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## Retribution versus rehabilitation as motives for support of offender's punishment: the moderating role of mindsets about malleability

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### ABSTRACT

We examined whether beliefs about malleability moderate observers' motives for justice, expressed in a desire for either *retribution*, in which punishment is based on what offenders deserve for their offense (past-oriented), or *rehabilitation*, in which punishment is intended to improve the offenders (future-oriented). The main hypothesis was that people with a fixed mindset would tend to support punishment motivated by retribution rather than rehabilitation, and the reverse was expected for those with a malleable mindset. We recruited participants (N = 432) through the platform Prolific and asked them to complete an online questionnaire. We first manipulated participants' mindset (malleable vs. fixed) and then the salience of a specific justice motive (retribution vs. rehabilitation). Finally, participants read a vignette depicting an incident of professional misconduct and were asked to indicate their support for the punishment of the offender. Our results did not confirm our main hypothesis, but the exploratory results indicated a partial confirmation as a function of political orientation: in the malleable mindset condition, support for punishment among liberals was higher in the rehabilitation condition than in the retribution condition, whereas the reverse effect was observed among moderately conservative participants. We discuss the possible limitations of the study and future research avenues.

### ARTICLE HISTORY

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### KEYWORDS

Justice motives; retribution; rehabilitation; punishment; professional misconduct; mindset about malleability

On 25 May 2020, George Floyd, an African American man, was choked to death by a White police officer after having been arrested for the alleged use of a counterfeit \$20 bill. This was filmed by a bystander, and the world expressed shock as the video depicting Floyd's arrest and death went viral, sparking protests worldwide. Later, the world learned that Derek Chauvin, the police officer who caused Floyd's death, had amassed 18 citations for professional misconduct in his 19 years of service, none of which had impeded his career. One may wonder whether sanctioning these misdeeds earlier would have been the just thing to do and whether it might have altered his future behavior? More specifically, what might have been the motivation for either sanctioning the misconduct or neglecting to do so?

In this study, we examined whether the interplay between motives underlying demands for justice and the belief in the human capacity for change can influence people's responses regarding an offender's punishment. More specifically, this research is the first to examine whether people's mindset, either fixed or malleable, moderates the specific influence of two competing motives for obtaining justice (retribution vs. rehabilitation) on observers' reactions to misconduct. We base our rationale on the idea that retribution is inherently oriented toward a past that cannot be changed (to give offenders what they deserve in retaliation for the offense), while rehabilitation is inherently oriented toward a future that can be changed (to transform offenders into people who no longer want to commit the offense). In light of this, we hypothesized that the observers' mindset (fixed vs. malleable) will moderate the specific influence of these motives on their support for an offender's punishment.

### Motives for Seeking Justice

When rules or norms are violated, the intuitive approach to justice is based primarily on retribution, which purportedly punishes the offender on the grounds of "just deserts" or vengeance (Carlsmith, 2006; Gerber & Jackson, 2013; Robinson & Darley, 2007). The motive underlying the demand for retribution focuses on wrongful past action (Von Hirsch, 1986) and backward-looking considerations (Goodwin & Gromet, 2014). This focus may further be understood as a judgment of the offender's character. According to Kant (1952/1790), a punishment is only considered just if it is proportional to the offender's *internal wickedness*. Here, it is possible to extend the attribution of wickedness to refer not only to the specific offense but also to the offender's character (Heider, 1958; Kelly, 1955). Indeed, the wrongdoing can be used as evidence of the offender's bad moral character (Kershnar, 2001).

Rehabilitation offers a competing motive for the pursuit of justice and is ingrained in a radically different perspective on time, namely one that is oriented towards the future and utilitarian goals. We propose that utilitarianism can be conceptualized along a continuum of different utilitarian motives. These motives differ in the extent of the change that they seek to motivate in the offender's behavior, ranging from the superficial (i.e. deterrence, whereby the offender simply avoids committing the offense again to avoid negative consequences; Bentham, 1948 /Nagin, 1998), to the profound (i.e. rehabilitation, according to which the offender changes his personality or behavior and loses the desire to offend; McNeill, 2012; Raynor & Robinson, 2009). Thus, as opposed to retribution, rehabilitation reflects forward-looking considerations (Goodwin & Gromet, 2014). Indeed, at the heart of rehabilitation lies the notion of corrigibility; that is, the belief in the ability of offenders to change, to make different choices, or to overcome their circumstances (McNeill, 2014; Raynor & Robinson, 2009). Finally, although research has often indicated that rehabilitative motives are linked to a desire for restorative measures in place of punishment (e.g. Moss et al., 2019), other research has suggested that rehabilitation can be understood as a sort of punishment (McNeill, 2014; Ward, 2010).

Despite the apparent opposition between retribution and rehabilitation, these two motives for justice may nevertheless work in tandem (Gromet & Darley, 2009), as they are often correlated (Orth, 2003). Funk et al. (2014) have pointed out that victims are most satisfied by punishment when the offender's feedback not only acknowledges the victim's

intent to punish but also indicates a positive moral change in the offender's attitude toward wrongdoing. Other studies have highlighted the discrepancy between the two motives for justice, contending that people tend to rely more on the motive to obtain retribution than on utilitarian motives (e.g. Keller et al., 2010). Indeed, although people state a strong preference for utilitarianism in theory, in practice they appear to be primarily driven by retributive motives (Carlsmith, 2008). Furthermore, people tend to demand the same degree of punishment regardless of whether the person being punished is aware of his own punishment (Nadelhoffer et al., 2013).

It is therefore debatable whether laypeople rely only on considerations of retribution, or whether those of rehabilitation are taken into account as well under specific conditions. Identifying situational factors that affect the relevance of these motives for seeking justice is paramount to our understanding of observers' perceptions of offenses and their endorsement of punishment. To shed light on this issue, we turned to Dweck's (2008) extensive work on implicit theory. This body of work maintains that people's beliefs about the likelihood that individuals will change their attitudes over time (i.e. the concept of mental malleability) affect our understanding of, and reaction to, their actions (Dweck et al., 1995; Molden & Dweck, 2006). Because individuals' perceptions of one's ability to change influence the type of moral standards that they seek to satisfy (Chiu et al., 1997), we contend that the mindset about malleability may shape the relative weight that observers attribute to retribution versus rehabilitation when supporting particular punishments for an offender.

### **Mindsets About Malleability**

Moral judgment is not based exclusively on motives for justice. Other factors unrelated to the offense, such as the malleability of one's mindset (Weimann-Saks et al., 2019), may also play a role. A fixed mindset refers to an overreliance on minimal information as indicative of a person's character when making judgments (Chiu et al., 1997; Gervy et al., 1999; Miller et al., 2007); it is coupled with the perception of people as unchanging. Conversely, a malleable mindset refers to the belief that personality characteristics (e.g. intelligence, personality, or moral character) can change over time (Dweck, 2008; Rattan & Georgeac, 2017; see also the distinction between incremental vs. entity theories in Dweck & Leggett, 1988).

Although implicit beliefs are considered to be relatively stable and trait-like (Dweck et al., 1995), they are also domain-specific (Hughes, 2015). Experimental evidence also suggests that malleability can be contextually induced by various means (Burkley et al., 2017; Goldenberg et al., 2018; Kamins & Dweck, 1999). Despite concerns regarding the lack of replicability (e.g. Li & Bates, 2019; see Mueller & Dweck, 1998; Dweck 2008), there is robust evidence to support the effectiveness of manipulating mindsets about malleability in the wider population (Andersen & Nielsen, 2016). Of particular relevance to the current study are findings indicating that one's mindset of malleability can be effectively primed by reading a short article with persuasive empirical evidence in support of the notion that change is possible in various domains, such as intelligence (Bergen, 1991; Hong et al., 1999; Nussbaum & Dweck, 2008), body weight (Burnette, 2010), personality and character (Chiu et al., 1997; Rattan & Dweck, 2010), criminal behavior (Rade et al., 2018), and morality (Huang et al., 2017).

Regardless of whether malleability is considered to be dispositional or contextual, research has shown that beliefs about the fixed or malleable nature of the human mind are related to outcomes in various fields (e.g. academics, social relationships, and physical health; Lüftenegger & Chen, 2017), although this link may not always be strong (Burgoyne et al., 2020). Past research has also shown that malleability influences overall social judgments. A fixed mindset predicts global inferences about dispositions in making judgments and decisions (Chiu et al., 1997; Dweck et al., 1993; Gervy et al., 1999; Miller et al., 2007). Conversely, a malleable mindset predicts inferences that are more specific, conditional, and provisional (Dweck et al., 1993). When a malleable mindset appears in groups, it fosters constructive emotions, such as group-based guilt (Weiss-Klayman et al., 2020), and channels anger into constructive directions (Shuman et al., 2018). Overall, a malleable mindset is associated with less negative intergroup attitudes (Levontin et al., 2013).

Research has also shown that malleability influences people's reactions to wrongdoing. A fixed mindset concerning personality traits predicts aggressive desires and produces more hostile attributional biases (Yeager et al., 2013). By contrast, a malleable mindset is related to a greater tolerance of immorality (Huang et al., 2017), a greater willingness to forgive (Iwai & de França Carvalho, 2020), more compassionate legal assessments (Weimann-Saks et al., 2019), and decreased support for harsh sanctions (Plaks et al., 2009). Consequently, relative to those with a fixed mindset, people with a malleable mindset are less likely to assert attributions of internal proclivity for criminal behavior and to expect offenders to re-offend, and they are more likely to make less punitive judgments (Tam et al., 2013).

Malleability is not only related to the willingness to punish but also to the preferred type of punishment. For example, people with a fixed mindset are more likely to attribute negative behavior to dispositional personality characteristics, are more likely to focus on retribution, and are more likely to recommend retaliation for wrongdoing than people with a malleable mindset (Erdley & Dweck, 1993; Gervy et al., 1999). Yeager et al. (2011) found that those with a fixed mindset report a greater desire for vengeance and greater negativity associated with prior interpersonal conflicts than people with a malleable mindset. The malleable mindset is related to greater support for restorative outcomes (Paul, 2019); recommendations for negotiation, education, and rehabilitation over punishment (Chiu et al., 1997); and willingness to participate in meetings that promote restorative justice (Moss et al., 2019). However, when the infliction of punishment is inevitable, rehabilitative motives may shape the nature of the punishment (McNeill, 2014).

Thus, as outlined above, one's mindset (malleable vs. fixed) can have critical implications for decision-making and social judgments, including those related to moral issues and willingness to punish. Despite the relevance of the link between a mindset of malleability and justice motives, there has been little experimental research on the subject. Furthermore, no study has investigated the potential moderating role that a fixed versus malleable mindset may play in the link between specific justice motives and punishment. Insight into this moderating role of mindsets about malleability could shed light on the rehabilitative or retributive motives underlying support for an offender's punishment. This, in turn, could yield practical insight into how the perceived malleability of defendants in court may influence the punishment they receive. In other words, specific

justice motives might lead to contradictory effects on punishment depending on one's beliefs regarding whether people can change or not over time (i.e. mindsets about malleability). The present research examined this issue.

### The Moderating Role of Mindsets About Malleability

To the best of our knowledge, the present study was the first to investigate whether malleability beliefs moderate observers' support for retribution versus rehabilitation. On the one hand, belief in malleability relates positively to the belief that offenders can truly change their future behaviors and thereby might promote a future-oriented perspective (Goodwin & Gromet, 2014). From this point of view, a belief in malleability should lead people to understand punishment not as an end in itself (e.g. based upon "just deserts" or vengeance), but rather as a means to alter the offender's character, both for her/his own sake and for the good of society. Therefore, we contend that a malleable mindset should strengthen the relevance of the rehabilitation motive for predicting support for an offender's punishment – i.e. punishment would be supported on the basis that it motivates a change in the offender's behavior. Indeed, rehabilitation is forward-oriented and aims to transform the behavior of the offender (e.g. McNeill, 2014).

On the other hand, a fixed mindset relates to the belief that offenders cannot change their behavior and, therefore, this mindset might promote a focus on the past (Goodwin & Gromet, 2014). The fixed mindset perspective indicates that wrongdoing reveals the offender's true nature (e.g. Chiu et al., 1997; see also, Dweck et al., 1995; Kershner, 2001); a fixed mindset would seek to uphold punishment for its own sake, to give offenders what they deserve and to restore the moral balance. Further, a fixed mindset appears to be more incompatible with promoting an offender's education and rehabilitation. Therefore, we posited that a fixed mindset would strengthen the relevance of a retribution motive in predicting people's support for the punishment of an offender. Indeed, retribution is past-oriented, as punishment is supported specifically for the purpose of bringing the offender to justice for the wrong that has been done (Erdley & Dweck, 1993; Gervy et al., 1999).

Based on this understanding, we expected that mindsets about malleability would moderate the relative influence of retribution versus rehabilitation motives on observers' support for an offender's punishment. More specifically, a malleable mindset should strengthen the influence of the rehabilitation motive over the retribution motive with regards to supporting punishment of the offender. Conversely, a fixed mindset should strengthen the influence of the retribution motive over the rehabilitation motive on support for an offender's punishment.

### Overview and Hypotheses

In the current study, we focused specifically on professional misconduct, which encompasses a wide array of professional norm violations. More specifically, professional misconduct refers to any behavior that violates normative expectations and professional codes of conduct (Muzio et al., 2016), even if such behaviors are conducted within legal or regulatory boundaries (Gabbioneta et al., 2019). For instance, drug or alcohol abuse, absenteeism, and below-standard work performance all fall under this definition

(Trevino, 1992). As professional misconduct encompasses a large array of offenses (Biagioli et al., 2019) that are not necessarily considered a breach of law (Gabbioneta et al., 2019), individuals' responses to these types of violations may be affected by their understanding of the situation and their justice motives. Professional misconduct is therefore fertile ground for the exploration of factors that influence third-party observers' motivation for punishing an offender.

In this study, we used a 2 (malleability mindset: fixed vs. malleable) x 3 (justice motive: retribution vs. rehabilitation vs. control) experimental design. We initially manipulated participants' mindset, then asked participants to read a short passage that discussed a perspective on justice (retribution vs. rehabilitation) and subsequently urged them to think about punishment based on that perspective. To examine the specific impact of each justice motive, we included a control condition in which participants did not focus on any specific justice motive. Finally, participants read one vignette depicting an incident of professional misconduct and were asked to indicate the extent to which they would support punishing the offender. To avoid having the results be attributed to one specific scenario, we developed two vignettes that describe professional misconduct in different fields; participants read one of the two vignettes, but we did not expect to find differences between responses to the two incidents of misconduct.

Based on the reviewed literature, we formulated the following hypotheses:

**H1)** *Participants in both the retribution (H1a) and rehabilitation (H1b) conditions would support punishment of the offender to a greater extent than those in the control condition.* These predictions were based on past research indicating that highlighting either a retributive (Carlsmith, 2006; Gerber & Jackson, 2013) or rehabilitative (McNeill, 2014; Ward, 2010) motive increases people's punishment motives.

**H2)** *Participants in the malleable mindset condition would be less supportive of imposing a punishment on the offender than those in the fixed mindset condition.* This assumption was based on the observation that people with a malleable, as compared to a fixed mindset, are less likely to recommend punishment for a wrongdoer (Erdley & Dweck, 1993; Gervy et al., 1999).

**H3)** *More importantly for the present research, we predicted a mindset by justice motive interaction effect on participants' support for offender's punishment. Specifically, we expected punishment support to be higher in the retribution condition, as compared to the rehabilitation and control conditions, among those in the fixed mindset condition (H3a). Conversely, we expected support for punishment to be higher in the rehabilitation condition, as compared to the retribution and control conditions, among those in the malleable mindset condition (H3b).*

## Method

**Participants.**<sup>1</sup> We computed an *a priori* power analysis using G\*Power3 (Faul et al., 2009) for ANOVA (interaction effects), including six groups (a power of 80% and an alpha value of .05). As this is the first study to investigate the interaction hypothesis (H3), and the first to use the present paradigm to test the main hypotheses (H1 and H2), we were not able to base the expected strength of the effect sizes on previous findings. We therefore anticipated a small to medium effect size of  $f = .15$  for all the investigated hypotheses, and the analysis suggested a sample size of 432 participants. Out of the 470 Americans who took



part in the study, we removed 38 who did not approve the use of their data at the end of the study. All the remaining participants ( $N = 432$ ) responded correctly to the attention check item, and their data were retained for the analyses. The final sample was composed of 251 female and 173 male participants (8 did not indicate their gender) between the ages of 18 and 80 ( $M_{age} = 36.20$ ,  $SD = 13.48$ ; one participant provided an unreasonable age, so the mean was computed without his response). The two misconduct scenarios were introduced as an additional between-subjects factor, but we did not expect to find any difference as a function of their difference. Therefore, participants were randomly assigned to one of 12 conditions in a 2 (mindset) x 3 (motive) x 2 (misconduct) experimental design.

**Procedure.** Participants were recruited through Prolific (e.g. Palan & Schitter, 2018), a crowdsourcing platform for recruiting participants (<https://www.prolific.co>), and were invited to participate in an online survey through Qualtrics in exchange for financial compensation of approximately 1.5 US dollars. They first read and signified assent to an informed consent form (Appendix 1) and then began the questionnaire, which was split into two separate (ostensibly unrelated) parts. The first part introduced the mindset manipulation, presented as a reading comprehension exercise (Appendix 2). After completing this part of the questionnaire, the participants were thanked for their participation in the study and were asked to participate in another seemingly independent one. In this second part, we manipulated the justice motive (Appendix 3) and then asked participants to read one of the two vignettes describing a misconduct (Appendices 4 and 5). Finally, we reminded participants of the previously introduced justice motive and asked them to indicate their support for punishment (Appendix 6). As manipulation checks, we also included a few questions to assess participants' beliefs concerning the malleability of human traits (Appendix 2) and about the motivation behind their support for the offender's sanction (Appendix 7). Finally, we asked participants to respond to a few demographic questions (Appendix 8) and carefully debriefed them about the goal and procedures of the study (Appendix 9). The means, standard deviations, and correlations among the variables are reported in Table 1.

## Materials

### Independent variables

**Mindset about malleability** (Appendix 2a). We manipulated the participants' mindset about malleability by having them read a two-page text developed by Rattan and Dweck (2010). This *Psychology Today*-type article provided information supporting either the

**Table 1** Means, SDs and correlations of the main variables.

	Mean (SD)	2	3	4	5
1. Malleability	4.33 (1.76)	-.166**	-.020	-.069	-.061
2. Retribution/past	4.58 (1.44)	-	.111*	.124**	.461**
3. Rehabilitation/future	5.67 (1.22)	-	-	.203**	.290**
4. Political orientation	2.98 (1.59)	-	-	-	.167**
5. Support for punishment	5.63 (1.39)	-	-	-	-

Note: \*  $p < .05$ , \*\*  $p < .01$

malleable or fixed mindset of human character. To strengthen participants' understanding of the text, we asked them to (a) summarize the theme of the article in one sentence and (b) state the evidence from the article that they thought was the most convincing.

**Justice motive** (Appendix 3). Drawing on Carlsmith et al. (2002; study 2), we manipulated the justice motive by asking participants to read a passage written in colloquial language on either the retribution or rehabilitation perspective. For example, participants reading about retribution learned that "Punishment can be administered in response to wrongdoing and to the violation of social norms." By contrast, those in the rehabilitation condition learned that "Receiving a punishment can educate wrongdoers and help them change their behavior in a positive way." In the control condition, participants read a text about sustained attention (e.g. "to focus on an activity over a long period of time") and were subsequently urged to pay close attention in the following tasks. We also instructed participants to think in terms of the specific perspective they encountered later in the study.

**Vignettes** (Appendix 4). Each vignette presented a specific instance of professional misconduct: a football player who occasionally smokes marijuana or an employee who humiliates his subordinates. These instances of misconduct were developed following Trevino's (1992) conceptualization. To encourage participants to pay close attention to the vignette, a minimum time of 90 seconds was set before allowing participants to move on to the next page.

## Dependent variables

**Check on the manipulation of malleability** (Appendix 2b). To ensure that the manipulation of malleability functioned as expected, we assessed participants' beliefs on the malleability of human attributes through the three-item Implicit Person Theory measure (Levy et al., 1998). Although the original scale ranged from 1 to 6, we used a scale ranging from 1 = "strongly disagree" to 7 = "strongly agree" in order to be consistent with the other scales used in this study. An example of item is: "The kind of person someone is, is something basic about them, and it can't be changed very much." The three items were reverse-coded, and the mean scores were calculated. Higher scores indicate a malleable (vs. fixed) mindset ( $\alpha = .94$ ;  $M = 4.33$ ,  $SD = 1.76$ ).

**Attention check item regarding vignettes** (Appendix 5). After the vignette, we asked the participants to summarize the offense described and to respond to a single multiple-choice question to verify their understanding of the main message of the vignette. Only one of the three response options given was correct for the vignette content.

**Support for punishment** (Appendix 6). We measured participants' support for punishing the offender depicted in the vignette using a three-item scale (e.g. "I support punishing Jake."). We computed an average from the responses to the three items ( $\alpha = .96$ ;  $M = 5.63$ ,  $SD = 1.39$ ).

**Punishment purposes** (Appendix 7). As a manipulation check, six items were used to assess whether punishment was supported for rehabilitation/future purposes (e.g. "to teach the offender something") or for retribution/past purposes (e.g. "to make justice for the offense"). We computed separated averaged scores for the items reflecting rehabilitation/future- ( $M = 5.67$ ,  $SD = 1.22$ ) and retribution/past- ( $M = 4.58$ ,  $SD = 1.44$ ) oriented purposes. The two scores were weakly correlated with each other,  $r = .11$ ,  $p = .021$ , and

both were moderately correlated with support for offender's punishment ( $r = .29, p < .001$ , and,  $r = .46, p < .001$ , respectively). Additionally, retribution/past purposes,  $r = -.16, p < .001$ , but not rehabilitation/future purposes,  $r = .02, n.s.$ , were weakly correlated with malleability beliefs.

As an additional manipulation check, we also asked participants to write down the principle(s) or value(s) that motivated their judgments regarding their assignment of punishment. This qualitative information was separately inspected by two independent judges to evaluate the main motive (retribution vs. rehabilitation) mentioned by participants. However, the agreement between the two judges was very low (43.28%). Therefore, we did not conduct any analysis of these codes.<sup>2</sup>

**Demographics** (Appendix 8). The participants provided additional socio-demographic information, such as gender and age. We also assessed the participants' political orientation (retrieved from Kim & Tidwell, 2014), to identify whether this orientation might have an influence on the investigated processes. We used a three-item scale (1 = "very liberal" and 7 = "very conservative") in which participants had to describe their political party preference, their political orientation on economic issues, and their political orientation regarding social issues ( $\alpha = .94, M = 2.98, SD = 1.59$ ). Our sample was found to be composed of relatively liberal participants, and the higher scores in our set only reflected a central or moderately conservative orientation. Political orientation was weakly correlated with support for punishment,  $r = .16, p < .001$ , both for rehabilitation/future and retribution/past purposes,  $r = .20, p < .001$  and,  $r = .12, p < .001$ , respectively. However, political orientation was not correlated with malleability beliefs,  $r = -.06, p = .15$ .

**Debriefing and consent form (Appendix 9)**. At the end of the study, the participants were carefully debriefed and asked to provide their final consent.

## Results

**Manipulation checks.** After removing data for those participants who did not provide consent for their participation, all remaining participants provided the correct response to the attention check item regarding the content of the vignette.

Next, to determine whether the manipulation of malleability functioned as expected, we ran a t-test comparing the two experimental conditions on participants' beliefs about malleability. The results indicated that the participants in the malleable mindset condition ( $M = 5.48, SD = 1.22$ ) endorsed significantly more malleable (as opposed to fixed) beliefs than those in the fixed mindset condition ( $M = 3.17, SD = 1.44$ ),  $t(430) = 17.91, p < .001$ , 95% IC [-2.56, -2.05], Cohen's  $d = 1.73$ .

To control the manipulation of the justice motive, we ran a 2 (punishment reasons: rehabilitation/future vs. retribution/past) x 3 (justice motive: rehabilitation vs. retribution vs. control) mixed ANOVA in which we included participants' justification for punishment as a within-subjects factor and the experimental manipulation of the justice motive as a between-subjects factor. The main effect of punishment reasons was strongly significant,  $F(1, 429) = 163.63, p < .001, \eta_p^2 = .276$ . The participants justified punishment to a greater extent for rehabilitation/future reasons ( $M = 5.67, SD = 1.22$ ) than for retribution/past reasons ( $M = 4.58, SD = 1.44$ ). The main effect of the justice motive was not significant,  $F(2, 429) = 1.32, p > .26$ , but the interaction between the two factors was significant,  $F(2, 429) = 3.94, p = .02, \eta_p^2 = .018$ . The participants justified the offender's

punishment to a greater extent for rehabilitation/future reasons than for retribution/past reasons in all three experimental conditions,  $F_s(1, 429) > 36.14$ ,  $p_s < .001$ ,  $\eta_p^2 > .078$ . However, the experimental manipulation of justice motives was significant for participants' rehabilitation/future reasons,  $F(2, 429) = 5.56$ ,  $p < .004$ ,  $\eta_p^2 = .025$ . The participants justified punishment to a greater extent for rehabilitation/future reasons in the rehabilitation condition ( $M = 5.95$ ,  $SD = 1.13$ ) than in the retribution ( $M = 5.53$ ,  $SD = 1.19$ ),  $p = .003$ , 95% CI [.13, .69], and control ( $M = 5.54$ ,  $SD = 1.29$ ),  $p = .005$ , 95% CI [.12, .68], conditions. These two last conditions did not differ from one another,  $p > .95$ . Finally, the effect of the experimental manipulation was not significant regarding retribution/past reasons (rehabilitation condition:  $M = 4.52$ ,  $SD = 1.48$ ; retribution condition:  $M = 4.66$ ,  $SD = 1.48$ ; and control condition:  $M = 4.56$ ,  $SD = 1.37$ ),  $F(2, 429) = 0.34$ ,  $p > .71$ .

In sum, these results indicate that the experimental mindset manipulation functioned as expected. However, the manipulation of the justice motive only did so partially. The rehabilitation condition worked as expected: participants justified the offender's punishment to a greater extent for rehabilitation/future reasons in the rehabilitation condition than in the control and retribution condition. However, the experimental manipulation of the retribution motive did not function as expected.

#### **Support for offender's punishment.**

To test our hypotheses, we computed two orthogonal contrasts from the three justice motive conditions. The first contrast (C1) compared the control condition (−2) to the retribution (+1) and rehabilitation (+1) conditions. The second contrast compared the retribution (−1) and rehabilitation (+1) conditions (where the control condition was coded as 0). Thus, C1 tested H1, the mindset main effect tested H2, and the interaction between C2 and mindset tested H3. We then regressed participants' support for the offender's punishment on mindset (−1 = fixed and +1 = malleable), C1, C2, and the two interactions between mindset and each contrast (interactions between the two contrasts were not included). The main effects of C1,  $t(426) = 0.01$ ,  $p > .98$ , and C2,  $t(426) = 0.22$ ,  $p > .82$ , were not significant. In addition, neither of the two interaction effects was significant (mindset X C1:  $t(426) = 0.59$ ,  $p > .55$ , nor mindset X C2:  $t(426) = 0.29$ ,  $p > .76$ ). Therefore, the present results do not provide support for any of the three predicted hypotheses.

#### **Exploratory analyses.**

Because these results failed to provide evidence in support of the hypotheses, we conducted an exploratory analysis to determine whether participants' political orientation could account for the results. For this purpose, we adopted a motivated social cognition perspective (Jost et al., 2003), according to which liberals and conservatives are driven by different moral concerns (Graham et al., 2009; Silver & Silver, 2017) and have different attitudes toward punishment (e.g. Carroll et al., 1987; Seron et al., 2006).

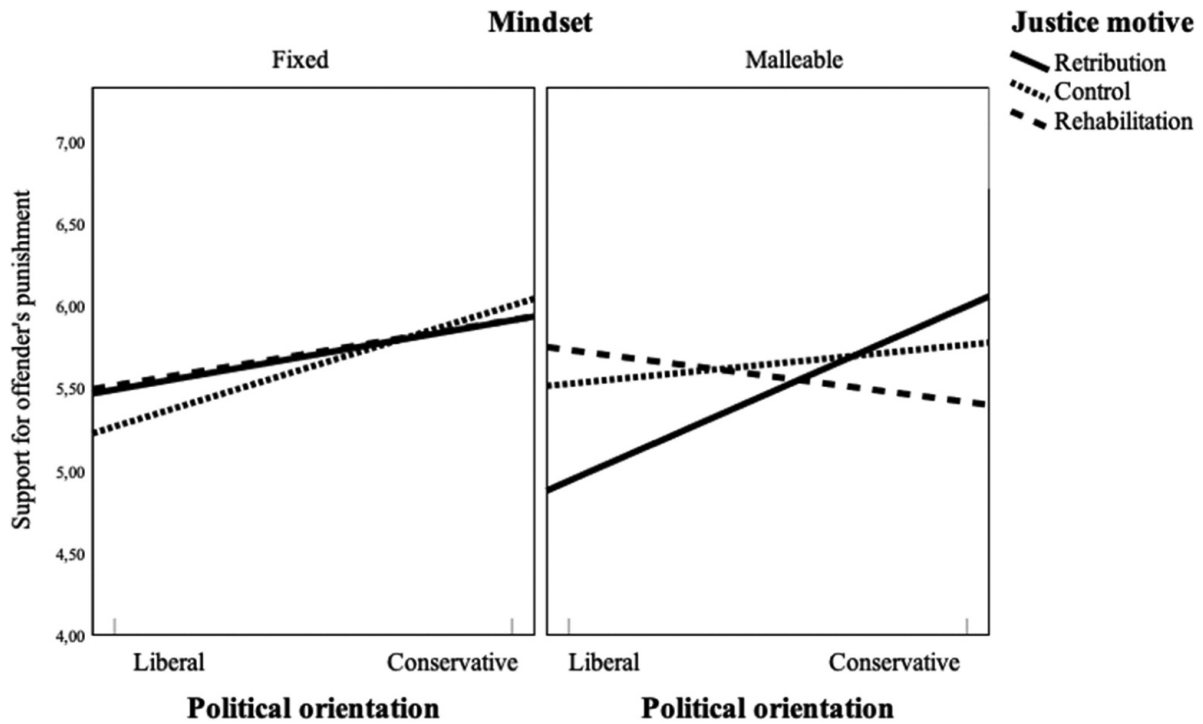
Overall, liberals have a more optimistic view of human nature, while conservatives' greater pessimism leads them to believe, by contrast, that people are inherently selfish and cannot be significantly improved (Sowell, 2002). Therefore, conservatives are more prone to make internal and controllable attributions (e.g. Skitka et al., 2002), to believe offenders lack a moral conscience and self-control (Carroll et al., 1987), and to blame both the victims and offenders (Altemeyer, 1973; Williams, 1984). By contrast, liberals assume to a greater extent that crime is driven by structural and

contextual factors (e.g. economical inequalities or social discrimination) and that the solution lies in reforming the system and rehabilitating offenders. As a consequence, conservatives (relative to liberals) support harsher punishment (Carroll et al., 1987; Clark & Wink, 2012; Côté-Lussier & Carmichael, 2018; King & Maruna, 2009; Silver & Silver, 2017). Conservatives also score higher than liberals on RWA (right-wing authoritarianism; Altemeyer, 1981; see, Jost, 2006), which is positively associated with harsher punishment (Colémont et al., 2011; Côté-Lussier & Carmichael, 2018; McKee & Feather, 2008) and retributive motives (Gerber & Jackson, 2013) but not rehabilitation motives (Mascini & Houtman, 2006). Finally, liberals, relative to conservatives, tend to endorse a malleable (vs. fixed) mindset about groups (Kahn et al., 2018).

Taking these considerations into account, the main hypothesis investigated here (H3) can be reconsidered as a function of individual political orientation. Therefore, we explored the possibility that the malleability mindset might increase the impact of rehabilitation motives on support for an offender's punishment, in particular among relatively liberal participants (Carroll et al., 1987). Conversely, a fixed mindset might increase the impact of retribution motives on support for an offender's punishment, in particular among relatively conservative participants. In light of the evidence, we investigated whether there is a significant interaction between political orientation, mindset, and C2.

To examine the aforementioned issue, we regressed participants' support for offender's punishment on political orientation (standardized scores), mindset ( $-1 = \text{fixed}$  and  $+1 = \text{malleable}$ ), C1, C2, and all interactions between these factors except those involving the two contrasts. Due to the number of tests conducted, we controlled for inflated Type I error using the Benjamini-Hochberg Procedure. We ordered the eleven values of the exploratory tests from smallest to largest, ranked them, and used the formula  $(i/m)*Q$  to produce critical B-H value for each test (the false discovery rate was 0.05). This analysis showed a significant main effect of participants' political orientation ( $B = .21$ ),  $t(420) = 3.12$ ,  $p = .002$ , 95% CI [.07, .34],  $\eta_p^2 = .023$ , which remained significant after controlling for the inflated Type I error (adjusted critical  $p$ -value:  $p = .004$ ). The more participants endorsed a conservative political orientation, the more they supported an offender's punishment. Furthermore, the interaction between political orientation and C2 ( $B = -.17$ ),  $t(420) = -2.22$ ,  $p = .027$ , 95% CI [-.33, -.02],  $\eta_p^2 = .012$ , and the three-way interaction between political orientation, C2, and mindset ( $B = -.17$ ),  $t(420) = -2.14$ ,  $p = .032$ , 95% CI [-.32, -.01],  $\eta_p^2 = .011$ , were significant, but were no longer significant after controlling for the Type I error (adjusted critical  $p$ -values:  $p = .009$  and  $p = .013$ , respectively).

We decided nevertheless to decompose the meaningful 3-way interaction given it even fell short of significance after controlling for the Type I error (see Figure 1). We conducted analyses as a function of the mindset condition (fixed vs. malleable). In the fixed condition, the main effect of political orientation was significant ( $B = .26$ ),  $t(420) = 2.61$ ,  $p = .009$ , 95% CI [.06, .45],  $\eta_p^2 = .016$ , but no other significant effects were observed,  $ts < 1.50$ ,  $ps > .13$ . In the malleable condition, the main effect of political orientation was only marginally significant ( $B = .16$ ),  $t(420) = 1.77$ ,  $p = .077$ , 95% CI [-.01, .34],  $\eta_p^2 = .007$ , but the interaction between C2 and political orientation was significant,  $t(420) = 3.25$ ,  $p < .001$ , 95% CI [-.55, -.13],  $\eta_p^2 = .025$ . Specifically, C2 was significant among liberal participants ( $-1SD$ ),  $t(420) = 2.61$ ,  $p = .009$ , 95% CI [.09, .69],  $\eta_p^2 = .016$ , indicating that liberal participants supported punishment to a greater extent in the rehabilitation condition than in the retribution condition.



**Figure 1.** Estimated means for support for offender's punishment as a function of experimental conditions and participants' political orientation.

Although C2 was only marginally significant among moderately conservative participants (+1SD),  $t(420) = 1.84$ ,  $p = .066$ , 95% CI [-.60, .02],  $\eta_p^2 = .008$ , the effect was in the opposite direction: support for punishment tended to be greater in the retribution condition than in the rehabilitation condition.

## Discussion

This study investigated whether mindsets about malleability moderate the influence of retributive versus rehabilitative justice motives on the support for an offender's punishment. Our H1 proposed that support for punishment would be higher both in the retribution (H1a) and rehabilitation (H1b) conditions than in the control condition. According to H2, we expected a main effect of the type of mindset, such that support for punishment would be higher in the fixed condition than in the malleable condition. Finally, according to H3, we expected a significant justice motive by mindset interaction effect according to which, in the fixed mindset condition, support for punishment would be higher in the retribution condition than in the rehabilitation condition (H3a), whereas the reverse would be observed in the malleable mindset condition (H3b). Overall, the main analysis did not provide evidence in support of any of the three hypotheses.

To better understand the investigated processes and the reasons for the lack of significant results, we conducted an exploratory analysis, including participants' political orientation as an additional moderator. The results showed a marginally significant interaction between political orientation, mindset, and the contrast opposing the retribution and rehabilitation conditions (C2). In the fixed mindset condition, support for punishment was higher the more that participants endorsed a conservative worldview; this effect did not change as a function of the manipulated justice motive. In the malleable

mindset condition, however, the interaction between justice motive and political orientation was significant. While liberal participants supported punishment to a greater extent in the rehabilitation (vs. retribution) condition, moderately conservative participants showed the opposite pattern and tended to support punishment to a greater extent in the retribution (vs. rehabilitation) condition.

Although these analyses were exploratory and conducted to test a post hoc hypothesis, they highlighted the relevance of political orientation to better understand people's reaction to social and moral issues (e.g. Graham et al., 2009; Jost, 2006; Kahn et al., 2018) and also enabled an improved understanding of the processes under investigation. On the one hand, the results suggest that, in a fixed mindset, support for offenders' punishment increases with a more conservative ideology, and this effect appears regardless of the justice motive highlighted in the specific context. This finding seems consistent with past research showing that both a fixed mindset (e.g. Plaks et al., 2009; Tam et al., 2013) and a conservative political orientation are related to stronger punitiveness (e.g. Carroll et al., 1987; Clark & Wink, 2012; King & Maruna, 2009). However, and of particular relevance, this finding also suggests that a fixed mindset leads moderately conservative people to support punishment to a greater extent, even when rehabilitation (rather than retribution) justice concerns are made salient.

On the other hand, the present results suggest that, in a malleable mindset, rehabilitation justice motives increase liberals' support for punishment to a greater extent than retribution justice concerns. This finding is consistent with H3b, according to which the belief that people can change (malleable mindset) strengthens the utilitarian perspective inherent to rehabilitation justice concerns. However, the present findings indicate that this prediction is only confirmed among liberals. Although this effect was not anticipated, it seems quite reasonable to believe that liberal people are more reluctant overall to support punishment (e.g. Maruna, 2009; Silver & Silver, 2017), but they may endorse it to a greater extent if the punishment fulfills a utilitarian purpose, such as an offender's rehabilitation (Carroll et al., 1987). Indeed, the belief that people can change decreases liberals' support for punishment for retributive purposes, whereas this justice motive increases support for punishment among moderately conservative people.

Overall, these results are consistent with the motivated social cognition perspective (Jost et al., 2003), such that the political orientation (liberal vs. conservative) serves as a pivotal lens through which people interpret the world and make attributions. It is reasonable that the participants relied on their pre-existing beliefs regarding human nature (Sowell, 2002), attributions of controllability (Skitka et al., 2002), and the causes for offenses (Carroll et al., 1987). Consequently, people who are relatively liberal in this study tended to favor rehabilitation.

### Limitation and future avenues

Despite the relevance of the results observed as a function of the participants' political orientation, important limitations of the present study should be highlighted, such as the fact that no support was obtained for the main hypotheses. Different post hoc explanations could be advanced for this lack of significant findings.

First, although, the malleability mindset manipulation seemed to function as expected, it may be that the effect of this manipulation was not as strong as anticipated or needed. Indeed, the manipulation check confirmed that the participants showed more malleable (vs. fixed) beliefs in the malleable (vs. fixed) condition, but correlation analyses showed that malleability beliefs were only weakly and negatively related to retribution or past-oriented reasons to punish. Moreover, malleability beliefs did not influence support for the offender's punishment or participants' political orientation. Finally, the present study did not find any evidence supporting the second hypothesis (H2), whereas previous research has shown that a malleable, relative to a fixed, mindset reduces overall punitive motives (e.g. Plaks et al., 2009; Tam et al., 2013) and is more closely related to a liberal orientation (Kahn et al., 2018). To manipulate participants' mindset about malleability, we used a procedure that is widely found in the literature (e.g. Bergen, 1991; Hong et al., 1999; Huang et al., 2017; Nussbaum & Dweck, 2008), taken directly from Rattan and Dweck (2010). Therefore, it seems more reasonable to think that, whereas most previous studies sampled students, our sample was more heterogenous, reflected the wider population, and was less susceptible to the manipulation of mindset about malleability (see, Dweck 2008; Li & Bates, 2019; Mueller & Dweck, 1998). Therefore, further research is needed to examine whether sample characteristics might account for our lack of significant findings, specifically, the lack of evidence in support of H2.

Another limitation of this research relates to the experimental manipulation of the justice motives. Indeed, the analyses conducted on the retributive/past versus rehabilitation/future reasons to punish indicated that the rehabilitation condition functioned as expected, but the retribution condition did not. Furthermore, the present results did not provide evidence in support of H1a, H1b, or H3 (the interaction effect between justice motives and mindset). These results are inconsistent with previous findings showing that justice motives drive people to seek a punishment (e.g. Carlsmith, 2008; Nagin, 1998). Therefore, one could conclude that the experimental manipulation of the justice motive was only moderately successful, and it could not show a pattern consistent with previous studies and with the present hypotheses.

Our response to this potential limitation is threefold. First, the manipulation of justice motives is a complex and elusive venture. Past research has used motive-congruent information to manipulate the justice motive (e.g. Darley et al., 2000). For methodological reasons, we chose a less common manipulation proposed by Carlsmith et al. (2002). Therefore, future research should examine our hypotheses while using a different experimental manipulation of the justice motive.

Second, another possibility is that these two motives are deeply intertwined, weakening the experimental induction of a single motive. Indeed, it is not far-fetched to assume that the average person may find it difficult to differentiate between the motives, which are actually weakly but significantly correlated. Consistent with this understanding is the fact that participants' responses to the open question about motive could not be coded by the two judges as unambiguously referring to one and not the other of the two concerned motives (see methods section). This is also consistent overall with past findings demonstrating that the two motives are correlated (Orth, 2003) and may work in tandem (Gromet & Darley, 2009). Therefore, one potential contribution of the present study to the literature of social justice might be an insight regarding the long-standing contention



revolving around the interplay of the justice motives. By extension, we could argue that the allegedly opposed perspectives of justice-seeking, namely, utilitarianism and retribution, have some common ground and that there may be a discrepancy between the actual motives driving people's justice decisions and the motives that they consciously report (see, Carlsmith, 2008). Finally, it is also worth noting that each justice perspective encompasses distinctive motives. In this study, we focused specifically on rehabilitation and just desert as components of utilitarianism and retribution, respectively, but we may have observed different results of this study if we had focused on different motives, such as deterrence and revenge. Therefore, future research is needed to investigate our hypotheses while operationalizing justice motives in different ways.

Third, in this study, we explored potential individual differences in terms of political orientation as a post hoc hypothesis. The results indicated that H3a may be confirmed among liberals, whereas H3b did not receive such a support (regardless of the participants' political orientation). On the one hand, this finding suggests that, in contrast to the previously highlighted limitations, the experimental manipulations might have functioned appropriately, but the expected effects only appear among liberals. On the other hand, this finding also suggests that the combination of rehabilitation and malleable mindset (H3a) seems to shape liberals' punitive decisions, whereas the combination of retribution and fixed mindset does not, even among moderately conservatives.

Different explanations can be provided for the lack of significant results among moderately conservatives regarding the combination of retribution and fixed mindset. One may refer to the fact that, as indicated in the manipulation check analysis, the experimental induction of the justice motive worked as expected to activate the rehabilitation motive but not to activate the retribution motive. Therefore, future research is needed to examine whether the combination of retribution and fixed mindset shape conservatives' punitive decisions, together with an effective manipulation of the retribution motive. Another possible explanation may relate to the fact that the combination of retribution and the fixed mindset (H2) is not sensitive to individuals' political orientation but could be confirmed as a function of other individual differences. For instance, previous research showed that people with high RWA values are also more punitive (Colémont et al., 2011; Côté-Lussier & Carmichael, 2018) and show stronger retributive motives (Gerber & Jackson, 2013). However, no link was found between RWA and rehabilitation (Mascini & Houtman, 2006). Therefore, future research should investigate the potential moderating role of additional individual differences such as RWA.

Finally, another potential limitation of this research lies in the nature of the investigated offense. Indeed, we tested our hypotheses in the domain of professional misconduct, a category of behavior that violates normative expectations and professional codes of conduct (Muzio et al., 2016). In hindsight, it is possible that the two offenses used in this study were perceived overall as more severe than expected, thereby leading to some consensus among the participants that punishment was needed. Thus, future research is encouraged that investigates the present hypotheses while using other types of professional misconduct and other offense domains in which the severity of the offense is relatively moderate or ambiguous.

In conclusion, in this study, we found that mindsets about malleability increased the impact of rehabilitation motives on support for an offender's punishment. However, this finding emerged only among liberal participants, not among moderately conservative

ones. Thus, political orientation may constitute an ideological system that shapes the way individuals understand offenses and justice motives. This study opens new avenues of research to investigate the influence of political orientation on justice-related decisions, namely as a function of underlying justice motives and mindsets about malleability.

## Notes

1. All the data were stored in a data repository and can be obtained at <https://osf.io/6gvz8>.
2. More specific information can be obtained from the first author on request.

## Disclosure statement

No potential conflict of interest was reported by the author(s).

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