

# Persuasion and Resistance: Race and the Death Penalty in America

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*Although there exists a large and well-documented “race gap” between whites and blacks in their support for the death penalty, we know relatively little about the nature of these differences and how the races respond to various arguments against the penalty. To explore such differences, we embedded an experiment in a national survey in which respondents are randomly assigned to one of several argument conditions. We find that African Americans are more responsive to argument frames that are both racial (i.e., the death penalty is unfair because most of the people who are executed are black) and nonracial (i.e., too many innocent people are being executed) than are whites, who are highly resistant to persuasion and, in the case of the racial argument, actually become more supportive of the death penalty upon learning that it discriminates against blacks. These interracial differences in response to the framing of arguments against the death penalty can be explained, in part, by the degree to which people attribute the causes of black criminality to either dispositional or systemic forces (i.e., the racial biases of the criminal justice system).*

The conventional wisdom on public opinion toward the death penalty in the United States, as summarized nicely by Ellsworth and Gross, is that people “feel strongly about the death penalty, know little about it, and feel no need to know more” (1994, 19). As a consequence of these feelings, the authors argue, attitudes tend to be relatively crystallized and, therefore, unresponsive to question phrasing or arguments that are contrary to an individual’s belief.

We must wonder, then, why views of the death penalty vary so dramatically over time and across contexts. Gallup surveys document a sharp increase in support for capital punishment between 1966 and 1994, clearly in response to rising violent crime rates during this period (e.g., Page and Shapiro 1992). However, with the dramatic surge in arguments questioning the fairness of the sentence (due, in part, to DNA exonerations of death row inmates) in the national media in the late 1990s (Baumgartner, De Boef, and Boydston 2004), support then began to wane, falling from 80% in 1994 to 66% in 2000. Moreover, approval varies substantially depending on the characteristics of the target and the alternatives posed, with much lower

support for putting juveniles and the mentally ill to death (26% and 19%, respectively, in 2002) and for the alternative of life imprisonment without the possibility of parole (52%; Bohm 2003; Gallup 2005). Given the fact that attitudes toward this policy are often responsive to events, to characteristics of the target, and to alternatives, the conventional wisdom—that death penalty attitudes are impervious to change—is surely overstated. Accordingly, any analysis of death penalty attitudes must account for the *responsiveness* of such attitudes, as well as their reputed *resistance* to change.

Such an analysis is essential because attitudes toward the death penalty are consequential in ways that most other public attitudes are not. According to McGarrell and Sandys (1996), the U.S. Supreme Court has used public support for the policy as its barometer of “evolving standards of decency,” a criterion the Court in turn uses to settle the “cruel and unusual” question (Soss, Langbein, and Metelko 2003, 398). The decisions of state jurists, as well, have been found to be influenced by public opinion on this issue. For example, Brace and Hall (1997) determined that, in states with citizens supportive of capital

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punishment, supreme court justices are significantly more likely to uphold the death sentence (or less likely to dissent from a prodeath majority) when they face “competitive electoral conditions” (e.g., they are close to the end of a judicial term or they won by narrow margins).

Legislatures are also influenced by the public. Congress (and President Clinton), for example, mandated the death penalty for certain federal crimes as a part of the Violent Crime Control and Law Enforcement Act of 1994, largely in response to growing public concerns with escalating crime rates. There are also numerous studies finding an impact of public opinion on state death penalty statutes (e.g., Mooney and Lee 2000) and state implementation rates (e.g., Norrander 2000). And capital punishment offers a form of direct democracy that is found in no other area of public policy. Citizen jurists often make the decision to take or spare the life of a convict in capital cases, thereby *directly* translating their beliefs into public policy.

Because such attitudes are both responsive and so extraordinarily important, we need to know a great deal more about what, exactly, shapes them. We need to understand the conditions under which these attitudes change, the types of arguments that are most persuasive, and the types of individuals who are most susceptible. But most importantly, we need to understand the differential responses of whites and African Americans to these arguments. As we will argue, the death penalty has become an extremely racialized policy in the United States, necessitating an analysis that is both inter- and intraracial. And as we will show, not only do whites and African Americans hold quite different beliefs about the death penalty, but they also respond quite differently to arguments against it.

## Attitudes toward Capital Punishment The Racial Element

While arguments against the death penalty have ranged from the biblical to the economic, two have been particularly prominent. In their examination of *New York Times* abstracts from 1960 to 2004, Baumgartner, De Boef, and Boydston (2004) found that the death penalty underwent a dramatic new issue redefinition beginning in the mid-1990s from a focus on morality and constitutionality to charges that *innocent people* may be on death row and, later, a focus on charges of *racial bias* in the application of the death penalty.

The first of the newly salient antipunishment arguments, then, hinges on the question of fallibility. Particularly with the availability of DNA testing, which

has exonerated a number of death row inmates, we know the legal system is flawed to the point where an unknown proportion of individuals on death row are innocent. This argument was underscored in dramatic fashion in 2003 when the outgoing Republican Governor, George Ryan, placed a moratorium on the executions of 164 prisoners on death row in Illinois on the grounds that the punishment is both irrevocable and flawed in the sense that at least some individuals are, doubtless, losing their lives for crimes they never committed. And according to Haines (1992), such “flawed convictions” seriously erode public support for capital punishment.

But the other case to be made, as documented by Baumgartner, De Boef, and Boydston, is that it is rife with racial and ethnic discrimination, so much so that, as of this writing, no fewer than 38 states have empanelled commissions to investigate these biases. Death rows are populated with African Americans in numbers far in excess of their proportions in the broader population. While these statistics do not, by themselves, prove the system to be racially discriminatory, they do lead to the all-important *perception* of discrimination on the part of many individuals, particularly those within the African American community. Further, there is by now a virtual consensus that black assailants convicted of murdering whites are far more likely to face the death penalty than those convicted of murdering minorities (e.g., Keil and Vito 1995). And much of the bias is more subtle, such as the practice of “jury bleaching,” whereby district attorneys dismiss African Americans from jury pools in capital cases for reasons other than cause. The discriminatory nature of capital punishment, in other words, is more than a mere perception. It is a reality.

Moreover, there is considerable evidence that the death penalty has become racialized in the minds of the mass public. Whites in the United States often conflate issues of race and crime, drawing on their racial stereotypes of African Americans when thinking about punishment (Gilliam and Iyengar 2000; Peffley and Hurwitz 2002; Valentino 1999). More specifically, Soss et al. (2003) found racial prejudice to be among the most important predictors of whites’ attitudes toward the death penalty. And not unexpectedly, to many African Americans the death penalty is also seen as a highly racialized form of punishment (Young 1991).

Because it is difficult to think about the death penalty in America without thinking about its racial component, any examination of the forces that shape death penalty beliefs must necessarily analyze the attitudes of whites and African Americans separately. Cohn, Barkan, and Haltman (1991) argue that blacks and whites tend to favor equally punitive treatment of criminals, but for quite

different reasons: the former out of fear of victimization and the latter out of racial prejudice. The death penalty, however, presents a notable exception, with, as will be shown, far higher levels of support among whites than among blacks. And to date, we have no convincing explanation of this disparity. We know little about interracial differences in crime attitudes, for much of the research has focused almost exclusively on the attitudes of whites (e.g., Soss et al. 2003). What little we do know about interracial differences (e.g., Cohn, Barkan, and Haltman 1991) typically comes from probability surveys that include only small numbers of African Americans, thereby limiting the conclusions that can be drawn (cf. Bobo and Johnson 2004).

### Susceptibility to Arguments

Our purpose is to understand receptivity to argument regarding attitudes that, as we have seen, exhibit both resistance and responsiveness, and to determine if blacks and whites respond comparably to arguments against the death penalty. Most research on issue framing in political science has emphasized the lability of political attitudes, which are often described “as highly malleable and responsive to whatever cues are available in survey questions” (Kuklinski et al. 2000, 793). Research on issue framing has demonstrated that people respond differently to alternative frames of an issue. As Nelson and Oxley explain, “Framing effects work by altering the *importance* that individuals attach to certain beliefs” (1999, 1041).<sup>1</sup>

But while issue frames are often described as powerful persuasive tools in the hands of elites, accumulating evidence suggests that individuals do not mindlessly respond to frames, but instead consciously think about the different considerations suggested by a frame (e.g., Nelson, Clawson, and Oxley 1997) and thus may end up resisting frames under a variety of conditions, such as when they are associated with less credible sources (Druckman 2001a) or, most importantly for our purposes, when frames conflict with citizens’ predispositions (e.g., Brewer 2001; Haider-Markel and Joslyn 2001). Frames (and persuasive messages more generally) can precipitate either persuasion *or* resistance, depending on the degree to which the frame is either consonant or dissonant with the prior predispositions that are activated. In the context of our study,

given the documented interracial differences in prior beliefs related to the death penalty, it is quite likely that message frames will affect whites and African Americans in fundamentally different ways.

In addition, research in both political science and social psychology suggests that when people react to arguments on intense and visceral issues like the death penalty or welfare, they are much more likely to engage in a biased processing of information that confirms their prior beliefs.<sup>2</sup> For example, research rooted in different theories of persuasion (e.g., Petty and Cacioppo’s 1996 elaboration-likelihood model and Eagly and Chaiken’s 1993 heuristic-systematic model) finds that people’s prior attitudes influence their evaluations of the quality or strength of the arguments presented, and, consequently, their tendency to accept or resist those arguments. Notably, among “engaged” or “involved” individuals (i.e., those for whom the issue is connected to their values, self-definition, or self-interest), a proattitudinal argument is likely to produce the expected movement in the direction of the argument, but a counterattitudinal argument is likely to be perceived as “weak” and can result in an attitudinal shift *away* from the message position (often termed attitude “bolstering” or “boomerang” effects; e.g., Johnson et al. 2004). In addition, research on motivated reasoning has shown that when individuals with strong prior beliefs on a topic are presented with contradictory evidence or arguments, they tend to seize on consistent information with little scrutiny while subjecting challenging information to withering skepticism in ways that allow them to maintain or bolster their prior attitudes (e.g., Edwards and Smith 1996; Taber and Lodge 2006). Thus, an accounting of the processes of persuasion and resistance reduces to the basic question(s): what prior predispositions are activated by the argument, and what is the degree of consistency between the argument and the individual’s prior predispositions?

For our purposes, we are less concerned with precise microtheoretical explanations for the susceptibility of death penalty attitudes to argument for, despite the differences between approaches, they share a common focus on the properties of the *message* and the properties of the *recipient*: the content of the message as it is framed influences which prior predispositions are activated, and once in play, these predispositions influence assessments of the message. Differential assessments, consequently, precipitate very different reactions to arguments made against

<sup>1</sup>If, for example, an argument against affirmative action is framed as an “undeserved advantage” for blacks, then whites’ opposition to the policy is more closely tied to their racial attitudes than when the issue is framed as “reverse discrimination” against whites (Kinder and Sanders 1996).

<sup>2</sup>James Kuklinski et al. (2000), for example, found it extremely difficult to influence the inaccurate welfare beliefs of respondents, largely, according to the authors, because when people hold firm beliefs they often engage in a biased processing of information that confirms their prior beliefs.

policies that people care deeply about—in this case, capital punishment.<sup>3</sup>

### The Importance of Predispositions: Beliefs about Race and the Causes of Crime

We have already noted two of the most important messages pursuant to the issue—i.e., fallibility and racial discrimination. But what predispositions of the *recipient* should be most important? We have considerable evidence that, at least for whites, racial beliefs play an important role: prejudice renders individuals more punitive (e.g., Cohn, Barkan, and Haltman 1991), as does merely living in areas with higher concentrations of African Americans (e.g., Smith 2004). And more specifically pertaining to death penalty attitudes, Soss, Langbein, and Metelko (2003) found that race was an important predictor of whites' support for the death penalty in 1992—both contextually (living among African Americans) and attitudinally (being racially prejudiced, as measured by racial stereotypes). Bobo and Johnson (2004) also found that racial resentment is a more important determinant of white respondents' support for the death penalty than for black respondents.

There seems to be little doubt that, at least for whites, racial attitudes often affect their support for capital punishment. But there is another predisposition that has received far less attention, even though it can potentially explain support among both blacks and whites: their *attributions of the causes of crime*. Causal beliefs—particularly the classic distinction between internal and external causation—have been conceptualized as central elements in political belief systems. For example, those who view poverty as being caused more by internal, dispositional forces (e.g., laziness) than external, structural forces (e.g., a poor national economy) are much more likely to oppose poverty programs (Appelbaum 2001; Gilens 1999). By the same token, beliefs about the causes of crime have been found to influence support for crime policies, with internal attributions (e.g., criminals have a violent nature) being associated with support for more punitive policies and external attributions (e.g., individuals are driven to crime because of poverty, poor schooling, or even a discriminatory justice system) associated with support for more rehabilitative policies (e.g., Roberts and

Stalans 1997). More germane for our purpose, there is also considerable evidence (e.g., Cochran, Boots, and Heide 2003; Young 1991) that support for capital punishment is highest among those who believe crime is due to dispositional factors (such as inherent criminal tendencies) and lowest among those who, instead, attribute crime at least partly to structural factors (such as poverty or the unfairness of the justice system).

### Survey Experiment and Hypotheses

The analysis below is designed to shed light on the thinking that goes into death penalty attitudes, and, more specifically: (1) the degree to which such attitudes are influenced by various arguments against it; (2) the role played by attributional beliefs; and (3) quite centrally, how these processes differ interracially.

To explore interracial differences, we examine approximately 600 white and 600 black respondents from the National Race and Crime Survey (to be described below in greater detail). Embedded in the NRCS is a survey experiment in which respondents are randomly assigned to one of three argument conditions: in the *baseline* (no argument) condition, individuals were simply asked about their support for the punishment “for persons convicted of murder” on a 4-point scale ranging from “strongly oppose” to “strongly favor.” In the *racial* condition, they were asked the same question, but only after exposure to an argument stating that the penalty, according to sources, is unfair because “most of the people who are executed are African Americans.” And in the *innocent* condition, the same question followed the argument that the “penalty is unfair because too many innocent people are being executed.”<sup>4</sup>

In the aggregate, consistent with numerous studies (e.g., Bobo and Johnson 2004; Bohm 2003), we expect whites to support the death penalty more than do African

<sup>3</sup>The assumption that attitudes toward the death penalty are important is not without foundation. In 1983, 70% of a national sample of GSS respondents rated the death penalty issue as important to them personally, and in a 2001 ABC News/*Washington Post* Poll 72% of the public indicated it was important that candidates in a state or national election agree with their position on the death penalty.

<sup>4</sup>By asserting that the death penalty is “unfair,” the two arguments are intended to mimic claims made by elites, and echoed in the mass media (Baumgartner, De Boef, and Boydston 2004), against capital punishment in clear and simple terms. Other research shows that more subtle and indirect arguments have little discernible effect on death penalty attitudes. Bobo and Johnson (2004), for example, provided respondents with information suggesting (but not explicitly stating) that the death penalty is racially unfair (e.g., “Blacks are about 12% of the US population, but they are almost half (43%) of those currently on death row”). Similarly, Edwards and Smith (1996) found that syllogistic arguments such as “Implementing the death penalty means that there is a chance that innocent people will be sentenced to death . . . [t]herefore, the death penalty should be abolished” had little effect on participants' attitudes in their study. Perhaps more direct and argumentative messages are necessary to move support for capital punishment.

Americans ( $H_1$ ). We also expect the framing of the antideath penalty arguments to vary interracially. Given the heightened skepticism of many blacks toward the policy and toward the fairness of the criminal justice system in general, we anticipate that anticapital punishment arguments—of either variety—emphasizing a lack of fairness should be more persuasive with blacks than with whites ( $H_{2a}$ ) because, relative to whites, African Americans are attitudinally predisposed to accept such arguments, which are more consistent with their prior predispositions that both the death penalty and the justice system are unfair. Whites, for whom antideath penalty attitudes are more inconsistent, should be less persuaded.

While we expect African Americans to be persuaded by both (i.e., discrimination and innocent) arguments, we hypothesize ( $H_{2b}$ ) that many whites should be particularly unimpressed with the racial argument. While they may, in other words, be *somewhat* persuaded by the argument that innocent individuals are being executed, there is ample research (e.g., Hurwitz and Peffley 2005) documenting a naïve faith among whites that the criminal justice system is racially fair. There is also, as we will document, ample evidence that most whites believe African Americans to be disproportionately inclined to criminal behavior (rather than being victims of discrimination) and, consequently, that they deserve to be treated more punitively. The racial fairness argument, consequently, is anathema to many whites and may therefore be wholly rejected, perhaps even to the degree that it produces a reactance or boomerang effect.

How exactly should attributional beliefs (regarding the causes of crime) affect support for the death penalty? Disregarding the race of the respondent and the experimental manipulation, we expect to find that respondents who believe that individuals engage in crime for dispositional (i.e., internal) reasons should be more supportive of the death penalty than those who attribute crime to structural (i.e., external) reasons ( $H_3$ ). But how, if at all, does the relationship between attributional beliefs and capital punishment attitudes differ across experimental treatments? And do attributional beliefs play the same role for both whites and blacks?

In order to examine the racial elements of death penalty attitudes (and their responsiveness to argument), it is necessary to put both the argument itself and the criminal in a racial context. As noted, one of our two antideath penalty arguments is inherently racialized inasmuch as it suggests that the policy is biased against African Americans. Additionally, in asking about the causes of criminal behavior, we ask specifically about the perceived causes of *black* criminal behavior—whether African Americans get

into trouble due to some internal failing or, instead, to the biases of the justice system. Specifically, respondents hear the following: “Statistics show that African Americans are more often arrested and sent to prison than are whites. The people we talk to have different ideas about why this occurs. I’m going to read you several reasons, two at a time, and ask you to choose which is the *more important* reason why, in your view, blacks are more often arrested and sent to prison than whites.

- First, the police and justice system are biased against blacks, OR blacks are just more likely to commit more crimes?
- Next, the police and justice system are biased against blacks, OR many younger blacks don’t respect authority?”

For each comparison, therefore, respondents are instructed to choose between a dispositional (“just more likely to commit more crimes” and “don’t respect authority”) and a structural (“the police and justice system are biased against blacks”) explanation of black crime.<sup>5</sup> The resulting additive index, Causes of Black Crime, ranges from 0 to 4, with higher values indicating more dispositional attributions of the causes of black crime. Whites are far more likely than African Americans to attribute the greater arrest rate of blacks to the failings of blacks who run afoul of the law than to the biases of the criminal justice system, and these sharp interracial differences are revealed in both the average (mean = 2.5 for whites vs. 1.5 for blacks;  $sd = 1.4$  for both races) and the modal response of the scale (4 for whites, 0 for blacks).<sup>6</sup>

More importantly, we also expect interracial differences in the degree to which explanations of black crime influence capital punishment beliefs across the three experimental groups. Framing research demonstrates how different messages can affect what prior beliefs (in this case, attributional beliefs) are used to evaluate the messages. Given the conflation of race and crime in the minds of many whites, the racial argument against capital punishment should activate beliefs about the origins of black crime. In the baseline and innocent conditions, however, beliefs about the causes of black crime are much less germane. We do not expect, consequently, causal beliefs

<sup>5</sup>For each question, choosing a structural cause was coded as 0, a dispositional cause as 2, and volunteering that both causes are equally important was coded as 1.

<sup>6</sup>These interracial differences are not surprising and are reminiscent of whites’ failure to recognize discrimination in the economic realm (e.g., Sigelman and Welch 1991), where such beliefs have been viewed as a more subtle form of prejudice (e.g., Bobo, Kluegel, and Smith 1997), an argument on which we elaborate in the conclusions.

about black crime to strongly predict attitudes toward capital punishment in these two treatments. In the race condition, however, such causal beliefs are, doubtless, activated by the question itself and should, therefore, become strong determinants of whites' attitudes toward the death penalty ( $H_{4a}$ ).

Yet, there is abundant evidence that African Americans regard the U.S. criminal justice system as inherently unfair—i.e., that it discriminates against them on the streets and in the courts (e.g., Lauritsen and Sampson 1998). For this reason, blacks do not need any reminder of the racially discriminatory nature of the death penalty, and, consequently, the relationship between causal explanations of black crime and support for the policy should be much less affected by experimental treatment. In other words, regardless of whether black respondents are in the baseline, innocent, or racial argument conditions, we expect those who attribute black criminality to structural sources to be less likely to endorse the punishment relative to those who hold dispositional explanations ( $H_{4b}$ ).

The analysis below unfolds in two stages. First, we investigate the degree to which whites and blacks modify their support for the death penalty in response to arguments against it ( $H_1$  and  $H_2$ ). Next, we investigate the role of attributional beliefs in influencing blacks' and whites' receptivity to different arguments against the death penalty ( $H_3$  and  $H_4$ ).

## Analysis

### Data

The data for the analysis are from the National Race and Crime Survey (NRCS), a nationwide random-digit telephone survey administered by the Survey Research Center (SRC) at the University of Pittsburgh. Between October 19, 2000, and March 1, 2001, the SRC completed half-hour interviews with 603 (non-Hispanic) whites and 579 African Americans, for an overall response rate (RR3) of 48.64% ([www.aapor.org](http://www.aapor.org)). White respondents were selected with a variant of random-digit dialing, and an oversample of black respondents was randomly selected using stratified sampling techniques. Details on the sample are available from the authors on request.<sup>7</sup>

<sup>7</sup>For most respondents (90%), the race of the interviewer was matched to that of the respondent in an effort to minimize social desirability bias from race of interviewer effects. The survey instrument was subject to extensive pretesting, consisting of in-depth, face-to-face "cognitive interviews" with a small number of African American respondents and telephone interviews with 25 white and 25 black respondents.

## Support for the Death Penalty across Race and Experimental Conditions

How does support for the death penalty vary across the races and the experimental conditions? Table 1 shows the percentage of whites (top portion of the table) and blacks (bottom portion) who favor and oppose the death penalty in the baseline (no argument), racial, and innocent treatment conditions. Focusing first on levels of support in the baseline condition, our study confirms our first hypothesis ( $H_1$ ): there is a substantial race gap in support for the death penalty, with 65% of whites supporting the policy, compared to only 50% among African Americans (significant at  $p < .01$ ). Of greater interest is how support changes across the baseline (no argument) and the two (argument) conditions for blacks and whites. Consistent with our second hypothesis, we find that blacks are significantly more receptive to both arguments against the death penalty than are whites. In response to the argument that "the death penalty is unfair because too many innocent people are being executed," support for the policy drops by 16% among blacks; support drops by 12% when blacks are exposed to the argument that "the death penalty is unfair because most of the people who are executed are African Americans."

As a whole, however, whites are not receptive to either argument. Not only do they appear resistant to persuasion when presented with an argument against the death penalty, but *support for the death penalty actually increases in the racial argument condition*. Statistically speaking, the trivial decrease (.68%) from the baseline to the innocent condition is not significant. But the more substantial 12% increase in response to the racial argument is significant at the .01 level. To repeat, whites overall not only reject the racial argument against the death penalty, but some move strongly in the direction *opposite* to the argument. For example, whereas 36% of whites strongly favor the death penalty in the baseline condition, 52% strongly favor it when presented with the argument that the policy is racially unfair.

## Predicting Death Penalty Support across Race and Argument Conditions

But what motivates whites and blacks to respond so differently to arguments against the death penalty? And what role do causal beliefs play in influencing these responses? In the next portion of the analysis, we investigate the antecedents of support for the death penalty for whites and blacks, pooling the data across the argument conditions. Although our primary interest is in the impact of causal

**TABLE 1 Percentage Support for the Death Penalty across Race and Experimental Conditions**

	<b>Baseline Condition (No Argument)</b>	<b>Racial Argument</b>	<b>Innocent Argument</b>
		Some people say* that the death penalty is unfair because most of the people who are executed are African Americans.	Some people say* that the death penalty is unfair because too many innocent people are being executed.
	Do you favor or oppose the death penalty for persons convicted of murder?	Do you favor or oppose the death penalty for persons convicted of murder?	Do you favor or oppose the death penalty for persons convicted of murder?
<b>Whites</b>			
Strongly oppose	17.95%	11.38%	20.09%
Somewhat oppose	17.09	11.79	15.63
Somewhat favor	29.06	25.20	29.46
<i>Strongly favor</i>	35.90	51.63	34.82
% Favor	64.96% <sup>b</sup>	76.83% <sup>b</sup>	64.28% <sup>b</sup>
% Favor v. Baseline		+12% favor <sup>ab</sup>	-.68% favor <sup>b</sup>
N	117	246	224
<b>Blacks</b>			
Strongly oppose	34.17%	43.60%	45.98%
Somewhat oppose	15.83	18.48	20.09
Somewhat favor	22.50	17.54	18.75
<i>Strongly favor</i>	27.50	20.38	15.18
% Favor	50%	37.92%	33.93%
% Favor v. Baseline		-12% favor <sup>a</sup>	-16% favor <sup>a</sup>
N	120	211	224

\*The experiment also randomly manipulated the source of the argument as either “some people” or “FBI statistics show that,” which had no discernible influence on support for the death penalty.

<sup>a</sup>Difference across baseline and argument condition is statistically significant ( $\leq .05$ ).

<sup>b</sup>Difference across race of respondent is statistically significant ( $\leq .05$ ).

*Note:* Statistical significance was computed by estimating an ordered probit equation for the pooled data that regressed support for the death penalty on two dummies for argument condition (baseline versus innocent argument, baseline versus racial argument), a dummy for race of respondent, and two race \* argument condition interactions.

beliefs, we include a range of additional “control” variables<sup>8</sup> in the equation below because support for the death penalty is doubtless shaped by a variety of confounding (attitudinal and demographic) factors.

<sup>8</sup>Although some analysts eschew control variables in laboratory experiments, our survey experiment essentially provides three independent treatments of differently worded survey questions on the death penalty. For each question wording condition, the effect of any given predictor of support for the death penalty must be evaluated alongside controls for possible confounds. In addition, the inclusion of control variables helps to guard against the possibility that differences in the distribution of social and political variables across treatment groups might affect our results.

Death Penalty Support

= Causes of Black Crime

+ General Causes of Crime + Antiblack Stereotypes

+ Fear of Crime + Punitiveness + Ideology

+ Partisanship + Demographic Factors

+ Racial Argument + Innocent Argument

+ Racial Argument  $\times$  Predictors

+ Innocent Argument  $\times$  Predictors,

where the remaining variables and their measurement are described as follows.

**General Causes of Crime.** Because support for the death penalty (as well as beliefs about the causes of black crime) is likely to be affected by people's more global views about the causes of crime in general (e.g., Young 1991), we include an index of *General Causes of Crime* as a control. Once again, respondents were asked to choose between pairs of dispositional and structural causes, but instead of asking about black crime, we asked whether generic causes—e.g., poverty versus being too lazy to get an honest job—were more important reasons for crime in America these days (see Appendix A, items 1 and 2).<sup>9</sup>

**Antiblack Stereotypes.** As indicated, Soss, Langbein, and Metelko (2003) found racial prejudice to be an important predictor of whites' attitudes toward the death penalty. It is also at least conceivable that blacks' opposition to the death penalty is associated with more negative attitudes toward whites, who, for some blacks, may be viewed as part of the power structure that uses the death penalty as a discriminatory tool. *Antiblack Stereotypes* is a measure of the degree to which individuals view blacks more negatively than whites and is created by subtracting ratings of "most whites" from those of "most blacks" on a series of traits, such as lazy, violent, and dishonest (see Appendix A, item 6).<sup>10</sup>

**Fear of Crime.** Support for the death penalty may also stem from a fear of crime if individuals believe that capital punishment will provide a deterrent to violent crime. Accordingly, the *Fear of Crime* index consists of responses to questions asking individuals whether they worry about being a victim of violent crime (see Appendix A, item 5).

**Other Controls.** Another potential confound is that some of our predictors may be tied to support for the death

penalty because they are associated with a more general desire to simply punish bad behavior, or punitiveness. Thus, we include a measure of *Punitiveness*, which is assessed by agreement with two Likert statements indicating the value of strong punishment to teach people right from wrong and to get children to behave properly (see Appendix A, items 3 and 4). In addition to *Partisanship* and *Ideology*, each measured with the standard 7-point scales, several demographic factors (education, income, gender [1 = male], and age) have been linked to support for the death penalty and so are included in the model as well (Bohm 2003). Aside from race, perhaps the most important demographic factor underlying differences in support for the death penalty is gender, with males more supportive of capital punishment than women (Bohm 2003).

**Argument Conditions and Interactions.** The argument conditions are represented by two dummy variables (*Racial Argument* and *Innocent Argument*), scored "1" when they equal the condition and "0" otherwise, with the baseline condition as the omitted, comparison category. We include interaction terms between each of the two condition dummies and the predictors to allow the effects of the regressors to vary across the treatment conditions.

The estimated parameters for the equation for whites and blacks are reported in full in Appendix B (Table B1). The ordered probit coefficients in the first 11 rows of Table B1 estimate the (conditional) effect of the predictors for the omitted baseline condition only. To gain a more complete picture of how the effects of causal attributions (and other predictors) vary across the argument conditions, the results in Table B1 are used to generate coefficient estimates in Table 2, where we present the (conditional) effects of the predictors for all three of the argument conditions. Our principal focus is on the first row of ordered probit coefficients that gives the influence of people's views of the causes of black crime on support for the death penalty across different argument conditions. Ignoring the differences across columns, we note the empirical support for  $H_3$ —i.e., overall, individuals who hold dispositional beliefs about the causes of black crime are substantially more supportive of capital punishment relative to those who allow for the possibility that the environment may play some role in higher levels of black crime.

Consistent with our expectations, however, the pattern of the coefficients is markedly different for whites and blacks. Among whites, the influence of views of black crime has only a small and statistically insignificant effect on death penalty approval in the baseline

<sup>9</sup>It should be noted that the generic and black crime questions were placed at opposite ends of the survey (with some 40 survey items separating the two batteries) to minimize any tendency to think about one set of items while answering the other. The modest correlation between the two scales ( $r = .30$ ) suggests that responses to the two sets of questions were substantially independent. In addition, a factor analysis of all four items, using principal axis extraction and varimax rotation, uncovered two separate factors of general versus black causes of crime.

<sup>10</sup>The Antiblack Stereotype scale ranges from  $-30$  to  $+30$ , with higher values indicating more negative ratings of blacks than whites. It should be noted that correlations between Antiblack Stereotypes and the two causal belief measures among blacks and whites were fairly modest, ranging from  $.13$  to  $.27$ .



TABLE 2 Predicting Support for the Death Penalty across Race and Experimental Conditions

A.						
Whites	Baseline (No Arg.)		Racial Argument		Innocent Argument	
Black Crime Attrib.	.01	(.08)	.22*** <sup>a</sup>	(.06)	.09	(.06)
General Crime Attrib.	.14*	(.08)	.17*** <sup>c</sup>	(.06)	.04	(.09)
Antiblack Ster.	.02	(.03)	.03	(.02)	-.02	(.02)
Fear of Crime	-.15	(.13)	.09	(.09)	.06	(.09)
Punitiveness	.24*** <sup>c</sup>	(.09)	.19***	(.06)	.18***	(.06)
Party ID	-.07 <sup>c</sup>	(.07)	.07 <sup>ab</sup>	(.04)	-.08*	(.05)
Ideology	.06	(.08)	-.06 <sup>b</sup>	(.05)	.12**	(.05)
Education	-.08	(.08)	-.15***	(.06)	-.08 <sup>c</sup>	(.07)
Female	-.56**	(.23)	-.52*** <sup>c</sup>	(.17)	-.32*** <sup>c</sup>	(.16)
Income	.15*	(.08)	.14*** <sup>b</sup>	(.06)	-.01	(.05)
Age	-.01	(.01)	-.003	(.004)	-.003	(.005)
N	117		240		223	
B.						
Blacks	Baseline (No Arg.)		Racial Argument		Innocent Argument	
Black Crime Attrib.	.15*	(.08)	.15***	(.06)	.16***	(.06)
General Crime Attrib.	.08	(.09)	-.03	(.06)	.10*	(.05)
Antiblack Ster.	-.02	(.02)	-.01	(.01)	-.01	(.01)
Fear of Crime	.08	(.11)	-.02	(.02)	.05	(.07)
Punitiveness	.01	(.07)	.16*** <sup>a</sup>	(.05)	.11**	(.05)
Party ID	.10	(.07)	.08	(.05)	.03	(.05)
Ideology	.03	(.06)	-.02	(.04)	.03	(.04)
Education	-.02	(.09)	-.04 <sup>b</sup>	(.07)	.20***	(.07)
Female	-.47**	(.23)	.42*** <sup>a</sup>	(.18)	-.12	(.18)
Income	.01	(.08)	.04	(.06)	-.08	(.06)
Age	-.01	(.01)	.004	(.005)	.002	(.006)
N	118		210		218	

\* $p < .10$ , \*\* $p < .05$ , \*\*\* $p < .01$ .

<sup>a</sup>Coefficient is statistically different across baseline and racial argument conditions ( $\leq .05$ ).

<sup>b</sup>Coefficient is statistically different across innocent and racial argument conditions ( $\leq .05$ ).

<sup>c</sup>Coefficient is statistically different across race of respondent ( $\leq .05$ ).

*Note:* Entries are ordered probit regression coefficients with standard errors in parentheses. Coefficients and statistical significance across argument conditions are based on estimates from the pooled model in Table B1. Higher values on the above variables indicate greater support for death penalty, more dispositional attributions of crime, more negative stereotypes of blacks than whites, more fear of crime, more punitive, more Republican, conservative, educated, female, higher income, and older.

Statistical significance across the race of the respondent is based on models estimated for each condition pooled across race that including a race dummy and interactions between race and each of the predictors.

and innocent conditions. When presented with the argument that capital punishment is racially unfair, however, whites' beliefs about whether black crime is shaped by dispositional or structural forces have a substantial impact on death penalty support. Consistent with  $H_{4a}$ , when whites are confronted with a racial frame, attributions of black crime become consequential to whites' death penalty attitudes—i.e., those who feel that black arrest rates are more attributable to the criminal dispositions of blacks are substantially more likely to support the

death penalty than those who attribute blame to a biased justice system.

Among African Americans, we find a very different pattern. As demonstrated by the coefficients in the first row of Table 2B, attributions of black crime emerge as a robust and statistically significant predictor of death penalty support in *all three* experimental conditions. Whether blacks receive no argument, the innocent argument, or the racial argument, support for the death penalty is significantly lower among those who attribute black punishment

more to a racially biased justice system than to the characteristics of blacks themselves. Consistent with our expectations ( $H_{4b}$ ), blacks apparently need no explicit prompting to view questions about the death penalty as a racial issue. Their support for the death penalty, regardless of how the issue is framed, is affected substantially by their beliefs about the causes of black crime and punishment.

Table 2 reveals a number of other interesting findings concerning the determinants of death penalty attitudes.<sup>11</sup> First, antiblack stereotypes are not significant predictors of death penalty attitude among either race, which is contrary to Soss, Langbein, and Metelko's (2003) finding that prejudice against blacks is a powerful determinant of death penalty approval (in 1992) among whites. One possible reason for the difference is that we include several predictors that Soss, Langbein, and Metelko do not, including attributions of black crime and generic crime, and these variables may carry the effects of racial stereotyping.<sup>12</sup>

Another important, though less surprising, finding is that support for the death penalty among both races emanates from a more general desire to punish wrongdoing. In every case but the baseline condition for blacks, Punitiveness plays a statistically significant role in conditioning higher levels of support for capital punishment. Also, consistent with other studies (Tyler and Weber 1982), fear of crime does not significantly elevate death penalty approval, a result that is constant across all three conditions for both blacks and whites.

Finally, while the impact of Partisanship and Ideology is only occasionally significant, various demographic factors play a more reliable and substantial role, even after controlling for a host of attitudinal measures. One is struck, for example, by the powerful role that gender plays in shaping approval of capital punishment—a role that is fully consistent with findings from much of the extant literature (Bohm 2003). Among whites, males are

consistently more supportive of the death penalty than are females, regardless of the presence or type of argument involved. Among blacks, however, we find a very different pattern for gender. Although black men express greater support for executing convicted murderers in the baseline condition, when presented with the argument that the death penalty is racially unfair, they become much *less* supportive of capital punishment than black women. Although any explanation of this reversal of gender effects is necessarily post hoc, one could speculate that because black men receive the brunt of discriminatory treatment in the justice system—whether in the form of police brutality or death sentencing, when they are explicitly reminded of the racial bias in the system, they are much less supportive of the ultimate punishment relative to black women.<sup>13</sup>

**White Backlash.** We conclude with a closer look at the changing influence of whites' beliefs about black causes of crime on death penalty support across the baseline and racial argument conditions in order to account for the aggregate shift in support across these two conditions—i.e., the so-called “boomerang” or “backlash” effect—observed in Table 1. As indicated, one likely source of whites' strong resistance to the racial discrimination argument against the death penalty is the tendency for most whites to believe that black criminal behavior is caused by dispositional factors. Figure 1, designed to better document the power of these beliefs to affect death penalty support in the racial argument condition, displays a bar chart of the predicted probabilities of whites' support for the death penalty across the entire range of the black causes of crime scale.<sup>14</sup> One is struck by the steep ascent in strong support for the death penalty as whites' views on the causes of black crime shift from more structural to more dispositional attributions. Moving from the lowest (most structural) to the highest (most dispositional) points on the scale, expressions of strongly favoring the death penalty more than double, from 28% to 64%, suggesting a strong negative reaction to the racial argument among many whites.

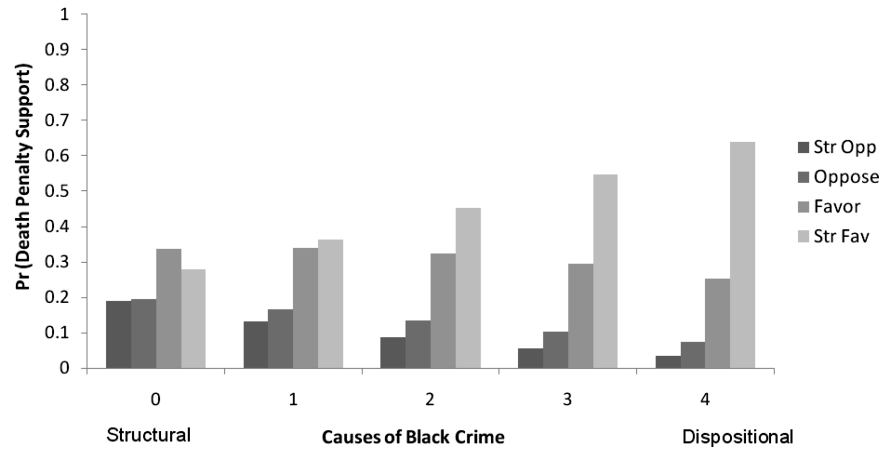
<sup>11</sup>Given the modest correlations between theoretical predictors (i.e., attributions, stereotypes) in our models mentioned earlier, collinearity does not appear to be a problem in reducing the precision of the estimates. Calculating the Variance Inflation Factor (VIF) for the independent variables of equations estimated separately for whites and blacks in each of the three conditions, the VIFs never exceed 2.0, which is well below common problematic thresholds for this statistic (e.g., Fox 1991).

<sup>12</sup>For example, as already indicated, there is a modest correlation between antiblack stereotypes and the black causes of crime variable (e.g., .22 for whites and .26 for blacks). We did not estimate the precise indirect impact of antiblack stereotypes on death penalty attitudes via causes of black crime because we were not prepared to assume that stereotypes are causally prior to black causes of crime, as one could just as easily argue the reverse—i.e., that attributions of black crime underlie whites' antiblack stereotypes. We therefore leave this important question to future research.

<sup>13</sup>While black women are subject to numerous forms of negative encounters with police and discriminatory treatment by the justice system, black men disproportionately bear the brunt of this treatment (e.g., Walker, Spohn, and DeLone 2003). Thus, it is not surprising that predicted probabilities of blacks' death penalty support reveal that the changing coefficient for gender in Table 2 turns on the drop in support among black men from 60% to only 26% from the baseline to racial argument conditions, respectively, while support among black women is unchanged (43% and 41%).

<sup>14</sup>Predicted probabilities were generated based on the ordered probit results in Table B1, using Stata 9.0, by varying Causes of Black Crime and holding other predictors at their sample means.

**FIGURE 1 Whites' Probability of Death Penalty Support for Racial Argument across Causes of Black Crime**



Because whites tend to fall heavily toward the dispositional end of the black causes of crime scale, it is no small wonder that when such views are activated (as in the racial treatment), whites collectively are highly resistant to the argument that the death penalty is racially unfair. Many whites begin with the belief that the reason blacks are punished is because they deserve it, not because the system is racially biased against them. So when these whites are confronted with an argument against the death penalty that is based on race, they reject these arguments with such force that they end up expressing more support for the death penalty than when no argument is presented at all. This result is consistent with studies in persuasion (e.g., Johnson and Eagly 1989) that find when people with strong convictions (or who are otherwise highly involved) are presented with arguments that are inconsistent with their prior beliefs, they are likely to reject such arguments so strongly that a negative change occurs—i.e., attitude change runs in the direction opposite to the argument.

## Summary and Conclusions

While there have been numerous studies of death penalty attitudes, few have examined the resistance of these attitudes to arguments against capital punishment among both whites and blacks, two groups central to any debate on the issue. Our survey experiment examines the power of two arguments against capital punishment—one racial, one not—to reshape support for the policy. We find that such frames may result in either persuasion or resistance,

depending on the characteristics of the message and of the recipient.

The dominant theme of the empirical story is that whites and blacks diverge substantially in their support for the death penalty *and* their receptivity to arguments against it. We find, quite clearly, that African Americans are much more responsive to persuasive appeals that are both racial and nonracial (i.e., innocence) in nature, likely because such arguments are consistent with their existing predispositions. Given their belief that the criminal justice system is racially unfair, blacks appear receptive to any argument against the death penalty that frames the issue in terms of fairness. Whites, in contrast, seem immune to persuasion and, in the case of the racial argument, exhibit a response in the direction opposite of the message. Indeed, our most startling finding is that many whites actually become more supportive of the death penalty upon learning that it discriminates against blacks.

On this count, we believe that the conventional wisdom, which holds that death penalty attitudes are virtually immune to the types of pressures that give most political attitudes their lability (Ellsworth and Gross 1994), is a far more accurate characterization of whites than of blacks. While we would never label the opinions of African Americans as flimsy or random, we do believe that many blacks are willing to reconsider their support for punitive crime policies when presented an argument that is consistent with their belief that the criminal justice system is racially, and generally, unfair. Although the laboratory studies reviewed by Ellsworth and Gross benefit from high levels of internal validity, it is safe to say that they did not examine the effectiveness of arguments against the death

penalty among a large number of minority participants, thereby exaggerating the perseverance of attitudes toward the policy.

The interracial differences in the nature and role of naïve beliefs about the causes of black crime are no less intriguing. In the first place, as noted, African Americans are substantially more likely to attribute the disproportionate black crime rate to external (i.e., a discriminatory justice system) rather than internal causes, a belief that is consistent with the large body of scholarly evidence documenting substantial *de facto* procedural discrimination in our legal system (e.g., Lauritsen and Sampson 1998). It is also wholly consistent with the personal experiences of many blacks who are subjected to unfair treatment by police and the courts. Whites, on the other hand, are much more likely to view black criminality as being dispositionally caused, believing the reason blacks are more likely to be arrested and imprisoned than whites is that blacks commit more crimes (and thus deserve the punishment), not because the criminal justice system is biased against them.

Not only do blacks and whites hold different causal beliefs regarding black crime, but they also employ them in quite different ways when responding to questions about the death penalty. Blacks who believe that African American criminality is due more to biases in the justice system are less supportive of the death penalty, regardless of how the argument is framed. Even when race is not explicitly mentioned (as in the baseline and innocent conditions), these respondents are influenced by their causal beliefs, presumably because capital punishment is an inherently racialized issue for many in the African American community. Whites, by contrast, employ such causal beliefs more selectively. When confronted with the argument that the death penalty is racially unfair, whites who believe that black crime is due more to blacks' dispositions than to a biased justice system end up rejecting the racial argument with such force that they become even more supportive of the death penalty.

The different reactions of blacks and whites are consistent with studies in persuasion finding that, for important issues like the death penalty, one's prior beliefs affect whether one resists or responds to a message. Blacks overall are more responsive to arguments against the death penalty because they are more consistent with their beliefs about the lack of fairness of the CJS. Many whites, on the other hand, come to the table with a very different set of beliefs that prompt them to react to these same arguments with intense skepticism. Their response to the racial argument, in particular, is consistent with studies

in persuasion that find when people are presented with arguments that run counter to their convictions, they are often rejected so strongly that attitude change runs in the direction opposite to the argument.

Our findings also help to extend recent studies documenting the limits of issue frames as tools of persuasion (e.g., Druckman 2001b). In theory, issue frames work by altering the importance individuals attach to certain beliefs used to evaluate the message (Nelson and Oxley 1999). In reality, framing the argument against the death penalty in terms of racial discrimination does not appear to have worked as intended for either blacks or whites. Among blacks, the importance of their causal beliefs for shaping support for the death penalty was not altered by the arguments but remained constant across all three argument conditions, presumably because when blacks are asked about capital punishment such beliefs are chronically salient regardless of how the issue is framed. And among whites, although the racial argument successfully activated their beliefs about the causes of black crime, their prior beliefs prompted them to strongly *reject* the racial argument.<sup>15</sup> The lesson for elites who use frames as persuasive tools is that frames can have a variety of unintended consequences and can be less efficacious than is often suggested.

A similar lesson is gained from Chong and Druckman's recent study of competing frames, where the authors find evidence for what they term a "contrast effect," when a weak frame backfires when "matched against a strong frame by causing individuals to move *away* from the position advocated by the weak frame" (2006, 20; emphasis in original). If whites in our study viewed the racial discrimination argument as weak compared to the proposition of using the death penalty to punish murderers (an implicit "strong" frame), the backlash effect we find could be interpreted as being consistent with such a contrast effect. The difference is that in the Chong and Druckman study, people rejected the weak frame, whereas in our study, whites did not reject the racial *frame*, which served to activate their naïve causal beliefs. Rather, their more salient causal beliefs prompted them to reject the racial *argument*.

Still other interpretations of the "backlash" effect among whites are possible. It has been suggested, for example, that instead of rejecting the racial argument, whites may be ignoring the first part of the manipulation arguing against the death penalty, focusing instead on the death

<sup>15</sup>We note that rejecting the argument is fundamentally different from rejecting the frame.

penalty as a punishment for *black* convicted murderers.<sup>16</sup> In other words, the manipulation may have framed the death penalty as a punishment for black offenders and because many whites view black criminals as particularly violent or beyond redemption, they are more supportive of the punishment. While plausible, we see two problems with this interpretation. First, it assumes that whites ignore the main thrust of the introduction of the racial argument (“some people think the death penalty is unfair”) that contains a very powerful stimulus—“unfair,” a word that should not be ignored given its prominence in the justice system. Second, if whites are reacting to their images of black offenders, as suggested by this alternative explanation, surely antiblack stereotypes should play a more direct role in shaping whites’ responses to the racial argument than we found to be the case. Clearly, the microtheoretical mechanisms underlying such backlash effects deserve more attention in future research.

A wholly different interpretation of the backlash effect is that it is a “principled” reaction to the racial argument driven by the conservative beliefs held by many whites about the causes of black crime (e.g., Feldman and Huddy 2005; Sniderman and Carmines 1997). A closer look at our instrumentation and findings suggests otherwise, however. As noted, whites’ views about the causes of black crime are not independent of their antiblack stereotypes ( $r = .23$ ). Thus, racial prejudice contributes indirectly to whites’ reactions to the racial argument. In addition, the popular belief among whites that black crime is attributable to the failings of blacks, with no real weight given to biases in the criminal justice system, can be interpreted as constituting a more subtle form of prejudice. In the economic sphere, for example, whites’ denial of racial discrimination has been termed “laissez-faire racism” (Bobo, Kluegel, and Smith 1997) because, it is argued, the maintenance of racial hierarchies no longer requires widespread endorsement of the idea that blacks are genetically inferior. Rather, it presumes that all major obstacles facing blacks as a group have been removed, making government-sponsored efforts to reduce racial inequality unnecessary.

By the same token, by denying the discrimination that blacks face in the justice system, whites are free to “blame the victim” or turn a blind eye to the many injustices that blacks suffer at the hands of the police and the courts. Thus, whites’ resistance to racial arguments against the death penalty is likely motivated, at least in part, by racial animus, or at the very least, a mixture of racial insensitivity

and ignorance about the reality of discrimination in the justice system.

Put differently, we do not take exception to the findings generated by Bobo and Johnson (2004), or Soss, Langbein, and Metelko (2003), who find racial prejudice to be linked to prodeath penalty attitudes. In one way or another, racism (even if defined as a denial of the de facto discrimination that is rampant in the justice system) surely affects many whites’ beliefs regarding this policy. But whatever the precise explanation for our finding, the results are clear—i.e., a majority of whites supports capital punishment, a majority of whites believes that high levels of black criminality can be attributable mainly to dispositional characteristics, and a majority of whites refuses to abandon support for the death penalty despite evidence that the policy is highly flawed.

We must, as always, accept these results alongside the usual caveats, the most important in our case being the fact that we only provided respondents with antideath penalty arguments. It is always possible that arguments supportive of the policy would catalyze a fundamentally different dynamic, both intra- and interracial. It is possible, for example, that African Americans would have demonstrated greater resistance if they had been “pressured” with procapital punishment messages.<sup>17</sup>

Nonetheless, our results are strongly suggestive that future research should further explore the tendency of blacks and whites to respond to the death penalty in quite different ways. To date, we know comparatively little about blacks’ views on the issue—an unfortunate deficiency because of the unique role that they have played in the criminal justice system, generally, and the administration of the death penalty, specifically. As such, they provide an important contrast group that enables us to understand better the views not just of African Americans but of whites, as well.

One important practical implication of our findings is that groups (or politicians) who attempt to mobilize opposition to the death penalty face an acute political dilemma. While such groups clearly need the support of blacks, who are likely to comprise an important part of

<sup>16</sup>We are grateful to an anonymous reviewer for suggesting this possibility.

<sup>17</sup>We did not include prodeath penalty arguments in our study for three reasons. First, our primary concern was to evaluate the effectiveness of racial versus other death penalty arguments, and we find it hard to imagine a “pro” argument based on race. Second, because our design included a source manipulation (which had no effect on responses), we decided that the small number of cases in a 2 (pro vs. con arguments)  $\times$  2 (race of respondent)  $\times$  3 (argument condition)  $\times$  2 (source) design would compromise a major strength of survey experiments, which is that respondents in each cell approximate a representative sample of the public. And third, because opinion in the United States has been solidly supportive of capital punishment, it is far more difficult to devise frames that “move” respondent attitudes in an even more favorable direction.

any antideath penalty coalition, direct appeals based on the claim that the policy discriminates against African Americans are likely to create a backlash among whites who see no real discrimination in the criminal justice system. Looking again at Figure 1, for example, we see that once a racial argument against the death penalty has been introduced, even a majority (62%) of whites at the extreme liberal (i.e., structural) end of the causes of black crime scale supports capital punishment. Because most whites do not see widespread racial discrimination in the criminal justice system (or any other domain, see Sigelman and Welch 1991), direct appeals based on claims of discrimination are unlikely to win their support.

Our results suggest that a more effective argument for encouraging opposition to the death penalty is one that frames the unfairness of the policy more generally, without focusing on race, thereby avoiding whites' resistance to more direct racial appeals. The argument that many innocent people are being executed may not move whites in great numbers toward opposition, but neither does it precipitate a white backlash. In addition, as we have seen, such nonracial arguments against the death penalty can and do elicit blacks' opposition to the policy because many blacks already have a deep suspicion about the fairness of the legal system. Thus, making more general arguments against the lack of fairness of the death penalty without making a direct reference to race may constitute a successful "stealth" strategy that appeals to blacks but does not produce countermobilization among whites.<sup>18</sup>

In many respects, whites' responses in our study provide a more general rationale for focusing more on resistance in studies of political persuasion. Not only did many whites appear immune to persuasive appeals, but they also exhibited the type of "bolstering" (or boomerang) effect noted in the literature (Johnson and Eagly 1989). We know, if only experientially, that instances of resistance are

<sup>18</sup>We do not wish to push the argument for a "stealth" strategy too far. We examine only one racial argument against the death penalty in a "one-shot" survey experiment; alternative wording or framing repeated over the long haul could produce more opposition, though we admittedly are at a loss to imagine how a substantially more effective appeal might be constructed.

commonplace—witness the large numbers of supporters of George W. Bush who continued to believe in the existence of weapons of mass destruction in Iraq despite months of media coverage to the contrary. But nonfindings seldom receive placement in journals, and students of opinion and persuasion are typically more interested in agents that are persuasive than in those that are not.

## Appendix A

### Survey Items

#### General Attributions of Crime

The people we talk to have different reasons for crime in America these days. I am going to read you several reasons, two at a time, and ask you to choose the one you feel is the MORE IMPORTANT cause of crime.

1. Do you feel crime is caused more by poverty and lack of opportunity, OR by people being too lazy to work for an honest living?
2. Is it due to poverty and lack of opportunity, OR because many younger people don't respect authority?

**Punitiveness** Likert scales (1 = "strongly disagree;" 4 = "strongly agree")

3. Parents need to stop using physical punishment as a way of getting their children to behave properly. (reverse coded)
4. One good way to teach certain people right from wrong is to give them a good stiff punishment when they get out of line.

#### Fear of Crime

5. How worried are you about you or a member of your family being a victim of a serious crime? Would you say very worried (4), somewhat worried (3), only a little worried (2), or not worried (1)?

#### Antiblack Stereotypes

6. "On a scale from 1 to 7, where 1 means that it is a very poor description and 7 means that it is a very accurate description, how well do you think [...] describes most whites/most blacks? (1) lazy; (2) prone to violence; (3) prefer to live on welfare; (4) hostile; and (5) dishonest." Individual trait items were reverse-coded and recalibrated to a 0 to 6 scale, with higher values reflecting more negative ratings.

## Appendix B

**TABLE B1 Predicting Support for the Death Penalty, Pooled across Condition**

	Whites	Blacks
<b>Predictors</b>		
Black Crime Attrib.	.01 (.08)	.15* (.08)
General Crime Attrib.	.14* (.08)	.08 (.09)
Antiblack Ster.	.02 (.02)	-.02 (.02)
Fear of Crime	-.15 (.13)	.08 (.11)
Punitiveness	-.24*** (.09)	.01 (.07)
Party ID	-.07 (.06)	.10 (.07)
Ideology	.06 (.08)	.03 (.05)
Education	-.08 (.08)	-.02 (.09)
Female	-.56** (.24)	-.47** (.22)
Income	.15** (.08)	-.00 (.08)
Age	-.01 (.01)	-.01 (.01)
<b>Conditions &amp; Interactions</b>		
Racial Argument (1 = Condit.)	-1.02 (1.12)	.15 (1.01)
Innocent Argument (1 = Condit.)	-.61 (1.15)	-.61 (1.00)
Racial * Black Crime Attrib.	.21** (.10)	.01 (.11)
Racial * Gen. Crime Attrib.	.03 (.10)	-.10 (.11)
Racial * Antiblack Ster.	-.00 (.03)	-.01 (.02)
Racial * Fear of Crime	.24 (.16)	-.11 (.14)
Racial * Punitiveness	.05 (.10)	-.18** (.09)
Racial * Party ID	.14* (.08)	-.02 (.09)
Racial * Ideology	-.11 (.09)	-.05 (.07)
Racial * Education	-.07 (.10)	-.02 (.12)
Racial * Female	.04 (.29)	.89*** (.29)
Racial * Income	-.01 (.10)	.05 (.10)
Racial * Age	.00 (.01)	.01 (.01)
Innocent * Black Crime Attrib.	.09 (.10)	.02 (.11)
Innocent * Gen. Crime Attrib.	-.10 (.10)	.02 (.10)
Innocent * Antiblack Ster.	.04 (.03)	-.01 (.02)
Innocent * Fear of Crime	.21 (.16)	-.14 (.14)
Innocent * Punitiveness	.06 (.11)	-.12 (.09)
Innocent * Party ID	-.01 (.08)	-.07 (.09)
Innocent * Ideology	.06 (.09)	.00 (.07)
Innocent * Education	-.00 (.10)	.22* (.11)
Innocent * Female	.24 (.29)	.58** (.29)
Innocent * Income	-.16* (.09)	-.08 (.10)
Innocent * Age	.00 (.01)	.01 (.01)
Cutpoint 1	2.42 (.97)	-.08 (.82)
Cutpoint 2	1.85 (.97)	.44 (.82)
Cutpoint	-.98 (.96)	1.08 (.82)
N	584	546

\*p < .10, \*\*p < .05, \*\*\*p < .01.

Note: Entries are ordered probit regression coefficients with standard errors in parentheses. Variable coding is in the text and in Table 2. The omitted argument condition is the baseline condition.

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