



Rape myth beliefs and prejudiced instructions: Effects on decisions of guilt in a case of date rape

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Purpose. The purpose of this study was to investigate the potential effects of pro and anti rape myth bias in judges' summing up statements on verdicts given by individuals.

Method. A convenience sample of 90 male and 90 female students from a British university completed the Rape myth acceptance (RMA) scale (Burt, 1980). A scenario depicting a date rape was read, ending with guidance that was either pro or anti rape myth, or neutral.

Results. Rape myth supporting guidance was associated with innocent verdicts, and anti rape myth guidance with guilty verdicts, regardless of degree of rape myth acceptance. Level of rape myth acceptance and gender were also found to predict verdict.

Conclusion. Rape myth biased guidance may influence verdicts in a rape scenario in which the attribution of blame to the man and woman depicted could be perceived as being ambiguous.

Lees (1996) argues that the criminal justice system is biased against victims in cases of rape. The female victim is often made to describe in graphic detail what has happened to her, and whilst changes implemented in 2000 have sought to improve the situation for the victim in court, a rape trial is still likely to be an unpleasant and traumatic experience. In addition to this, there is evidence that some judges increase the bias by making summing up statements to the jury including opinions, presented as facts, which reflect rape myth beliefs. For example:

Complaints of this nature are easy to make and difficult to refute. It is the experience of the courts that sometimes false complaints are made. Whilst the motives for making such complaints may sometimes be obvious, on other occasions the complainant's motives may be obscure or the real reason for her acting in that way may never come to light (Judge Grigson, 1993, cited in Lees, 1996, p. 112).

Burt (1980) states that rape myths shift the blame for rape on to the victim and excuse the perpetrator, and defines rape myths as 'prejudicial, stereotyped, or false beliefs

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about rape, rape victims, and rapists . . . creating a climate hostile to rape victims' (p. 217). The Rape myth acceptance (RMA) scale was developed to measure rape myth beliefs, and was found to be reliable (Burt, 1980). It has frequently been used as an attitude measure in the study of issues around rape (e.g. Jenkins & Dambrot, 1987; Lanis & Covell, 1995; Marshall & Hambley, 1996). One common finding in rape myth research is that men report more rape myth beliefs than do women (e.g. Ashton, 1982; Muir, Lonsway, & Payne, 1996).

The majority of rapes, frequently referred to as *date rape*, are committed by an acquaintance or person known intimately by the victim (Home Office, 1999). In these situations, those who believe rape myths would be likely to see events as ambiguous, if not totally the victim's fault. Jenkins and Dambrot (1987) used the RMA scale and a variety of dating scenarios to investigate attributions of blame. They found that, in comparison to women, men were more supportive of rape myths and were less likely to see the events as rape.

This study is intended to investigate, at an individual level, the interaction between the extent of acceptance of rape myths and receiving guidance on the verdict for a 'date rape' scenario that is either pro or anti rape myth. It is proposed that an individual's attitude towards rape myths and whether the guidance they are given is biased towards or against rape myths will be reflected in their verdict. It is predicted that these two factors will act in combination, leading to greater bias when the guidance and the attitudes are consistent. For example, an individual who holds rape myth supportive beliefs and who receives rape myth supportive guidance would be predicted to be the most likely to decide that the man is innocent. A further prediction in accordance with previous research is that men will have more rape myth supportive beliefs than women.

Method

Participants

The participants were a convenience sample of 180 (90 men and 90 women) students from a British university, approached in various communal areas around the university. The different types of guidance statement were applied equally to men and women. Twelve of the questionnaires were found to be incomplete leaving 168 for the analyses.

Design

This study had a $3 \times 2 \times 2$ ANOVA between-participants design. The first independent variable was the type of statement given to guide the participant in making their decision, with three levels: supporting rape myths, anti rape myths or neutral. The second was the RMA scale scores, divided at the median point to provide two levels of RMA score. A high score indicates less rape myth supportive beliefs, whereas a low score indicates that they are more supportive of rape myths. The third independent variable was gender. The dependent variable was mean guilt score, assessing confidence in the guilt of the defendant in the scenario.

Materials

Participants were given a written briefing, the RMA scale (Burt, 1980) and a date rape scenario, which was the same in all cases, but with the statement guiding how the decision should be made changed to reflect pro rape myth, anti rape myth or neutral

attitudes (see Appendix). They were also given a 4-item questionnaire on which to indicate their verdict. All of these documents were placed, in order, in an unsealed A4 envelope.

The RMA scale has a 7-point response scale for the first 13 items, and a 5-point scale for the last 6 items. The following are examples of items from the RMA scale.

'Any health woman can successfully resist a rapist if she really wants to'.

'In the majority of rapes, the victim is promiscuous or has a bad reputation'.

The reliability of the RMA scale was found to be high, $\alpha = .85$. Whilst a marginal increase in reliability (to $.86$) could have been achieved by the deletion of Items 1 and 3, it was decided to leave these items in the analysis. This is consistent with the reliability previously found for this measure of $\alpha = .875$ (Burt, 1980).

The final questionnaire contained four questions to assess the certainty of the decision of guilt or innocence, and also to provide an indication of whether the man's behaviour or the woman's behaviour was judged to be influential in the verdict. The 4 items were:

'Please indicate how confident you are that the man in the scenario is innocent'.

'Please indicate how confident you are that the man in the scenario is not guilty of rape because he was driven by his instincts'.

'Please indicate how confident you are that the man in the scenario is guilty, but that the woman's earlier behaviour and the events of the evening had a role in the rape'.

'Please indicate how confident you are that the man in the scenario is guilty'.

Responses were made on a 5-point scale (ranging from 1 to 5), ranging from *very confident* to *very unconfident*. Reliability analysis indicated that the third item, relating to the woman's behaviour, was not reliable. This item was deleted, raising Cronbach's α from $.62$ to $.85$.

Procedure

Each participant was asked if they would participate in a study investigating attitudes to rape. They were given the envelope containing the questionnaires, and asked to work through the documents in the order they appeared. Participants completed the RMA scale first, and then read the scenario, which included one of the guidance statements, and indicated their verdict on the final questionnaire. They placed the papers back in the envelope, sealed it to ensure anonymity, and returned it to the experimenter. Participants were given a written debriefing.

Ethics

In case a participant had been a rape victim or found the subject matter in any way distressing, telephone numbers for Rapeline and Victim Support were provided. Participants were alerted about the contents prior to starting and given the opportunity to withdraw at any time.

Results and discussion

The RMA scale (Burt, 1980) was used to measure participants' attitudes towards rape myths. The mean RMA score was 5.40 (minimum = 3, maximum = 6.75), $SD = 0.60$,

with a high RMA score indicating beliefs less supportive of rape myths. The mean of the 3 remaining items was 3.80 (minimum = 1.55, maximum = 5), $SD = .83$, and a high score indicated greater confidence that the man was guilty. The RMA scale and the guilt scale were correlated at $r = .46$, $p < .001$.

A $3 \times 2 \times 2$ ANOVA was conducted to analyse the effects of the different guidance statements, the level of rape myth acceptance and gender. The means and standard deviations for guilt score, by level of RMA and gender, are shown in Table 1.

Table 1. Mean guilt score and standard deviation by level of rape myth belief, nature of guidance given and gender

	High rape myth belief		Low rape myth belief	
	Male	Female	Male	Female
Pro rape myth	3.12 (<i>SD</i> 0.88)	3.67 (<i>SD</i> 0.54)	3.33 (<i>SD</i> 0.78)	4.16 (<i>SD</i> 0.69)
Guidance	<i>N</i> = 19	<i>N</i> = 10	<i>N</i> = 9	<i>N</i> = 17
Neutral	3.40 (<i>SD</i> 0.97)	3.60 (<i>SD</i> 0.85)	4.17 (<i>SD</i> 0.83)	4.24 (<i>SD</i> 0.58)
Guidance	<i>N</i> = 15	<i>N</i> = 14	<i>N</i> = 12	<i>N</i> = 14
Anti rape myth	3.41 (<i>SD</i> 0.64)	3.93 (<i>SD</i> 0.68)	4.48 (<i>SD</i> 0.46)	4.22 (<i>SD</i> 0.61)
Guidance	<i>N</i> = 18	<i>N</i> = 9	<i>N</i> = 11	<i>N</i> = 20

Note. The higher the mean scores, the greater the confidence in the man's guilt.

There was a significant main effect for type of guidance statement, $F(2, 156) = 4.67$, $p < .05$, partial $\eta^2 = .06$. Further analysis with pairwise comparisons, using Tukey HSD procedure to control for Type I errors, indicated that participants receiving guidance supporting rape myths were significantly more likely than those receiving anti rape myth guidance to be confident that the defendant was innocent, $p < .05$. The neutral statement was not significantly different from either of the other statements, although the mean was between the two extremes, as expected. This is consistent with the prediction of the first hypothesis. It seems that the statements reflecting the pro and anti rape myth positions may have had some impact on the verdicts despite not having the authority that would be associated with such a statement from a judge in court.

Participants in the high RMA group were significantly more likely than those in the low RMA group to be confident that the man was innocent, $F(1, 156) = 24.50$, $p < .001$, partial $\eta^2 = .14$. This is in line with the first hypothesis and is consistent with previous research (Jenkins & Dambrot, 1987), even though the range of scores on the RMA scale indicated that these participants were not objectively supportive of rape myths. A non-student sample may produce a wider range of rape myth beliefs and an associated increase in the difference between low and high scores on the RMA scale.

In line with the final hypothesis, there was a significant effect for gender, with women being surer than men that the man was guilty, $F(1, 156) = 7.19$, $p < .01$, partial $\eta^2 = .04$. The interaction between gender and level of RMA was not significant, $F(1, 156) = .80$, $p = .37$, partial $\eta^2 = .01$. These findings suggest that men are more likely than women to decide that the man was innocent regardless of their level of rape myth acceptance.

The other two-way interactions were not significant: gender and type of guidance statement, $F(2, 156) = 2.43$, $p = .09$, partial $\eta^2 = .03$, type of guidance statement and level of RMA, $F(2, 156) = .94$, $p = .39$, partial $\eta^2 = .01$. There was no significant

three-way interaction between gender, type of guidance statement and level of RMA, $F(2, 156) = 1.72, p = .18$, partial $\eta^2 = .02$. The lack of statistically significant interaction between any of the variables means that the second hypothesis is not supported.

Whilst the interaction between gender and type of guidance statement was not significant at $p < .05$, it was at $p < .10$, and inspection of the data indicated that follow-up tests may be useful. The difference between men ($M = 3.19, SD = 0.84$) and women ($M = 3.98, SD = 0.67$) was significant in the pro rape myth guidance condition, $t(53) = 3.82, p < .001$. In the neutral guidance condition, the difference was not significant, men ($M = 3.74, SD = 0.98$) and women ($M = 3.92, SD = 0.78$), $t(53) = 0.74, p = .46$. The gender difference in the anti rape myth guidance condition was also not significant, men ($M = 3.82, SD = 0.78$) and women ($M = 4.13, SD = 0.64$), $t(56) = 1.66, p = .10$. This indicates that rape myth supportive guidance may have been particularly influential on men who are more accepting than women of rape myths.

Considering gender differences, an independent samples t test indicated that men ($M = 5.24, SD = 0.61$) had more rape myth supportive beliefs than did women ($M = 5.56, SD = 0.55$), $t(166) = 3.68, p < .001$, which is consistent with previous research (e.g. Burt, 1980; Muir *et al.*, 1996).

Whilst these findings are based on individual decisions, they suggest that the nature of guidance given, being pro or anti rape myth, may influence decision making in the potentially ambiguous situation of 'date rape'. In a jury trial, the group nature of this decision may impact upon the effect of any bias in the guidance given by the judge. Nonetheless, these findings suggest that when the judge instructs a jury care should be taken to provide unbiased instructions to ensure that the potential for rape myths to impact on their verdict is minimized.

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Appendix

Sarah Jones is a 25-year-old single woman. She works in the human resource department of a local company. She now lives on her own, but until 18 months ago, she lived with a partner. This relationship had started when she was 17 and they had lived together for 4 years. They mutually decided to end their relationship, as over the years, they had

grown up and were no longer compatible. Since the breakdown of this relationship, Sarah has been on dates with four different men, two of whom she has seen a number of times and has had consensual sexual intercourse with. None of these relationships have lasted more than 3 months and she is not currently seeing anyone.

Peter Smith is a 30-year-old single man. He started work as an architect immediately after finishing university. He has worked for his current employer for 5 years, having gained his early work experience in a smaller firm. He works as a member of a team of four architects and has management responsibility for one junior. He does not have any previous convictions for a criminal offence.

Sarah attended a ball where she had arranged to meet Peter, who she had met on a previous occasion but had never dated. At the ball, they both drank fairly heavily, danced and flirted with each other. After the ball, they went to a house belonging to a mutual friend where they had each been invited to stay. From this point, their accounts of events differ.

Sarah states that she removed her ball gown, lay down on the sofa and fell asleep. She was awoken by Peter climbing on top of her and forcing her to have sexual intercourse. She said that she did not want this and tried to push him away. She then struggled to free herself and shouted for help. The friends, who had also attended the ball, heard her and came to her assistance.

Peter states that he believed that Sarah had wanted sex because she had taken off her dress and sat facing him, naked on the sofa. He had taken this, and her earlier behaviour at the ball, as an invitation and had still believed that she consented even when she started protesting.

Guidance for neutral condition

You have here two conflicting accounts of the events of the night of the ball. You have to decide which you are going to believe, by weighing one account against the other and considering the information provided about each of them.

Guidance for rape myth supportive condition – also included the neutral guidance

You should be aware that accusations of the nature made by Sarah are easy to make and difficult to refute. There is evidence that false accusations are sometimes made. Whilst the motives for making such accusations may sometimes be obvious, for example, an unwanted pregnancy or as revenge for a previous hurt, on other occasions, the woman's motives may be obscure or the real reason for her acting in that way may never come to light.

Guidance for anti rape myth condition – also included the neutral guidance

You should be aware that there is a commonly held view that accusations of the nature made by Sarah are easy to make and difficult to refute. Some people also believe that women make these accusations to excuse an unwanted pregnancy or for motives such as revenge for previous hurts. The evidence from the courts does not support this, and should such a false claim be made, it would be extremely unlikely to get past the initial police inquiry and the Crown Prosecution Service.

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