (Kingham & Kotze, 1997).

There are Christians who believe that the death penalty must be exacted. Others hold that it is immoral to exact it and others - the majority - are somewhere in-between, holding that it could be permitted but only in circumstances that would justify it (Gaybba, 2002).

Christians for retainment of the death penalty, do so from a moral and religious perspective that is difficult to argue against especially in these violent times. Lapin (1995) states that the Bible, which is the first source of human rights legislation and has remained the basis of universal morality, finds no conflict between morality and human rights on the one hand, and capital punishment on the other.

Christians against the death penalty believe in the teachings of mercy and forgiveness in the New Testament, which supercedes the Old Testament's teaching of punishment and retribution (Devenish, 1990). Sellin (1980) finds support for a prohibition against capital punishment in the teachings of the New Testament, because of its emphasis on personal salvation and reconciliation between men.

On the other hand Dulles (2001) states that the Old Testament specifies no less than 36 capital offences calling for execution by stoning, burning, decapitation, or strangulation. The death penalty was considered especially fitting as a punishment for murder since in his covenant with Noah, God had laid down the principle, 'Who ever sheds the blood of man, by man shall his blood be shed, for God made man in His own image' in Genesis 9:6 (The Amplified Bible, 1987). He also sheds light on the New Testament in which the right of the State to put criminals to death seems to be taken for granted. Jesus himself refrains from using violence. In Luke 9:55 He rebukes his disciples for wishing to call down fire from heaven to punish the Samaritans for their lack of hospitality (The Amplified Bible, 1987). At no point however, does Jesus deny that the State has authority to exact capital punishment.

Although religious debates for the retainment or abolishment of capital punishment are equally credible, the South African Council of Churches is strongly opposed to the re-introduction of the death penalty (Kweza, 1994).

Kinghorn and Kotze (1997) conducted a longitudinal study of the South African elite and their attitudes regarding political change with particular focus on the nexus between religion, values and social behaviour. The results that were found on different religions towards the death penalty are represented in Figure 1, which shows how Afrikaans Mainline (Dutch Reformed Church, Dutch Reformed Mission Church, Reformed Church, Afrikaanse Protestantse Kerk, The Hervormde Kerk and the Uniting Reformed Church), English Mainline (The Anglican Church, Methodist Church, Congregational Church, Lutheran Church, Baptist Church, Roman Catholic), the non-religious category

which consists of those who either expressed opposition to religion, a preference for atheism or merely indifference and finally the non-mainline group are those who do not fall into any of the above categories.

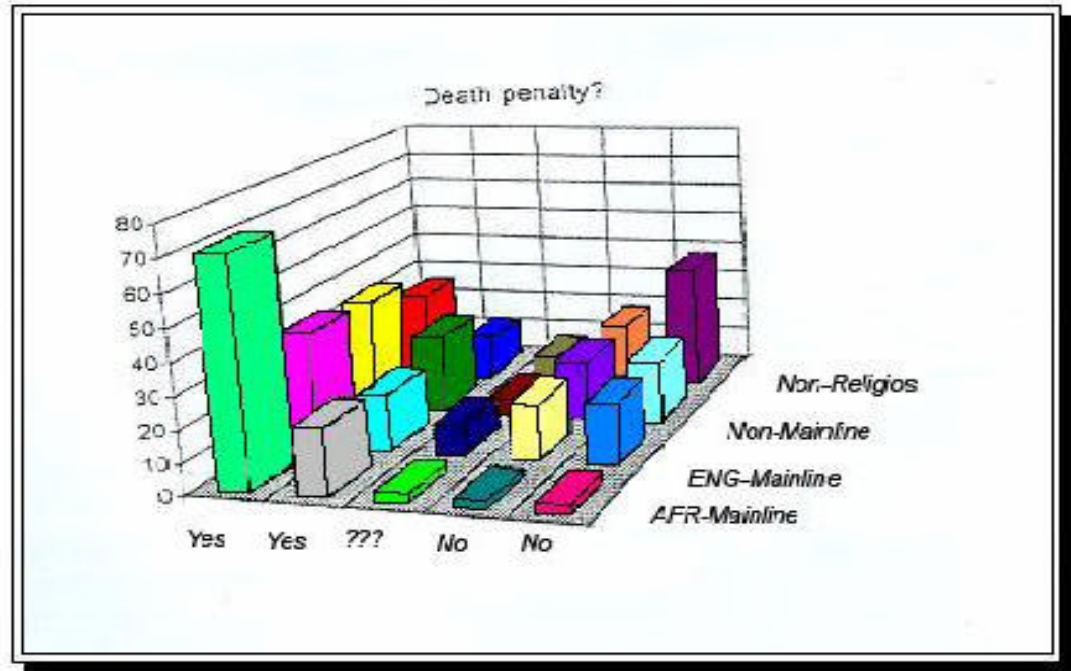


FIGURE 3 RELIGIONS AND THE DEATH PENALTY

(Directly taken from Kinghorn and Kotze, 1997, SA elites and Christian ethics, p. 401)

Religious writings can be interpreted in different ways and thus both retentionists and abolitionists use the scriptures to support their arguments. Nevertheless the ethical content of the public ministry, the character and teachings of Jesus Christ, with its emphasis on forgiveness and compassion, are incompatible with capital punishment (Devenish, 1990).

Research done on attitudes towards sentencing in the Eastern Cape (2000) showed that of the respondents who favoured a return of capital punishment, most (92%) believed this would help to reduce serious crimes and would serve as a deterrent to criminals. The

remainder took an eye for an eye approach arguing that criminals, who murdered, deserved to die. Most respondents who opposed a return of the death penalty did so on the basis that the taking of any life was wrong, that the death penalty would not reduce crime, and that the Bible did not support the death penalty.

7.2 Education and attitudes towards the death penalty in South Africa

The definition of education according to the Health Systems Trust (2005) is the percentage of people in a given age group who have received a particular level of education. For the purpose of this research the particular levels of education that will be looked at will include the categories of no education, junior certificate (grade 10), matric/senior certificate and tertiary education (university or technikon).

In a survey done by the CSVR, Theissen (2004) explains that 72% of respondents with post matric degrees were only in favour of the death penalty as opposed to respondents with only matric or no educational qualifications who showed an 88% support of the death penalty.

In an article by Lester (1997) he reported the results from a questionnaire administered to 142 students at two high schools and to 112 students at a state college. This questionnaire was intended to determine whether students at different educational levels favoured or opposed the death penalty for certain acts, and to assess their overall attitudes towards the death penalty. The most important finding in this study was that high school students were more likely to favor capital punishment than were college students.

Lester (1997) raises two possibilities for the fact that college students are more likely to favour the death penalty than high school students are. The first is that adolescents become less punitive after some college experience. The alternative possibility is that the high school students that are more punitive in nature are less likely to go to college.

Another alternative could be that higher education makes an individual more understanding of the actual implications of the death penalty; understanding is acquired along with education. Lester's idea of less punitive high school scholars going to college, or that people become less punitive after some college experience makes sense only to a certain degree and this theory stems from the fact that higher learning facilitates complex cognitive behavior, allowing individuals to thoroughly understand certain concepts and their implications before making a decision about these (Guscott, Hurtado, Lopez & Pereyra, 2001).

7.3 Socio-economic factors and attitudes towards the death penalty in South Africa

The socio-economic status (SES) is characterized by the economic, social and physical environments in which individuals live and work, as well as demographic and genetic factors. Measures for SES may include: Income or Income Adequacy, Education, Occupation, or Employment. For the purpose of this article, the researcher will look at how income, one of the measurements of socio-economic status, affects individuals' attitudes towards the death penalty. The income categories as discussed by Jonk (2005) will be divided into low (less than R900), (R1000 – R4000), medium (R5000 – R9000) and high (R10 000 – R21 000 or more) for the purposes of this study.

In a study done by Parekh and De la Rey (1996) the main finding was that people with high incomes were more likely than others to support the increased application of the death penalty.

The researcher will include geographical location such as living in either a urban/metropolitan or rural/small town area as part of socio-economic status as most individuals who earn a low income tend to live in more rural or poorer areas than those who earn medium to high incomes.

According to Masuku and Maepa (2004) police statistics suggest that violent crime is more of a problem in poorer areas in the metro. This was confirmed by the victim survey results, which showed that black and coloured people were more likely to be victims of both robbery and assault than whites. While blacks were more likely to be victims of

robbery than coloureds, coloureds were most likely to experience assault than blacks or whites.

Research done on attitudes towards sentencing by the Institute for Security Studies (ISS, 2000) in the Eastern Cape showed that a smaller proportion of urban and small town respondents favoured the reintroduction of the death penalty (72% and 74%, respectively), compared to rural respondents (87%).

8. RESEARCH METHOD

The main aim of this study was to investigate people's attitudes towards the death penalty. This investigation was done cross-culturally and the influence of a number of independent variables on people's attitudes towards the death penalty such as religion, education and socio-economic standards were investigated.

8.1 Formulation of research problem

Existing literature on the death penalty predicts that people's attitudes towards the death penalty will differ in terms of race, religion, education and socio-economic standards. In the light of the above-mentioned, it was hypothesized that:

- People's attitudes towards the death penalty differ in terms of race, religion, education and socio-economic standards.

8.2 Subjects and data collection

To achieve the aims of this research study, the researcher gathered data from a number of people at several churches in the Bloemfontein area. The following churches were included in the study through random selection: Scared Heart Cathedral, St. Joseph's Cathedral, Trinity Methodist Church, United Reformed Church Heidedal West, United Reformed Church Heatherdale and the Dutch Reformed Church. The sample was gathered from church congregations because of the number of people that attend church

services and because it includes people from all walks of life. The above-mentioned churches included black, coloured and white respondents.

Permission was obtained from the parishioners to approach the congregation. The questionnaires were handed out at both morning and evening services and male and female respondents from the ages of 16 and above from the race groups black, coloured and white and from the denominations of Catholic, Methodist, Dutch Reformed and United Reformed, with or without education and income were asked to complete the questionnaires after the church service had ended and to hand them in to the field workers on their way out. Two questionnaire batteries were administered in English and Afrikaans only. A total of 403 questionnaires were completed. Each response was recorded in written format.

8.3 Measuring instruments

The measuring instruments used in this study consisted of a biographical questionnaire (Appendix A) and an Attitudes towards the Death Penalty Scale (Le Roux, 1995) (Appendix B).

8.3.1 Death Penalty Attitude Scale

The scale has a semantic differential format and consists of 20 bipolar items, with six response categories. In respect of each item respondents have to indicate their attitude towards the particular attitudinal object (the death penalty) by making a cross along a continuum (between two end points). Each pair of bipolar adjectives represents a scale on its own and the participant's total score on the scale is the sum of the chosen scale values of all the individual items (Huysamen, 1994). The positive items in the scale were scored from six to one in the response category and vice versa. The highest score that can be attained is 120 and the lowest 20, with a theoretical mean score of 70. As for the interpretation of the results, a person with a raw score below the mean can be described as having a negative attitude towards the death penalty, while person whose scores lie

above the mean, can be described as having positive attitudes towards the death penalty. The reliability was calculated by Cronbach's alpha coefficient at 0.855. No data is available verifying the validity of the test cross-culturally.

8.4 Statistical techniques

Analysis of variance (ANOVA) is used to analyse the data. According to Aron and Aron (1994), the statistical procedure used for testing variation among the means of three or more groups is called the analysis of variance (ANOVA). It is a powerful technique for examining combined influence of one or more independent variables on one or more dependent variables (the latter being known as MANOVA). Specifically, a factorial ANOVA allows the researcher to investigate the individual and combined (interaction) effects of any number of independent variables on a single dependent variable. If the *F* test is significant, it means that at least one of the possible comparisons is significant. One of the available *post hoc* procedures can be used to determine exactly which comparisons are significantly different from zero. The researcher will be using Scheffé's *post hoc* test for the purpose of this study.

9. RESULTS

9.1 Sample characteristics

The sample consisted of 403 respondents. Of the 398 who reported their gender, 175 were male, and 223 were female. Table 1 indicates the race distribution of the sample.

Table 1 Frequencies, percentages, and cumulative percentages of the respondents' race

RACE	Frequency	%	Cumulative %
Black	85	21.5	21.5
Coloured	151	38.1	59.6
White	160	40.4	100.0
Total	396	100.0	

Table 1 shows the various cultural groups were well represented in the sample, with the largest proportion of the sample being white (40.4%) followed by the coloured group (38.1%) and lastly the black group (21.5%).

Table 2 shows the different education levels for the sample.

Table 2 Frequencies, percentages, and cumulative percentages of the respondents' education level

EDUCATION	Frequency	%	Cumulative %
No formal education	22	5.7	5.7
Junior certificate (Gr. 10)	76	19.8	25.6
Matric certificate (Gr. 12)	139	36.3	61.9
Tertiary education	146	38.1	100.0
Total	383	100.0	

From this, it is evident that the largest proportion (38.1%) of the sample had undergone tertiary education, and very few respondents (5.7%) had no formal education, 139 (36,3%) had a matric certificate, while 76 (19.8%) have only a junior certificate.

It is evident from Table 3 that the four Christian denominations selected for this study were reasonably represented in the sample.

Table 3 Frequencies, percentages, and cumulative percentages of the respondents' religion

RELIGION	Frequency	%	Cumulative %
Catholic	97	24.4	24.4
Methodist	46	11.6	35.9
Dutch Reformed	101	25.4	61.3
United Reformed	154	38.7	100.0
Total	398	100.0	

Although the Methodist grouping was slightly small (11.6%), the Catholics (24.4%) and Dutch Reformed (25.4%) respondents each made out about a quarter of the sample, and

what was missing from the Methodist group was made up for mostly by the United Reformed respondents (38.8%) of the sample.

From Table 4 it can be seen that the sample was well spread across the income categories.

Table 4 Frequencies, percentages, and cumulative percentages of the respondents' monthly income

MONTHLY INCOME	Frequency	%	Cumulative %
< R999	62	17.2	17.2
R1 000–R4 000	117	32.4	49.6
R5 000–R9 000	100	27.7	77.3
R10 000 +	82	22.7	100.0
Total	361	100.0	

In the sample most of the respondents (32.4%) earned an income of between R1000 – R4000, followed by those who earned an income of R5000-R9000 (27.7%) and those who earned an income of R10 000+ (22.7%) while only 17.2% of the sample earned less than R1000.00 per month.

Some further breakdowns were done of the various biographical data, where it was deemed to be of interest. Table 5 shows the representation of the different race groups for the different religious groups.

Table 5 Frequencies for race by religion distribution

RACE BY RELIGION		Religion				Total
		Catholic	Methodist	Dutch Reformed	United Reformed	
Race	Black	21	14	7	43	85
	Coloured	10	4	31	104	149
	White	66	28	63	3	160
Total		97	46	101	150	394

It is evident that in general, the denominations are representative of the different races, with the exception that the Dutch Reformed Church contains very few blacks, and the United Reformed Church contains very few whites. This may be seen to be a reflection of the historical development of these two churches.

Table 6 shows the distribution of the income categories for the different race groups.

Table 6 Frequencies for race by income distribution

RACE BY INCOME		Income				Total
		< R999	R1 000-R4 000	R5 000-R9 000	R10 000	
Race	Black	18	33	11	12	74
	Coloured	24	52	35	18	129
	White	20	32	53	51	156
Total		62	117	99	81	359

It is evident from this that the whites tended to be in the higher income brackets, more so than the blacks and coloureds.

Table 7 shows the different education levels for the different race groups.

Table 7 Frequencies for race by education distribution

RACE BY EDUCATION		Education				Total
		None	Gr. 10	Gr. 12	Tertiary	
Race	Black	13	18	24	27	82
	Coloured	7	34	61	41	143
	White	2	21	53	77	153
Total		22	73	138	145	378

When Table 7 is examined, it can be seen that the whites and coloureds generally were very well educated, with very few respondents in the lower education categories. This was not so for the black respondents.

Table 8 shows the different income distributions for the two genders.

Table 8 Frequencies for gender by income distribution

GENDER BY INCOME		Income				Total
		< R999	R1 000-R4 000	R5 000-R9 000	R10 000 +	
Gender	Male	23	44	41	52	160
	Female	38	73	57	30	198
Total		61	117	98	82	358

It can be seen in Table 8 that significant differences also exist in income for the different genders, with males still being much better represented in the top income category.

9.2 Reliability of the Attitudes towards the Death Penalty Scale

The reliability of the above-mentioned scale by Le Roux (1995) was assessed using listwise deletion of all missing data. In total, the Cronbach's alpha could be computed (N=333) at .855. The reliability for each subgroup or race was satisfactory.

9.3 Mean scores and standard deviations

Table 9 Frequencies, mean scores and standard deviations for race

Race	\bar{X}	N	s
Black	65.0588	85	20.03054
Coloured	61.4702	151	17.96656
White	73.0438	160	18.93828
Total	66.9167	396	19.48243

From the above table it is evident that the white respondents with a mean of 73.04 are more positive towards the death penalty than the black respondents (65.08) and the coloured respondents (61.47).

Table 10 *Frequencies, mean scores and standard deviations for education*

Education	\bar{X}	N	s
No formal education	70.8182	22	20.79752
Junior certificate (Gr. 10)	67.5263	76	20.08746
Matric certificate (Gr. 12)	67.7122	139	20.00806
Tertiary education	65.8904	146	18.39045
Total	67.1593	383	19.42992

Religion	\bar{X}	N	s
Catholic	67.8144	97	18.42119
Methodist	73.2174	46	23.91458
Dutch Reformed	68.6535	101	17.95686
United Reformed	63.3442	154	19.19095
Total	66.9221	398	19.50784

From Table 10 it is clear that the total mean for the above group as a whole lies below the theoretical mean of 70 (see 8.3.1) which shows that as a whole they are more negative towards the death penalty. Those respondents who have no formal education have a mean of 70.81 and are therefore more positive towards the death penalty as opposed to those respondents with a junior certificate (67.52), matric certificate (67.71) and tertiary education (65.89).

Table 11 *Frequencies, mean scores and standard deviations for religion*

In Table 11 we see that as a whole religiously orientated people are more negative towards the death penalty. Respondents who, however, belong to the Methodist church with a mean of 73.21 are more positive towards the death penalty than the others who

belong to the Dutch Reformed (68.65), Catholic (67.81) and United Reformed (63.34)

Income	\bar{X}	N	s
< R999	64.2581	62	20.20626
R1 000–R4 000	68.1197	117	20.12425
R5 000–R9 000	68.0900	100	18.41612
R10 000	67.2561	82	21.11685
Total	67.2521	361	19.88118

churches.

Table 12 Frequencies, mean scores and standard deviations for monthly income

In Table 12 it is clear that as a whole the group's mean (67.25) is below the theoretical mean of 70 and when looking at the four income categories individually it can be seen that their means are below the theoretical mean of 70 which shows that they are all negative towards the death penalty.

9.4 Analysis of variance

In this study, a factorial ANOVA was conducted with race, education, religion and monthly income as independent variables. The results are shown in Table 13.

Table 13 Factorial Anova for Race, Education, Religion and Income

	Effect	Sum of Squares	df	Mean Square	F	Sig.
Main Effects	(Combined)	20405.714	15	1360.381	3.853	.000
	Race	10459.861	2	5229.931	14.813	.000
	Education	989.021	3	329.674	.934	.425
	Religion	1713.401	3	571.134	1.618	.185
	Income	1390.832	3	463.611	1.313	.270

Model	20405.714	15	1360.381	3.853	.000
Residual	114744.174	325	353.059		
Total	135149.889	340	397.500		

**p<0.00

As is evident from this table, the significant main effect was race. However, since there were three different race groups in the sample, determining what the differences between them were required the performing of a one-way Anova, with a post-hoc Scheffé test. This test allows the researcher to test the significance of the comparison between each combination of means from each level of the independent variable, while containing the Type-I error rate. The Anova results are shown in Table 14, and the Scheffé test results in Table 15.

Table 14 *One-way Anova for Race*

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	10779.234	2	5389.617	15.222	.000
Within Groups	139149.016	393	354.069		
Total	149928.250	395			

**p<0.01

Table 15 *Scheffé Test Results for One-way Anova for Race*

	Mean differences			
	Black	White	N	Mean
Black			85	65.0588
White	-7.98493(**)		151	61.4702
Coloured	3.58862	-11.57355(**)	160	73.0438

**p<0.01

As is evident in Table 15, there is no significant difference between the black and coloured respondents, but that both of these differ from the white respondents, and specifically that they are both significantly less positive towards the death penalty than are whites.

10. DISCUSSION

10.1 INTRODUCTION

The purpose of this study was to investigate people's attitudes towards the death penalty. The independent variables such as race, religion, education and income were included in the study to determine their influence on the participants' attitudes towards the death penalty.

10.2 Race

The key finding of this research is that race is an important variable when investigating people's attitudes towards the death penalty. It was found that there is no significant difference between the black and coloured respondents, but that both of these differ from the white respondents, and specifically that they are both significantly less positive towards the death penalty than are whites. Therefore the hypothesis for race stated in 8.1 is to be retained.

According to Sellin (1980) the question of whether the death penalty is to be dropped, retained or instituted is not dependent in the evidence as to its utilitarian effects, but on the strength of popular beliefs and sentiments not easily influenced by such evidence. These beliefs and sentiments have their roots in a people's culture.

Benjamin (2003) states that in South Africa most research conducted on crime shows that most South Africans across cultures believe crime is the most serious problem in the country. An overwhelming majority favours the death penalty for murder, aggravated rape and child abuse.

For the many whites who still secretly reminisce for 'the old days', the end of capital punishment they believe is what is wrong with post-apartheid South Africa: growing disorder and an alarming lack of the will to deal with it. And for many blacks, abolition affirms a closure on apartheid making way for democracy which is a far more important achievement than constitutionalism (Steinberg, 2000).

Public opinion gauged by the Human Science Research Council's (2003) South African Social Attitudes Survey reflects that 'agreement' or 'strong agreement' for reinstating the death penalty ranges from 72% among black Africans and 76% among coloureds to 92% among whites.

Pillay (1997) on the other hand believes that irrespective of race, colour or creed, the people most vehement in their rejection towards the death penalty are those who live most safely in comfortable suburban homes, walled behind an array of security devices. Those at the sharp end predominantly have always been those less well off, who cannot afford costly rapid-response security firms, who are reliant on public transport, who live lives exposed to the gates of criminal violence.

10.3 Religion

Religion did not produce any statistically significant differences in people's attitudes towards the death penalty. That religion proved not to be significant may be more as a result of the way in which it was measured in this study than an indication that it has no relationship to attitudes towards the death penalty.

All the respondents came from a Christian background, and the only difference was in denomination. The “religion” variable in this study thus served to differentiate only between broad doctrinal lines *within* Christianity. It may just be that all of these broader groupings, while sometimes holding vastly different opinions on some matters (e.g., homosexuality) do agree on the issue of the death penalty. As such, the restriction in range of the measurement of religion (to only Christians) may have resulted in its not being significant. It remains for further studies to determine whether it would be significant or not should adherents of other religions (e.g., Buddhism, Hinduism, Islam, etc.) be included in the sample.

As far as religion is concerned the hypothesis as stated in 8.1 should be rejected.

10.4 Education and Socio-economic status

Although education and socio-economic status did not produce statistically significant differences in people’s attitudes towards the death penalty, other studies conducted previously, stated in the literature disagree with this finding.

A survey done by the CSV, Theissen (2004) explains that respondents with post matric degrees were only 72% in favour of the death penalty as opposed to respondents with only matric or no educational qualifications with 88% support towards the death penalty.

In a study done by Parekh and De la Rey (1996), the main finding was that people with high incomes were more likely than others to support the increased application of the death penalty.

Therefore, as far as education and socio-economic status are concerned, the hypothesis as stated in 8.1 should be rejected.

11. CONCLUSION

Almost ten years on, the debate about whether capital punishment should not perhaps be referred to a referendum persists. Seleoane (2004) explains that part of the problem is that, whether politicians and judges want to admit it or not, after the abolition of capital punishment criminals felt a great deal more secure than before. In a sense they are part of the reason why the debate is not withering away.

The results of this present study showed that only race had a significant effect on peoples' attitudes towards the death penalty. It was found that whites were more positive towards reinstating the death penalty as opposed to the blacks and coloureds that believe in rather retaining an abolitionist stance.

This particular study failed, however, to prove that religion, education and socio-economic status had a significant effect on people's attitudes towards the death penalty despite evidence from the literature that indicates the opposite.

Mc Cafferty (2003) writes that the failure of the criminal justice system is portrayed by the following statistics, for every 1,000 crimes committed in South Africa, only 430 criminals are arrested. Furthermore, only 77 are convicted and despite the huge numbers of serious crimes of violence committed (remember a third of all South Africa's crime is violent), only eight are sentenced to two or more years of imprisonment. Further, it is estimated that South Africa has a 94% recidivism rate (i.e. 94% of all persons released

after serving a sentence immediately become involved in crime again). Only one of the eight actually gives up criminal activity.

It is therefore of the utmost importance that research in the field of reinstating or retaining the abolishment of the death penalty is increasingly carried out.

12. SHORTCOMINGS

The first shortcoming of this study is that it does not look at differences within cultural groups. For example, differences between English and Afrikaans people were not investigated. There are also differences between black ethnic groups such as Zulu, Tswana and Xhosa, which were not investigated.

A second shortcoming of the study is that the questionnaires were administered in English and Afrikaans only. It was found that for many of the respondents English or Afrikaans is their second or third language. No standardized explanations were given and varied between groups being tested. In addition to this, the measuring instrument used has not been standardized for the South African population. This could affect the result's validity and reliability.

In addition, the fact that this study was only conducted on urban individuals in the Free State makes it difficult to determine whether these results are truly representative of the rest of the nation's people. It may be argued that individuals from urban areas may be more or less conservative than people from other provinces or from rural areas in the country respectively.

13. RECOMMENDATIONS

It is recommended that in order to counter the above-mentioned problems, further research be done and that the study incorporate people from different provinces, as well as from both rural and urban areas. The study should involve a larger sample, if possible from all the provinces. Measuring instruments would have to be standardized and individuals should preferably be able to complete the questionnaires in their first language.

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