Punitiveness, Fear of Crime and Social Views

Christina Zarafonitou¹,

I. Introduction

Punitiveness is most often perceived as a response to wrongs which have occurred in the past rather than as a preventive action against future offending². For this reason punitiveness is generally used "to mean support for a retributivist theory of justice and a lack of support for rehabilitative goals"³. The words punitiveness and punitivité have Latin origins, coming from the noun poena (=the value of spilt blood⁴) and the verb punio, which is defined as "punish, damage, chastise somebody". In Greek, the word τιμωρητικότητα (=punitiveness) comes from the verb τιμωρώ (= τιμή + ορώ = honour + watch), which originally meant that someone "protects the honour of somebody, comes as assistant"⁵. The purpose of punishment had concerned particularly the Athenians of the classic era who did not

¹ Professor of Criminology, Panteion University of social and Political Sciences, Athens, Greece.

² Matthews R. (2006), lemma: *Punitiveness*, in E.McLaughlin & J.Muncie (Eds), *The Sage Dictionary of Criminology*, Sage, 327.

³ Maruna Sh.& King A. (2009), "Once a Criminal, Always a Criminal?: 'Redeemability' and the Psychology of Punitive Public Attitudes, *European Journal of Criminal Policy and Research*, 15:7–24 (9)

⁴ Farsedakis J. (1990), *The criminological thought. From antiquity until nowadays*, Athens: Nomiki Vivliothiki (Judicial Library), 18 (in Greek).

⁵ Babiniotis G. (2004), *Dictionary for school and bureau*, Athens: Center of Lexicology, 1037 (in Greek).

perceived it as a simple revenge but searched for its further utility⁶. However, later its meaning changed and nowadays it is defined as "someone who inflicts a penalty, who takes revenge"⁷.

The long existing equation between penal sanctions and punishment was questioned after the Second World War, when the meaning of this term was disconnected from its punitive purpose and started to include a wide range of practices with various purposes (e.g. rehabilitation, dissuasion, restoration etc)⁸. The present era, however, is characterised by a strong populism and a 'new punitiveness', based on the harshening of penal law and its implementation and its extension to 'petty criminality' and 'incivilities'¹⁰. Based on the argument that they express the punitive attitudes of the public, retributive trends of criminal policy are justified, the role of victims becomes central in every stage of the criminal justice system, ¹¹ and their role as 'pressure groups' regarding the shaping of penal policies is given more scope. In this framework, the role of social perceptions and attitudes as well as the complex and interacting relation between 'subjective' and 'objective' punitiveness¹² is of primary importance.

Despite the different approaches concerning the conceptualisation of punitiveness, two main 'perspectives' are shaped regarding its definition¹³: a) punitiveness as a personality trait, a world view or, b) as a set of more narrowly defined views related to crime and its control. In the first case, punitiveness is examined through its connection with the views of respondents regarding sociopolitical and existential matters or in other words with their 'worldview'. This 'life

⁶ Farsedakis J. (1994), "La question criminelle à Athènes à l'époque classique. Idées et réactions", in *Volume in Honour of the Professor J.Papazachariou*, vol.B', Athens: Panteion University of Social and Political Sciences, 1031-1046.

⁷ Babiniotis G., op.cit., 2004, 1037.

⁸ Kellens G.(2000), *Punir. Pénologie & droit des sanctions pénales*. Liège : Éditions juridiques de l'Université de Liège.

 $^{^9}$ Pratt J., Brown D., Hallsworth S.&.Morrison W (Eds) (2005), *The new punitiveness*, Cullompton: Willan.

¹⁰ Landreville P., (2005), "From social integration to the management of risks? Politics and practices in the domain of penalties", (*Poeniki Dikaiosyni*) *Penal Justice*, 12: 1461-1468 (1465), (translation in Greek by Professor A. Manganas).

¹¹ Garland mentions that "the return of the victim to centre stage in criminal justice policy" and that "The interests and feelings of victims –actual victims, victims' families, potential victims, the projected figure of 'the victim'- are now routinely invoked in support of measures of punitive segregation", Garland D.(2001), *The culture of control. Crime and social order in contemporary society*, Oxford-N.York: Oxford University Press, 11.

¹² Killias M.(2001), *Précis de Criminologie*, SA Berne : Staempfli Eds, 399.

¹³ Brown E.K., (2006), "The dog that did not bark. Punitive social views and the 'professional middle class' ", *Punishment and Society*, 8: 287-312(305).

philosophy' 14 takes its specificity and is shaped by the socio-cultural characteristics of the context in which it is located. In this framework, punitiveness could be approached also as a *cultural characteristic*¹⁵. These 'expressive explanations' reflect a 'symbolic' function of punitive attitudes, approached more as "a symptom of free-floating anxieties and insecurities resulting from social change than a rational response to crime problems". When punitiveness is considered as "a fundamental attitude rooted in personality" it is consequently attached to social views on criminal policy regarding the function of the police, the purpose of penalties and the prison. It is also linked to the concern about crime as a serious social problem, a conservative political orientation, a lower middle-class background and attitudes toward the death penalty¹⁸. The cultural approaches of punitiveness reveal the role of cultural resources, images and challenges in the moulding of the views, impressions and evaluations which "are crucial to the ways we understand the world and how to engage with it"19. This conceptualisation of the attitudes toward crime and punishment cannot involve any determinism since "causal connections cannot be definitively made between attitudes and discursivecultural resources"²⁰. Punitive reactions toward crime are not "natural or innate"²¹. On the contrary, they vary from time to time and from society to society²².

In the second case, the factors introduced refer to more specific matters of 'everyday criminality', which are perceived as direct threats by the public, provoking fear and insecurity. In this light, the role of the 'worldview' is not important and the public perceptions and attitudes toward the harshening of penal sanctions are connected with past experiences as well as with the perception of risk. However, Maruna et al. ²³, suggest, that the 'instrumental concerns' pointing to "fear of crime, personal victimisation or real or perceived levels of crime" cannot easily explain punitive attitudes. As has been observed by the research findings which are presented below, the relation between punitiveness and fear of

¹⁴ Theodorson G.& Theodorson A.(1979), *A Modern Dictionary of Criminology*, Barnes & Noble Books, lemma: "Weltanschauung".

¹⁵ Green D., (2009), "Feeding Wolves. Punitiveness and Culture", *European Journal of Criminology*, 6:517-536.

¹⁶ Maruna Sh., Matravers A. and King A., (2004), "Disowning our shadow: a psychoanalytic approach to understanding punitive public attitudes", *Deviant Behavior*, 25: 277–299(277).

 $^{^{17}}$ Brillon Y., (1984), « Attitudes du public face à la justice pénale et vision du monde », Revue de science criminelle et de droit pénal comparé, 479-488(482).

¹⁸ Killias M., (2001), op.cit., 418.

¹⁹ Green D.(2009), op.cit., 518.

²⁰ Ibid.

²¹ Maruna Sh., Matravers A. and King A., (2004), op.cit., 278.

²² Ibid., 279.

²³ Maruna Sh., Matravers A., and King A., (2004), op.cit., 277.

crime is shaped to a large extent on the basis of their conceptual differentiations. On the one hand, when punitiveness is defined as an element of an individual's 'worldview', the only observed relation concerns the perception of crime as a 'serious social problem' and the related preoccupation. On the other hand, when punitiveness is defined as a concrete stance toward specific criminal issues, its relation with the fear of crime and the previous experience of victimisation is confirmed²⁴.

Kury et al.²⁵, point out the dimension of punitiveness as a "penal mentality of need for punishment" of individuals as well as its dimension as a "supra-individual value". In the first case, they focus on the "micro perspective" of punitiveness where "personal assumptions, values, concepts and emotions" are of interest, while in the second case the "macro perspective" of punitiveness is related to the whole population, and "it appears in the social discourse and can be followed especially in the media". Furthermore, punitiveness is differentiated as 'legal, juridical, operational and local', and Kury and Ferdinand²⁶ suggest that in the framework of this distinction it concerns distinct but interrelated forms of harsher confrontation of offenders by penal law, penal justice, police and penal sanctions executive agencies as well as by the "citizenry in everyday life".

The role of the mass media remains important in all cases²⁷. On the one hand, the excessive media presentation of the crime problem shapes public impressions regarding the increase of criminality ('crime waves')²⁸. On the other hand, the partial focus of the media on violent crimes²⁹ influences the fear of crime and the punitive attitudes of the public. Additionally, the wide exposure to this kind of media information regarding crime appears to be related to expressions of 'moral panic³⁰', which associate contemporary types of crime with several aspects of 'penal populism'³¹.

²⁴ See also Killias M.(2001), op.cit., 418.

²⁵ Kury H., Brandenstein M., Obergfell-Fuchs J.(2009), "Dimensions of punitiveness in Germany", in H. Kury (Ed), Punitivity: Experiences across the world, *European Journal of Criminal Policy and Research*, Special Issue, 263-81 and Kury H. and Obergfell-Fuchs J., "Attitudes to punishment (punitivity)-Results and methodological problems" (2011), in Chalkia A. (Ed), *The contemporary Criminality, its Confrontation and the Science of Criminology, Volume in Honour of J. Farsedakis*, Athens, Nomiki Vivliothiki, 1229-1252.

²⁶ Kury H.and Ferdinand Th.(2008), "Punitivity. An Introduction". In H.Kury and Th.Ferdinand (Eds), *International perspectives on punitivity*, Bochum: Universitatsverlag Brockmeyer, 1-12.

²⁷ Gray J.M.(2009), "What shapes public opinion of the criminal justice system?". In J.Wood and Th.Gannon (Es), *Public opinion and criminal justice*, Willan Publ., 49-72.

²⁸ Fishman M.(1978), "Crime as ideology", *Social Problems*, 25: 531-543.

²⁹ Cario R.(2004), "Medias et insécurité : entre droit d'informer et illusions sécuritaires", *Recueil Dalloz*, 2 : 75-80.

 $^{^{30}}$ Cohen S.(1972), Folk devils and moral panics, London : MacGibbon & Kee.

³¹ Pratt J.(2007), *Penal populism*, London: Routledge.

The research which will be presented below focuses on 'subjective' punitiveness, which reflects "the expressed desire [of the public]... the penalties and the answers to crime... to become harsher" and intends to shape an explanatory framework of the harsh social views toward offenders. In this context, the effect of several factors is examined, such as fear of crime, the lack of confidence in the criminal justice system, the 'worldview' of the respondents as well as their personal characteristics. In addition, we will also consider "the severity of penal sanctions that a society imposes to those convicted" as long as it is conceptualised as an 'objective' legislative 'product' of social pressure as well as a 'pattern' of wide acceptance and, given the symbolic function of the penalty, it interacts therefore with the punitive attitudes of the public.

II. Empirical examination of punitiveness: the emergence of two main aspects

The distinction between punitiveness connected with a worldview and that stemming from more narrowly defined views related to crime and its control, are derived from the data of our survey on "(Un)safety, Punitiveness and Criminal Policy", conducted in Athens in 2006.

The research was carried out in the agglomeration of Athens from the spring to the autumn of 2006³⁵. Punitiveness was examined through two main questions. The first is the item used by the ICVS (*International Crime Victimisation Survey*), in which respondents are asked which sentence they consider more appropriate for a recidivist burglar, a man 21 year old who is found guilty of burglary for the second time, having stolen a television set³⁶. The second question examined the opinions

³² Killias M.(2001), op.cit., 399.

³³ Ibid.

³⁴ Zarafonitou Ch., Courakis N. (Eds), Gouseti J., Kaggellari R., Chainas E., Kitsos G. (Coll.), (2009), (*Un)safety, Punitiveness and Criminal Policy*, Laboratory of Penal and Criminological Research 18, Athens-Komotini: A.Sakkoulas Publ.

³⁵ Three areas of the Greek capital were chosen, on the basis of the following criteria: the spatial distribution of each region, the living conditions shaped by the socio-economic status of residents and the environmental characteristics of the areas. The main methodological tool of the research was the questionnaire, the structure of which was based on both quantitative and qualitative data. In particular, 450 questionnaires were distributed in the research areas. In order for each area to be fully represented, the selection of the samples was based on a stratified analysis.

³⁶ Van Dijk J., Van Kesteren J., Smit P.(2007), Criminal victimisation in international perspective. Key findings from 2004-2005 ICVS and EU ICS, WODC, 147.

of the respondents about *the purpose of sentencing*³⁷. In this case, the set choice of answers reflected the main philosophical background of penalties.

The current study of punitiveness is however not solely based on the above mentioned conceptual differentiation; it includes also a wide variety of items related to other matters such as the respondents' lenient or severe attitudes toward various criminal behaviours as well as their position on important criminological matters and the death penalty. The ranking of their punitive attitudes based on non-legal criteria (sex, age, nationality, and social status) has also been examined³⁸. The aforementioned distinction of the two basic 'aspects' of punitiveness has been derived from the analysis of the research data, since the answers given to the first question reflect punitiveness as a more concrete attitude toward crime and its control while those to the second as an element of general social views.

Nonetheless, punitiveness remains a vague concept which is related to personal circumstances as well as to socio-cultural characteristics of the context in which it is expressed. This complexity is also reflected in the methodological difficulties faced by the study of the punitive attitudes of the public³⁹.

II.1. Punitiveness reflected by the choice of imprisonment

Although the selection of *community service* as the most appropriate sanction for the 21-year-old recidivist burglar is the most frequent response (43%), about one third of the respondents (31%) refer to *imprisonment*⁴⁰ and are therefore considered more punitive. Within this particular group, women, those who are married and have children, those who have a higher socio-economic status, those with a political orientation toward the right and those who have just recently moved to

³⁷ The ranking of the functions of imprisonment has been also examined in the Swiss survey: Kuhn A. (Dir.), Jayet A.& Villetaz P. (Coll.), (Novembre 2001), *La punitivité et le rôle de l'unité de sanction dans le quantum de la peine*, Rapport scientifique final, Université de Lausanne, Faculté de Droit. See also: Kuhn A., Villetaz P., Jayet A.W.(2005), "L'influence de l'unité de sanction dans les peines infligées par les juges et celles désirées par le public", *Déviance et Société*, 29(2): 221-230.

³⁸Gouseti I., Brief presentation of the research project: "Insecurity, punitiveness and criminal policy",

http://criminology.panteion.gr/index.php?option=com_content&view=article&id=140%3Aqinsecurity-punitiveness-and-criminal-policyq&catid=39%3Aanakoinoseis&lang=el

³⁹ Kury H., Obergfell-Fucks J.(2008), "Methodological problems in measuring attitudes to punishment (punitivity)". In H.Kury (Ed), *Fear of crime-Punitivity. New developments in theory and research*, Bochum: Universitatsverlag Dr. N.Brockmeyer, 277-302.

⁴⁰ According to the last ICVS of 2005, imprisonment was chosen as the most appropriate sanction for the same crime by 30% of Greeks in comparison to the average which was 31%. In Athens, this answer was given by 26% of citizens compared to the average 33% of the main cities included in the ICVS. *See* Van Dijk J., Van Kesteren J., Smit P.(2007), Criminal *Victimisation in International Perspective*, op.cit., 278.

their area of residence are slightly overrepresented. Strongly overrepresented are young people, aged 15-18, as well as older people over 70 years. A statistically significant difference concerns respondents with the lowest educational level, a finding which could be interpreted in the sense that the *dominance* of this type of penal sanction in this category is an example of a wider social attitude linked to a lack of expert knowledge.

In particular, imprisonment was selected as the most appropriate sanction by:

- 33% of women (compared to 28.8% of men),
- 33.5% of married people and 32.2% of parents (compared to 29.8% of the unmarried and 29.7% of those with no child),
- 33.3% of those who characterise their financial condition as good (compared to 31.1% of those who characterise it as bad and 29% of those who characterise it as mediocre),
- 35.3% of those who have lived in their area of residence for less than 1 year (compared to 30.5% of those who have lived in their area of residence for more than 5 years and 29.5% of those who have lived in their area of residence from 1 to 5 years),
- 37% of persons situated on the right of the political spectrum (compared to 32.9% of those politically oriented in the center and 24.8% of those situated on the left),
- 58.3% of the respondents aged 15-18 (compared to 36.0% of respondents above 70, 35.0% aged from 53 to 69 years, 32.1% aged from 19 to 35, 25.5% aged from 36 to 52)
- 50% of graduates of primary school (compared to 35.5% of graduates of high school and 24.6% of those with a university degree), p < .009.

II.2. Punitiveness reflected in the purposes of punishment

The answers to the second question, regarding the purpose of punishment were distributed as follows:

- Society's protection from crime (*social defense*) (25.3%)
- Criminal's punishment in order to 'pay' for its acts (*retribution/vengeance*) (20.2%)
- Deterrence of future criminals (general penal prevention) (19.8%)
- Criminal's rehabilitation-Social integration (18.1%)
- Deterrence of the criminal from recidivism (*special penal prevention*) (8.6%)
- Satisfaction of the victim (restoration) (7.3%)

In this framework, those respondents who chose *retribution/vengeance* as the main purpose of punishment are considered the most *punitive*. This aim of punishment was chosen mostly by women, married people, those with a mediocre financial status and those who politically tend toward the center as well as those on the left. The correlation was statistically significant in the case of the respondents with low educational level and those who had lived in their area of residence from 1 to 5 years.

Those who chose *retribution/vengeance* as the main purpose of punishment are mostly:

- Women (39.1% compared to 32.4% of men),
- Married people (38.2% compared to 34.9%).
- Those who defined their financial condition as mediocre (37.4% compared to 34.9% of those who defined their financial condition as good and 32.8% of those who defined it as bad),
- Those politically situated at the center and those on the left (38.0% and 34.8% respectively compared to 26.9% of those situated on the right),
- Graduates of primary school (52.2% compared to 38.9% of graduates of high school and 31.3% of those with a university degree), p< .068,
- Those having lived in their area of residence from 1-5 years (49.2%) and less than 1 year (47.1%), compared to older residents (more than 5 years, 32.6%), p < .024.

II.3. Punitiveness and fear of crime

Testing of fear of crime is most frequently made by the (standard) question of the *International Crime Victimisation Survey (ICVS)*: "how safe do you feel walking alone in your area after dark?" This question has been asked in previous Greek surveys on fear of crime 42 either independently or in combination with other related items 43. In the current research, the examination of fear of crime has been

⁴¹ Van Kesteren J., Mayew P., Nieuwbeerta P.(2000), Criminal Victimisation in Seventeen Industrialised Countries, NSCR. See also the last ICVS: Van Dijk J., Van Kesteren J., Smit P.(2007), Criminal Victimisation in International Perspective. Key findings from the 2004-2005 ICVS and EU ICS, WODC, as well as the European crime victimisation survey: EUICS report, The Burden of Crime in the EU, A comparative Analysis of the European Survey of Crime and Safety (EU ICS) 2005.

⁴² Zarafonitou Ch., *The fear of crime. A criminological approach and inquiry based on an empirical study of the phenomenon within the city of Athens*, Athens-Komotini: A.Sakkoulas publ., (In Greek *and* in English).

⁴³ Respondents were asked three questions related to the fear of crime in our previous research of 2004: How safe do you feel when you are at home alone after dark? How safe do you feel walking alone in your area after dark? How likely do you consider the possibility of becoming the victim of a criminal act in the immediate future? Zarafonitou Ch., "Fear of crime and victimisation: the Greek experience" (2008). In H.Kury (Ed), *Fear*

limited to the aforementioned item, and has not been extended to other items, as the research focus is on the relation between punitiveness and insecurity, and not on an in depth examination of the latter.

The answers obtained show that more than half of the respondents (56.5%) feel unsafe walking alone in their area of residence after dark⁴⁴. This finding agrees with the findings of previous Greek surveys, which have observed high levels of insecurity (58.7%) among the citizens of the Greek capital since 1998⁴⁵. The observed levels of fear remained high in 2004 (52.7%)⁴⁶, despite a slight decline which could be seen as a result of the greater climate of 'security' in the wake of the Olympic Games held in Athens.

High levels of insecurity were also observed by the ICVS/EU ICS data of 2004/05⁴⁷, since 42% of Greek citizens said that they felt very or a little unsafe walking in the streets after dark. This was the highest rate in Europe. On average on European countries level, more than a quarter of population (28%) felt unsafe in 2005⁴⁸. The rate is higher among the inhabitants of the principal cities (32%), with Athens registering at the top with a percentage of 55%⁴⁹.

According to our research data, a positive correlation between punitiveness and insecurity is verified mostly when punitiveness is correlated with the desire of making penal sanctions harsher and when punishment is conceptualized as a retributive and vengeful penal purpose. More specifically, it is observed that the percentage of those "feeling unsafe" among respondents who choose imprisonment as the most appropriate sanction in the first question (64.4%) is twice as high as the percentage of those "feeling safe" (35.6%), (figure 1). And vice versa, the choice of imprisonment is made more frequently by those who do not feel safe compared to those who feel safe (35.7% compared to 25% respectively), (figure 2).

of crime-Punitivity. New developments in theory and research, Universitatsverlag Dr N.Brockmeyer, Bochum, 159-172(162) and Tseloni A. & Zarafonitou Ch.(2008), "Fear of crime and victimisation. A multivariate multilevel analysis", European Journal of Criminology, 5: 387-409.

⁴⁴ Zarafonitou Ch., Courakis N. (Eds), 2009, op.cit, 18.

⁴⁵ Zarafonitou Ch.(2002), The fear of crime. A criminological approach and inquiry based on an empirical study of the phenomenon within the city of Athens, op cit.

⁴⁶ Zarafonitou Ch.(2006), "Criminological approaches of fear of crime and of (un)safety", Poeniki Dikaiosyni (Penal Justice), 8-9:1031-1039, (in Greek).

⁴⁷ Zarafonitou Ch.(2009), "Criminal victimisation in Greece and the fear of crime: A 'paradox' for interpretation", *International Review of Victimology*, 16(3): 277–300.

⁴⁸ Van Dijk J.J.M., Manchin, R., Van Kesteren, J.N. and Hideg, G.(2007), *The Burden of Crime in the EU. A Comparative Analysis of the European Survey of Crime and Safety (2005 EU ICS)*. Brussels: Gallup Europe, 118.

⁴⁹Van Dijk, J., Van Kesteren, J. and Smit, P.(2007), *Criminal Victimisation in International Perspective. Key Findings from the 2004–2005 ICVS and EU ICS.* The Hague: WODC, 131.

Figure 1: Punitiveness (prison choice) and not feeling safe (p < .018)

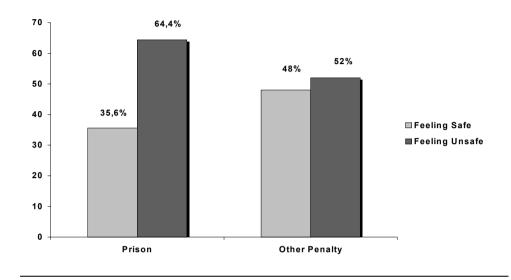
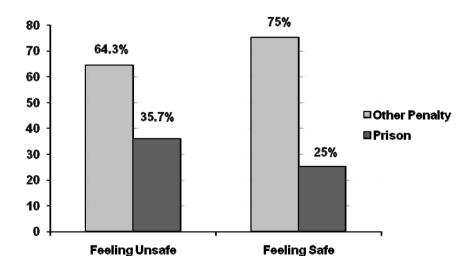


Figure 2: Not feeling safe and punitiveness (prison choice), (p < .018)



The picture changes however if we look at punitiveness in relation to the *purpose* of *punishment*. While, the "unsafe" are more numerous among the respondents who perceive retribution/vengeance as the main purpose of punishment (57.1%

compared to 42.9% of those who feel "safe") (*figure 3*), the difference between the "safe" and the "unsafe" in the group who chose retribution/vengeance as the main purpose of punishment is negligible (36.8% compared to 34.7%) (*Figure 4*). Moreover, in this case the correlation is not statistically significant.

Figure 3: Punitiveness (purpose of penalty) and insecurity

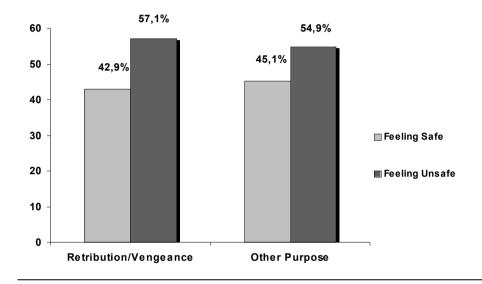
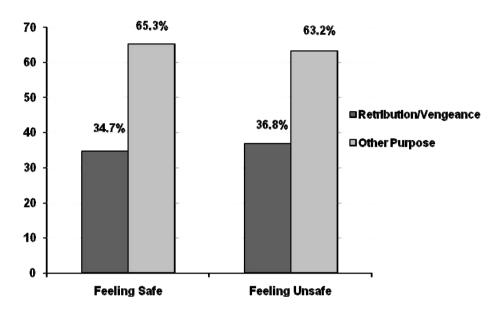


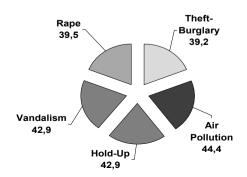
Figure 4: Not feeling safe and punitiveness (purpose of penalty: retribution)



Concerning the reasons for feeling unsafe, the respondents who chose imprisonment as the most appropriate sanction for the 21-year-old recidivist burglar were those feeling fear because of (*figure 5*):

- Thefts-burglaries (39.2% opposed to 23.7% of those who do not mention these types of crime), p < .007,
- Environmental pollution (44.4% opposed to 35.1%), p < .062,
- Bank robberies (42.9% opposed to 35.2%), p < .068,
- Vandalisms (42.9% opposed to 35.2%), p < .068,
- Rapes (39.5% opposed to 33.3%), p < .046.

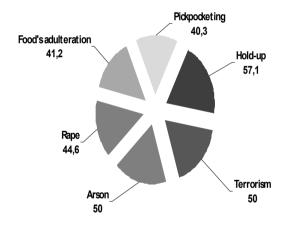
Figure 5: Punitiveness (prison choice) and reasons for not feeling safe



In addition retribution/vengeance as the principal aim of punishment was chosen mainly by those who were afraid of becoming a victim of the following types of crime (*figure 6*):

- Bank robberies (57.1% perceive *retribution* as the main purpose of punishment in contrast to 36.0% of those who chose the same answer, while referring to other types of crime),
- Terrorist attacks (50% opposed to 36%),
- Arson (50% opposed to 36.5%),
- Rape (44.6% opposed to 32.2%),
- Food adulteration (41.2% opposed to 36.2%) and
- Pick pocketing (40.3% contrary to 35.1%).

Figure 6: Punitiveness (purpose of penalty) and reasons for feeling unsafe



II.4. Punitiveness and perception of the most crucial problems

The examination of the correlation between punitiveness (imprisonment choice) and the views of the respondents regarding the most *crucial social problems* reveals the following ranking (all correlations are statistically significant with the exception of the last one):

• Constant immigration in Greece, as many as 49% of those who perceive immigration as the most crucial social problem choose imprisonment as the most appropriate sanction for the 21-year-old recidivist burglar compared to 25.5% of those who rank social problems in a different order, p < .000,

- Criminality, with a percentage of 43.2% choosing imprisonment opposed to 25.5%, p < .000,
- Lack of leisure time (51.9% opposed to 29.6%), p<.029 and
- *Unemployment*, with 32.7% choosing imprisonment compared to 27.2% of the respondents who do not mention this social problem.

A different picture emerges when we look at how the majority of those respondents who put retribution/vengeance as the main purpose of sentencing have ranked social problems:

- Lack of leisure time (44.4% contrary to 35.3%),
- Environmental pollution (42.5% contrary to 34.2%),
- Moving away from religion (40.9% contrary to 35.6%),

In the following cases weak correlations (none is statistically significant) are observed between:

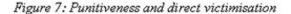
- Punitiveness and the perception of criminality as the most crucial social problem (39.1% compared to 34.5%) and
- Unemployment (38.3% compared to 31.8%), while
- No correlation is observed with immigration.

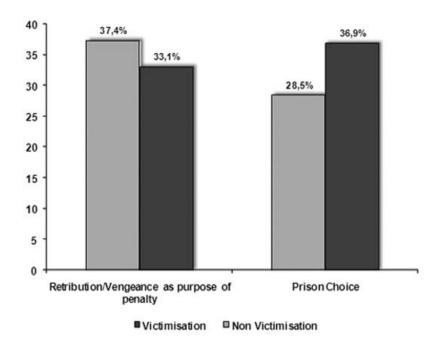
These differences confirm further the distinction between the two dimensions of punitiveness.

II.5. Punitiveness and victimisation

The past *experience of direct victimisation* appears to influence the punitive attitudes of the sample to some extent, in so far as victims choose imprisonment as the most appropriate sanction for the young recidivist burglar more often than non-victims (36.9% compared to 28.5%). A similar correlation is not observed between the direct experience of victimisation and the purpose of punishment, since the choice of retribution/vengeance as the main purpose of sentencing is made more often by non-victims (37.4%) than by victims (33.1%), (*figure 7*).

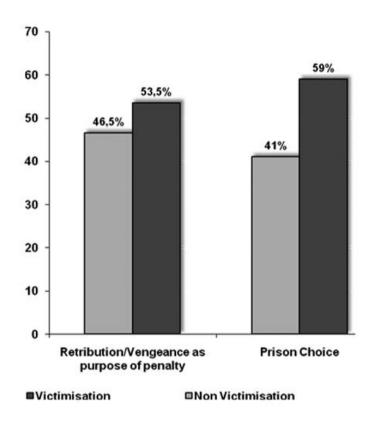
Figure 7: Punitiveness and direct victimisation





In contrast with direct victimisation, *indirect victimisation* is positively correlated with both dimensions of punitiveness and this correlation is statistically significant. Among the respondents who choose imprisonment as the most appropriate sanction for the 21-year-old recidivist burglar, 59% have experienced indirect victimisation (compared to 41% with no such experience). Furthermore, among those who perceive retribution/vengeance as the main purpose of punishment, 53.5% have experienced indirect victimisation (compared to 46.5% with no such experience): *statistical significance* p < .042, (*Figure 8*).

Figure 8: Punitiveness and indirect victimisation



In the current research, indirect victimisation appears to have a less significant effect on fear of crime compared to direct victimisation experiences (73.3% compared to 58.1%). These figures are similar to the results obtained in the Greek survey of 2004 (72.8% compared to 61.1%)⁵⁰.

Moreover, the examination of the *respondents'* assessment of police effectiveness showed a high percentage of negative attitudes. More than 2/3 of the residents of Athens (68.7%) give a negative assessment of the effectiveness of the police department in their area of residence in handling criminality. This negative evaluation of police effectiveness is however not correlated with punitiveness, whereas its correlation with fear of crime appears to be statistically significant, since 80.8% of the respondents who feel unsafe judge police practices as ineffective compared to 53.0% who feel safe (p<.000).

⁵⁰ Zarafonitou Ch. (2008), "Fear of crime and victimisation: The Greek experience", op.cit, 163-4.

II.6. Social attitudes, insecurity and punitiveness

As regards the attitudes of the respondents towards general social issues, they can be classified in two main categories: *the 'conservatives'* and *the 'progressives'*, on the basis of a number of statements which reflect key socio-ideological attitudes about the equality of sexes, homosexuality, immigration, drug addiction etc.

The 'progressives' include those who agree with the statements that:

- The equality of sexes contributes to family stability
- The revolutionary attitudes of young people contribute to social progress
- The multicultural character of Greek society contributes to social progress
- Immigrants contribute to the national economy, and
- Drug addicts are able to reintegrate into society

They also include those who disagree with the statements that:

- Homosexuals should not be employed as teachers, and
- The increase in the unemployment rate in Greece is due to the massive entry of immigrants in the country.

Respectively, the group of 'conservatives' includes those who disagree with the statements that:

- The equality of sexes contributes to family stability
- The revolutionary attitudes of young people contribute to social progress
- The multicultural character of Greek society contributes to social progress
- Immigrants contribute to the national economy, and
- Drug addicts are able to reintegrate into society

As well as those who agree with the statements that:

- Homosexuals should not be employed as teachers, and
- The increase in the unemployment rate in Greece is due to the massive entry of immigrants in the country (*Table 1*).

| Table 1 : Attitudes towards general social issues | | | | |
|---|--|--|--|--|
| Conservatives | | Progressives | | |
| Equality of sexes | The equality of sexes does not contribute to family stability (12.9%) | The equality of sexes contributes to family stability (77.4%) | | |
| Revolutionary attitude of young people | The revolutionary attitudes of young people do not contribute to social progress (15%) | The revolutionary attitudes of young people contribute to social progress (64.6%) | | |
| Multiculturalism | The multicultural character of Greek society does not contribute to social progress (36.1%) | The multicultural character of Greek society contributes to social progress (36.1%) | | |
| Immigration and national economy | Immigrants do not contribute to national economy (29.5%) | Immigrants contribute to national economy (49.5%) | | |
| Immigration and unemployment | The increase in the unemployment rate in Greece is due to the massive entry of immigrants in the country (47.9%) | The increase in the unemployment rate in Greece is not due to the massive entry of immigrants in the country (34.6%) | | |
| Drug addiction | Drug addicts are not able to reintegrate into society (27%) | Drug addicts are able to reintegrate into society (47.2%) | | |
| Homosexuality | Homosexuals should not be employed as teachers (23.5%) | Homosexuals should be employed as teachers (57.1%) | | |

In general, the respondents appear to express more progressive attitudes on wider social matters which, however, are not perceived as pressing social problems, such as the equality of sexes and homosexuality. Yet they appear to hold quite or very conservative views on social matters which are frequently perceived as social or crime related problems, such as immigration and drug addiction⁵¹.

In this context, the data also showed that citizens with conservative attitudes reported higher levels of fear compared to those with progressive attitudes (*Table 2*):

⁵¹ Zarafonitou Ch. (2008), Punitiveness, *Contemporary trends, dimensions and criminological inquiry*, Athens: Nomiki Vivliothiki, 143.

| Table 2: Feeling unsafe in the streets of their area after dark and social views | | | | |
|--|---------------|--------------|--|--|
| | Conservatives | Progressives | | |
| Revolutionary attitude of young people | 60.6% | 55.8% | | |
| Equality of sexes $p < .003$ | 73.7% | 52.3% | | |
| Homosexuality | 63.5% | 52.4% | | |
| Immigration/national economy $p < .000$ | 73.8% | 44.2% | | |
| Immigration/unemployment <i>p</i> <.000 | 71.2% | 39.9% | | |
| Multiculturalism p<.000 | 67.3% | 43.4% | | |
| Drug addiction <i>p</i> <.009 | 65.5% | 50.7% | | |

As regards the correlation between punitiveness, as reflected in the choice of imprisonment as the most appropriate sanction for the young recidivist burglar, and social views, the most punitive ones appear to be the following (*table 3*):

| Table 3: Punitiveness (choice of imprisonment) and social views | | | |
|---|---------------|--------------|--|
| | Conservatives | Progressives | |
| Revolutionary attitude of young people p <.001 | 46.2% | 25.1% | |
| Equality of sexes | 35.2% | 28.7% | |
| Homosexuality | 40.8% | 28.3% | |
| Immigration/national | | | |
| economy | 38.7% | 26.8% | |
| Immigration/unemployment <i>p</i> <.002 | 38.2% | 22.4% | |
| Multiculturalism | 36.0% | 26.3% | |
| Drug addiction | 40.4% | 27.4% | |

A fundamental matter of criminological interest that perennially concerns the study of punitiveness is the death penalty, since its acceptance is perceived correctly as a direct expression of the most punitive attitudes⁵². In the current research, the respondents were asked to assess the statement according to which "the ultimate purpose of the death penalty, where it is still in force, is the improvement of society" – a statement which the majority of the respondents disagreed with (59.3%). Still, a quarter of the sample (24.4%) were in agreement, while 16.3% kept a neutral stance. This finding is important given the fact that the death penalty was implemented for the last time in Greece forty years ago⁵³, and was in disuse until its final abolition in 1994⁵⁴.

The respondents who choose imprisonment as the most appropriate sanction for the young recidivist burglar and also attribute positive functions to the death penalty, express the following general social views (*table 4*):

| Table 4: Punitiveness (choice of imprisonment) and positive attitudes towards death penalty | | | | |
|---|---------------|--------------|--|--|
| | Conservatives | Progressives | | |
| Revolutionary attitude of young people p <.000 | 45.3% | 18.6% | | |
| Equality of sexes | 36.4% | 22.6% | | |
| Homosexuality p <.000 | 39.0% | 18.5% | | |
| Immigration/national economy | 32.5% | 21.4% | | |
| Immigration/unemployment <i>p</i> <.000 | 32.9% | 15.2% | | |
| Multiculturalism | 27.6% | 21.7% | | |
| Drug addiction <i>p</i> <.006 | 33.6% | 19.6% | | |

⁵² Kury H., Smartt U. (2003), "Attitudes to punishment: International comparisons". In A.Manganas (Ed.), *Volume in honour of Alice Yotopoulos-Marangopoulos*, vol.A', Athens-Bruxelles: Nomiki Vivliothiki-Bruyland, 721-745.

⁵³ It has been argued that the extent of the consent or disagreement with penal laws depends heavily on their reflected values on the basis of which different cohorts have been socialised. Therefore, the disagreement of the contemporary cohorts about dated penal sanctions, such as the death penalty, is reasonable (Killias M., (2001), op.cit, 421).

⁵⁴ Art. 1§12b L. 2207/1994.

But no important correlations are observed between socio-ideological conservatism and punitiveness reflected in the purpose of sentencing, a finding which confirms further the cultural dimension of the latter, since these views are held both by the conservatives and the progressives (*table 5*):

| Table 5: Punitiveness (purpose of punishment) and social views | | | | |
|--|---------------|--------------|--|--|
| | Conservatives | Progressives | | |
| Revolutionary attitude of young people | 38.5% | 36.3% | | |
| Equality of sexes | 41.1% | 35.6% | | |
| Homosexuality | 41.7% | 35.3% | | |
| Immigration/national economy | 28.0% | 37.9% | | |
| Immigration/unemployment | 36.3% | 39.9% | | |
| Multiculturalism | 32.7% | 39.7% | | |
| Drug addiction | 37.4% | 32.8% | | |

III. Conclusion - Discussion

The dimensions of punitiveness appear to be related partly to criminality and partly to the ideological background and the values of the individuals. In the first case, the public demands focus on the minimisation or the elimination of the risk of victimisation, and consequently punitiveness is related to the lack of safety and the pursuit of institutional and effective 'answers' to the problems of everyday life. Imprisonment, as the most prevalent as well as the harshest among the penal sanctions in force, comes first in the demands of the 'punitive' respondents. In this case, fear of crime appears to influence significantly the shaping of social views and is related to the punitive attitudes of the citizens, moulding their stance toward the harshening of penal sanctions and criminal policy in general⁵⁵.

289

⁵⁵ Killias M. (2001), op.cit., 399, Serrano-Maillo A. & Kury H.(2008), « Insecurity feelings and punitivity: Relationship in a national sample of adolescents and young adults

In the second case, public demand is focused on the re-establishment of the social fabric disrupted by crime, and punitiveness is thus related to retribution and the repayment of the harm which the offender has caused. In this context, insecurity does not appear to function as an explanatory factor of punitiveness. Here, punitive attitudes are rather indicative of an interior stance or a "worldview" of the subjects, shaped by the perception of the modern way of life and contemporary society as degraded and provoking a general state of preoccupation. Reference is made, for instance, to terrorist attacks, arson, environmental pollution or the move away from religion. In addition, fear of crime of the respondents who express this kind of punitive attitudes does not stem from a past experience of victimisation, as is the case in the first aspect of punitiveness, but appears to be related to indirect victimisation experiences, revealing therefore the significant role of the mass media.

The research findings concerning those who express the most punitive attitudes regarding the purpose of punishment reveal an image of individuals who appear to be or feel personally or socially 'vulnerable', with low educational levels, mediocre financial conditions, women, the elderly and those whose political orientation is to the centre or the left. The image projected by our research regarding the respondents who express punitive attitudes by choosing imprisonment is the reverse, since they are mainly young people, who describe their financial condition as good and are politically oriented to the right.

Finally, the aforementioned research findings point to a general relation between conservative social views, punitiveness as well as the lack of safety.

Given the large extent of insecurity observed in the Greek capital⁵⁶, the expression of punitive attitudes could be partly explained by the public's dissatisfaction with the police services in the domain of public safety. Obviously, this dissatisfaction concerns also the State in general, since it is responsible for the safety of its citizens. The sense of disappointment or frustration appears to be common mainly in societies with a tradition of a 'sovereign state'⁵⁷, as is the case in Greece. In this context, the widely expressed demands for more policing and stricter sentences reflect both a general lack of satisfaction as well as the distrust of a large proportion of the population regarding the penal system.

According to previous research findings⁵⁸, these attitudes should be seen in the context of a wider dissatisfaction expressed by the citizens of Athens regarding

in Spain". In H.Kury(Ed), Fear of crime-Punitivity. New developments in theory and research, Bochum: Universitatsverlag Dr. N.Brockmeyer, 321-348.

⁵⁶ Zarafonitou, Ch. (2009). "Criminal Victimisation in Greece and the Fear of Crime: A 'Paradox' for Interpretation", *International Review of Victimology*, 16 (3): 277-300.

⁵⁷ Robert, Ph. (2005). «L'insécurité est-elle fongible dans le maintien de l'ordre? », *Sociologie du travail*, 47: 89-99.

⁵⁸ Zarafonitou Ch.(2008), "Fear of crime and victimisation: The Greek experience". In H.Kury (Ed), *Fear of crime-Punitivity. New developments in theory and research*, op.cit., 159-172(166).

their quality of life⁵⁹. Also, the significant sociopolitical changes which took place in the Balkans during the last twenty years should also be taken into consideration, which have transformed a country whose citizens used to emigrate into a country that now receives immigrants and has become a permanent immigration destination⁶⁰

It is a fact that the empirical study of punitive attitudes of people offers a multidimensional framework of knowledge related to this topic. The most significant difficulty faced by such research projects concerns the wide variety of factors which contribute to the shaping of punitiveness, yet this difficulty can be overcome through the combined use of quantitative and qualitative methodologies⁶¹.

References

- Babiniotis G. (2004). *Dictionary for school and bureau*. Athens: Center of Lexicology, (in Greek).
- Brillon Y. (1984). « Attitudes du public face à la justice pénale et vision du monde ». Revue de science criminelle et de droit pénal comparé, 479-488.
- Brown E.K. (2006). "The dog that did not bark. Punitive social views and the 'professional middle class'". *Punishment and Society* 8: 287-312.
- Cario R. (2004). "Medias et insécurité: entre droit d'informer et illusions sécuritaires". *Recueil Dalloz* 2: 75-80.
- Cohen S. (1972). Folk devils and moral panics. London: Mac Gibbon & Kee.
- Farsedakis J. (1990). *The criminological thought. From antiquity until nowadays*. Athens: Nomiki Vivliothiki (Judicial Library), (in Greek).

⁵⁹ "The disorder perspective", according to Taylor R. & Hale M.(1986), "Testing alternative models of fear of crime", *The journal of criminal law and criminology*, 77: 151-189.

⁶⁰ Zarafonitou Ch., Chalkia A., Galanou M., & Tseloni A. (2010). "Greece". In M.Aebi, V.Jacquier (volume Eds), Gr. Newman (General Ed.), *Crime and Punishment around the World*, Vol. 4 Europe, ABC-Clio, S.Barbara-California, Denver-Colorado, Oxford-England, 137-145.

⁶¹ Kury H., Obergfell-Fucks J. (2008), "Methodological problems in measuring attitudes to punishment (punitivity)", op. cit.

- Farsedakis J. (1994). La question criminelle à Athènes à l'époque classique. Idées et réactions. *In Honour of the Professor J.Papazachariou*, vol.B', Athens: Panteion University of Social and Political Sciences, 1031-1046.
- Fishman M.(1978). "Crime as ideology". Social Problems 25: 531-543.
- Garland D. (2001). *The culture of control. Crime and social order in contemporary society*. Oxford N.York: Oxford University Press.
- Gouseti I. *Brief presentation of the research project: "Insecurity, punitiveness and criminal policy"*.

 http://criminology.panteion.gr/index.php?option=com_content&view=article&id=140

 %3Aqinsecurity-punitiveness-and-criminal-policyg&catid=39%3Aanakoinoseis&lang=el
- Gray J.M. (2009). What shapes public opinion of the criminal justice system? In Wood J. and Gannon Th. (Eds), Public opinion and criminal justice. Cullompton Devon: Willan, 49-72.
- Green D. (2009). "Feeding Wolves. Punitiveness and Culture". *European journal of Criminology* 6: 517-536.
- Kellens G. (2000). *Punir. Pénologie & droit des sanctions pénales*. Liège: Éditions juridiques de l'Université de Liège.
- Khun A. (Dir.), Jayet A. & Villetaz P. (Coll.), (Novembre 2001). *La punitivité et le rôle de l'unité de sanction dans le quantum de la peine*. Rapport scientifique final. Lausanne: Université de Lausanne, Faculté de Droit.
- Khun A., Villetaz P., Jayet A.W. (2005). "L'influence de l'unité de sanction dans les peines infligées par les juges et celles désirées par le public". *Déviance et Société*, 29 (2) : 221-230.
- Killias M. (2001). Précis de Criminologie, Berne : Staempfli.
- Kury H. and Ferdinand Th. (2008). *Punitivity. An Introduction*. In Kury H.and Ferdinand Th. (Eds), *International perspectives on punitivity*. Bochum: Universitatsverlag Brockmeyer, 1-12.
- Kury H., Brandenstein M., Obergfell-Fuchs J., (2009). *Dimensions of punitiveness in Germany*. In Kury H. (Ed), *Punitivity: Experiences across the world. European Journal of Criminal Policy and Research*, Special Issue, 263-81.
- Kury H., Obergfell-Fucks J., (2008). Methodological problems in measuring attitudes to punishment (punitivity). In Kury H. (Ed), *Fear of crime-Punitivity*. *New developments in theory and research*. Bochum: Universitatsverlag Dr. N.Brockmeyer, 277-302.
- Kury H., Smartt U.(2003). *Attitudes to punishment: International comparisons*. In A.Magganas (Ed.). *Volume in Honour of Alice Yotopoulos-Marangopoulos*, vol. A'. Athens-Bruxelles: Nomiki Vivliothiki-Bruyland, 721-745.

- Kury H. and Obergfell-Fuchs J. (2011). Attitudes to punishment (punitivity)-Results and methodological problems. In Chalkia A. (Ed), The contemporary Criminality, its Confrontation and the Science of Criminology, Volume in Honour of J. Farsedakis, Athens, Nomiki Vivliothiki, 1229-1252.
- Landreville P. (2005). "From social integration to the management of risks? Politics and practices in the domain of penalties". Poeniki Dikaiosyni (*Penal Justice*) 12: 1461-1468, (In Greek).
- Maruna Sh. & King A. (2009). "Once a Criminal, Always a Criminal?: 'Redeemability' and the Psychology of Punitive Public Attitudes". *European Journal of Criminal Policy and Research*, 15: 7–24.
- Maruna Sh., Matravers A. and King A. (2004). "Disowning our shadow: a psychoanalytic approach to understanding punitive public attitudes". *Deviant Behavior* 25: 277–299
- Matthews R. (2006), Lemma: punitiveness. In: McLaughlin E. & Muncie J. (Eds), *The Sage Dictionary of Criminology*. London, Thousand Oaks, N.Delhi: Sage, 327-329.
- Pratt J.(2007). Penal populism. London:Routledge.
- Pratt J., Brown D., Hallsworth S. & Morrison W. (Eds) (2005). *The new punitiveness*. Cullompton: Willan.
- Robert, Ph. (2005). « L'insécurité est-elle fongible dans le maintien de l'ordre? » *Sociologie du travail*, 47: 89-99.
- Serrano-Maillo A. & Kury H. (2008). *Insecurity feelings and punitivity:* Relationship in a national sample of adolescents and young adults in Spain. In Kury H. (Ed), Fear of crime-Punitivity. New developments in theory and research, Bochum: Universitatsverlag Dr. N.Brockmeyer, 321-348.
- Taylor R. & Hale M. (1986). "Testing alternative models of fear of crime". *The journal of criminal law and criminology* 77: 151-189.
- Theodorson G. & Theodorson A. (1979). *A Modern Dictionary of Criminology*. N.York, Hagerstown, S.Francisco, London: Barnes & Noble Books.
- Tseloni A. & Zarafonitou Ch. (2008). "Fear of crime and victimisation. A multivariate multilevel analysis". *European Journal of Criminology* 5: 387-409.
- Van Dijk J., Van Kesteren J., Smit P. (2007). Criminal Victimisation in International Perspective. Key findings from the 2004-2005 ICVS and EU ICS, The Hague: WODC.
- Van Dijk, J.J.M., Manchin, R., Van Kesteren, J.N., Hideg, G. (2007). *The burden of crime in the EU. A comparative analysis of the European Survey of Crime and Safety (2005 EU ICS)*. Brussels: Gallup Europe.
- Van Kesteren J., Mayew P., Nieuwbeerta P. (2000). Criminal Victimisation in Seventeen Industrialised Countries. The Hague: NSCR.

- Zarafonitou Ch. (2002). The fear of crime. A criminological approach and inquiry based on an empirical study of the phenomenon within the city of Athens. Athens-Komotini: A.Sakkoulas, (In Greek and in English).
- Zarafonitou Ch. (2006). "Criminological approaches of fear of crime and (un)safety". *Poeniki Dikaiosyni (Penal Justice)* 8-9: 1031-1039, (in Greek).
- Zarafonitou Ch.(2008). Fear of crime and victimisation: the Greek experience. In Kury H. (Ed), Fear of crime-Punitivity. New developments in theory and research. Bochum: Universitatsverlag Dr N.Brockmeyer, 159-172.
- Zarafonitou, Ch. (2008). Punitiveness, Contemporary trends, dimensions and criminological inquiry. Athens: Nomiki Vivliothiki, (in Greek).
- Zarafonitou Ch. (2009). "Criminal victimisation in Greece and the fear of crime: A 'paradox' for interpretation". *International Review of Victimology* 16: 277–300.
- Zarafonitou Ch., Courakis N.(Eds), Gouseti J., Kaggellari R., Chainas E., Kitsos G. (Coll.), (2009). (Un)safety, Punitiveness and Criminal Policy. Athens-Komotini: A.Sakkoulas Publ., Laboratory of Penal and Criminological Research 18, (in Greek).
- Zarafonitou Ch., Chalkia A., Galanou M., & Tseloni A. (2010). "Greece". In M.Aebi, V.Jacquier (volume Eds), Gr. Newman (General Ed.), *Crime and Punishment around the World*, Vol. 4 Europe, ABC-Clio, S.Barbara-California, Denver-Colorado, Oxford-England, 137-145.