

## The Predictive Model of Citizens' Attitudes About the Risks of Introducing Death Penalty in the Serbian Criminal Justice System

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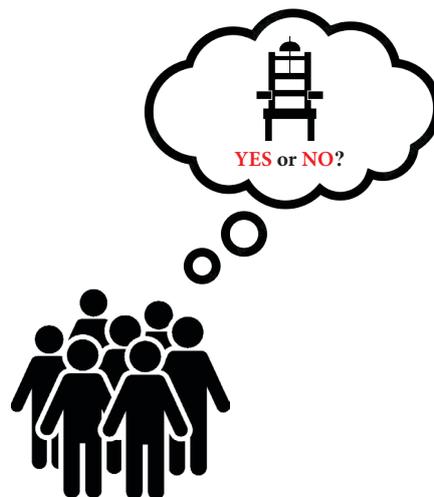
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**Abstract:** This paper presents quantitative research results regarding the predictive model of citizens' attitudes about the risks of introducing death penalty in the Serbian criminal justice system. We tested the central hypothesis of which gender is predicting variable in citizens' attitudes about the risks of introducing the death penalty in the Serbian criminal justice system. The research was conducted with the use of a questionnaire that was requested and then collected online from 427 people in June 2021. A multivariate regression analysis was used, identifying the extent to which total scores of the main dependent variables (introducing the death penalty; trust in the criminal justice system; advantages of introduction; disadvantages of introduction scores) were associated with five demographic and socio-economic variables: gender, marital status, education, income, and age. The findings revealed that gender and educational level were the most effective predictors of the research variables under question. The majority of respondents support the introduction of death penalty and the most important predictor of disadvantages of introducing death penalty in the Serbian criminal justice system is age. Based on the findings that there are major differences in the citizens' attitudes about the risks of introducing death penalty in the criminal justice system, policies, strategies, and regulations must take into account these very important findings. The presented model can be used for a more detailed understanding of people's attitudes regarding the support and opposition to the introduction of death penalty in the Serbian criminal justice system.

**Keywords:** criminal justice, death penalty, risk assessment, prediction, decision making.

### Graphical abstract



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## INTRODUCTION

Death penalty dates back to the earliest tribes of human history, while debates about the legitimacy and appropriateness of death penalty are as old as itself (Ehrlich, 1973). Beginning with the period 4000 years ago, when early Babylonian civilizations used formal killing (execution) for acts that violated laws or norms established by the sovereign population, marking them as crimes, as well as periods of criminal expulsion of individuals from the community in ancient Greece, which would due to the lack of shelter, exposure to wildlife and animals, often end in death, death penalty, in various forms, followed all societies that had jurisdiction over a particular territory (Colucci, 2020).

The trend of mass abolition of death penalty followed in the second half of the 20<sup>th</sup> century (Mathias, 2013), so that in recent decades more than 140 countries around the world have abolished death penalty (Bones & Sabriseilabi, 2018; Rancourt et al., 2020). The virtual revolution in the way of practising and experiencing death penalty on a global level was contributed by global cultural factors/drivers, such as the global sacralization of the individual, measured as the institutionalization of human rights regimes, as well as the dominant religion in countries (Mathias, 2013). Other countries have restricted its use, primarily due to the growing influence of international human rights law and the availability of prisons as adequate alternative punishment, based on the belief in cruelty, inhumanity, and unnecessary death sentences (Bedau, 2008).

Long-standing arguments on this topic have largely moved in the direction of the deterrent effect of death penalty on future murders, which are the subject of a considerable amount of theoretical and empirical research (Bailey, 1978; Chen, 2017; Cochran et al., 1994; Cohen-Cole et al., 2009; Decker & Kohfeld, 1990; Dezhbakhsh & Shepherd, 2006; Forst, 1983; Hjalmarsson, 2009; Narayan & Smyth, 2006; Passell, 1975; Passell & Taylor, 1977). Phillips (1980) was among the first to present convincing statistical evidence of the short-term deterrent effect of death penalty on homicides. Evidence of the deterrent effect of the killings was of great importance in the subsequent review of the states' positions on the issue. In the results of their research, Dezhbakhsh et al. (2003) have pointed out the strong deterrent effect that characterizes death penalty, and that each execution of death penalty results in an average of eighteen fewer murders (with an error of plus or minus ten). A deterrent effect was also found for murders such as passion crimes and the murder of loved ones, as well as for the murders of both African-American and white victims, while long period of waiting for death penalty before its execution diminishes the deterrent effect (Shepherd, 2004).

Public opinion and political culture have been identified as significant factors influencing death penalty rates (Norrander, 2000). Consequently, the growing importance of examining public attitudes about the appropriate treatment of serious criminals, their support or opposition to death penalty in their country, who influences the policy of death penalty, and sometimes the overall control of crimes in society, was emphasized. Some beliefs are specific to members of certain religions, cultures, their characteristics, etc., and the literature raises the question of whether people's attitudes toward death penalty are fundamentally instrumental or expressive, that is, whether public opinion is based on the usefulness of the death penalty system or it depends on the moral implications of the execution of mortal murderers (Brace & Boyea, 2008; Gau & Wiecko, 2010).



It is interesting to note that opposition to death penalty and the opinion that it must be abolished because it undermines human rights as a whole prevail in the public (Rafiq, 2020). The importance of religiosity in predicting the philosophy of punishment is undeniable, although this relationship is complex and nonlinear (Stokes et al., 2020). There are two approaches to explaining public punishment in the literature: a) utilitarian (a means of reducing future crime and controlling offender behaviour, usually through deterrence and disabling) and b) retributive (punishment helps clarify moral and normative boundaries) perspective (Gerber, 2021). Ellsworth and Gross (1997) point out that most research seeks to examine whether people's attitudes toward death penalty are based on emotions or rational arguments.

Starting from the fact that there is no death penalty in the criminal justice system of the Republic of Serbia (Krstić, 2012; Merdović & Stamenković, 2017), but it was applied from the moment the modern state was established in 1804 until 2002 (Tripunović, 1988), the main aim of the study is to explore the central hypothesis which is that gender is a predicting variable of citizens' attitudes about the risks of introducing death penalty in the criminal justice system.

### *Literature Review*

The study of public attitudes towards death penalty and relevant motives for supporting or opposing its introduction and application in the legislative system of different countries has been a topic of deep division of interest for decades, while extensive discussions on humanity, justice, and legality of death penalty continue at all levels, states and societies. The reason for this lies in the fact that, although it is aimed at a relatively small number of people, it directly touches on the deepest question of human life on earth - the question of life and death (Haney et al., 2015). In Texas, in 2002, citizens' trust in the implementation of death penalty, as well as in support of death penalty and moratorium, was examined. Although widespread support for the death penalty was found, a high rate of distrust of its use was found, as well as support for the moratorium on the day of execution. Among the mentioned groups, there is also strong support for death penalty (68% and 73%, respectively) (Vollum et al., 2004).

Although the questioning of public attitudes on the introduction and application of death penalty in the legislative system of states is widely discussed in the literature, as a limitation there appears a greater focus on examining the attitudes of students than other members of the community. A review of the literature found largely consistent results of scientific studies on the levels of support for death penalty in different countries, the factors that encourage detention, and support for death penalty among different social groups (Trahan & Laird, 2018).

Starting from the importance of researching the influence of individual differences in personality on the formation of attitudes about death penalty, Kandola and Egan (2014) found that high extraversion and conscientiousness, low openness and emotional stability, and lower attitudes toward abortion significantly predict support for the use of the death penalty. They also identified greater support for death penalty among males, who showed greater vengeance in explaining their views. Similarly, Robbers (2006) examined



the effects of a five-factor model of personality traits on attitudes toward death penalty, including gender analysis, and found that extroversion and neuroticism were predictors of individual attitudes towards death penalty while maintaining this effect among gender groups. In addition, according to a previous study, he pointed out the connection between conscientiousness and attitudes toward death penalty.

Humanistically-oriented beliefs, such as empathy, have a significant direct and indirect impact on public support for death penalty. Empathetic Americans expressed less support for death penalty because they were political, liberal, racially, and ethnically tolerant (Unnever et al., 2005). Speaking of empathy, primary importance in the literature is given to ethnocultural empathy, which can reduce the influence of race on the support of death penalty to insignificance, while, on the other hand, cognitive and affective empathy has not achieved such results (Godcharles et al., 2019). According to the results of a survey conducted on a large number of German respondents, a significant predictor of attitudes towards punishment is the fear of crime, i.e. different cognitive and emotional responses of respondents to crime, which vary depending on the purpose of punishment and different socio-demographic factors on the formation of attitudes in men and women (Armborst, 2017). Fear of crime in the neighbourhood especially generates a greater willingness to approve death penalty in public (Keil & Vito, 1991), while economic anxieties and insecurities, mediated by fear of crime, also have different effects on attitudes towards punishment (Singer et al., 2020).

As pointed out by Peshkopia and Voss (2016a), precise identification and determination of the influence of specific ethnocultural characteristics on attitudes about death penalty are possible only if there is a constancy of a certain ethnonational culture in different socio-economic and political frameworks. That is why, in their research, they focused on three countries in the Balkans - Albania, Macedonia, and Montenegro - and ethnic Albanians who occupy different socio-political power structures in each of these countries. According to the results, they concluded that the affiliation of the respondents to an ethnic minority or a dominant ethnic group is a significant predictor of their attitudes towards death penalty (Peshkopia & Voss, 2016a). In their second study, the authors kept the focus on the Balkan countries and found greater opposition to death penalty among the members of minority groups than was the case with the members of the majority, in line with the findings of a study in the United States (Peshkopia & Voss, 2016b).

The strong gap between men and women in the field of support for death penalty has been documented in a large number of studies over a long period (Hurwitz & Smithey, 1998; Lambert et al., 2009, 2016; Whitehead & Blankenship, 2000). Based on previous research on a higher level of support for death penalty among men in the United States, Cochran and Sanders (2009) investigated the roots of this division, with gender differences in socioeconomic status, gender inequality, gender socialization, religion/religiosity, political ideology, attitudes about the right to life, fears of crime and victimization experiences, experiences with the criminal justice system, philosophy of punishment and attribution styles were the focus of their study. The most significant results of the study indicated the still strong influence of gender on the support of death penalty. Although women in Australia have found less support for death penalty than men, women are more supportive of tougher sentences (Kelley & Braithwaite, 1990).

Research in southern Africa (Le Roux & Ambrosio, 2007) confirmed that gender, like race, has the most significant influence on attitudes towards death penalty. Although the group



as a whole had negative attitudes and views on death penalty, greater positivity towards death penalty was found in the white group compared to black and coloured, as well as among males who had a much more positive attitude towards death penalty than women. Chintakrindi and Porter (2016) found that sociological factors, such as gender and religious beliefs, are significant predictors of supportive attitudes for both death penalty and assisted murder. Moreover, gender differences have been found in the sentencing and imposition of death penalty itself, which are based on persistent cultural gender stereotypes that are often exploited in the media (Lopez, 2014). In contrast to the United States, no correlations were found in China between extrajudicial factors, i.e. the characteristics of the perpetrator sentenced to death (including gender and race), and decisions to impose death penalty, while legal factors played a dominant role in influencing death penalty decisions (Li et al., 2018).

Contrary to the results of previous studies, comparing differences in support for death penalty and belief in criminological ideologies between the sexes among the students in Bangladesh, China, Nigeria, and the US, no significant difference was found between men's and women's overall support levels or opposition to the same between the sexes, except in the United States, where they were very pronounced. Accordingly, the authors concluded that the gender difference regarding death penalty may be limited to the United States (Lambert et al., 2014). Similar to heterosexuals, it has been found that most members of the gay and lesbian population support death penalty (Worthen et al., 2012). In addition, the effects of gender and sexual orientation on the attitudes towards death penalty are mediated by political beliefs and empathic concerns.

Many studies have indicated significant racial differences in support and use of death penalty (Applegate et al., 1994; Arthur, 1998; Baker et al., 2005; Cochran et al., 2019; Damburn, 2007; Foglia & Connell, 2019; Hannan et al., 2021; Medwed, 2020; Unnever et al., 2008). Using cross-sectional data from the General Social Survey, 1974–2006, Dotson and Carter (2012) investigated the independent, as well as mutual, influences of race and gender on attitudes toward death penalty over time and identified significant differences by race, but not by gender. While the identified attitudes between blacks and whites are stable over time, gender differences in attitudes within different races appear to be more volatile, according to the findings. Examinations of differences in the attitudes of students and residents from settlements with high and low crime on death penalty and the influence of race on the implementation of death penalty have yielded the following significant findings: following previous research on death penalty, very few differences were found between students and residents living in high- and low-crime settlements (Maggard et al., 2012).

In the United States, where the majority of respondents support death penalty, a lower propensity to support death penalty has been identified among blacks and women (Godcharles et al., 2019). Research on the roots of white people's support for death penalty has indicated that it is shaped by several factors, including social and governmental trust and individualistic and authoritarian values, as well as the local context (Soss et al., 2003). At the same time, the influence of race is explained by racial prejudices, which appear as a significant predictor of white people's support for death penalty, and black proximity to housing, which, according to the findings, works to polarize white people's opinions following racial attitude. As the percentage of blacks in the district grows, so does the impact of racial prejudice on white support for death penalty. Focusing on the link between



racial prejudice and support for the death penalty in France, Dambrun (2007) found that attributing criminal traits to Arabs or crime-based prejudice significantly mediates the relationship between racial prejudice and support for death penalty.

In addition to the racial and gender influences widely discussed in the literature, Phillips (2009) pointed to the unjustly neglected issue of the impact of a victim's social status on death penalty, or the district attorney's decision to seek death penalty and the jury's decision to impose a sentence. According to the findings, he confirmed his hypothesis about the strong influence of the victim's social status on the final state sanction. Namely, a higher probability of searching for death penalty was found for victims of high social status who were respectable, integrated, sophisticated, and conventional. When it comes to education, the results are inconsistent. For example, Manyok (2018) found that there is a link between the level of education and support for death penalty and that with an increase in one level of education, the level of support for death penalty decreases. In contrast, Thinley and Ziegler (2020) indicated that education, like religiosity, does not affect attitudes toward support for death penalty, while D'Agostino et al. (2018) identified generally the requirements for lenient sentences for crimes among highly educated people living in less corrupt countries. The findings of recent research represent the public attitude towards death penalty, in essence, as a valuable value not an instrumental value (Trahan, 2017). Of particular interest is the similarity, and, it seems, the contradiction, of the public views on abortion and death penalty, that is, the point at which strong support for death penalty and equally strong opposition to abortion come together. Wiecko and Gau (2008) started from the question of how killing in one context (death penalty) is considered justified, and in another (abortion) is marked as a sin by the public and found that the most important predictor is a literal orientation toward the religious beliefs. They also pointed out that undoubtedly, their beliefs and attitudes generate certain consequences on the crime control policy in America.

In line with the results of a recent study conducted by Dierenfeldt et al. (2020), to address shortcomings in the literature on the perception of death penalty concerning sexual crime in different age categories, biological sex, political affiliation, college, fear of crime and parents' level of education were identified as the most significant factors influencing perception in all age categories of victims.

Given that there has been a steady increase in support in America since 1966, when it was at a record high in the mid-1990s (Ellsworth & Gross, 1997), it represents the most fertile ground for scientific research. Consequently, surveys of changes in public opinion on death penalty and the factors that motivate them indicate that support for death penalty may be triggered by events that take place over time, as well as vary in different cohorts as a result of cohort-specific socialization processes, demographic change and formative events that are specific to each generation. Anderson et al. (2017) examined changes in attitudes about death penalty over time and among gender groups, when they found curvilinear effects on age, and weak cohorts in support of the death penalty. Updegrave (2019) emphasizes that, in the context of multicultural countries, such as the United States, it is necessary to take into account the cultural context when examining public attitudes towards death penalty. When it comes to Brazil, the frequency of killings, feelings of insecurity, and perceived institutional legitimacy are the most important factors influencing the strong support for death penalty there (Boateng & Dzordzormenyoh, 2021). In addition,



ethnic and religious affiliation and religiosity have been identified as factors influencing public attitudes in Brazil towards death penalty.

Although a significant number of studies have examined public opinion on death penalty in the United States, scientists are paying increasing attention to examining the issue in Eastern countries, such as Japan and China. While retaliation and instrumental perspectives are the leading creators of attitudes toward death penalty in the United States, predictors of attitudes towards death penalty in China, where there is strong support for it, are both instrumental and retributive perspectives, with the former being stronger. The mentioned data were generated by surveying regular citizens from different fields and occupations (Jiang et al., 2009). According to the findings of research conducted by Wu et al. (2011), Chinese students, compared to Americans, show a higher level of support for death penalty, while, victimization and criminal justice, as well as certain differences in countries, such as fear of crime (which influenced the support of Chinese students) and focus on crime control (influenced American support) were identified as factors shaping the attitudes of American and Chinese student. Similar results were found by comparing the levels of support for the death penalty and attitudes among students in China, Japan, and the United States (Jiang et al., 2010a), indicating the highest level of support for death penalty among Chinese students, followed by Japanese and American. For U.S. respondents, retaliation was the strongest reason to support death penalty, and execution barbarism was the strongest reason to oppose death penalty (Jiang et al., 2010a). Although high support for death penalty was found in the city of Zhejiang in China (more than 72%), without any specification of the type of crime compared to students, a higher probability of support was identified among citizens of the general population. The study's findings also indicated the greatest support for death penalty for murder in both groups studied, as well as the existence of similar and different reasons for attitudes towards death penalty between students and regular citizens (Jiang et al., 2018).

Jiang et al. (2010b) also found a high degree of support for death penalty among students in Japan, while deterrence, retaliation, the barbarism of killing, belief in wrong condemnation, and rehabilitation were highlighted as dominant predictors of their perception. In addition, based on the Japanese General Social Survey on a representative sample of adults (Andreescu & Hughes, 2020), it was found that the opponents of death penalty are less likely than conspirators to have criminal views at all or express some dissatisfaction with the government crime control expenditures. According to the results of their study, proponents and opponents of death penalty are not distinguished by instrumental factors (fear of crime and victimization), symbolic factors (trust in the judiciary, police, and institutional), and gender. A significant finding of a study conducted by Andreescu and Hughes (2020), which calls into question the strong public support for death penalty in Japan, is the greater connection and similarity of the views of those who did not agree or disagree with death penalty. They also found high ambivalence among the population regarding the use of death penalty, despite strong support (65.2%), as well as hesitation and reluctance to recommend death penalty if they were elected to serve in the newly established system of civil judges.

The conclusions of a study conducted in Taiwan, whose public opinion is still insufficiently researched, emphasize the important role of “conflict of values” in attitudes about death penalty, its abolition, and alternatives, and that recognizing supporters of public attitudes



such as value conflicts, moral psychology, and ambivalence is essential to better understand debates and divisions concerning opposition and support, retention and abolition of death penalty (Jou & Heberton, 2019). Cao et al. (2020) pointed out that instrumental sources are the most important sources of support for the death penalty policy there and support for the Ministry of Justice's enforcement policy, which includes trust in the deterrent effect of death penalty and belief in a "strict to crime" approach. In contrast, those who believe in the effectiveness of rehabilitation tend to oppose the death penalty policy.

A study by Lambert et al. (2008) points to differences in the attitudes of criminal justice students and other public university students in the Midwest, on various relevant issues of death penalty and reasons for support or opposition to it. According to them, criminal justice students are more inclined to believe in the deterrent effect of death penalty, which has proven to be the main reason for supporting death penalty, while other students are more committed to the ethics of care as the leading reason for opposing death penalty. These insights are corroborated by a study conducted by Kennedy and Tripodi (2015) and its results indicated a low level of support for death penalty among social work students, which decreased when alternative sentences were imposed, with the least support found for vignettes. In contrast, 52.6% of students enrolled in three courses in criminal justice at the Public University of Michigan, when expressing views on the return of death penalty to the state after its abolition, expressed support, while 45.7% of them opposed the renewal of death penalty. Similar religious, economic, and moral reasons were found among both groups of respondents for the renewal of death penalty in Michigan (Adinkrah & Clemens, 2018). Addressing the same issue, in support of the reintroduction of death penalty in Nebraska, Kort-Butler and Ray (2019) found that the advocates of death penalty expressed greater anger over crime and distrust of the government regarding criminal justice, but considered that death penalty was applied more fairly, compared to other groups. Starting from the argument which supports the return of death penalty could reflect a protest against an unreliable justice system, Peshkopia and Trahan (2020) conducted research in Albania and identified two significant predictors of population support for the return of death penalty and scepticism about the conditionality of membership in the European Union (EU) as a driver of democratization of the country. When it comes to the reasons for retaining death penalty in a small number of countries, differences in political structures stand out as leading in the literature. In particular, a higher probability of retaining death penalty has been identified in the countries with two political parties than in the countries with more political parties (Van Koppen et al., 2002).

South Korean public attitudes toward support for death penalty are overwhelmingly positive (83%), with a positive link to support for deterrence and retaliation, while factors such as the gravity of the crime, neighbourhood security, innocence, and the brutality effect are negatively related with support for death penalty (Choi et al., 2019). In India, among the student population, certain variations in the degree of support for death penalty have been observed. According to the findings, 44% of the surveyed population reported some level of opposition to death penalty, with morale and the belief that deterrence can be achieved by imposing life sentences without parole identified as the dominant reasons for opposition. On the other hand, 43% reported some level of support, highlighting revenge, instrumental goals, and disability as the most significant reasons for support. In addition, 13% of the student population expressed insecurity on the issue (Lambert et al., 2008).



Marshall's hypothesis presents support for death penalty as a reflection of the ignorance of its effects, and implies that support would be greatly reduced under the influence of better public awareness of the pragmatic aspects and reality of death penalty itself, including the lack of appropriate death penalty effects, racial and gender discrimination, increased costs and the risk of execution of innocent people (Trahan, 2017), while at the heart of the elaboration probability model lies the argument that new information and knowledge could have a greater impact on the attitudes of individuals who share a greater need for knowledge (Mannes & Ingaglio, 2015). Nevertheless, Vollum et al. (2009) found that despite the widespread acceptance of critical information on death penalty, there is very little likelihood of the impact of this information on support for death penalty. The findings of their research confirm the value character of attitudes towards death penalty, and not instrumental or rational, and indicate that the value-oriented attitude towards death penalty is a significant predictor of such receptivity and variability of attitudes (Vollum et al., 2009). In addition, and in line with the findings of previous research on the impact of information on attitudes about death penalty, Cox (2013) emphasized the inadequacy of exposure to new information on death penalty in terms of causing changes in their attitudes, although students have limited knowledge.

Contrary to previous insights, the findings of research conducted by Lambert et al. (2011), to examine the impact of information on support for death penalty, along with prior knowledge, personal characteristics, and religious factors, suggest that information on deterrence and innocence lead to a reduction in support for death penalty and views on death penalty, and that the information presented may have different effects among different subgroups of people. Instead of using classroom-based factual materials, the use of emotional films as an incentive to portray misconduct has proven to be an effective method of changing people's attitudes toward death penalty, reducing support for it (Mannes & Ingaglio, 2015).

The discourse on criminal justice in the United States is increasingly revolving around wrongful convictions (Norris & Mullinix, 2020). Condemnation of factually innocent persons undermines the legitimacy of criminal justice more than any other issue of public importance while recognizing the nature and frequency of such phenomena leads to public support for reforms of the criminal justice system (Zalman et al., 2012). Recognizing the shortcomings of research into the impact of general information on innocence on the attitudes toward death penalty, Wu (2021b) went a step further and in their experiment examined the impact of different estimates of illegal or misconduct rates on public opinion on death penalty. According to the findings, the respondents' awareness of the higher rate of illegal convictions (4.1%) predicted a very small chance that they would support death penalty compared to the uninformed, while knowing the error rate of 1% this was not the case, i.e. there was no impact on support for death penalty in the mentioned group of respondents. The authors concluded the important role of accurate assessment of the rate of wrongful convictions in changing people's attitudes and opinions about death penalty (Wu, 2021b). As Wu (2021a) points out, the respondents' belief in the existence of wrongful convictions and general concern about the innocence of convicts is not important in terms of support/opposition to death penalty, but their belief in their frequency. He found a negative link between support for death penalty and the rate of wrongly convicted people. Similarly, Norris and Mullinix (2020) have shown that presenting the actual num-



ber of exemptions frees up support for death penalty and undermines trust in the justice system, but fails to gain support for police reform or increase personal concern about wrongful convictions.

When it comes to the stability of informed opinions over the years and the specific reasons that encourage them, Bohm et al. (1993) pointed out the following: “(1) “abstract” opinions about death penalty have changed significantly by exposing classrooms, but after two or three years they “recovered” close to their starting positions before the test; (2) opinions on death penalty on “personal participation” did not change significantly from pre-test to post-test to follow-up; and (3) the level of agreement with seven of the eleven grounds for an opinion on death penalty changed significantly between pre-test and post-test, but subsequently “recovered” to the initial pre-test agreement level; the level of agreement for two reasons changed significantly between pre-test and post-test but remained relatively stable between post-test and follow-up, and the level of agreement for the other two reasons remained relatively stable over three-time points”.

Among criminal justice practitioners across North Carolina, the USA, support for the continued use of death penalty prevailed, but at the same time, they were aware and agreed that innocent people had been executed before and were on death row today (Hughes & Robinson, 2013). Griffin (2021), comparing the reasons for support or opposition to death penalty among American criminologists and those in the general public, found a high probability of opposition to death penalty among experts, while the most common reasons for the opposition in both groups were moral beliefs errors in the system and the unfair application of death penalty. On the other hand, simple retributive justice was the dominant reason for supporting death penalty, both among the general population and among a small minority of experts who expressed it. In the Midwest, the attitude of prisoners towards death penalty was investigated to determine whether individual and social characteristics are predictors of support for death penalty. On that occasion, it was reported that a small majority of respondents opposed death penalty (53%), which was significantly mitigated for crimes such as serial killing and child abuse. The belief that death penalty prevents violent crime, advocating for death penalty of family members, and a high score on the Alpha scale (a measure that assesses the identification of prisoners with violent and aggressive aspects of hegemonic masculinity) are the most important predictors of support for death penalty among prisoners (Steele & Wilcox, 2003).

Examinations of the relationship between religious and demographic factors and attitudes toward death penalty have yielded insights into the differences between those who advocated death penalty and those who doubted it in terms of gender, affiliation, fundamentalism, evangelization, literal biblical interpretation, and belief in God’s attitude towards murders and perceptions of how their religious groups feel about death penalty (Miller & Hayward, 2008). Wozniak and Lewis (2010), by controlling religious beliefs, religious behaviour, and race, found a higher probability of supporting death penalty in the members of any Christian denomination compared to nonreligious individuals. In contrast, the members of different Christian religious traditions have no greater or lesser chance of favouring death penalty than other Christian affiliates.

Despite inconsistent findings (Baker & Booth, 2016; Grasmick et al., 1993a, 1993b; Hansmaier & Baier, 2016; Unnever & Cullen, 2006) over the past decade, Christian fundamentalism is often associated with support for death penalty (Rade et al., 2017), primarily



because of their inherent conservative religious beliefs that justify the use of death penalty (Unnever & Cullen, 2006). Lytle and ten Benschel (2016) conducted a study to determine the relevance of Christian fundamentalism in terms of attitudes towards death penalty compared to those of a non-religious nature and, on that occasion, found that Christian fundamentalism, which identified itself, although not biblically literal or religious name, remained a significant predictor of attitudes toward death penalty when attitudes toward equality of LGBT marriages were included in the model.

In India, among the students from the Hindu community in Karnataka, who were asked to assess the appropriateness of death penalty in the various scenarios presented to them, there was relatively high support for death penalty, while the majority view was that the appropriateness of death penalty depended on several factors, such as the type of criminal offence committed and the level to which the guilt of the accused has been established (Kamble & Mullet, 2016). In addition to the above, the following three factors also varied in the scenarios: the defendant's sympathy for the victims, the defendant's predecessors (whether or not he has already committed crimes), and the level of crime in the area where the crime was committed. Unnever et al. (2006) point out that the nature and intensity of an individual's relationship with God create "a transposed cognitive scheme that shapes people's attitudes toward public policies, such as the execution of convicted murderers". Therefore, they explored the connection between the support of death penalty and a close personal relationship with a kind, i.e. the God full of love, who forgives and shows unconditional love and mercy. On that occasion, controlling through other known predictors of attitudes about death penalty and through religious factors, they identified a lower probability of supporting death penalty among Americans with a personal relationship with a kind God (Unnever et al., 2006). Similar results were found in a large representative survey of German respondents (Hanslmaier & Baier, 2016). Namely, less support for death penalty and less "punishment" is found among the respondents who have an image of God as a God who loves. Also, Baker and Whitehead (2020) emphasized the importance of believing in a male God in terms of supporting stricter social policies aimed at criminals. As Webster and Saucier (2013) point out, a higher degree of belief in "pure evil" is associated with greater support for death penalty, while a higher degree of belief in "pure good" leads to opposition to violent relationships and torture.

In addition to individual and cultural factors influencing the attitudes towards death penalty that have been the focus of previous research, Williams et al. (2019) pointed to the important role of environmental characteristics in shaping punishment strategies, through the adaptation of individuals to resource availability in their environment. The results of the study indicate that indicators of lack of resources predict the presence of death penalty, while support for death penalty increases with the activation of residents' concerns about scarcity, and this effect is statistically mediated by reduced willingness to risk repeated offences.

Recognizing the significant lack of social capital research as a determinant of attitudes towards death penalty, Mangum (2019) conducted a study and found an inverse relationship between social capital and people's support for death penalty. Experienced and expected future economic instabilities at the personal and social level are negatively related to support for death penalty, but this relationship is conditioned by the demographic data of the respondents (Lehmann & Pickett, 2017). Hartnagel and Templeton (2012) also did not find significant indirect effects of economic security on attitudes towards death



penalty. Nevertheless, the results of their study provide significant insights into the role of emotional reactions to crime, especially anger, in explaining criminal attitudes. Research on the impact of descriptive and normative economic individualism, i.e. the belief of individuals about the responsibility for their economic well-being on criminal attitudes, has given insights into the existence of a significant and positive relationship between normative and descriptive economic individualism and support for harsher sentences and death penalty (Kornhauser, 2015).

An unavoidable issue in a wide range of scientific studies is the relationship between education and attitudes towards death penalty (Kuehn et al., 2018). Contrary to previous insights into uninformed public prejudice as a source of public support for death penalty (Chan et al., 2018; Cochran & Chamlin, 2005), Liu (2021) found that greater support for death penalty was widespread among the elite, i.e. the residents with higher education in China. He then pointed to the reasons behind this – less knowledge and less sympathy for criminals (mostly from poor groups) among the elite, while, on the other hand, political ideology and fear of crime play no role in identifying support for death penalty among the elite. Hessing et al. (2003) also pointed out that proponents of death penalty in the Netherlands are poorly educated and younger individuals. In Russia, there is a trend of humanization of public awareness of the youth related to the level of education, as indicated by the results of research conducted by Kuzina et al. (2020).

Britto and Noga-Styron (2014) found that more frequent viewing of police reality shows, which lead to support for death penalty, is present in less-educated individuals. On the other hand, those with higher education were more likely to listen to the radio, while education and support for death penalty were negatively linked. Execution videotapes had a significant role in reducing support for death penalty (Howells et al., 1995). Essays on wrongful convictions had the same effect among students, except for those with a conviction of audacity who were still more likely to support death penalty (Liang et al., 2019).

Although findings on the negative relationship between education and support for death penalty support the long-standing fight against death penalty, Hall (2004) points out that older Americans are less likely to support death penalty than younger Americans. Besides that, Tedrow (2016) found a higher probability of favouring death penalty among veterans compared to non-veterans. Vito et al. (1999) pointed out that opposition to death penalty is more common among women, the elderly, the highly educated, and minority respondents, while the stability of support for death penalty is associated with an increase in education and income. The authors also pointed out that more frequent re-examination of one's support and changes in attitudes towards death penalty due to facing the alternative is present in women, minorities, and people over the age of 50.

## METHOD

This study with quantitative research examines an explanatory and predictive model of citizens' attitudes about the risks of introducing death penalty in the criminal justice system (Figure 1). The research was conducted with the use of a questionnaire that was requested and then collected online from 427 people in June 2021. The main question of the study is to explore the central hypothesis of which is that gender is a predicting variable in citizens' attitudes about the risks of introducing the death penalty in the criminal justice system.



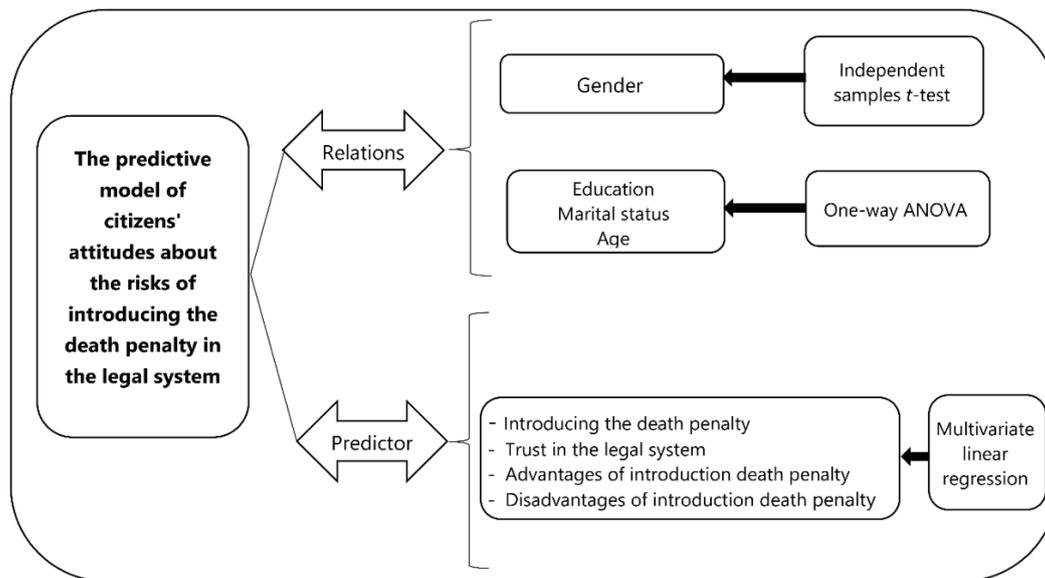


Figure 1. Research Design

### Study Area

The Republic of Serbia, which spans an area of 88.499 km<sup>2</sup>, is situated at the crossroads of Middle and South-Eastern Europe in the Southern Pannonian Plain and the central Balkans. It is bordered to the north by Hungary, to the northeast by Romania, to the southeast by Bulgaria, to the south by North Macedonia, to the southwest by Montenegro, and to the west by Croatia and Bosnia and Herzegovina (Cvetković et al., 2020; Cvetkovic & Martinić, 2021; Janković, 2021).

There is no death penalty in the criminal justice system of the Republic of Serbia, but it was applied from the moment the modern state was established in 1804 until 2002 (Krstić, 2012). It was officially abolished from federal legislation in 1993, but it was left as a possibility for federal criminal codes. Federal units used that possibility and death penalty was prescribed only for two offences in criminal codes of federal units, namely grave murder, and aggravated robbery with murder. After the amendment of the federal Criminal Code in 2001, it was erased even as a possibility, and it was replaced with 40 years of imprisonment. It was finally abolished from the criminal codes of federal units in 2002. Alongside usual arguments for the abolishment of death penalty, there were two additional arguments in Serbia. Firstly, it is unacceptable to have death penalty for grave murder just because it was in the jurisdiction of federal units, but not for genocide or war crimes that were in the jurisdiction of the federation. Secondly, there was no reason not to follow the trend of the abolishment of death penalty that had long been present in Europe before 2002 (Stojanović, 2013). Numerous international conventions have been signed (Second Optional Protocol to the International Covenant on Civil and Political Rights, 6 September 2003 and Protocols Nos. 6 and 13 to the European Convention on Human Rights, 3 March 2004) prohibiting the imposition of death penalty in the Republic of Serbia. Also, the pro-

visions of the RS Constitution (2006) state in Article 24 that human life is inviolable. As Tripunović (1988) points out, the High Court was competent to execute death penalty and it was executed without the presence of the public in the early morning hours and outside the populated areas, and according to the Instruction on the Execution of Death Penalty.

### *Socio-Economic and Demographic Characteristics*

The sample was convenient because an initial invitation to participate in an online questionnaire was posted on social media and distributed to the authors' connections and their friends. A total of 580 people agreed to take part in the study, with 467 agreeing and 113 refusing (so the total response rate was 80.51 per cent). Of the total number of respondents who agreed to participate in the survey, 427 respondents completed the survey questionnaire, and 40 respondents did not fill it (the completion rate was 91.43%). The sample was 44.5% male and 55.5% female (women 51.3% and men 48.7% of the total country population – Statistical Office of the Republic of Serbia, 2020), with an average age of 28 years (country – men 41.2 and women 43.9). Of the participants, 35.1% were between 18 and 30 years of age, 28.1% were between 31 and 45 years, 25.7% were between 46 and 64 years, and older than 65 were 11%. Married persons accounted for 36.5% of the study, while 29.7% were single. The majority of respondents 58.6% were of low income and with secondary school (grade 8-9) 46.8% (Table 1).

**Table 1.** *Basic Socio-Economic and Demographic Information of Respondents (n = 427)*

Variable	Category	(f)	%
Gender	Male	190	44.5
	Female	237	55.5
Age	18-30	150	35.1
	31-45	120	28.1
	46-64	110	25.7
	65+	47	11
Marital status	Single	127	29.7
	In relationship	97	22.7
	Married	156	36.5
Education	Divorced or widow	47	11
	Secondary school (grade 8-9)	200	46.8
	High school (grade 11-12)	68	15.9
	Undergraduate	105	24.5
Income	Master/Doctorate	54	12.6
	Low income	250	58.6
	High income	177	41.4
TOTAL		427	100



### Questionnaire Design

Several published survey approaches were consulted (Haney et al., 2015; Trahan & Laird, 2018; Vollum et al., 2004; Kandola & Egan, 2014; Hurwitz & Smithey, 1998; Lambert et al., 2009, 2016; Peshkopia & Voss, 2016a, 2016b; Unnever et al., 2005; Whitehead & Blankenship, 2000) and adapted to the conditions of the Serbian demographic and socioeconomic status (Appendix). In June 2021, a pilot pre-test of the questionnaire was conducted in Belgrade (Central Serbia) with 30 participants to assess the questionnaire's comprehensibility and efficiency. Closed-ended and five-point Likert scale questions (1 = strongly disagree to 5 = strongly agree) were used to create the structured questionnaire. The first section of the questionnaire included research questions about the participants' socioeconomic and demographic characteristics, while the second section included issue questions about (a) introducing death penalty; b) trust in the criminal justice system; c) advantages of introduction; and d) disadvantages of introduction scores. Our quantitative analysis was consistent with the Helsinki Declaration, which established guidelines for socio-medical research involving human participants.

### Analysis

In this research, descriptive statistics were computed for the participants' fundamental socioeconomic and demographic characteristics. To study the linkage between predictors and citizens' attitudes about the risks of introducing death penalty, t-tests (Kim, 2015), on one-way ANOVA (Heiberger & Neuwirth, 2009), and multivariate linear regression have been used (Yuan et al., 2007; Tabachnick et al., 2007). Given that the preliminary study of the homogeneity of variance (Test of Homogeneity of Variances) revealed a violation of the assumption of homogeneous variance, the findings of the two tests – Welsh and Brown-Forsythe – which are resistant to the violation of the assumption were utilized. All tests were double-tailed, with a  $p < 0.05$  significance. SPSS Statistics were used for statistical analysis (IBxSPSS Statistics, Version 26, New York, NY, USA). The reliability of the overall questionnaire in terms of Cronbach's alpha coefficient is 0.801. The internal consistency of Likert scales for Advantages of introducing death penalty in legal system Subscale (7 items) is good with a Cronbach's alpha of 0.82, for Disadvantages of introducing the death penalty in legal system Subscale (items) 0.81. A multivariate regression analysis was used, identifying the extent to which total scores of the main dependent variables (introducing the death penalty; trust in the criminal justice system; advantages of introduction; disadvantages of introduction scores) were associated with five demographic and socio-economic variables: gender, marital, education, income, and age (Table 2). We tested the central hypothesis of which gender is predicting variables in citizens' attitudes about the risks of introducing death penalty in the criminal justice system. Previous investigations on the residual scattering diagram (Tabachnick et al., 2007) revealed that the assumptions of normality (Normal Probability Plot P-P and Scatterplot), linearity, multicollinearity ( $r = 0.8$ ), and variance homogeneity were not violated. The scientific research group review board of the Scientific-Professional Society for Disaster Risk Management and the International Institute for Disaster Research, ID-20082021, accepted the research protocol.



## RESULTS

The results were classified into three groups based on the above-mentioned methodological framework and research design:

- 1.1. The Predictors of citizens' attitudes about the risks of introducing death penalty in the criminal justice system;
- 1.2. Results of descriptive statistics and the relations between the variables and citizens' attitudes about the risks of introducing death penalty in the criminal justice system;
- 1.3. Gender perspective about citizens' attitudes about the risks of introducing death penalty in the criminal justice system.

*The Predictors of Citizens' Attitudes About the Risks of Introducing Death Penalty in the Criminal Justice System*

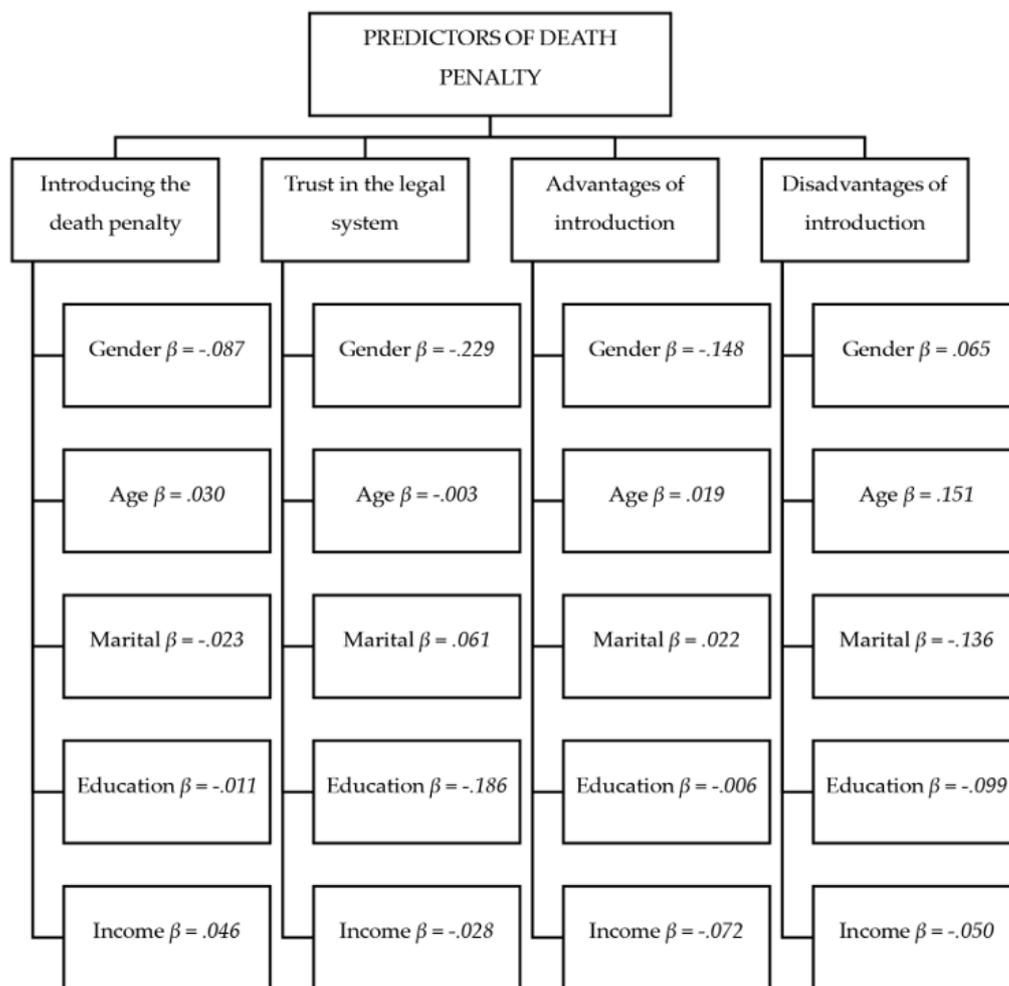
The multivariate regression analysis showed that all variables did not have significant effects on introducing death penalty in the Serbian criminal justice system. On the other hand, the most important predictor of trust in the criminal justice system is gender ( $\beta = -0.229$ ), and it explains a 5.29% variance in the score, followed by education ( $\beta = -0.186$ , 3.09%). This model ( $R^2 = 0.095$ , Adj.  $R^2 = 0.084$ ,  $F = 8.85$ ,  $t = 29.28$ ,  $p = 0.000$ ) with all mentioned independent variables explains the 8.4% variance of trust in the criminal justice system in charge of enforcing death penalty. Also, the results of the multivariate regressions showed that the most important predictor of advantages of introducing death penalty in the criminal justice system is gender ( $\beta = -0.148$ ), and it explains a 1.96% variance in the score. This model ( $R^2 = 0.028$ , Adj.  $R^2 = 0.017$ ,  $F = 2.43$ ,  $t = 40.53$ ,  $p = 0.034$ ) with all mentioned independent variables explains the 1.7% variance of advantages of introducing death penalty in the criminal justice system. In the end, the multivariate regression analyses showed that the most important predictor of disadvantages of introducing death penalty in the criminal justice system is age ( $\beta = -0.229$ ), and it explains a 2.04% variance in the score, followed by marital status ( $\beta = -0.136$ , 1.82%), and education ( $\beta = -0.099$ , 0.8%). This model ( $R^2 = 0.049$ , Adj.  $R^2 = 0.038$ ,  $F = 4.38$ ,  $t = 40.53$ ,  $p = 0.001$ ) with all mentioned independent variables explains the 3.8% variance of disadvantages of introducing death penalty in the criminal justice system (Table 2 and Figure 2).

**Table 2.** Results of a Multivariate Regression Analysis of Introducing Death Penalty in the Criminal Justice System ( $N = 427$ )

Predictor variable	Introducing death penalty			Trust in the legal system			Advantages of introduction			Disadvantages of introduction		
	B	SE	$\beta$	B	SE	$\beta$	B	SE	$\beta$	B	SE	$\beta$
Gender	-0.028	0.016	-0.087	-0.063	0.013	-0.229**	-0.039	0.013	-0.148*	0.019	0.014	0.065
Marital status	0.007	0.015	0.023	0.017	0.013	0.061	0.006	0.013	0.022	-0.039	0.014	-0.136*
Education	-0.004	0.020	-0.011	-0.062	0.016	-0.186**	-0.002	0.016	-0.006	-0.035	0.018	-0.099*
Income	0.023	0.025	0.046	-0.012	0.020	-0.028	-0.030	0.020	-0.072	-0.023	0.022	-0.050
Age	0.036	0.060	0.030	-0.003	0.050	-0.003	0.018	0.050	0.019	0.160	0.053	0.151*
Adjusted R <sup>2</sup>	0.01			0.08			0.01			0.03		

\*  $p \leq 0.05$ ; \*\*  $p \leq 0.01$ ; B: unstandardized (B) coefficients; SE: std. error;  $\beta$ : standardized ( $\beta$ ) coefficients. Note: males, young, single-headed households, secondary-school respondents, and low income have been coded as 0; 1 has been assigned otherwise.

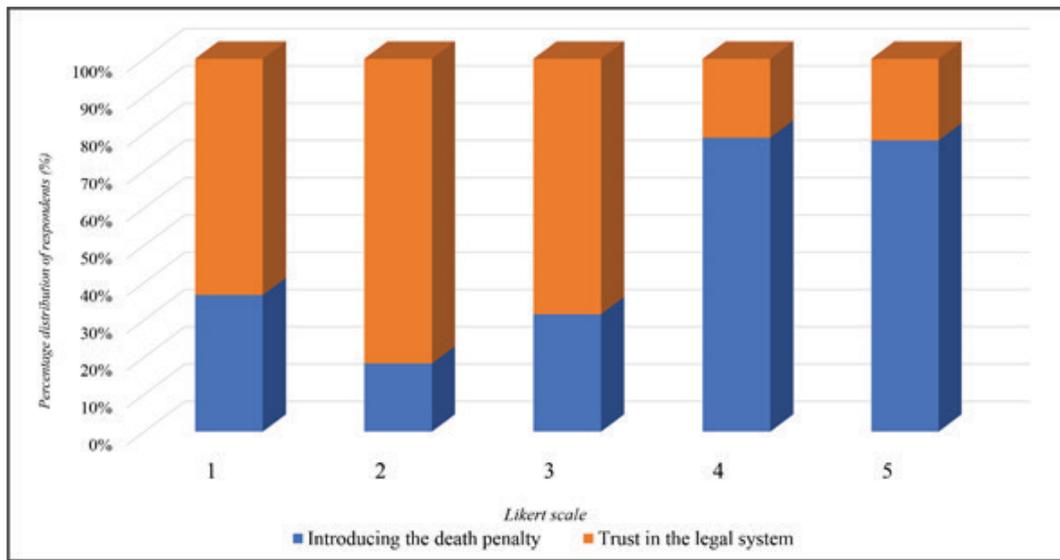




**Figure 2.** *The Predictors of Introducing Death Penalty in the Criminal Justice System of the Republic of Serbia*

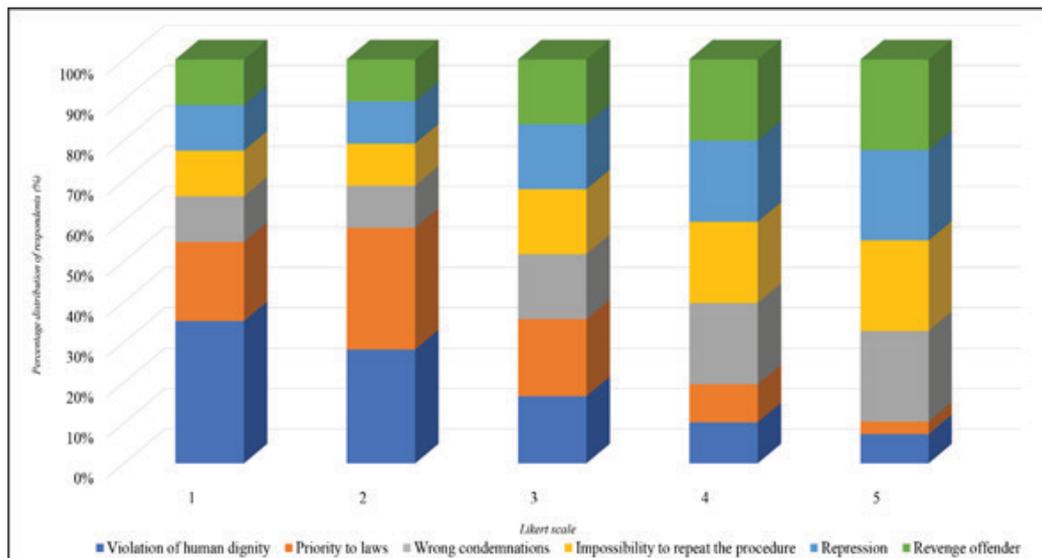
*Results of Descriptive Statistics and the Relations Between the Variables and Citizens' Attitudes About the Risks of Introducing Death Penalty in the Criminal Justice System*

When asked whether they support the introduction of death penalty, 65.6% of respondents answered positively, while 24.6% were against and 9.8% were neutral. On the Likert scale from 1 to 5 ( $x = 3.67$ ), it was found that 41.5% of respondents absolutely support the introduction of the death penalty, while 18% absolutely do not support it. Then, it was found that the largest number of respondents 60.6% do not trust the legal system of the Republic of Serbia, which is in charge of executing such criminal sanctions ( $x = 2.38$ ) (Figure 3).



**Figure 3.** Attitudes of Citizens on the Introduction of Death Penalty and Trust in the Criminal Justice System of the Republic of Serbia

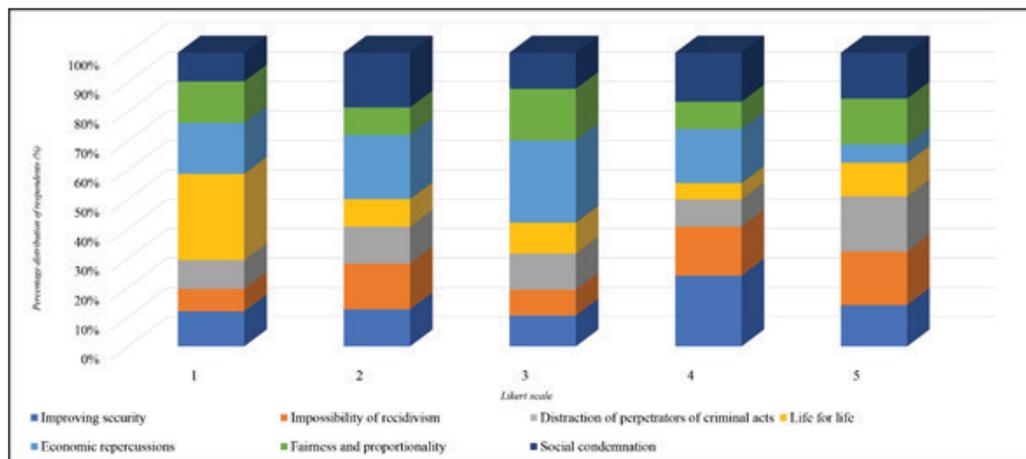
In further work, the agreement of the respondents with certain reasons for not introducing death penalty in the criminal justice system of the Republic of Serbia was determined. In the first place, there is concern about a possible wrongful conviction ( $x = 3.75$ ;  $sd = 1.50$ ), then concern about the impossibility of repeating the procedure ( $x = 3.23$ ;  $sd = 1.58$ ); reduction of punishment to mere repression ( $x = 3.03$ ;  $sd = 1.56$ ); punishment would be revenge for the perpetrator ( $x = 3.02$ ;  $sd = 1.72$ ); preference is given to laws rather than human rights ( $x = 2.84$ ;  $sd = 1.57$ ) and ultimately violations of human dignity ( $x = 2.49$ ;  $sd = 1.56$ ) (Figure 4).



**Figure 4.** Attitudes of Citizens on the Reasons for Not Introducing Death Penalty in the Criminal Justice System of the Republic of Serbia

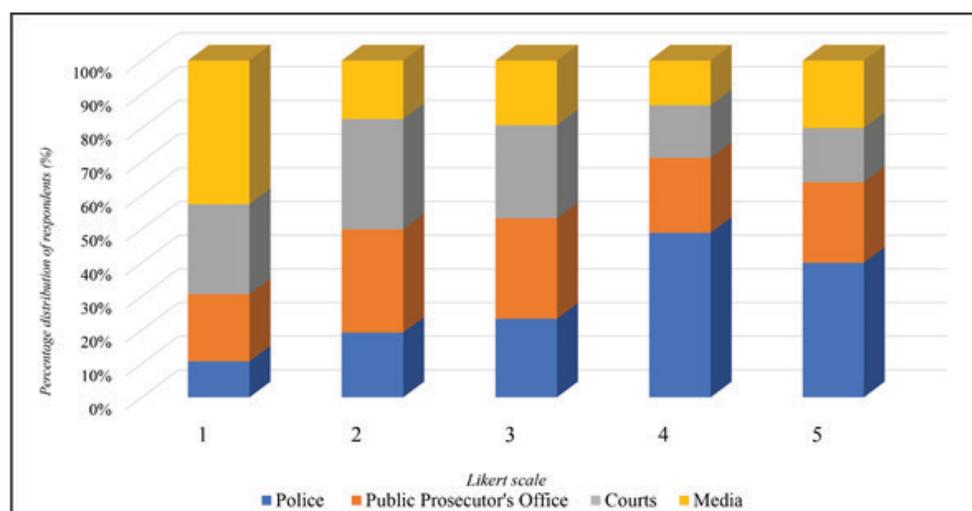


After examining the reasons against the introduction of death penalty, we examined the reasons that respondents are guided by when deciding to introduce it. It was determined that in the first place they are: the impossibility of re-committing the crime ( $x = 3.98$ ;  $sd = 1.42$ ), then deterrence of the perpetrator ( $x = 3.90$ ;  $sd = 1.51$ ); better expression of social condemnation for the committed crime ( $x = 3.77$ ;  $sd = 1.50$ ); security improvement ( $x = 3.72$ ;  $sd = 1.49$ ); achieving proportionality and fairness between the committed crime and the gravity of the criminal sanction ( $x = 3.59$ ;  $sd = 1.64$ ); economic repercussions ( $x = 2.92$ ;  $sd = 1.45$ ); life for life ( $x = 2.84$ ;  $sd = 1.81$ ) (Figure 5).



**Figure 5.** Attitudes of Citizens on the Reasons for the Introduction of Death Penalty in the Criminal Justice System of the Republic of Serbia

The results of examining the attitudes of respondents on the effectiveness of various entities in the implementation of general prevention of crime show that they mostly assess the level of efficiency of the police ( $x = 3.24$ ;  $sd = 1.29$ ), then the public prosecutor's office ( $x = 2.58$ ;  $sd = 1.28$ ); courts ( $x = 2.12$ ;  $sd = 1.02$ ) and media ( $x = 2.10$ ;  $sd = 1.35$ ) (Figure 6).



**Figure 6.** Attitudes of Citizens on the Efficiency of Various Entities in the Implementation of General Prevention of Criminal Offences

The results of the study of the relationship between age and the observed variables show that there is a correlation between trust in the criminal justice system ( $r = -0.144$ ,  $p \leq 0.003$  – small correlation), advantages of the introduction death penalty ( $r = -0.131$ ,  $p \leq 0.007$  – small correlation), and service efficiency ( $r = -0.097$ ,  $p \leq 0.046$  – small correlation). The obtained results show that with increasing age, trust in the criminal justice system in charge of enforcing death penalty, support for the introduction of death penalty, and evaluation of the efficiency of the competent authorities decreases. When it comes to marital status, no correlation was found with any of the observed variables. Concerning the educational status, a correlation was established with the trust in the criminal justice system ( $r = 0.333$ ,  $p \leq 0.000$  – average correlation), while with the increase in education, the trust in the criminal justice system in charge of implementing the death penalty grows. In addition, a correlation was found between introducing death penalty and trust in the criminal justice system ( $r = 0.402$ ,  $p \leq 0.000$  – medium correlation) and with introduction advantages ( $r = 0.709$ ,  $p \leq 0.000$  – high correlation), and introduction disadvantages ( $r = -0.640$ ,  $p \leq 0.000$  – large correlation). Further analysis shows that the respondents who are more supportive of the introduction of death penalty also have more confidence in the criminal justice system in charge of its implementation. Also, it was determined that the respondents who are in favour of the introduction of death penalty to a greater extent recognize the advantages of the introduction of death penalty. On the other hand, the respondents who to a greater extent believe that there are shortcomings in the introduction of death penalty are less supportive (Table 3).

**Table 3.** Pearson's Correlation Results Between the Introducing Death Penalty and Predictor Variables

Variable	Introducing death penalty		Trust in the legal system		Advantages of introduction		Disadvantages of introduction		Service efficiency	
	Sig.	r	Sig.	r	Sig.	r	Sig.	r	Sig.	r
Age	0.077	-0.086	0.003*	-0.144	0.007*	-0.131	0.648	0.022	0.046*	-0.097
Marital status	0.668	0.021	0.357	-0.045	0.939	0.004	0.361	0.044	0.811	-0.012
Education level	0.979	-0.001	0.000**	0.333	0.081	0.087	0.933	0.004	0.009*	-0.131
Introducing death penalty	/	/	0.000**	0.402	0.000**	0.709	0.000*	-0.640	0.255	0.055

\*  $p = 0.05$ ; \*\*  $p \leq 0.01$ .

When the association between marital status and different variables of introduction of death penalty in the criminal justice system was analysed, it was found that there is a statistically significant correlation with the following variables: violation of human dignity ( $p = 0.000$ ); laws are preferred to human rights ( $p = 0.000$ ); wrongful condemnation ( $p = 0.000$ ); reduced to mere repression ( $p = 0.000$ ); revenge for the perpetrator ( $p = 0.000$ ); it deters perpetrators of crimes ( $p = 0.020$ ); life for life ( $p = 0.013$ ); economic repercussions ( $p = 0.05$ ) (Table 4). No statistically significant correlation was found with the other variables. Further analyses show that single respondents noted the highest scores for life ( $x = 3.19$ ;  $sd = 1.84$ ). Married respondents noted the highest scores for arguments: viola-



tion of human dignity ( $x = 2.93$ ;  $sd = 1.60$ ); laws are preferred to human rights ( $x = 3.21$ ;  $sd = 1.42$ ); wrongful condemnation ( $x = 4.19$ ;  $sd = 1.19$ ); reduced to mere repression ( $x = 3.54$ ;  $sd = 1.50$ ); revenge for the perpetrator ( $x = 3.43$ ;  $sd = 1.54$ ). The divorced or widowed noted the highest scores for arguments: it deters perpetrators of crimes ( $x = 4.25$ ;  $sd = 1.48$ ); economic repercussions ( $x = 3.33$ ;  $sd = 1.22$ ) (Table 4).

**Table 4.** One-Way ANOVA Results of the Relations Between the Variables of Introducing Death Penalty in the Criminal Justice System, and Marital Status, Education Level, and Age

Variable	Mean	Std. deviation	Marital status		Education		Income	
			F	p	F	p	F	p
Introduction of death penalty	3.64	1.50	1.21	0.299	0.047	0.954	2.42	0.069
Trust in the criminal justice system	2.38	1.29	1.77	0.172	23.78	0.000**	11.78	0.000**
Violation of human dignity	2.49	1.56	23.48	0.000**	10.40	0.000**	1.86	0.139
Laws are preferred over human rights	2.84	1.56	23.71	0.000**	13.54	0.000**	1.68	0.171
Wrongful condemnation	3.75	1.50	16.31	0.000**	1.46	0.234	1.90	0.132
Impossibility of repeating the procedure	3.03	1.56	2.15	0.118	4.09	0.018*	1.55	0.202
Reduced to mere repression	3.02	1.72	18.96	0.000**	1.10	0.335	.443	0.723
Revenge for the perpetrator	3.91	1.46	18.48	0.000**	6.93	0.001**	.489	0.961
Improving security	3.98	1.42	0.379	0.685	3.03	0.051	1.39	0.248
Impossibility to do the work again	3.90	1.51	2.71	0.069	1.79	0.169	1.36	0.260
It deters perpetrators of crimes	2.84	1.81	3.98	0.020*	.325	0.723	1.13	0.337
Life for life	2.92	1.45	4.39	0.013*	6.72	0.002*	1.24	0.296
Economic repercussions	3.77	1.50	5.46	0.005*	4.87	0.009*	1.93	0.128
Expressing social condemnation for a crime	3.59	1.64	0.601	0.549	5.07	0.007*	4.56	0.004*
Achieving fairness and proportionality	3.53	1.57	2.04	0.132	1.43	0.242	6.28	0.001**
Aggravated murder	3.36	1.53	1.99	0.139	5.87	0.003*	5.10	0.002*
The most serious crimes	3.69	1.55	1.37	0.254	4.09	0.018*	1.51	0.213
The most serious forms of serious crime	3.24	1.29	4.21	0.016*	2.61	0.076	8.12	0.000**
Police	2.58	1.28	2.00	0.138	18.10	0.000**	1.87	0.138
Public Prosecutor's Office	2.12	1.02	5.68	0.004*	12.62	0.000**	2.23	0.087
Courts	2.10	1.35	0.454	0.636	3.94	0.021	1.35	0.259
Media	2.19	1.25	0.570	0.566	4.13	0.018*	1.25	0.214

\*  $p \leq 0.05$ ; \*\*  $p \leq 0.01$ .

The relationship between education and the variables was determined: trust in the criminal justice system ( $p = 0.000$ ); violation of human dignity ( $p = 0.000$ ); laws are preferred to human rights ( $p = 0.000$ ); impossibility of repeating the procedure ( $p = 0.018$ ); revenge for the perpetrator ( $p = 0.01$ ); life for life ( $p = 0.02$ ); economic repercussions ( $p = 0.09$ ); expressing social condemnation for a crime ( $p = 0.07$ ); the most serious crimes ( $p = 0.018$ ); police ( $p = 0.000$ ); public prosecutor's office ( $p = 0.000$ ); media ( $p = 0.018$ ) (Table 4). No statistically significant correlation was found with other variables. Further analysis shows that the respondents with a university degree noted the highest scores for trust in the criminal justice system ( $x = 3.08$ ;  $sd = 1.47$ ). The respondents with high school noted the highest scores for arguments: violation of human dignity ( $x = 2.55$ ;  $sd = 1.50$ ); impossibility of repeating the procedure ( $x = 4.27$ ;  $sd = 1.36$ ); the most serious crimes ( $x = 3.82$ ;  $sd = 1.34$ ); public prosecutor's office ( $x = 3.27$ ;  $sd = 1.22$ ); media ( $x = 2.50$ ;  $sd = 1.29$ ). On the other hand, the university educated respondents noted the highest scores for arguments:



laws are preferred to human rights ( $x = 3.12$ ;  $sd = 1.57$ ), life for life ( $x = 3.15$ ;  $sd = 1.86$ ). Respondents with a master's or doctoral degree noted the highest scores for arguments: revenge for the perpetrator ( $x = 3.54$ ;  $sd = 1.79$ ); economic repercussions ( $x = 3.31$ ;  $sd = 1.54$ ); expressing social condemnation for a crime ( $x = 4.23$ ;  $sd = 1.19$ ); police ( $x = 3.77$ ;  $sd = 1.12$ ) (Table 4).

Considering income level, a correlation was found with the following variables: trust in the criminal justice system ( $p = 0.000$ ); expressing social condemnation for a crime ( $p = 0.04$ ); achieving fairness and proportionality ( $p = 0.01$ ); aggravated murder ( $p = 0.02$ ); the most serious forms of serious crime ( $p = 0.000$ ) (Table 4). Further analysis shows that low-income respondents noted the highest scores for arguments: expressing social condemnation for a crime ( $x = 3.89$ ;  $sd = 1.38$ ); aggravated murder ( $x = 3.66$ ;  $sd = 1.53$ ); the most serious forms of serious crime ( $x = 4.17$ ;  $sd = 1.48$ ). High income respondents noted the highest scores for arguments: trust in the criminal justice system ( $x = 3.24$ ;  $sd = 1.44$ ); achieving fairness and proportionality ( $x = 3.78$ ;  $sd = 1.67$ ) (Table 4).

### *Gender Perspective About Citizens' Attitudes About the Risks of Introducing Death Penalty in the Criminal Justice System*

The results of the t-test show that there is statistically significant difference in the results between men and women in terms of trust in the criminal justice system ( $p = 0.000$ ); violation of human dignity ( $p = 0.022$ ); revenge for the perpetrator ( $p = 0.017$ ); improving security ( $p = 0.000$ ); impossibility to do the work again ( $p = 0.018$ ); it deters perpetrators of crimes ( $p = 0.000$ ); expressing social condemnation for a crime ( $p = 0.010$ ); achieving fairness and proportionality ( $p = 0.000$ ); aggravated murder ( $p = 0.002$ ); the most serious crimes ( $p = 0.000$ ); the most serious forms of serious crime ( $p = 0.027$ ); public prosecutor's office ( $p = 0.001$ ); courts ( $p = 0.000$ ); media ( $p = 0.000$ ) (Table 5).

Further analysis of the obtained results shows that women ( $x = 2.59$ ;  $sd = 1.36$ ) to a greater extent than men ( $x = 1.95$ ;  $sd = 1.02$ ) have trust in the criminal justice system in charge of enforcing death penalty; as a reason for the introduction of death penalty they point out improving security (female -  $x = 4.00$ ,  $sd = 1.32$ ; male -  $x = 3.15$ ,  $sd = 1.65$ ); impossibility to do the work again (female -  $x = 4.10$ ,  $sd = 1.32$ ; male -  $x = 3.75$ ,  $sd = 1.58$ ); it deters perpetrators of crimes (female -  $x = 4.12$ ,  $sd = 1.34$ ; male -  $x = 3.45$ ,  $sd = 1.72$ ); expressing social condemnation (female -  $x = 3.90$ ,  $sd = 1.46$ ; male -  $x = 3.50$ ,  $sd = 1.53$ ); achieving fairness and proportionality (female -  $x = 3.82$ ,  $sd = 1.52$ ; male -  $x = 3.15$ ,  $sd = 1.77$ ); aggravated murder (female -  $x = 3.70$ ,  $sd = 1.48$ ; male -  $x = 3.20$ ,  $sd = 1.69$ ). Also, they are more for the introduction of death penalty for the most serious crimes (female -  $x = 3.56$ ,  $sd = 1.45$ ; male -  $x = 2.95$ ,  $sd = 1.63$ ) and the most serious forms of serious crime (female -  $x = 3.80$ ,  $sd = 1.48$ ; male -  $x = 3.45$ ,  $sd = 1.66$ ). In addition, they assess the efficiency of public prosecutor's office to a greater extent (female -  $x = 2.73$ ,  $sd = 1.30$ ; male -  $x = 2.30$ ,  $sd = 1.19$ ); courts (female -  $x = 2.27$ ,  $sd = 1.08$ ; male -  $x = 1.85$ ,  $sd = 0.85$ ); media (female -  $x = 2.25$ ,  $sd = 1.70$ ; male -  $x = 3.30$ ,  $sd = 1.74$ ). In contrast, men ( $x = 2.75$ ;  $sd = 1.67$ ) to a greater extent than women ( $x = 2.37$ ;  $sd = 1.49$ ) point out violation of human dignity as a reason for not introducing death penalty; they consider it revenge for the perpetrator (male -  $x = 3.30$ ,  $sd = 1.74$ ; female -  $x = 2.88$ ,  $sd = 1.70$ ) (Table 5).



**Table 5.** *Independent Samples T-Test Results Between Gender and the Variables of Introducing Death Penalty in the Criminal Justice System*

Variable	F	t	df	Sig. (2-tailed)	Gender		Lower	Upper
					Male X (sd)	Female X (sd)		
Introduction of death penalty	41.17	-1.81	425	0.070	3.45 (1.75)	3.73 (1.36)	-0.75	0.56
Trust in the criminal justice system	31.49	-4.87	425	0.000**	1.95 (1.02)	2.59 (1.36)	-0.26	0.35
Violation of human dignity	9.09	2.30	250	0.022*	2.75 (1.67)	2.37 (1.49)	0.05	0.71
Laws are preferred over human rights	.004	1.51	425	0.130	3.00 (1.58)	2.76 (1.54)	-0.72	0.56
Wrongful condemnation	1.25	0.482	418	0.630	3.80 (1.47)	3.73 (1.51)	-0.23	0.38
Impossibility of repeating the procedure	3.94	1.09	425	0.273	3.35 (1.49)	3.17 (1.62)	-0.13	0.49
Reduced to mere repression	21.75	-0.788	404	0.431	2.95 (1.40)	3.08 (1.64)	-0.43	0.17
Revenge for the perpetrator	.035	2.38	418	0.017*	3.30 (1.74)	2.88 (1.70)	0.07	0.77
Improving security	39.33	-5.68	418	0.000**	3.15 (1.65)	4.00 (1.32)	-1.16	-0.53
Impossibility to do the work again	10.08	-2.38	425	0.018*	3.75 (1.58)	4.10 (1.32)	-0.65	-0.04
It deters perpetrators of crimes	44.53	-4.39	425	0.000**	3.45 (1.72)	4.12 (1.34)	-0.99	-0.34
Life for life	11.87	0.906	425	0.365	2.95 (1.91)	2.78 (1.76)	-0.21	0.54
Economic repercussions	.053	-0.179	425	0.858	2.90 (1.45)	2.93 (1.45)	-0.32	0.26
Expressing social condemnation	4.68	-2.59	418	0.010*	3.50 (1.53)	3.90 (1.46)	-0.70	-0.09
Achieving fairness and proportionality	23.03	-4.00	411	0.000**	3.15 (1.77)	3.82 (1.52)	-1.07	-0.32
Aggravated murder	19.24	-3.09	418	0.002*	3.20 (1.69)	3.70 (1.48)	-0.83	-0.16
The most serious crimes	6.13	-3.91	425	0.000**	2.95 (1.63)	3.56 (1.45)	-0.93	-0.29
The most serious forms of serious crime	13.73	-2.22	425	0.027*	3.45 (1.66)	3.80 (1.48)	-0.68	-0.02
Police	9.33	-0.981	411	0.327	3.15 (1.39)	3.28 (1.24)	-0.40	0.14
Public Prosecutor's Office	6.88	-3.23	418	0.001**	2.30 (1.19)	2.73 (1.30)	-0.67	-0.17
Courts	26.38	-3.96	397	0.000**	1.85 (.856)	2.27 (1.08)	-0.61	-0.22
Media	22.72	-3.27	397	0.000**	1.79 (1.15)	2.25 (1.41)	-0.71	-0.20

\*  $p \leq 0.05$ ; \*\*  $p \leq 0.01$ .

## DISCUSSION

Examining the predictor model of respondents' attitudes towards the introduction of death penalty, the majority support for the introduction of such a punishment in the criminal justice system of the Republic of Serbia was determined, which is consistent with the findings of the studies conducted in Texas (Vollum et al., 2004), China (Jiang et al., 2018), Japan (Jiang et al., 2010b) and South Korea (Choi et al., 2019). Gender and then education were identified as predictors of a high degree of distrust in the criminal justice system of the Republic of Serbia, which is responsible for the execution of such criminal sanctions. Also, the most important predictor of the advantages of the introduction of death penalty in the criminal justice system is gender, and the lack of the introduction of death penalty in the criminal justice system is age, followed by marital status and education. The obtained results are following the results of certain studies where, for example, Peshkopia and Trahan (2020) highlighted the lack of trust in the country's judiciary as one of the predictors of support for the return of death penalty in Albania. In contrast, Andreescu and



Hughes (2020) found that proponents and opponents of death penalty are not distinguished by symbolic factors such as trust in the judiciary, police, and institutions.

The gap between men and women in the field of support for death penalty, documented in a significant number of studies (Cochran & Sanders, 2009; Godcharles et al., 2019; Hurwitz & Smithey, 1998; Lambert et al., 2009, 2016; Whitehead & Blankenship, 2000), is also confirmed by the results of our research. Namely, a higher rate of trust in the criminal justice system in charge of executing death penalty was identified among the members of female population, while the reasons for the introduction of death penalty were improved security, impossibility of recidivism, deterring perpetrators, expressing social condemnation, achieving fairness and proportionality, aggravated murder. Also, they are more for the introduction of death penalty for the most serious crimes and the most serious forms of serious crime. In contrast, men to a greater extent than women point to the violation of human dignity as a reason for not introducing death penalty; they consider it revenge for the perpetrator.

Kandola and Egan (2014) also identified greater support for death penalty among males, who showed greater vengefulness in explaining their views. Although less support for death penalty has been found in women in Australia than in the male population, it has been found that women are more supportive of harsher punishments (Kelley & Braithwaite, 1990). Research in South Africa (Le Roux & Ambrosio, 2007) confirmed that gender, like race, has the most significant impact on the attitudes towards death penalty. Contrary to the results of previous studies, comparing differences in support for death penalty and belief in criminological ideologies between the sexes among the students in Bangladesh, China, Nigeria, and the US, no significant difference was found between men's and women's overall support levels or reasons, except in the United States, where they were very pronounced. Accordingly, the authors concluded that the gender difference in terms of death penalty may be limited to the United States (Lambert et al., 2014). Similar to heterosexuals, it has been found that most members of the gay and lesbian population support death penalty (Worthen et al., 2012). In addition, the effects of gender and sexual orientation on attitudes towards death penalty are mediated by political beliefs and empathic concerns.

In further work, the consent of the respondents with certain reasons for not introducing death penalty into the legal system of the Republic of Serbia was determined. In the first place, there are concerns about a possible wrongful conviction, then concerns about the impossibility of recidivism; reduction of punishment to mere repression; punishment would be revenge for the perpetrator; preference is given to laws over human rights and ultimately to the violation of human dignity. The conviction of factually innocent persons appears as a significant predictor of criminal attitudes in other relevant studies as well (Norris & Mullinix, 2020; Griffin, 2021). For example, Wu (2021a) found a negative correlation between support for death penalty and the rate of wrongfully convicted people, with respondents' belief in the existence of wrongful convictions and general concerns about the innocence of convicts not relevant to support/oppose to death penalty, but their belief in the frequency of it. In addition to statistics, it has been found that attitudes are based not only on divorce motives, but also that correcting the misconceptions related to the administration of death penalty reduces support for it. Finally, criminal justice practitioners across North Carolina, USA, were largely supported by the continued use of death penalty (Hughes & Robinson, 2013). Griffin (2021), comparing the reasons for support or oppo-



sition to death penalty among American criminologists and those in the general public, found a high probability of opposition to death penalty among experts, while the most common reasons for the opposition in both groups were moral beliefs, concerns about system errors and the unfair use of death penalty. On the other hand, simple retributive justice was the dominant reason for supporting death penalty, both among the general population and among a small minority of experts who expressed it (Griffin, 2021).

When it comes to the reasons that the respondents are guided by when deciding on the introduction of death penalty, the following were determined in the first place: the impossibility of re-committing the crime, then deterring the perpetrator; a better expression of social condemnation for the crime committed; improving security; achieving proportionality and fairness between the committed crime and the gravity of the criminal sanction; economic consequences. Similarly, prospects of deterrence (Cao et al., 2020) and retaliation (Choi et al., 2019), revenge, instrumentalist goals, and disability have been identified as reasons for supporting death penalty in previous studies (Lambert et al., 2008; Jiang et al., 2009). Nevertheless, Lambert et al. (2008) pointed out that the dominant reasons for opposing death penalty among the student population in India are morality and the belief that deterrence can be achieved by imposing life sentences without parole. Choi et al. (2019), in addition to the above, pointed out that factors such as the severity of the crime, security in the neighbourhood, innocence, and the effect of brutality are negatively related to support for death penalty. In contrast, those who believe in the effectiveness of rehabilitation tend to oppose the policy of death penalty (Cao et al., 2020). In addition, Andreescu and Hughes (2020) found that the opponents of death penalty were less likely than criminal advocates to have criminal views at all or to express some dissatisfaction with government spending on crime control.

When it comes to education, the analysis shows that the respondents with a university degree scored the highest marks for trust in the criminal justice system, while the respondents with high school scored the highest marks for arguments: violation of human dignity; the most serious crimes; public prosecutor's office; media. On the other hand, university graduates noticed the highest marks for arguments that give priority to laws about human rights. Respondents with a master's or doctoral degree recorded the highest marks in the arguments of revenge for the perpetrator; economic consequences; expressing social condemnation for a crime; police. The question of the relationship between education and the attitude towards death penalty is unavoidable in a wide range of scientific studies (Kuehn et al., 2018; Kuzina et al., 2020). The findings are inconsistent. While some studies (Vito et al., 1999) point out that opposition to death penalty is more common among the highly educated, others (Thinley & Ziegler, 2020) indicate that education does not affect attitudes toward support for death penalty. Liu (2021) has discovered that stronger promotion of death sentence is widely disseminated among the elite, contrary to earlier insights into ignorant public prejudice as a public source of support for death penalty (Chan et al., 2018; Cochran & Chamlin, 2005). Hessing et al. (2003) also referred to the poorly, younger people who defend death sentence in the Netherlands (Kuzina et al., 2020). Manyok (2018) noted that the degree of support for death penalty falls with an increase in one's educational level, whereas D'Agostino et al. (2018) discovered a broad need for softer punishment for crimes among the well-educated, less corrupt individuals



in nations. Also, Vito et al. (1999) found that stability of support for death penalty is associated with increased education and income.

The data generated by our research, which indicate that trust in the criminal justice system decreases with age, support for the introduction of death penalty, as well as the assessment of the efficiency of the competent authorities, are in line with previous studies (Hall, 2004; Vito et al., 1999; Tedrow, 2016). Furthermore, Tedrow (2016) showed that veterans would be more likely than non-veterans to enforce death penalty, while women, minorities and persons older than 50 have a more regular review of the support of someone and their attitudes to death penalty because of the option (Vito et al., 1999). They also discovered a reverse connection between death penalty support and victim's age (Dierenfeldt et al., 2020). The conducted research has certain limitations, which are reflected in the following: a) insufficient representation of respondents included in the sample from different geographical areas of Serbia, bearing in mind that not everyone has access to the Internet; b) insufficiently covered set of demographic and socio-economic factors that would be relevant for the conducted study (e.g. religiosity); c) additional research to examine additional aspects of the prediction model for the introduction of death penalty; d) qualitative research with the heads of competent institutions.

## CONCLUSIONS

Starting from the mentioned central hypothesis, the research confirmed that gender is one of the most important predictors of our model of citizens' attitudes about the risks of introducing death penalty in the criminal justice system of the Republic of Serbia. In addition, the researchers determined the unequivocal influence of education and marital status on certain aspects of citizens' attitudes about the introduction of such a punishment. Although death penalty has not been applied in our country since 2002, the results have shown that the majority of citizens are in favour of its reintroduction, and they specified the impossibility of re-committing the crime as the main reason for that stand. Others who were not in favour of the introduction, specified a possible wrongful conviction as the main argument against. Also, insufficient trust in the efficiency of the competent bodies that would be in charge of its implementation was noticed. Having in mind the importance of the conducted research, the competent state bodies should take into account the unequivocal attitudes of the citizens for the prescribed sanction to correspond to the social reality and public opinion. Certainly, even if there is a desire to introduce such a punishment, the obtained results could be used in some part to create awareness-raising campaign which can be implemented to accept or reject the introduction of such a punishment. At the same time, it is especially important to recognize the differences in attitudes at different levels of education, age, marital status, and income. The success of the implementation of such penalties will largely depend on broader public support and a clear determination of what is achieved through its introduction.

The presented model can be used for a more detailed understanding of people's attitudes regarding the support and opposition to the introduction of death penalty in the criminal justice system of the Republic of Serbia. That is why it is necessary to proceed with continuous research for the legal system to more efficiently and better fulfil its purpose of



existence in the processes of functioning of social communities. Also, the present model may be used for a better understanding of current penalties. This assumption is especially important when it comes to lifelong imprisonment, which is recently introduced (2019) in the Serbian legal system. This penalty at the time of its introduction, according to parliamentary debate, was introduced as a kind of replacement for death penalty in cases of sexual child abuse. Taking into consideration that death penalty is not possible in countries that are members of the Council of Europe, as Serbia is, the members of Parliament opted for lifelong imprisonment in such cases.

## CONFLICTS OF INTEREST STATEMENT

The authors declare no conflict of interest.

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## APPENDIX

Dear citizens, to better understand all the advantages and disadvantages of the introduction of death penalty in the criminal justice system of the Republic of Serbia, we will ask you to answer the questions we have prepared for you honestly and objectively. Please note that the questions are anonymous. On behalf of the scientific research team that conducts the research, which consists of professors from the Faculty of Law, the University of Novi Sad, and the Faculty of Security, University of Belgrade, we truly thank you for your time and support. After the research is completed, the research results will be published in one of the prestigious journals and available to you. Sincerely

### *Socio-demographic characteristics*

1. Gender: a) Male b) Female
2. Age: (write number)
3. Marital status: a) Single b) In connection (or engaged) c) Married d) Divorced (or widow)
4. Education level: a) Secondary school c) High school d) Undergraduate e) Master/Doctorate
5. Income level: a) Low income ( $\geq 500$  EUR); b) High income ( $\leq 500$  EUR)



*Citizens attitudes*

1. Please indicate the degree of agreement with the statements made, where 1 stands for “I strongly disagree” and 5 for “I strongly agree”.

No.	Statements	1	2	3	4	5
1.	I support the introduction of death penalty in the RS legal system	1	2	3	4	5
2.	I have confidence in the criminal justice system of Serbia that would conduct the execution of such a criminal sanction?	1	2	3	4	5

2. Please indicate the degree of agreement with the statements made with reasons for introducing the death penalty, where 1 stands for “I strongly disagree” and 5 for “I strongly agree”.

No.	Statements	1	2	3	4	5
1.	Improving security	1	2	3	4	5
2.	Impossibility to do the work again	1	2	3	4	5
3.	It deters perpetrators of crimes	1	2	3	4	5
4.	Life for life	1	2	3	4	5
5.	Economic repercussions	1	2	3	4	5
6.	Expressing social condemnation for a crime	1	2	3	4	5
7.	Achieving fairness and proportionality	1	2	3	4	5

3. Please indicate the degree of agreement with the statements made with reasons for not introducing the death penalty, where 1 stands for “I strongly disagree” and 5 for “I strongly agree”.

No.	Statements	1	2	3	4	5
1.	Violation of human dignity	1	2	3	4	5
2.	Laws are preferred to human rights	1	2	3	4	5
3.	Wrongful condemnation	1	2	3	4	5
4.	Impossibility of repeating the judicial proceedings	1	2	3	4	5
5.	Reduced to mere repression	1	2	3	4	5
6.	Revenge for the perpetrator	1	2	3	4	5

4. Please indicate the degree of agreement with the statements made for which crimes would you envisage the death penalty, where 1 stands for “I strongly disagree” and 5 for “I strongly agree”.

No.	Statements	1	2	3	4	5
1.	Aggravated murder	1	2	3	4	5
2.	The most serious crimes	1	2	3	4	5
3.	The most severe forms of heavy crime	1	2	3	4	5

5. Please indicate the degree of agreement with the statements made with the level of efficiency in the field of crime prevention or general prevention, where 1 stands for “I strongly disagree” and 5 for “I strongly agree”.

No.	Statements	1	2	3	4	5
1.	Police	1	2	3	4	5
2.	Public Prosecutor’s Office	1	2	3	4	5
3.	Courts	1	2	3	4	5
4.	Media	1	2	3	4	5



