

Prof. Dan Simon, University of Southern California

Location: S 183 im HF-Modulbau; Geb. Nr. 906; Herbert-Lewin-Str., 10

Time and Date: 27. May 2024 14:00 to 16:00

Title:

Is Criminal Punishment Prosocial?

Abstract:

Criminal punishment is said to be justified, even warranted, by its promotion of positive societal goals. Indeed, the stylized justifications of punishment—retribution, deterrence, incapacitation, norm expression, and rehabilitation—are undergirded by laudable goals of restoring justice, reducing crime, reinforcing societal norms, and rehabilitating people. Yet, despite these lofty goals, the punishment policy in the United States has produced a massive and racialized incarceration regimen whose harms far exceed its benefits. One key to this enigma stems from the punitiveness of the American public, as channeled through the political process. In this study, we set out to probe the notion of punitiveness, seeking to explore whether it may be influenced also by goals that cannot be considered prosocial. Testing a large sample of US respondents, we measured how twenty-one different constructs (comprising of fifty-nine individual measures) correlated with punitiveness and with one another. The findings reveal that punitiveness is strongly and positively related to almost all of the hypothesized constructs, suggesting a highly complex, yet cohesive, psychological mindset. The results paint a picture of punitiveness that deviates markedly from the prosociality of the formal justifications, as it correlates with beliefs, worldviews, ideologies, and racial attitudes that run against democratic values and prescribed legal safeguards. Notably, punitiveness is strongly related to a variety of factors that represent hostile aggression, including endorsement of degradation and infliction of suffering on prisoners, and acceptance of violence—including sexual assault—in prison. We find also that punitiveness is closely interrelated with vengeance and with hatred of people who commit crimes. These findings call for a shift in the prevailing discourse to include a frank acknowledgement of the ways in which criminal punishment serves to satisfy the psychological needs of the punishing public. We undertake to make the entire project openly available, including the measures used and the data, in the hope that it will serve as a resource to assist policy makers and facilitate further research into this complex and crucial issue.