

Running head: PUNISHMENT GOALS OF CRIME VICTIMS

## Punishment Goals of Crime Victims

Uli Orth

University of Berne, Switzerland

This article has been accepted for publication but has not been through the copyediting, typesetting, pagination, and proofreading process. This article may not exactly replicate the final version published in the journal. It is not the copy of record. Please cite this article as follows:

Orth, U. (2003). Punishment goals of crime victims. *Law and Human Behavior*, 27(2), 173-186. <http://dx.doi.org/10.1023/A:1022547213760>

### Author Note

Uli Orth, Department of Psychology, University of Berne, Switzerland.

The author thanks the German victim assistance association *Weisser Ring* for their financial and organizational support of the data collection, as well as Leo Montada, Mario Gollwitzer and Margit Oswald for helpful comments at different stages of the study.

Correspondence concerning this article should be addressed to Uli Orth, Department of Psychology, University of Berne, Muesmattstrasse 45, 3000 Berne 9, Switzerland. E-mail: [uli.orth@psy.unibe.ch](mailto:uli.orth@psy.unibe.ch).

### Abstract

Research on subjective punishment goals has focused on the perspective of third-party observers of criminal offenses and neglected the perspective of victims. This study investigates punishment goals among 174 adult crime victims (rape and non-sexual assault) for each participant's real criminal case. Scales measuring support for punishment goals are constructed by factor analysis of an 18-item list. Results show that five highly supported goals can be distinguished: retaliation, recognition of victim status, confirmation of societal values, victim security and societal security. Analysis of relations between punishment goal scales and personal variables, situational variables and demanded punishment severity corroborates the view that the punishment goals revealed can be classified according to the two independent dichotomies of moral versus instrumental goals, and micro versus macro goals.

### Punishment Goals of Crime Victims

People demand punishment of criminal offenders for different reasons: to give the offender his just deserts, educate the offender, protect society or deter other potential offenders. Normative systems of criminal justice often cite diverse goals to justify criminal punishment as well. Psychological studies have investigated the dimensions, conditions and effects of subjective attitudes towards punishment goals. Up to now, research on punishment goals has focused on the perspective of third-party observers of criminal offenses, particularly the perspective of judges and the general population. However, an analysis of punishment goals from the victim's perspective remains to be done. This victimological knowledge is relevant, as consideration or disregard of punishment attitudes of victims by the criminal justice system can affect trust in criminal justice and acceptance of legal authorities (Tyler, 1990).

### Concepts of Punishment Goals

Categories of punishment goals are often derived from philosophical penal theories (cf. Hassemer, 1990; von Hirsch, 1998). Frequently used categories are just deserts (according to the absolute penal theories of Kant and Hegel, i.e. the retributive penal theories), as well as deterrence of the offender, incapacitation, rehabilitation and general deterrence (according to the relative penal theories, i.e. the utilitarian penal theories). The theory of general positive prevention has only been introduced in recent times: here, punishment of offenders is intended to foster awareness of law, to stabilize moral norms of behavior, and to preserve the general population's trust in criminal justice (cf. Hassemer, 1990).

A prominent social psychological analysis was published by Vidmar and Miller (1980; see also Vidmar, 2000). According to the authors, one can distinguish two main motives of punishment reactions: retribution and behavior control. These motives correspond roughly to the distinction between absolute and relative penal theories mentioned above. The retribution motive is based on moral reflections and aims at equity and the confirmation of societal

values violated by the crime. The control motive aims at behavior control of the offender or third persons. The distinction between these two motives has been used in several studies (Darley, Carlsmith, & Robinson, 2000; Weiner, Graham, & Reyna, 1997; Tyler & Boeckmann, 1997). The retribution motive corresponds to moral goals and the behavior control motive corresponds to instrumental goals.

Besides the distinction between retribution and control motives, Vidmar and Miller (1980) differentiate between different objects of punishment reactions: the offender and society. For instance, retribution can be aimed at effecting the offender's atonement, but also the reduction of the population's moral outrage. The conceptual distinction of a micro perspective (offender and victim) from a macro perspective (society) in retributive justice is often considered to be unexplored (Brickman, Folger, Goode, & Schul, 1981; Tyler & Smith, 1998; for empirical results see Oswald, Hupfeld, Klug, & Gabriel, in press).

#### Punishment Goals as Dependent and Independent Variables

Empirical studies have determined personal and situational predictors of punishment goals. The weights of demographic personal factors such as age and gender were revealed to be low, but psychological personality variables such as conservatism and fear of crime are influential predictors of moral and instrumental goals, respectively (Endres, 1992). Important situational variables are attributed blame as a predictor of retribution, perceived dangerousness of the offender as a predictor of deterrence and incapacitation, and social threat of the offense as a predictor of general deterrence (Vidmar & Miller, 1980).

Empirical studies have also determined the effects of punishment goals on the punishment severity demanded. However, the explained variance of demanded punishment severity was frequently low (Endres, 1992; Weiner et al., 1997). While support for deterrence generally leads to demands for severe punishment (for empirical results see McFatter, 1978; Oswald et al., in press), the effects of preference for retribution are more complicated. The relationship between punishment severity and retributive utility is represented by an inverted

U-shaped utility function: medium punishment severity corresponds best with the retributive goal of just deserts, whereas too lenient or too harsh punishments are assessed as inappropriate by judges and laypeople when considering just deserts (McFatter, 1982). Likewise, the utility function of the rehabilitation goal follows an inverted U-shape: the largest utility is assigned to medium punishment severity, whereas too lenient or too harsh punishments are seen as suboptimal with regard to the rehabilitation goal (McFatter, 1982). However, in most cases the optimal punishment severity for rehabilitation is lower than the optimal punishment severity for retribution (McFatter, 1982). Therefore, preference for rehabilitation leads to more lenient punishment demands than preference for retribution (McFatter, 1978; Oswald et al., in press).

Further, empirical studies have shown that observers use the retribution goal as a default, if not explicitly requested to take other goals into consideration, even if they assess these other goals as important (Darley et al., 2000; McFatter, 1978, 1982). However, this result applies only for prototypical cases of criminal offenses, when the criminal liability of the offender is not reduced by lack of control or responsibility (Darley et al., 2000; Weiner et al., 1997).

#### Characteristics of the Victim's Perspective

Punishment goals of crime victims differ conceptually from those of observers, as victims can take the perspective of both victim and observer. For example, victims can demand retribution for the purpose of just deserts (observer perspective), but also for the purpose of revenge (victim perspective). Indeed, criminal victimizations often cause intense and persistent feelings of revenge (Orth, 2001). Feelings of revenge among crime victims have another quality compared to empathic feelings of revenge among observers. Important motives for feelings of revenge among victims are re-equilibration of power in relation to the offender, restoration of self-esteem, and escape from psychological pain (cf. Frijda, 1994; Miller, 2001; Vidmar, 2000).

Victims may support incapacitation and deterrence of the offender in order to protect other potential victims against the offender (observer perspective), but also to protect themselves and to reduce fear of repeated victimization by the offender (victim perspective). Fear of repeated victimization among crime victims is frequent and criminal victimizations often cause anxiety disorders (Davis, Taylor, & Lurigio, 1996; Freedy, Resnick, Kilpatrick, Dansky, & Tidwell, 1994). Again, fear of repeated victimization among crime victims has a different quality compared with fear of crime among observers.

In addition, victims can demand punishment of the offender for the purpose of public recognition of their victim status (Vidmar & Miller, 1980), a purpose that is usually irrelevant to observers. Victims could interpret the punishment of the offender as an act of societal solidarity (cf. Reemtsma, 1999). Frequently, refusal of victim status is experienced as secondary victimization (cf. Herbert & Dunkel-Schetter, 1992; Montada, 1994).

There is an almost total lack of empirical data concerning punishment goals among crime victims. In a German study of victims of violent crimes, punishment goals were measured in passing (Richter, 1997). Support for deterrence of the offender, just deserts and incapacitation was high (91%, 83% and 76%, respectively), support for rehabilitation was low (41%).

### Objectives

1. The first objective of this paper is to describe support for punishment goals among victims of violent crimes. Of interest here are not generalized and stable attitudes, but support for punishment goals in the real criminal cases of the participants. A comprehensive item list of diverse a-priori categories of punishment goals will be used.

2. The second objective is to construct scales of punishment goals by factor analysis of the item list.

3. The third objective is to validate these punishment goal scales by correlation analysis with personal and situational predictors and with the punishment severity demanded.

## Method

### *Participants*

The study was part of a research project on psychological consequences of criminal proceedings among crime victims. Victims who had received financial support from a German victim assistance association within the last five years were sent a questionnaire with the request to take part in the study. The individuals surveyed were chosen at random. The response rate was 32%. The sample consisted of 174 adult victims of violent crimes, including 84 victims of rape and 90 victims of non-sexual assault (bodily harm, robbery, deprivation of liberty). Eighty-four percent of the participants were women. The mean age at the time of the study was 37.5 years ( $SD = 12.2$ , range 17-65 years). Ninety-five percent of the participants were of German nationality. Forty-three percent of the participants had been victimized by a stranger (coded as no victim-offender-relationship); 57% knew the offender before the victimization (coded as victim-offender-relationship). Ninety-four percent of the victims reported the crime to the police themselves or agreed to having it reported. In all cases criminal proceedings had taken place. Mean time since victimization was 4.1 years ( $SD = 2.2$  years); mean time since the end of the criminal proceedings was 3.0 years ( $SD = 1.9$  years).

### *Measures*

Data were collected by self-report. The scales for sensitivity to befallen injustice and belief in a just world were taken from the literature; the other measures were created for the study.

*Punishment goals.* Participants were asked to assess the importance of 18 statements about punishment goals, which were classified into 9 a-priori sorted categories with 2 items each (see Table 1). The statements referred exclusively to the punishment of the offender in the participant's real criminal case. Included were the punishment goals of just deserts (observer perspective), revenge (victim perspective), recognition of victim status (victim perspective), deterrence of the offender (observer perspective), rehabilitation (observer

perspective), general deterrence (observer perspective), positive general prevention (observer perspective), victim security (victim perspective) and societal security (observer perspective). Answers were measured on a 6-point scale (0 = *not at all important*, 5 = *very important*).

*Sensitivity to befallen injustice.* The scale measures the disposition of individuals to feel unfairly treated and feel victimized in a wide range of situations (Schmitt, Neumann & Montada, 1995; for items used see Schmitt, Maes, & Schmal, 1997). Validity was corroborated in laboratory and real-life studies (Schmitt, 1996). In order to keep the questionnaire short, the scale was limited to five items (Cronbach's alpha = .83 in this study); this procedure can be justified by the scale's high internal consistency. An item example is: "I feel angry if treated worse than others." Answers were measured on a 6-point scale (0 = *not at all right*, 5 = *completely right*).

*Belief in a just world.* The scale measures the disposition of individuals to believe that the world is a place where people get what they deserve (Lerner, 1980; for items used see Schmitt et al., 1997). Validity was corroborated in numerous studies (cf. Lerner, 1980; Montada & Lerner, 1998). In order to keep the questionnaire short, the scale was limited to five items (Cronbach's alpha = .82 in this study); this procedure can be justified by the scale's high internal consistency. An item example is: "I think that, in general, there is justice in the world." Answers were measured on a 6-point scale (0 = *not at all right*, 5 = *completely right*).

*Trust in criminal justice.* The scale measures trust in the moral integrity and competence of judges and public prosecutors, as well as trust in the justice and effectiveness of the criminal justice system as a whole. The scale consists of seven items (Cronbach's alpha = .88 in this study): "I have trust in the investigating authorities.", "I have trust in the courts.", "I have trust in the criminal laws.", "In the work they do, judges and public prosecutors want above all to ensure justice.", "In general, judges and public prosecutors are intelligent.", "With regard to delinquency the public authorities are clearly on the side of good.", "If



someone commits a crime, he or she is usually taken to court.” Answers were measured on a 6-point scale (0 = *not at all right*, 5 = *completely right*).

*Feelings of revenge.* The participants were asked to assess the strength of feelings of revenge in the first four weeks after victimization. Feelings of revenge were measured by three items (Cronbach’s alpha = .93 in this study): “How often did thoughts come to mind, without your wanting them to, about doing something to the perpetrator?” (intrusive cognitions); “How often did you fantasize about getting back at the perpetrator for what he or she did to you?” (voluntary cognitions); “Did you experience feelings of revenge?” (emotional intensity). Answers were measured on a 6-point scale (0 = *not at all*, 5 = *very often* and *very strongly* respectively).

*Feelings of fear.* The participants were asked to assess the strength of feelings of fear in the first four weeks after victimization. Feelings of fear were measured by two items (Cronbach’s alpha = .62 in this study): “Did you experience fear of repeated harm by the perpetrator?”, “Did you fear encountering the perpetrator?”. Answers were measured on a 6-point scale (0 = *not at all*, 5 = *very strongly*).

*Feelings of guilt.* The participants were asked to assess the strength of feelings of guilt in the first four weeks after victimization. Feelings of guilt were measured by two items (Cronbach’s alpha = .83 in this study): “Did you experience feelings of guilt because of the offense?”, “Did you think that you were to blame that the crime occurred?”. Answers were measured on a 6-point scale (0 = *not at all*, 5 = *very strongly*).

*Demanded punishment severity.* The participants were asked what length of imprisonment they would demand in their own real criminal case, if a prison sentence were the only possible sanction. Answers were measured in years and months. Answers which exceeded 15 years were coded as 15 years to avoid distortion by outliers. The mean demanded punishment severity was 7.5 years ( $SD = 5.1$  years), the median was 5.5 years.

## Results

*Means of A-priori Categories of Punishment Goals*

Table 1 shows means and items of nine a-priori categories of punishment goals. All a-priori categories receive relatively high scores of support; nevertheless differences between the goals come out clearly. Differences between the means of the a-priori categories are statistically significant when larger than approximately 0.3 (*t*-tests for all possible pairs of a-priori categories were checked). The highest support is given to deterrence of the offender, victim security and societal security, followed by general deterrence and positive general prevention. Support for the victim-related goals revenge and recognition of victim status is lower, but still relatively high. Rehabilitation is supported least.

*Construction of Punishment Goal Scales*

Factor analysis of the 18-item-list resulted in five factors (orthogonal extraction according to Kaiser's stopping rule, Varimax rotation). Loadings followed the simple structure rule, and the two items of every a-priori category always loaded on the same factor. The rotated factors explained 56% of the variance. Deterrence of the offender, rehabilitation, general deterrence and positive general prevention loaded on factor 1 (eight items). Just deserts and revenge loaded on factor 2 (four items). Victim security, societal security, and recognition of victim status loaded on factors 3, 4 and 5, respectively (two items each).

The aim of scale construction was content homogeneity and internal consistency. Therefore, the empirically determined factorial structure was followed with one exception. In the scale that was founded on factor 1, only macro goals (general deterrence, positive general prevention) were included, but not micro goals (deterrence of the offender, rehabilitation). The first reason is based on statistics: Cronbach's alpha goes up if three of four micro items are deleted. Likewise, the same three of four micro items have low loadings (.42-.48, loadings of all other items on this and other factors are higher). If in factor analysis extraction of one or two more factors is forced, the items mentioned drop out of factor 1 and build up independent factors. The second reason is based on content: rehabilitation is supported least by

participants; its importance as a punishment goal of crime victims is low (Table 1). Further, deterrence of the offender is confounded with the goals of victim security and societal security. Therefore, its deletion does not reduce the content range essentially.

Two separate factor analyses for the subsamples of rape victims ( $n = 84$ ) and victims of non-sexual assault ( $n = 90$ ), with 5 factors extracted, show complete congruence with the loading pattern of the whole sample (for rape) and almost complete congruence (for victims of non-sexual assault). The loading pattern of the latter subsample differs in that the a-priori categories victim security and societal security load together on one factor while one item measuring deterrence of the offender builds up its own factor.

Table 2 shows means, standard deviations and Cronbach's alpha of the punishment goal scales constructed, which were called retaliation, recognition, confirmation, victim security and societal security. The distinction between moral goals (retaliation, recognition, confirmation) and instrumental goals (victim security, societal security), and also the distinction between micro goals (retaliation, recognition, victim security) and macro goals (confirmation, societal security) is reflected in the scales constructed.

Table 3 shows the intercorrelations of the punishment goal scales. The highest correlations occur for confirmation and societal security (the macro goals), as well as for retaliation and recognition (the moral micro goals). These results corroborate the interpretation of the factor analysis.

#### *Correlation Analysis of Punishment Goal Scales*

Table 4 shows the results of correlation analysis of the punishment goal scales. All scales have a distinct correlational pattern. The psychological variables generally have higher correlations compared with the demographic variables (age, gender, crime type, victim-offender-relationship). On the whole, gender and crime type are uncorrelated with punishment goals. Age is substantially correlated with confirmation. The discussion section provides an interpretation of the correlation analysis results.

## Discussion

The results of this study suggest that punishment goals of crime victims can be described by the distinction of moral and instrumental goals, as well as of micro and macro goals. By factor analysis of a comprehensive item list, five scales measuring support for punishment goals were constructed, which were labeled retaliation, recognition of victim status, confirmation of societal values, victim security and societal security. The distinctive loading pattern in factor analysis can be taken as evidence that crime victims pursue diverse punishment goals and that preference for these goals varies individually. A methodological characteristic of the study is that punishment reactions were assessed in real criminal cases, resulting in good ecological validity.

Figure 1 shows the interpretation of the correlational structure of crime victims' punishment goals. Retaliation and recognition of victim status are moral micro goals, victim security is an instrumental micro goal, confirmation of societal values is a moral macro goal, and societal security is an instrumental macro goal.

The emotions measured (feelings of revenge, fear and guilt) show substantial correlations with micro goals, but not macro goals. Victims' punishment motivation is founded, among other things, on personal goals that are of less importance to observers, but that are related to strong emotions among victims. Through offender punishment, victims presumably expect reduction of aversive emotions like revenge and fear of repeated victimization. The relationship between feelings of guilt and the goal of recognition has a negative sign: presumably, feelings of guilt restrain support for this micro goal. Similarly, this applies for the relationship between guilt and retaliation.

On the other hand, belief in a just world and trust in criminal justice correlate exclusively with macro goals. The two constructs can be interpreted as indicators of a generally positive attitude towards society, which is a precondition of support for goals that are of public interest.

Sensitivity to befallen injustice proves to be a predictor of moral goals, but not instrumental goals. Construct validation has shown that sensitivity to befallen injustice predicts intensity and persistency of anger and retaliation motives after harm and loss (Schmitt, 1996). This study shows that sensitivity to befallen injustice predicts not only rather aggressive moral motives like retaliation, but also less aggressive moral motives like public recognition of victim status.

Demanded punishment severity depends on instrumental goals, but not moral goals. This result agrees with empirical findings among observers of criminal offenses (McFatter, 1978; Oswald et al., in press), especially with findings concerning the utility functions of punishment goals in relation to punishment severity (McFatter, 1982). Only instrumental goals show a simple linear relation between punishment severity and punishment utility. In the subjective view of observers, harder punishment ensures security better. As mentioned in the introduction, the relationship between punishment severity and utility for moral punishment goals follows an inverted U-shape. Therefore, simple correlations are not appropriate to this curvilinear relation.

The descriptive analysis of the a-priori categories of punishment goals revealed that instrumental goals receive higher support than moral goals among the participants. However, support for moral goals was also high. Further, macro goals were supported as highly as micro goals: societal security was as important as victim security; the moral macro goal confirmation of societal values received even more support than the moral micro goals retaliation and recognition.

Low support for rehabilitation among crime victims, which was one of the reasons for not including rehabilitation in the scales constructed, corresponds with empirical findings (Richter, 1997) and theoretical reflections. First, rehabilitation represents a societal commitment in favor of the offender. This improves the outcome of the offender, and therefore worsens the relative outcome of the victim. Frequently, crime victims have to cope

with victimization and its consequences at their own expense. Second, rehabilitation of the offender implies that the offender was not acting reasonably at the time of the crime.

Therefore, victims can interpret the rehabilitation goal to be inappropriate excuse of the offender. Whoever believes that the offender acted freely, intentionally and in awareness of wrong-doing tends to disapprove of the goal of rehabilitation.

Sample characteristics account for limitations of the study. First, the response rate is only 32% and the non-responders might differ in some unknown way from the sample with respect to punitivity and preference for punishment goals. Though it is generally difficult to obtain high response rates in surveys with crime victims, the low response rate restricts the generality of the findings. Second, all participants were victimized in severe violent crimes and nearly all reported the crime to the police themselves or agreed to having it reported. As a consequence, participants demanded relatively severe punishment for the offender, resulting presumably in rather high support for instrumental goals, and rather low support for rehabilitation, compared to victims of property crimes or less severe crimes. Third, all participants received financial support from a victim assistance association, which might have influenced their preference for punishment goals. For instance, receiving support from an assistance association might partly satisfy the need for recognition of victim status. Therefore, the means of the punishment goals revealed in this study cannot be generalized to the whole population of crime victims. However, deviating means in a sample do not necessarily affect the dimensions that result from factor analysis (the punishment goal scales), and neither do they necessarily affect the relations between variables (the correlations with predictor and effect variables).

Admittedly, this study has to be seen as a first shot at the specifics of victims' punishment goals. Though the interpretation of the empirically founded categories in terms of moral and instrumental goals, and micro and macro goals is plausible (with respect to the theoretical and empirical background cited in the introduction; e.g. Darley et al., 2000;

Oswald et al., in press; Vidmar, 2000; Vidmar & Miller, 1980; von Hirsch, 1998; Weiner et al. 1997), the results would have to be validated in further studies. First, the validation should test whether important categories of punishment goals have been overlooked in this study. Second, the punishment goals from the victim's perspective should be validated by means of different samples. The comparison of victims of property crimes and violent crimes, as well as the comparison of victims who had and had not reported the crime to the police would be of interest. The validation could include confirmatory factor analyses of punishment goals as well as discriminant and convergent validity analyses.

For exploratory purposes, in this study punishment goals of rape victims were compared to punishment goals of victims of non-sexual assault. Criminal victimization by rape versus non-sexual assault leads to different psychological consequences (cf. Freedy et al., 1994; Kilpatrick, Saunders, Amick-McMullan, Best, Veronen, & Resnick, 1989). As a consequence, rape victims and victims of non-sexual assault might show different coping reactions and different punitive reactions. However, the correlation analysis included in this study did not suggest that crime type shows substantial effects with respect to support for punishment goals. Moreover, the loading patterns in separate factor analysis are almost congruent for these two subsamples. The sizes of the two subsamples are of the minimum sample size required for reliable factors (Stevens, 1996). Therefore, this issue merits further attention in future research.

A further methodological point is that the punishment goal scales show substantial intercorrelations, although the scales were founded on orthogonally extracted factors. This finding suggests that the scales share some unspecific variance, which might be due to a general punitivity factor underlying all items. Therefore, in future research punishment goals could be measured by contrasting them more strongly against each other.

The aim of the present study was to analyze victims' goals with respect to punishment; thus, other legal sanctions were not referred to for reasons of conceptual non-ambiguity.

However, besides perpetrator punishment, victims have other claims with respect to the outcome of the criminal proceedings: financial compensation, information on the perpetrator's intentions, admission of guilt by the perpetrator, and perhaps a request for forgiveness from the perpetrator (cf. Smith & Hillenbrand, 1997). Thus, the analysis of punishment goals and goals related to other outcomes could be combined in future research.

The results of the present study show that there are both similarities and differences between punishment goals of victims and third-party observers. On the one hand, crime victims pursue specific goals that are not essential to third-party observers, like recognition of victim status and victim security, which depend on characteristic emotions after criminal victimization such as feelings of revenge, feelings of fear, and feelings of guilt. When discussing punitive reactions of victims, these goals should be taken into account in addition to the other well known punishment goals, which are of importance for both victims and observers. On the other hand, the victims' punishment goals determined in this study match the typical dichotomies of moral and instrumental goals, as well as micro and macro goals, as described for punishment reactions of judges or individuals from the general population (Vidmar, 2000; Vidmar & Miller, 1980). However, in the present research, the distinction of micro and macro goals refers to the protection of interests (of victims and society), whereas Vidmar and Miller's conception of micro and macro goals refers to the impact of punishment (on offender and society). In future research, it would be promising to compare punishment goals of both victims and observers with respect to identical offenses, thus necessarily real-life criminal cases.

Finally, victimological research about punishment goals has implications for the victim's rights perspective (European Forum for Victim Services, 1996; United Nations, 1999). Procedural justice includes the representation of the views and interests of all parties (cf. Leventhal, 1980). Thus, procedural justice also comprises the representation of victims' punishment goals. The representativeness of victims' interests may be increased by modern



legal reforms like victim impact statements (VIS) and victim statements of opinion (VSO), which allow victims to give testimony about the harm and losses caused by the victimization, to express their feelings towards the perpetrator, and also to state their individual expectations and goals with respect to sentencing (Erez & Tontodonato, 1992; Kelly & Erez, 1997). Moreover, recent conceptions of restorative justice (as opposed to traditional conceptions of retributive justice) advocate the consideration of victims' interests in criminal justice (cf. Braithwaite, 1998; Cohen, 2001; Umbreit, 1989). However, whether and to what extent crime victims attain their goals as a result of these divergent conceptions of criminal justice remains a crucial question, and should be the subject of empirical study.

## References

- Braithwaite, J. (1998). Restorative justice. In M. Tonry (Ed.), *The handbook of crime and punishment* (pp. 323-344). New York: Oxford University Press.
- Brickman, P., Folger, R., Goode, E., & Schul, Y. (1981). Microjustice and macrojustice. In M. J. Lerner & S. C. Lerner (Eds.), *The justice motive in social behavior* (pp. 173-202). New York: Plenum.
- Cohen, R. L. (2001). Provocations of restorative justice. *Social Justice Research, 14*, 209-232.
- Darley, J. M., Carlsmith, K. M., & Robinson, P. H. (2000). Incapacitation and just deserts as motives for punishment. *Law and Human Behavior, 24*, 659-683.
- Davis, R. C., Taylor, B., & Lurigio, A. J. (1996). Adjusting to criminal victimization: The correlates of postcrime distress. *Violence and Victims, 11*, 21-38.
- Endres, J. (1992). *Sanktionszweckeinstellungen im Rechtsbewusstsein von Laien* [Lay persons' opinions concerning goals of legal sanctions]. Frankfurt, Germany: Lang.
- Erez, E., & Tontodonato, P. (1992). Victim participation in sentencing and satisfaction with justice. *Justice Quarterly, 9*, 391-417.
- European Forum for Victim Services. (1996). *Statement of victims' rights in the process of criminal justice*. London: European Forum for Victim Services.
- Freedly, J. R., Resnick, H. S., Kilpatrick, D. G., Dansky, B. S., & Tidwell, R. P. (1994). The psychological adjustment of recent crime victims in the criminal justice system. *Journal of Interpersonal Violence, 9*, 450-468.
- Frijda, N. H. (1994). The lex talionis: On vengeance. In S. H. M. van Goozen & N. E. Van de Poll & J. A. Sergeant (Eds.), *Emotions: Essays on emotion theory* (pp. 263-289). Hillsdale, NJ: Lawrence Erlbaum.
- Hassemer, W. (1990). *Einführung in die Grundlagen des Strafrechts* [Introduction to the fundamentals of criminal justice]. München, Germany: Beck.

- Herbert, T. B., & Dunkel-Schetter, C. (1992). Negative social reactions to victims: An overview of responses and their determinants. In L. Montada & S.-H. Filipp & M. J. Lerner (Eds.), *Life crises and experiences of loss in adulthood* (pp. 497-518). Hillsdale, NJ: Erlbaum.
- Kelly, D. P., & Erez, E. (1997). Victim participation in the criminal justice system. In R. C. Davis & A. J. Lurigio & W. G. Skogan (Eds.), *Victims of crime* (pp. 231-244). Thousand Oaks, CA: Sage.
- Kilpatrick, D. G., Saunders, B. E., Amick-McMullan, A., Best, C. L., Veronen, L. J., & Resnick, H. S. (1989). Victim and crime factors associated with the development of crime-related post-traumatic stress disorder. *Behavior Therapy*, *20*, 199-214.
- Lerner, M. J. (1980). *The belief in a just world: A fundamental delusion*. New York: Plenum.
- Leventhal, G. S. (1980). What should be done with equity theory? New approaches to the study of fairness in social relationships. In K. J. Gergen & M. S. Greenberg & R. H. Willis (Eds.), *Social exchange: Advances in theory and research* (pp. 27-55). New York: Plenum.
- McFatter, R. M. (1978). Sentencing strategies and justice: Effects of punishment philosophy on sentencing decisions. *Journal of Personality and Social Psychology*, *36*, 1490-1500.
- McFatter, R. M. (1982). Purposes of punishment: Effects of utilities of criminal sanctions on perceived appropriateness. *Journal of Applied Psychology*, *67*, 255-267.
- Miller, D. T. (2001). Disrespect and the experience of injustice. *Annual Review of Psychology*, *52*, 527-553.
- Montada, L. (1994). Injustice in harm and loss. *Social Justice Research*, *7*, 5-28.
- Montada, L., & Lerner, M. J. (Eds.). (1998). *Responses to victimizations and belief in a just world*. New York: Plenum.

- Orth, U. (2001). *Strafgerechtigkeit und Bewältigung krimineller Viktimisierung: Eine Untersuchung zu den Folgen des Strafverfahrens bei Opfern von Gewalttaten* [Criminal justice and coping with criminal victimization: A study of the consequences of criminal proceedings among victims of violent crimes]. Mainz, Germany: Weisser Ring.
- Oswald, M. E., Hupfeld, J., Klug, S. C., & Gabriel, U. (in press). Lay-perspectives on criminal deviance, goals of punishment, and punitivity. *Social Justice Research*.
- Reemtsma, J. P. (1999). *Das Recht des Opfers auf die Bestrafung des Täters--als Problem* [The victim's right concerning the offender's legal punishment--as a problem]. München: Beck.
- Richter, H. (1997). *Opfer krimineller Gewalttaten: Individuelle Folgen und ihre Verarbeitung* [Victims of violent crimes: individual consequences and coping with them]. Mainz, Germany: Weisser Ring.
- Schmitt, M. (1996). Individual differences in sensitivity to befallen injustice (SBI). *Personality and Individual Differences, 21*, 3-20.
- Schmitt, M., Maes, J., & Schmal, A. (1997). *Gerechtigkeit als innerdeutsches Problem: Analyse der Messeigenschaften von Messinstrumenten für Einstellungen zu Verteilungsprinzipien, Ungerechtigkeitssensibilität und Glaube an eine gerechte Welt* [Justice as a problem within reunified Germany: Analysis of measurement criteria of attitude measures towards distribution principles, sensitivity to befallen injustice, and belief in a just world] (Berichte aus der Arbeitsgruppe "Verantwortung, Gerechtigkeit, Moral" 105). Trier, Germany: University of Trier.
- Schmitt, M., Neumann, R., & Montada, L. (1995). Dispositional sensitivity to befallen injustice. *Social Justice Research, 8*, 385-407.

- Smith, B. E., & Hillenbrand, S. W. (1997). Making victims whole again: Restitution, victim-offender reconciliation programs, and compensation. In R. C. Davis & A. J. Lurigio & W. G. Skogan (Eds.), *Victims of crime* (pp. 245-256). Thousand Oaks, CA: Sage.
- Stevens, J. (1996). *Applied multivariate statistics for the social sciences*. Mahwah, NJ: Erlbaum.
- Tyler, T. R. (1990). *Why people obey the law*. New Haven, CT: Yale University Press.
- Tyler, T. R., & Boeckmann, R. J. (1997). Three Strikes and you are out, but why? The psychology of public support for punishing rule breakers. *Law and Society Review*, 31, 237-265.
- Tyler, T. R., & Smith, H. J. (1998). Social Justice and Social Movements. In D. T. Gilbert & S. T. Fiske & G. Lindzey (Eds.), *The Handbook of Social Psychology* (Vol. 2, pp. 595-629). New York: McGraw-Hill.
- Umbreit, M. S. (1989). Crime victims seeking fairness, not revenge: Toward restorative justice. *Federal Probation*, 53(3), 52-57.
- United Nations. (1999). *Handbook on justice for victims: On the use and application of the declaration of basic principles of justice for victims of crime and abuse of power*. New York: United Nations Office for Drug Control and Crime Prevention.
- Vidmar, N. (2000). Retribution and revenge. In J. Sanders & V. L. Hamilton (Eds.), *Handbook of justice research in law* (pp. 31-63). New York: Kluwer.
- Vidmar, N., & Miller, D. T. (1980). Socialpsychological processes underlying attitudes toward legal punishment. *Law and Society Review*, 14, 565-602.
- von Hirsch, A. (1998). Penal theories. In M. Tonry (Ed.), *The handbook of crime and punishment* (pp. 659-682). New York: Oxford University Press.
- Weiner, B., Graham, S., & Reyna, C. (1997). An attributional examination of retributive versus utilitarian philosophies of punishment. *Social Justice Research*, 10, 431-452.

Table 1

*Means and Items of A-Priori Categories of Punishment Goals (N ≥ 171)*

A-priori categories	<i>M</i>	Items
		“It was important to me that the offender should be punished ...”
Just deserts	3.8	“to even out the wrong that the offender had done.” “to atone for the perpetrator’s guilt.”
Revenge	3.3	“to bring satisfaction to me, the victim.” “to make the perpetrator suffer, as I suffered by his action.”
Recognition of victim status	3.5	“to make it clear that society is on my side.” “to make it clear publicly that the perpetrator did wrong to me.”
Deterrence of offender	4.6	“to deter the offender from further offenses.” “so that the offender knows that crime does not remain unpunished.”
Rehabilitation	2.9	“to allow the rehabilitation of the offender.” “to allow the offender to be educated according to our legal system.”
General deterrence	3.9	“to show the population that crime does not pay.” “to deter others from committing similar offenses.”
Positive general prevention	3.8	“to confirm the values that are important in society.” “so that people’s trust in the legal system is not frustrated.”
Victim security	4.3	“so that I can live in security.” “so that I do not have to fear the perpetrator for the time being.”
Societal security	4.3	“so that the offender cannot be dangerous to others. ” “so that the population does not have to fear the perpetrator for the time being.”

Table 2

*Means, Standard Deviations, and Cronbach's Alpha of Punishment Goal Scales (N ≥ 172)*

Scale	Included a-priori categories	Items	<i>M</i>	<i>SD</i>	alpha
Retaliation	Just deserts, revenge	4	3.55	1.37	.80
Recognition of victim status	Recognition of victim status	2	3.47	1.52	.64
Confirmation of societal values	General deterrence, general positive prevention	4	3.85	1.26	.82
Victim security	Victim security	2	4.33	1.28	.85
Societal security	Societal security	2	4.28	1.15	.74

Table 3

*Intercorrelations of Punishment Goal Scales (N ≥ 172)*

	Retaliation	Recognition	Confirmation	Victim security	Societal security
Retaliation	--				
Recognition	.47**	--			
Confirmation	.36**	.41**	--		
Victim security	.33**	.21**	.21**	--	
Societal security	.27**	.29**	.52**	.34**	--

*Note.* \* $p < .05$ . \*\* $p < .01$ . (2-tailed).



Table 4

*Correlations of Punishment Goal Scales with Personal and Situational Predictors and Demanded Punishment Severity (N ≥ 167)*

	Retaliation	Recognition	Confirmati on	Victim security	Societal security
<b>Personal predictors</b>					
Age	.07	.14	.31**	.18*	.16*
Gender <sup>a</sup>	-.08	-.08	-.14	.04	.00
Sensitivity to befallen injustice	.28**	.22**	.15*	.04	.06
Belief in a just world	.11	.11	.17*	.06	.22**
Trust in criminal justice	.14	.12	.21**	.11	.22**
<b>Situational predictors</b>					
Crime type <sup>b</sup>	-.05	-.14	-.19*	.00	.14
Victim-offender- relationship <sup>c</sup>	-.22**	-.07	-.12	-.02	-.16*
Feelings of revenge	.35**	.03	-.04	.04	.13
Feelings of fear	-.02	-.02	.01	.44**	.17*
Feelings of guilt	-.19*	-.24**	-.15	-.09	-.03
<b>Effect variable</b>					
Demanded punishment severity <sup>d</sup>	.14	.05	-.04	.18*	.20*

*Note.* <sup>a</sup>0 = male, 1 = female; <sup>b</sup>0 = non-sexual assault, 1 = rape; <sup>c</sup>0 = no, 1 = yes; <sup>d</sup>reduced N = 149.

\* $p < .05$ . \*\* $p < .01$ . (2-tailed).

Figure Caption

*Figure 1.* Interpretation of the correlational pattern of crime victims' punishment goals.

