

Attitudes and Beliefs towards Punishment of Criminals

Abstract

Punishment has been meted out for a variety of reasons. Retribution is a common justification for tough punishment. Incapacitation or preventing crime by keeping people in prison or jail is also a common rationale. Then there is deterrence, the idea that suffering punishment will deter an offender from reoffending. The great irony of the past in our criminal justice system is that we could not have intentionally designed and built a better policy for offenders than the one we have. The criminal psychology covers attitudes and beliefs and emotions which must be inter panel of discourse in our modern criminal justice system. This will prove to be one of the best ways for framing a new mechanism of punishment concern to the societal attitude and beliefs. The present paper highlights the role of offender treatment programmes in social and psychological analysis.

Keywords: Attitudes and Beliefs.

Introduction

The punishment is about helping offenders to change the way they what think about their crimes, about their victims and about offending in general. One method of doing this is through offender treatment programmes which have been discussing long back ago in social as well as psychological analysis. In social, testing is not taken place wherein psychological it needed as much as its stream of knowledge. Only psychology in socio-medical setup deals with testing of the social behavioral activities of the peoples with their attitudes and beliefs at advanced level.

Punishment entails some form of pain, discomfort, or generally horrible experience. It can take many forms such as psychological, financial, emotional or physical suffering. It is for this reason that the punishment of crime becomes such a moral quandary; bringing about discuss as to who should have the right to punish others, who decides what is punishable and what is not, and what form punishment should take. What is considered acceptable by society, to what extent this differs between societies or cultures and how has this changed throughout history will be just some of the topics discussed. Throughout modern legal history, a huge volume of legal and philosophical writings has analysed the rationale behind criminal punishment; far less attention has been devoted to considering criminal punishment as a social and psychological phenomenon (Griffiths, 1970). Within the past few decades this situation has been partially corrected by a concerted and systematic effort to understand the social psychological dynamics of criminal deterrence. Punishment also defines social boundaries, vindicates norms, and provides an outlet for the psychological tensions aroused by deviant acts. Most criminal offences pose a direct physical, material or social threat to someone. The victim, of course, wants the behavior stopped. But so, do others who feel threatened, directly or indirectly. Thus, one major set of motives is behavior control. The reaction may be directed towards the offender or toward others who might emulate the offender.

Punishment reactions directed towards the offender are designed to deter present or future violations. In addition to teaching the offender about the consequences of improper behavior, punishment may also seek to educate about proper modes of conduct or to isolate or even eliminate the violator. A crucial component in this type of reaction is the individual's belief that punishment is efficacious in deterring the offender's present or future behavior. This mediating variable helps explain what might otherwise appear to be paradoxical behavior in punishment reactions.

Anglo-American sentences tend to be eclectic in their development and implementation of punishments. The range of



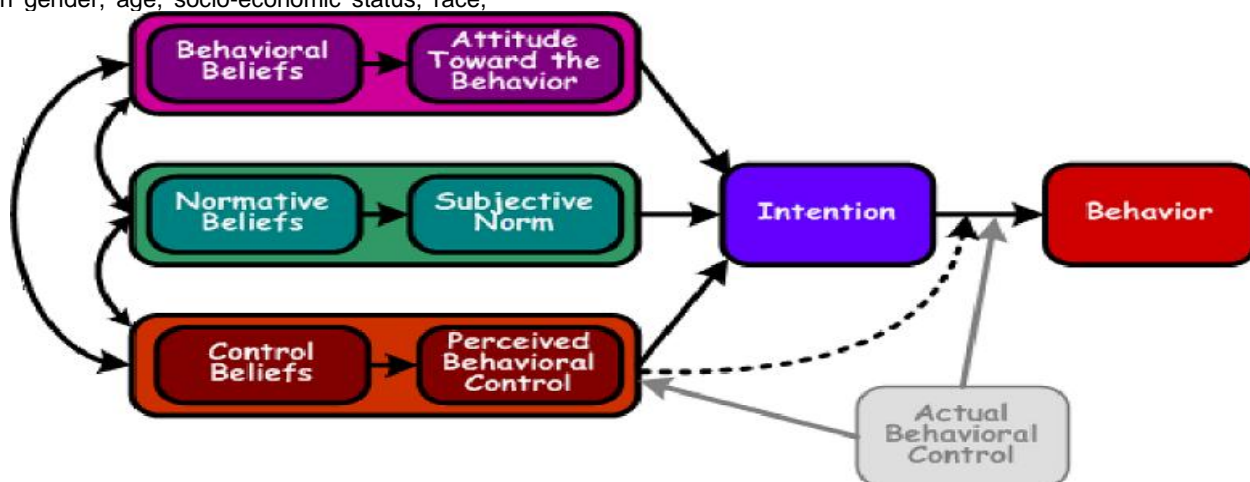
S. Reshma Jamal

Assistant Professor,
Dept. of Psychology,
Aligarh Muslim University,
Aligarh, U.P., India

punishments available and acceptable, are a mixture of the retributive and reductivist. Even though numerous analysis has investigated the degree to which people sanction the use of more cruel, harsher punishments in criminal justice, there has been less direct interest and research on the way in which people's attitudes and beliefs about the use of punishment are psychologically structured and determined. We are used to the notion of society or the State punishing law-breakers for their wrongdoings, but what to citizens actually think about punishment, and who should be punished? Think with a psychological mind, definitely a rational choice will stick in our mind!!! So, in the present paper, the author explores people's attitudes towards punishment, what happens when the State does not punish wrongdoers and whether it is right for communities to take the law into their own hands and punish deviants. There has been a great deal of research conducted by criminologists, sociologists and psychologists exploring attitudes towards punishment, various forms of punishment and sentencing beliefs. Many have found differences between groups, for instance, based on gender, age, socio-economic status, race,

political and religious beliefs. Despite the large number of researches, there are few current theories that attempt to slot in the findings into one unified theory.

Efforts have been made to tackle current concerns about crime; a number of Western countries are changing how they deal with criminals and even what effect of mental-balance would be allowed. It has been argued that Western countries have become much more punitive, giving harsher penalties than thirty years ago. Part of this is a belief that the liberalist policies of the 1960s and early 1970s were not effective and that there is currently a crime epidemic, particularly with drug related and anti-social crime (Cooke, Hatcher, & Woodhams, 2006). There is a tension between the belief that offenders can be in some sense 'treated' in order to prevent offending behavior, for instance, through the use of cognitive-behavioural therapies and the belief that offenders need to be punished and that the punishment alone should be enough to teach people. If the punishment does not do this, it is not harsh enough. This has led to a number of schools of thought about punishment.



Punishment of Due Process and Vigilante Tradition

Zimring (2003) an American criminal psychologist explored to draw together historical data, exploring patterns in these data with current research to help him inform theory. He suggested that there are two models of punishment values which he refers to as; 'due process' and 'vigilante tradition' beliefs. Those people who believe in due process values believe that offenders are difficult to identify, and this makes policing and punishment difficult. Partly due to concern about not identifying the correct perpetrator and accusing the wrong person of a crime, due process supporters advocate that it is better that ten guilty people go free than one innocent person be punished.

Second model of punishment suggested by him is *vigilante tradition* model explores that law and order including policing are the responsibility of the community, partly because of a distrust of the state. Offenders are generally identified within the community and are enemies of the community rather than being the community's own members. Advocate

of the *vigilante tradition* often favour the use of the death penalty because of their confidence in their justice system and the belief that mistakes are not made, while advocates of the due process model fear the use of the death penalty because it is an irreversible punishment.

Taylor, Fleckman, & Lee, (2017) also speaks about attitude, beliefs and perceived norms about corporal punishment and suggested that hitting children for discipline purposes is a strong risk factor for child physical abuse and is highly prevalent in the U.S. Yet little is currently known about the relevant attitudes, beliefs regarding the child discipline strategies. Ajzen (2005) reiterated that in order to change population level norms regarding corporal punishment, it is essential to understand which modifiable factors shape their formation. Attitudes toward a behavior are at least partially influenced by expected outcomes and perceived norms regarding the behavior. We know that despite the abundance of empirical evidence against the use of punishment, many authorities still use it without considering the consequences. We also know that the advice of key

professionals such as pediatricians and mental health professionals matters in terms of parent's attitudes toward and use of punishment. However, we lack an understanding of the current attitudes, beliefs and perceived norms of such professionals regarding the use of punishment. Most of the studies have examined professional's attitude, beliefs, and norms related to punishment.

Wayne, David, and Waldman (1982) explained in attitudes toward punishment in relation to beliefs in free will and determinism assessed attitudes toward punishment and strength of belief in free will or determinism found that subjects who scored higher in belief in determinism recommended more punitive measures for behavioural deviations than those who scored higher in belief in free will. A possible explanation for these results emphasized the burdensome moral responsibility which punishment may represent to those who believe in free will. Such responsibility would demand that punishment be administered with scrupulous attention to fairness and justice.

There are several issues regarding intimate punishment in which one of issue of interest has been that of whether people with attitudes favouring stricter, more frequent and more severe punishments do express this is behavior, most notably their child rearing behavior. In the few studies on this, the correlation has tended to be positive and significant. People's punishment attitudes, however, have broader implications for society. More favourable attitudes to punishment will be expressed in support for social policies and practices. Most prominently for greater punitiveness in the criminal justice system in the form of longer prison sentences, support for capital punishment and a greater readiness to criminalize, socially and morally disapproved and counter normative behaviours (Duckitt, 2009).

Additional beliefs may be implicated in behavioral control. First, punishment of the offender may be seen as essential to the morale of those other potential offenders who resisted the temptation to violate the rule and might be upset at seeing an offender go unpunished. Second, punishment of the offender by a third party may be viewed as a means of preventing vengeance by the victim or by others identified with the victim (Neil & Miller, 1980).

Criminal Psychology Views

Criminal psychology is an exciting field in which one has to research and work. Offender profiling in particular has captured the interest of the public and students of criminal psychology alike. In contrast to its portrayal in the popular media, it is a field in its infancy which still requires a lot of development, particularly in relation to establishing a solid theoretical base and evaluating its effectiveness in a methodologically rigorous way. Similarly, while case linkage has also received research attention it is a developing field and one that perhaps does not lend itself as well as exciting dramatization; hence its absence from popular media. Research to test its assumptions is showing promising results. However, practitioners of offender profiling and case linkage

should proceed with caution until further research is conducted.

As we know the criminal psychology is the study of the views, thoughts, intentions, actions and so reactions of criminals and all that partakes in the criminal behavior. Criminal behavior is any kind of anti-social behavior which is punishable usually by law but can be punished by norms, stated by community. This second part of thought (norm) deals with the criminal psychological application in sentencing punishment. The four roles of criminal psychologist are being identified such as clinical, experimental, actuarial, and advisory. The major part of criminal psychology is known as criminal profiling. A number of key studies of psychology especially relevant to understanding criminal psychology have been undertaken such as Bobo doll experiment, (Bandura, Ross & Ross, 1961), The Stanford Prison Experiment (Zimbardo, Haney, Banks, & Jaffe, 1971) and Loftus and Palmer (1974) eyewitness study.

Over the past few decades, a good deal of research has investigated what psychological factors might dispose people to adopt the social values and attitudes expressed. It is also related to the Right-Wing Authoritarianism (RWA) and Social Dominance Orientation (SDO) punitive authorities. Right wing authoritarian have no effect on attitudes and beliefs of punishment whereas social dominance orientation heavily expressed in humanity. The criminal psychology obviously prefers to social dominance orientation and utilized the method adopted by social dominated structure as above mentioned but do not ignore right wing totally. Researches in the field of criminal psychology focus on how social attitudes are structured and determined. It has important implications for understanding punishment attitudes. This indicates that punishment attitudes tend not to be held in isolation, but form part of a broader ideological patterning of social attitudes. Originally this was consideration to encompass a solitary dimension ranging from pro-authority, conservative, punitive attitudes at one extreme to liberal, tolerant, more permissive attitudes at the other extreme.

Studies in the field of criminal psychology also suggest that pro-punishment attitudes do not always have the same functional significance and motivational basis for individuals, and can therefore be influenced by quite different social and psychological factors. In addition, this perspective suggests that the two sets of values or motivational goals underlying individual differences in punitive attitudes are also expressed at the cultural or societal level.

Aim of Study

The aim of this paper is to discuss about the nature of punishment, models of punishment, attitude, beliefs towards punishment of criminals, criminal psychology views for the punishment.

Conclusion

Nowadays we are continuing to move towards the establishment of advanced society but punitive methods are totally reverse. Such vigilantism like situation created in every day in the name of mob lynching in India which is vary fatal for healthy society.

As we acknowledged that vigilantism is a situation in which a citizen or group of citizens take the law into their own hands. The most common cause for this action is when citizens believe that they cannot get justice through legal means, i.e. through the criminal justice system. Despite the terms, 'vigilante' and 'vigilantism' being used frequently in the media, little attention has been drawn to this issue within academia, even in terms of understanding what this phenomenon actually is.

The question is how changes in political, economic, and social structure influence the relative prevalence and strength of retributive versus behavior control motives and of concern with the offenders versus concern with the larger social spectators. The gap between social structure and the individual is increasingly high and I argued that changes in objective circumstances must also result in phenomenological changes in psychological functioning. Understanding the concepts of attitudes and beliefs in the punishment of criminals, a national level policy against punishment to be reviewed and forwarded. And it must be covering all the essential points of knowledge for advancing efforts to prevent physical abuse and use of unwanted punishment. We hope that the results of the use of advanced professional counselling practices with trainings for professionals and new polices at all levels relevant to ending the use of harsh punishment in our society.

References

- Ajzen, I. (2006). *Constructing a TpB Questionnaire: Conceptual and Methodological Considerations*. Retrieved June 27, 2011 from the World Wide Web: http://www.people.umass.edu/ajzen/pdf/tpb_measurement.pdf.
- Bandura, A., Ross, D., & Ross, S. A. (1961). *Transmission of aggression through imitation*

- of aggressive models. *The Journal of Abnormal and Social Psychology*, 63(3), 575.
- Cooke, C., Hatcher, R., & Woodhams, J. (2006). *Criminal Psychology: A Beginner's Guide*. London: Oneworld Publications Limited.
- Duckitt, J. (2009). *Punishment Attitudes: their social and psychological bases*. USA: John Wiley & Sons Ltd.
- Griffiths, J. (1970). *Ideology in criminal procedure or a third model of the criminal process*. *Yale Law Journal*, 79, 359.
- Loftus, E. F., & Palmer, J. C. (1974). *Reconstruction of automobile destruction: An example of the interaction between language and memory*. *Journal of verbal learning and verbal behavior*, 13(5), 585-589.
- Neil, V., & Miller, D. T. (1980). *Social psychological processes underlying attitudes toward legal punishment*. *Law and Society Review*, 14(3), 572.
- Taylor, C. A., Fleckman, J. M., & Lee, S. J. (2017). *Attitudes, beliefs, and perceived norms about corporal punishment and related training needs among members of the "American Professional Society on the Abuse of Children"*. *Child abuse & neglect*, 71, 56-68.
- Wayne, V., David, A., & Waldman, J. (1982). *Attitudes toward punishment in relation to beliefs in free will and determinism*. *Human Relations*, Sage Publications.
- Zimbardo, P. G., Haney, C., Banks, W. C., & Jaffe, D. (1971). *Stanford prison experiment*. Zimbardo, Incorporated.
- Zimring, F. E. (2003). *The contradictions of American capital punishment*. London: Oxford University Press.