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Palace, M and Shortland, N

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Factors behind support for harsher punishments for common and uncommon offenders

Purpose –The paper explores individual factors predicting support for harsher punishments for relatively common and uncommon serious offenders.

Design/methodology/approach – In *Study 1*, 120 UK participants (60 males and 60 females; mean age =37.31 *SD*=16.74) completed a survey exploring the extent to which they supported harsher punishments (SHP) for first time and repeat fraud, sexual and violent offenders. In *Study 2*, 131 participants (70 Britons and 61 Singaporeans; 69 females and 62 males; mean age=31.57; *SD*=10.87) completed a similar survey exploring their support for life sentence without the possibility of parole (SLSWP) for rather uncommon repeat offenders (i.e., drug traffickers, human traffickers, serious sexual offenders).

Findings - *Study 1* found that right-wing authoritarianism (RWA) was an SHP predictor for first-time and repeat fraud, violent and sex offenders. *Study 2* found that national identity (i.e., how British or Singaporean participants felt) played a similar role to *Study 1*'s RWA in being a positive SLSWP predictor for repeat human traffickers and drug traffickers of both sexes, as well as male sex offenders. In contrast to the hypothesis, however, participants' locations did not appear to play a statistically significant role.

Research limitations - This survey-based research reveals a nuanced and quite consistent picture that could benefit from the inclusion of socio-economic factors and other cross-cultural comparisons.

Practical implications – The key message from this study is to inform the public on the role that right wing-authoritarianism and national identity play in their SHP and SLSWP.

Social implications – It is vital to increase the legislators' and the public awareness of the role that national identity and RWA seem to play.

Originality/value – The paper offers insight into factors behind people's punitive attitudes towards specific crimes regardless of geo-cultural location.

Keywords: attitudes; drug trafficking; fraud; human trafficking; sex crime; violence

Factors behind support for harsher punishments for common and uncommon offenders

Adding to the widespread misconceptions about psycho-legal issues of the legal system are the punitive attitudes held by the public that politicians and policy makers often tap into to win popular support (Shackley et al., 2014). Indirectly shaping laws, the attitudes reinforce sentences focused on the allegedly, but poorly supported, harshness-based deterrence rather than evidence-based effectiveness and resocialisation (Pratt, 2006; Zimmerman et al., 1988). In turn, they often lead to a criticism of the legal and justice systems (Gerber and Jackson, 2013). The misinformed tough-on-crime beliefs (Shaw and Woodworth, 2013) also appear to contribute to reoffending and the so-called 'revolving doors' - see: Hough and Kirby, 2013). Relatedly, it was shown how punitive attitudes are increased by concern about crime and economic uncertainty (Costelloe et al., 2009), dispositional attribution (Cochran et al., 2003), as well as right-wing authoritarianism (Palasinski and Shortland, 2016).

Whereas some research showed that demographic factors, political orientation, religious attendance and media exposure are weak to moderate predictors of punitive attitudes (Hough and Kirby, 2013), other study indicated that blame of welfare, affirmative action, and immigration is the strongest predictor of punitiveness (Hogan et al., 2005). It also seems that policemen hold more punitive attitudes than policewomen (Chen, 2016). Perhaps not surprisingly, the focus has been put on exploring attitudes towards sexual crimes, finding women more emotive and punitive than men towards rapists (Edwards, 2001; Gault and Sabini, 2000; Holcomb et al., 1991). Despite the relatively long history of personality theories, however, their role has been rather marginalised in the exploration of punitive attitudes to specific serious crimes (Harper and Hogue, 2015; Palasinski and Shortland, 2016). The exploration of such factors, therefore, might potentially help inform the policies and laws

aimed at the effectiveness-oriented resocialisation of serious offenders rather than retribution for its own sake.

Study 1

Given the past research suggesting that attitudes towards severity of punishment are affected by crime-specific factors (Brocke et al., 2004), in *Study 1*, we explore what factors might best predict punitive attitudes towards common serious offenders - first time and repeat fraud, sexual and violent offenders. In particular, we focus on:

Age - Although some research has failed to find any correlation between age and punitive attitudes (Kury and Ferdinand, 1999; Roberts and Indermaur, 2007; Spiranovic, et al., 2012), other research did find a positive correlation between the two (Gelb, 2011; Indermaur and Roberts, 2005), with participants below the age of forty being more supportive of rehabilitation (McCorkle, 1993). Despite age explaining variance towards drug, gun and drink driving offences, the relationship appears to be complex, with younger individuals for example being more punitive towards gun crime (Payne et al., 2004). A cross-cultural study (Mayhew and Van Kesteren, 2011) found that individuals aged sixteen to forty held more punitive attitudes in Asia and Africa and less punitive attitudes in East and Central Europe and Latin America. Whereas age is typically categorised between ‘the young’ and ‘the old’, Rossi and Berk (1997) introduced the notion of a curvilinear relationship between age and punitive attitudes. Their findings suggested that youth (18-34) and elders (65 over) were least punitive, and the middle aged (35-64) were most punitive (likely due to most family responsibilities). Thus, it was hypothesised that ‘the middle aged’ group would be more punitive towards repeat offenders.

Education – Its **low level** has been found to be a **positive** predictor of **more** punitive attitudes (Costelloe et al., 2009; Falco and Turner, 2013; Indermaur and Roberts, 2005). Interestingly, law students were found to be less punitive than non-law students (Tsoudis,

2000), which could be likely down to their better recognition of inequalities within the system (Dowler, 2003). In general, the lower educated seem to favour imprisonment in Westernised countries (Mayhew and Van Kesteren, 2011), and are less punitive towards sex offenders (Shackley et al., 2014). In line with this, the education variable alone was found to account for 11% of the punitive attitudes variance (Spiranovic et al., 2012). Thus, it was hypothesised that the less educated participants would be more punitive towards repeat offenders.

Gender - It appears that women hold more punitive attitudes to sexual offenders on both affective and behavioral measures than men (Kernsmith et al., 2009; Willis et al., 2013). Men, on the other hand, are more supportive of punishment over treatment (Whitehead and Blankenship, 2000; Kury and Ferdinand, 1999) and are generally more punitive (Gelb, 2009) even across different cultures (Besserer, 2002). This likely reflects the overall higher male likelihood of victimisation (Holtfreter et al., 2008) and more common female altruistic, empathetic and nurturing traits (Geary, 2000), which could partially explain for their preference of offender treatment and rehabilitation over incarceration (Applegate et al., 2002). Thus, it was hypothesized that female would be more punitive to repeat sex offenders and that men would be more punitive to repeat fraud and violent offenders.

Mortality Salience – It is a product of the Terror Management Theory (TMT) in which an individual's awareness of death is increased (Rosenblatt et al., 1989). This awareness, influences cognitive functioning and behavioural reactions (Jones and Wiener, 2011). To manage this terror, people invest in and identify with cultural beliefs and ideologies which results in their striving to uphold legal sanctions (Lieberman et al., 2001). Past studies suggest that increasing the salience of mortality activates people's political attitudes (Arndt et al., 2005; Burke, Kosloff & Landau, 2013), increasing the need for supporting (Lieberman, Arndt, Personius, & Cook, 2001) or/and defending their subjective

views (Koski & Clinkinbeard, 2008), including legal opinions (Arndt, Lieberman, Cook and Solomon, 2005). Thus, it was hypothesized that participants exposed to 1-7 Likert type statements related to passing away would be more punitive, especially to the (apparently more worldview-threatening) repeat offenders.

Religiosity - It is clear that religion has been shaping punitive attitudes and legal systems (Baumer and Martin, 2013). Christianity, for example, was found to be a positive correlate of support for corporal punishment and harsher laws (Applegate et al., 2000; Grasmick et al., 1992; Grasmick and McGill, 1994; Unnever et al., 2005; Unnever and Cullen, 2010). However, those viewing God as a guardian of justice were found to be more punitive than those viewing God as gracious and forgiving (Unnever et al., 2005). Thus, it was hypothesized that participants scoring higher on the general religiosity scale would be more punitive, especially for (the apparently unrepentant) repeat offenders.

Right Wing Authoritarianism – It includes three dimensions: submissiveness to authority figures, conventionalism, and a tendency to be involved in aggression sanctioned by authority figures (Altemeyer, 1996). Authoritarianism aggression was a positive predictor of punitiveness, whilst other dimensions were negatively correlated with punitive attitudes (Funke, 2005). Over the past years, an increase in research regarding the relationship between RWA and punitive attitudes has been conducted (Colémant et al., 2011; Feld, 2003; Tam et al., 2008). Both past and current research shows that right wing authoritarianism is a generally consistent predictor of punitive attitudes (McKee and Feather, 2008; Palasinski and Shortland, 2016). According to Applegate et al. (2000), those who have a low RWA score are more likely to think that criminals, including murderers, are redeemable. Interestingly, however, people scoring high on RWA are only more punitive than average when the crime is directly a threat to the unity and regularity of their society (Dunn, 2013). This might be seen, for example, in support for the right-wing parties, like British UKIP or the American

Tea Party, which focus on the alleged threats of immigrants. Thus, it was hypothesized that participants scoring higher on this scale would be more punitive, especially to (the apparently uncorrectable) repeat offenders.

Methodology

A standard multiple regression correlational design was adopted. The outcome variable, *Support for Harsher Punishments*, was split into six different types of relatively common offence – first-time and repeat fraud, violent and sex offenders. They were hypothesized to be predicted by six independent variables (their age, gender, education, mortality salience, right-wing authoritarianism and religiosity). A sample of 120 UK-based participants (60 males and 60 females; mean age =37.31 *SD*=16.74) completed an online questionnaire on social media, like Facebook and Twitter, which took 10 minutes. Questionnaires covered predictor factors using shorted and adapted (i.e., reduced to 5-items) 1-7 Likert-type scales: *Religiosity* ($\alpha=.901$), *Right-wing authoritarianism* ($\alpha=.822$), *Mortality Salience* ($\alpha=.822$). The other predictor variables included; *Participant Gender*, (Measured on 3 levels; 1=Male, 2=Female), *Age* (Numeric Value) and *Years in Education* (Numeric Value)

Results

First time fraud offenders

The total variance explained by the model as a whole was 7.8%; $R^2=.078$, $F(6, 119)=2.67$, $p<.05$. Only RWA was a positive predictor ($\beta=.274$, $p=.009$).

Repeat fraud offenders

The total variance explained by the model as a whole was 9.8%; $R^2=.098$, $F(6, 119)=3.15$, $p<.05$. Only RWA was a positive predictor ($\beta=.259$, $p=.013$).

First time sex offenders

The total variance explained by the model as a whole was 22%; $R^2=.217$, $F(6, 119)=6.489$, $p<.001$. Only RWA was a positive predictor ($\beta=.203$, $p=.035$).

Repeat sex offenders

The total variance explained by the model as a whole was 18%; $R^2 = .188$, $F(6, 119) = 5.59$, $p < .001$. Only RWA was a positive predictor ($\beta = .192$, $p = .05$).

First time violent offenders

The total variance explained by the model as a whole was 16%; $R^2 = .161$, $F(6, 119) = 4.794$, $p < .001$. Only RWA was a positive predictor ($\beta = .244$, $p = .015$).

Repeat violent offenders

The total variance explained by the model as a whole was 11%; $R^2 = .110$, $F(6, 119) = 3.455$, $p < .05$. Only RWA was a positive predictor ($\beta = .259$, $p = .012$).

Study 2

Given the consistency of right-wing authoritarianism in predicting support for harsher punishment for both first time and repeat offenders in *Study 1*, which ties up with and complements the existing literature (Colémant et al., 2011; Dunn, 2013; Feld, 2003; McKee and Feather, 2008; Palasinski and Shortland, 2016), *Study 2* takes a slightly different focus in a cross-cultural context to explore if the role of RWA would be similar. More specifically, drawing on research showing that RWA and social dominance are positively correlated (Thomsen et al., 2008) and predictive of prejudice against subjectively threatening outgroups (Cohrs and Asbrock, 2008), it hypothesises that *National Identity* (i.e., how British or Singaporean a person feels) will play a similar role in predicting support for harsher punishments. In other words, it predicts that national sentiment will play a similar role to the prejudice-associated RWA and social dominance. The regression models in *Study 2* also replace some of the apparently non-significant and weakest predictors from *Study 1* (i.e., *Education* and *Mortality Salience*) with *Belief in a Just World* and *Offender's Gender*, hypothesizing that the stereotype of non-aggressive femininity would result in lower support of punishment for female offenders. Relatedly, we also draw upon research showing the close

association between support for government institutions and belief in a just world (Rubin and Peplau, 1975), the increase in punitive responses of the criminal justice system (Allen et al., 2005), and predictive power the belief in support for more punitive measures against different types of sexual offenders (Palasinski and Shortland, 2016).

Since *Support for Harsher Punishments* used in *Study 1* is likely to be interpreted differently in different cultures, in *Study 2*, we make it more specific and replace it with *Life Sentence without Possibility of Parole*. Given its toughness, this time we only include the most serious offences (*repeat human traffickers/repeat drug traffickers/repeat serious sexual offenders*) and introduce the cross-cultural comparison of the United Kingdom and its former colony of Singapore. Since the abolishment of the death penalty in 1965, life sentence without parole has become the harshest sentence in the UK, although it still practiced in some similarly developed rich nations, like Singapore linked by the heritage of the Commonwealth and sharing similar elements of legal and justice systems. Thus, it was hypothesized that the ‘tough policy-conditioned’ Singapore-based participants would be more supportive of life sentence without parole for the repeat offenders than those based in the UK.

Methodology

A standard multiple regression correlational design was adopted. The outcome variable, *Support for Life Sentence without the Possibility of Parole* (SLSWP), was split into six different relatively offender types—repeat drug traffickers, repeat human traffickers and repeat serious sexual offenders. SLSWP for these offenders was hypothesized to be predicted by participants’ age, belief in the just world, location (Singapore/UK), offender’s gender, national identity and religiosity. Sampling took over a one month period through an online questionnaire created through surveymonkey.com and its link was posted on social media sites, like Facebook and Twitter. Overall, one hundred and thirty one participants (70 UK-based and 61 Singapore-based participants; 69 females and 62 males; mean age=31.57;

$SD=10.87$) fully completed the questionnaire. It covered the predictor factors using shorted and adapted the 1-7 Likert-type scales: *Age* (Numeric Value), *Belief in a Just World* ($\alpha=.84$), *National Identity* ($\alpha=.78$), and *Religiosity* ($\alpha=.81$). The other predictor variables included and *Gender*, (Measured on 3 levels; 1=Male, 2=Female).

Results

Repeat male human traffickers

The total variance explained by the model as a whole was 15.7%; $R^2=.157$, $F(6,122)=2.841$, $p<.05$. Only *National Identity* was a positive SLSWP predictor ($\beta=.222$, $p=.017$).

Repeat female human traffickers

The total variance explained by the model as a whole was 14.8%; $R^2=.148$, $F(6,122)=2.653$, $p<.05$. Only *National Identity* was a positive SLSWP predictor ($\beta=.194$, $p<.036$).

Repeat male drug traffickers

The total variance explained by the model as a whole was 22.4%; $R^2=.224$, $F(6,122)=4.411$, $p<.05$. Only *National Identity* ($\beta=.187$, $p<.034$) was a positive SLSWP predictor.

Repeat female drug traffickers

The total variance explained by the model as a whole was 22%; $R^2 = F(6,122)=4.304$, $p<.05$. Only *National Identity* ($\beta=.203$, $p<.022$) was a positive SLSWP predictor.

Repeat male serious sexual offenders

The total variance explained by the model as a whole was 14.5%; $R^2=.145$, $F(6,122)=2.592$, $p<.05$. Only *National Identity* was a positive SLSWP predictor ($\beta=.189$, $p=.042$).

Discussion

The emergent data picture from *Study 1* supports the dominant and consistent role of right-wing-authoritarianism in predicting support for harsher punishments for fraud, violent and sexual offenders regardless of participants' *age, gender, education, mortality salience* and *religiosity*. Importantly, it was the case for both first time and repeat offenders even when their gender was left unspecified, complementing the existing literature on the role of RWA (Altemeyer, 1996; Applegate et al. 2000; Colémant, Van Hiel & Cornelis, 2011; Dunn, 2013; Feld, 2003; Funke, 2005; McKee & Feather, 2008; Tam, Leung and Chiu, 2008; Palasinski & Shortland, 2016).

In *Study 2*, therefore, we wanted to explore if life sentence without parole for some of the most serious male and female offenders (*repeat human traffickers/repeat drug traffickers/repeat serious sexual offenders*) could also be predicted by a factor related to RWA – i.e., national identity. Taking into account the research showing that RWA and social dominance are positively correlated (Thomsen, Green & Sidanius, 2008) and predictive of prejudice against subjectively threatening outgroups (Cohrs & Asbrock, 2008), it was hypothesized that the 'tough-policy conditioned' Singaporeans would be more LSWPP supportive than participants based in the UK. **The results, however, suggest that only participants' high national identification played a role regardless of their geo-cultural location.** It seems, therefore, that harsh sentence conditioning (i.e., much stricter laws, including the death penalty) **in Singapore** is not associated with support for (still) harsh punishments for some of the most serious repeat offenders. Although why it was not the case *for repeat female serious sexual offenders* is unclear, it might be down to their statistically low frequency in society and the proverbial stereotype of male sexual offender that is strongly associated with little knowledge of sexual crimes (Sanghara & Wilson, 2006).

Attitudes of the public towards common and uncommon serious offenders have clear consequences for them, the public and the laws (Church, Wakeman, Miller, Clements, & Sun

2007; Pickett, Mancini & Mears, 2013). Also, when the public is more fully informed about the processes of sentencing, its members tend to be less punitive (Gelb, 2009; Hough & Kirby, 2013). The insights into the roles that RWA and national identity play in shaping punitive attitudes might potentially inform the public and legislators about their judgement formation. Given the momentous influence of public attitudes towards offender treatment (Shackley et al., 2014), it is worth exploring other individual and socio-economic factors that might lie behind punitive attitudes, as well as the extent to which informing the public leads to less punitive attitudes and varies according to where those being informed are characterised as RWA and having national sentiment. A further exploration might also address some of the limitations of this research, like the relatively narrow range of explored individual predictor factors, as well as a qualitative study of punitive attitudes to specific serious offenders. This in turn, will help inform legislators how to help increase the public trust in legal and justice systems.

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