Article

Exploring Sources of Punitiveness Among German Citizens

Crime & Delinquency
57(4) 544–571

DOI: 10.1177/0011128711405002
http://cad.sagepub.com

Joshua C. Cochran[1] and Alex R. Piquero[1]

Abstract

Prior research examining punitive attitudes has typically focused on the United States and citizens' support for the death penalty or American "get-tough" criminal policies. Yet, little is known as to how punitive attitudes and their sources vary internationally. Using Germany as a case study, this article expands the scope of punitiveness research by examining how factors typically examined in American studies, such as cynicism, institutional trust, law and order culture, and antiminority attitudes, relate to citizen beliefs about punishment in a different cultural context. Findings suggest that distrust of the judicial system, political prioritization of law and order, and antiminority attitudes predict citizens' support for severe punishment as an effective crime-reduction technique. Implications and directions for future research are highlighted.

Keywords

punitiveness, punishment, attitudes, public opinion, Germany

Introduction

Mass incarceration, continued use of the death penalty, and American "get-tough" sentencing policies have all contributed to the United States' reputation as an extremely punitive nation. For many, this reputation is well deserved

[1]Florida State University, Tallahassee

Corresponding Author:
Joshua C. Cochran, Florida State University, 634 W. Call Street, College of Criminology & Criminal Justice, Tallahassee, FL 32606-1127
Email: jcochran@fsu.edu

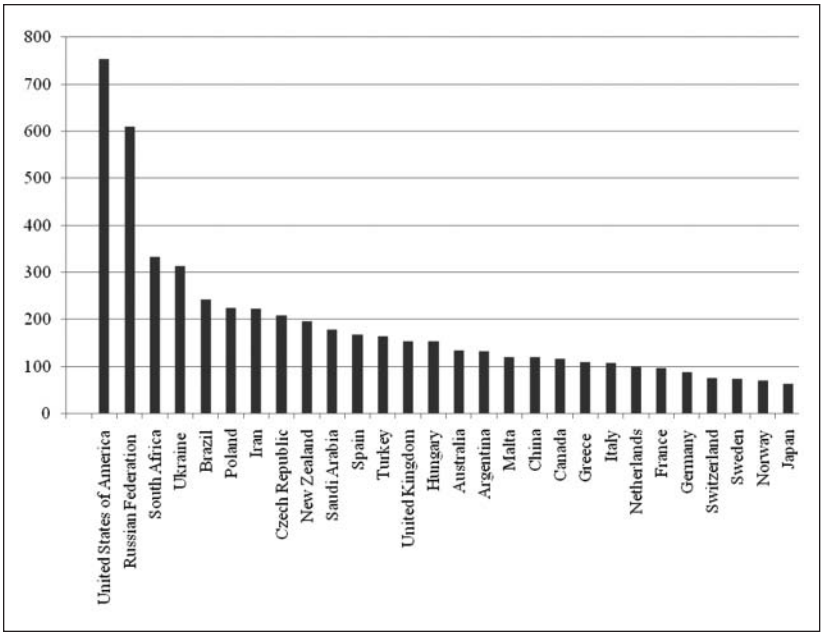

Figure 1. International imprisonment rates (per 100,000)
Source: International Center for Prison Studies (2010).

as the United States has the world's highest imprisonment rate (Figure 1), "dwarfing" the scale of imprisonment of other democratic societies (Nagin, Cullen, & Jonson, 2009, p. 116). Because of this punitive history and reputation, scholars have long attempted to understand the sources fueling America's adherence to such strict criminal sentencing and policies (Blumstein & Beck, 1999; Blumstein & Cohen, 1980; Feeley & Simon, 1992; Garland, 2001a, 2001b; Gottschalk, 2006; Simon, 2007). One distinct aspect that is important for comprehending U.S. punitiveness is a deeper understanding of public opinion and sources of punitive attitudes among members of the population (Baumer, Messner, & Rosenfeld, 2003; Garland, 2000; Shichor, 2000; Stack, Cao, & Adamzyck, 2007; Unnever & Cullen, 2010), primarily because it is these attitudes that, to some extent, help to fuel acceptance of policies and political decision making in the first place (Garland, 2001a; Nagin, Piquero, Scott, & Steinberg, 2006; Piquero, Cullen, Unnever, Piquero, & Gordon, 2010; Simon, 2007; Stack et al., 2007).

Because the United States is unique in its use of severe punishment as a practical policy for controlling crime (Nagin et al., 2009; Tonry, 2004), it is possible that the forces underlying Americans' punitive attitudes are unique to American culture and context. However, if research assessing punitive beliefs among citizens of other countries reveals similar sources of punitiveness to that of Americans, this may suggest that Americans are not so distinct in what drives their public support or acceptance of severe punishment as a crime control policy. Such a finding may have broad implications for future punitive studies, leaving scholars with the responsibility to further assess the extent to which public opinion has contributed to America's imprisonment rates and get-tough sentencing policies, and to further explore cross-national differences both among punitive attitudes and in the influence of public opinion on punishment policies (Cullen, Fisher, & Applegate, 2000; Roberts & Stalans, 1997; Roberts, Stalans, Indermaur, & Hough, 2003). Against this backdrop, this article uses public-opinion data from a sample of German citizens containing information on moral and social cynicism, institutional trust, and racial attitudes to explore the generalizability of punitiveness research by assessing how predictors of punitive attitudes traditionally examined in an American context, predict punitiveness in other social, cultural contexts.

Conceptual Framework

Prior research focusing on sources of punitive attitudes has outlined a variety of factors important to the development of citizens' support, or at least acceptance, of severe punishment for controlling crime (Cullen et al., 2000). Among the influences highlighted in assessments of American punitive ideals are political and social attitudes, racial views, economic situations and outlooks, levels of conservatism, and trust in social institutions (Hogan, Chiricos, & Gertz, 2005; Unnever & Cullen, 2010). Underlying criminologists' interest in the relationship between these factors and punitive attitudes is the assumption that beliefs held by the public will be manifested in public policy, or in this case, increasingly severe punishment for criminal offenders (Garland, 2000, 2001a). Still, there is debate over the actual influence of public opinion on penal policies in the United States and internationally (Matthews, 2005; Piquero et al., 2010; Roberts et al., 2003; Tonry, 2004).

The German context. Apart from the role of public opinion in the development of penal policy, the focus of this article rests in exploring how factors that have typically been analyzed in samples of Americans predict punitive attitudes among Germans. Penal policies in Germany have become an increasingly

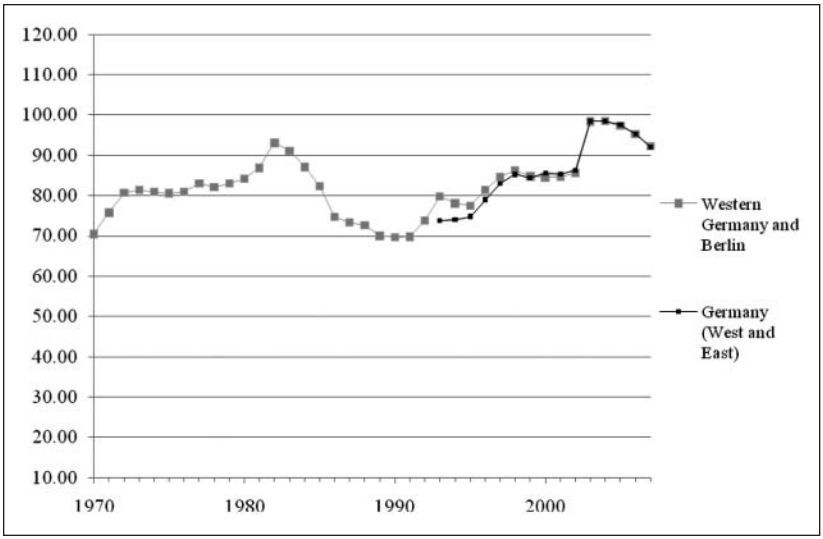

Figure 2. Germany's imprisonment rates (per 100,000)
Source: Imprisonment data—Jehle, 2009, Population data, for rates—U.S. Census Bureau International Database, 2010.

important topic, with a focus on treatment and disproportionate representation of minority and foreigner populations in the criminal justice system (Albrecht, 1997, 2008; Chapin, 1997; Pfeiffer, Windzio, & Kleimann, 2005). There is some debate as to how more or less "punitive" Germany is actually becoming in regards to imprisonment, with some scholars arguing that, although not to the degree or in the same nature of the United States, Germany's rates of imprisonment (Figure 2) and severity of criminal punishment have both been on the rise (Kury, Brandenstein, & Obergfell-Fuchs, 2009),[1] whereas others believe that there has been a reduction in the severity of Germany's penal policies in recent years (Albrecht, 2008, p. 323). Regardless, it is important to understand the motivations and influences that lead to the development of attitudes for or against these policies, to improve the extent to which we can understand and predict public opinion and the public policies that may be driven by it (Stack et al., 2007, p. 292), and to use this information in a larger discussion about public policy.

Toward this end, some research has explored a wide variety of factors to understand what attitudes and characteristics appear to drive the public's attitudes about criminal punishment, with the majority of studies focusing on the

United States.[2] In the next section, we discuss a range of factors that have been previously assessed and the related prior theory that proposes why these factors may be sources of punitive attitudes. In the following sections, we describe how we measure these concepts and also examine whether these measures predict punitive attitudes among Germans.

Social and political attitudes. Several public attitude studies have highlighted a relationship between particular political and social perceptions and belief in severe punishment (Beckett & Sasson, 2000; Bobo & Johnson, 2004; Garland, 2001a; Simon, 2007; Tyler & Boeckmann, 1997; Unnever & Cullen, 2010). For one, prior research has uncovered a relationship between citizens' perceptions regarding social order and moral values, and punitive attitudes (Tyler & Boeckmann, 1997; Unnever & Cullen, 2010). As posed by prior theorists, the underlying argument here is that citizens who believe that society's moral and value standards are in decline are more likely to favor severe punishment for criminal offenders, due to perceptions that harsher punishment is the most-effective way to restore social order, and because these individuals believe that order needs to be restored (Tyler & Boeckmann, 1997). In other words, harsh—as opposed to rehabilitative—punishment for criminals is more appealing to citizens who feel uneasy about the state of society's morality and levels of citizens' decency toward each other. Criminologists have typically attributed the influence of this type of cynicism regarding society and moral decline to citizens' support for three-strikes laws and other U.S.-specific examples of harsh criminal policy (Tyler & Boeckmann, 1997). It is also reasonable to expect a similar relationship among the beliefs of citizens in other countries, such as Germany, that can compare with the American system of government and criminal justice.

In the United States, researchers have also typically discussed the influence of politics and the politicization of crime control on America's adoption of severe, get-tough policies (Beckett & Sasson, 2000; Garland, 2001a; Simon, 2007). Recent punitiveness studies have analyzed the development of a "law and order culture," stemming from politicization of crime control needs and citizens' instrumental views that crime is increasing, in turn leading to citizens' support of harsher criminal punishment (Baumer et al., 2003; Garland, 1990; Stack et al., 2007).[3] Although Germany has not expressed the same proclivity for harsh sentencing or criminal execution, it is possible that citizens who ascribe to a law and order culture will be those who see crime as an issue regionally or nationally as well as an important political priority. Thus, we explore how citizens' beliefs in law and order as a political goal affects beliefs about punishment in Germany, as a way to further our understanding of the effect law and order attitudes have on punitive views beyond America.

The influence of racial views on punitive attitudes has received much attention in punishment and sentencing research. Prior studies have found negative racial attitudes, racial discrimination, and/or racial intolerance to be significantly and positively related to punitive attitudes (Barkan & Cohn, 1994, 2005; Bobo & Johnson, 2004; Soss, Langbein, & Metelko, 2003; Unnever & Cullen, 2005, 2010; Unnever, Cullen, & Jonson, 2008). Several mechanisms have been used to explain the link between racial views and punitiveness, one of which is the inferences made by citizens regarding general perceptions of who is/is not a criminal. Scholars have discussed the young, Black, male effect in the United States and the racialization of crime and criminal punishment when trying to understand how citizens' perceptions of the most-dangerous and most-criminal person in their communities lead to racial disparities in arrests and sentencing (Eberhardt, Jonson, Davies, & Purdie-Vaughns, 2006; Spohn & Holleran, 2000; Steen, Engen, & Gainey, 2005; Steffensmeier, Ulmer, & Kramer, 1998; Ulmer & Kramer, 1996). Thus, if citizens perceive criminals as composed disproportionately of minorities and that minorities are overly criminal and dangerous, it is reasonable to expect these citizens to support harsh punitive policies.

A second mechanism linking racial views and punitiveness is the effect of racial threat on citizens' punitive attitudes (Soss et al., 2003; Unnever & Cullen, 2010). Beyond criminal threats similar to those described above, it is possible that dominant-group's perceptions of competitive threat posed by minorities are likely to influence citizens' support for harsher punishment. For Germany, this perspective of social/racial threat as a correlate of punitive attitudes is arguably a viable theoretical explanation to link racial attitudes to Germans' views toward punishment. Scholars have explored the relationship between minority-group size, threat perceptions, and racial views in Germany (e.g., Semyonov, Raijman, Yom Tov, & Schmidt, 2004), highlighting a positive relationship between perceived threat and exclusionary racial attitudes. These findings, like those of threat research among Americans (Chiricos, Welch, & Gertz, 2004; Fossett & Kiecolt, 1989; Parker, Stults, & Rice, 2005; Quillian, 1996; M. C. Taylor, 1998), support the idea that dominant-group members are likely to perceive growing minority populations as an economic and political threat, and thus, have a higher propensity to be discriminatory.

Like most Western European countries, Germany has been a historically homogeneous society, but has undergone significant population changes over the past four or five decades (Özüekren & Ergoz-Karahan, 2010; Schönwälder & Söhn, 2009). Following planned post–World War II labor immigration, immigrant and minority populations began to solidify in Germany, and racial tensions between Germans and non-Germans have been well documented

(Anil, 2006; Orgad, 2009; Schönwälder & Söhn, 2009; Vanderlinden, 2009). As a result, recent policy and legislation efforts have been made to expand citizenship and immigration laws as attempts to improve integration efforts by the government and also the German people (Anil, 2006; Diez & Squire, 2008). However, racial tensions are slow to dissipate, and it is reasonable to believe that dominant-group's racial views, in the form of anti-immigrant attitudes, will have a similar influence on the punitive attitudes of Germans.

Beyond the concepts described above, prior research has identified a short list of other social and political factors presumed to affect citizens' beliefs about criminal punishment, especially political conservatism and religiosity. Scholars have long been concerned with the influence that conservatism and religion have on the criminal justice system and on the related attitudes and perceptions citizens possess when it comes to dealing with criminals and how harshly criminals are punished (Applegate, Cullen, Fisher, & Vander Ven, 2000; Grasmick, Cochran, Bursik, & Kimpel, 1993; Grasmick & McGill, 1994; Johnson, 2001; D. G. Taylor, Scheppele, & Stinchcombe, 1979; Young, 1992). In general, extant research suggests that conservatism and religiosity will be positively related to punitive beliefs, and we test for these influences here as well.

Institutional distrust. Another important factor assessed in prior research is the influence of distrust for governmental and criminal justice institutions on the likelihood of support for harsher sentencing. In American research, scholars have linked institutional distrust with citizens' support for "tough-on-crime" approaches and mass imprisonment in the United States, describing such distrust as indicating a lack of confidence in these institutions to protect citizens from a "crime problem" (Simon, 2007; Unnever & Cullen, 2010; Zimring, Hawkins, & Kamin, 2001). More specifically, distrust in the courts, or in the judicial system (as examined herein), is linked to support for severe punishment because citizens view judiciary discretion as creating a system that is too easy on offenders and which hardly considers the victim and their family. Judges are often viewed or portrayed as "betrayers of the common good" (Simon, 2007, p. 113), and are partly held accountable for crime problems, with the assumption that they treat crime too softly. In extension, criminal justice reform has taken on the goal of easing feelings of criminal threat felt by citizens, instead of focusing on objective justice.

Studies of the relationship between institutional confidence and punitive attitudes are limited; however, the few existing studies have shown an influence of distrust on citizens' support for severe punishment. Zimring et al. (2001) observe that citizens who express higher levels of institutional distrust are more likely to support severe punishment policies like three-strikes laws. Comparatively, in an examination of institutional distrust on attitudes toward

the death penalty, Messner, Baumer, and Rosenfeld (2006) found a race-varying effect, that is, government distrust increased the likelihood for support of the death penalty for Whites and decreased the likelihood of such support for Blacks.

Although scholars have proffered sound theoretical explanations to explain how distrust in the courts or the government may influence American penal attitudes, it is difficult to predict whether institutional distrust will have a similar effect on the punitive views of Germans. Studies have highlighted stark differences in American and German judicial systems (Jescheck, 1970; Rogowski & Gawron, 2002; Scheffer, Hannken-Illjes, & Kozin, 2008) and also in the development of severe punitive policies in the United States that cannot be compared with other nations. These differences make it likely that the meaning and consequence of governmental distrust for Germans may translate into far different effects in regards to punitive attitudes. It may also be possible, if governmental distrust similarly predicts support for severe punishment as has been reported elsewhere (Messner et al., 2006; Zimring et al., 2001), that Germans who distrust governmental institutions also possess a suspicion of government officials being overly sympathetic to offenders, as outlined by Simon (2007) and Zimring et al. (2001). Of course, this is not the only possible explanation, and the presence of a similar relationship between distrust and punitiveness cross-culturally would indicate most substantively a need for further causal theorizing and investigation.

Current study. Recognizing the need to assess the scope/generalizability of American-based findings (Kohn, 1987), the current study contributes to the small knowledge base that has explored sources of citizens' punitive attitudes outside the United States (Stack et al., 2007, p. 292). And although no country compares with the United States in its harshness of punishment and expansion of imprisonment that has occurred since the 1970s, there is some international evidence of similar increases in the amount of severe criminal justice policies (Aebi & Delgrande, 2010; Garland, 2000; Suhling, 2003; Sutton, 2000). Specifically in Germany, there is some indication that the justice system treats criminals more harshly now than it has in the past (Graham, 1990; Suhling, 2003), but studies regarding increases in punitive attitudes among German citizens and other Europeans have revealed mixed results (Kury et al., 2009; Tonry, 2001). Separate from this discussion is one about the predictors of punitive/nonpunitive attitudes. Using data from the 2000 German General Social Survey (GGSS), this article explores this topic by examining predictors of punitive attitudes among German citizens.

Data and Method

This study uses attitudinal survey data from the 2000 GGSS, from the Center for Survey Research and Methodology.[4] These data include various measures related to German citizens' feelings toward government, crime and social issues, and immigrant populations and minority groups and also provide important demographic and occupational measures relevant to the study of punitive attitudes. The original sample for the 2000 GGSS was collected from January to July 2000,[5] and the final sample consisted of 3,804 cases. However, the GGSS employs a split-questionnaire survey methodology that results in different respondents receiving different sets of survey questions to "increase the overall number of questions surveyed" (Allgemeine Bevölkerungsumfrage der Sozialwissenschaften [ALLBUS], 2008, p. 9). For this reason, 1,704 cases did not respond to the item serving as the dependent variable here (1,533 did not receive the item, 171 responded "Don't Know" and were subsequently excluded), so those cases are not included in the analyses.[6] There were some nonresponses for more common questions, particularly those used here as demographic controls (age, gender, marital status, income, education, East/West residence status), and cases missing information on any of those items were excluded from the analyses ($n = 486$ missing, after delimiting to those who were asked to respond to the dependent-variable measure).[7] Non-German citizens were also excluded from the analyses ($n = 15$).[8] The final analysis sample (cases with complete data for the dependent variable and demographic controls) consists of 1,599 German (both old [West] and new [East] German federal states) citizens. Also, several less-common items used in our analyses (described below), including measures of institutional distrust, crime victimization, and prior deviance were also "split-questionnaire" items, and therefore only a portion of the 2000 GGSS sample were asked to respond to those questions. Analyses that include these variables report smaller sample sizes than our analysis that includes only demographic controls (see below).[9] Because respondents and the questionnaires they receive are incorporated into the random sampling design performed as part of the GGSS, the data are of sound quality for our specific investigation. It is also worth noting that, to allow for separate but robust comparisons of East and West Germany, the GGSS sampling design oversamples from East Germany creating disproportionate population percentages than that of the actual German population. Therefore, the GGSS includes sampling weights to account for disproportionate sampling and these weights were included in the analyses (shown, with robust standard errors). Ancillary analyses, without weighting, revealed substantively similar findings and are available on request.

Dependent variable. The dependent variable is a measure of respondents' belief in severe punishment, worded as a yes/no survey question: "Do you think crime can be reduced by severe punishment?" Responses were recoded so that a positive response (1) indicates respondents' favoring severe punishment as an effective method of crime reduction. As the dependent variable is dichotomous, logistic regression is used to assess individual predictors of respondents' attitudes toward severe punishment.

Demographics. We use several demographic measures, including age, gender, income, marital status, and education. Age and income (thousands of Euros per month) are included as continuous variables, and gender (1 = *male*), education (1 = *past or current enrollment in college/university*), and marital status (1 = *married*) are included as dichotomous variables. Researchers who have studied punitive attitudes in Germany have also noted the importance of analyzing differences between East and West Germans (Albrecht, 2008; Kury et al., 2009). Kury et al. (2009) review a possible carry-over effect in Communist authoritarianism among East Germans, attitudes that in principle create a major focus on law and order, while also highlighting East Germans' propensity to view certain criminal acts as more severe than their West German counterparts. The analyses presented below control for inherent differences in punitive attitudes between East and West Germans with a dichotomous variable for an East (=1) or West (=0) German resident.

Covariates of punitive attitudes. Prior studies have found that those who are cynical about the moral and social relationships among society members will be more likely to be punitive, because they are less likely to believe that criminals can be rehabilitated, and because citizens believe that softer approaches to punishing offenders is unlikely to restore social order or improve moral and value standards (Tyler & Boeckmann, 1997; Unnever & Cullen, 2010). It is also reasonable to believe that citizens who have more positive outlooks on their lives in general, or who broadly feel "good" about their current situation, will be less likely to believe in severe punishment if they are more likely to be optimistic about the effects that punishment and also rehabilitation may have on offenders. Here, three measures are included to assess the effects of these attitudes on citizens' punitive beliefs. Two measures of cynicism[10] are included: social cynicism ("Most people do not really care what happens to the next fellow") and political cynicism ("Most politicians are not really interested in the problems of the average man"). For both, respondents were asked whether they agree or disagree with these statements, and the responses were recoded so that a positive response (1) indicates feelings of the designated type of cynicism. We also include a measure that we label as "life satisfaction," which is a four-category item asking respondents the following: "All things

considered, have your ideas of what you wanted to achieve in life been (1) *more than fulfilled*, (2) *fulfilled*, (3) *not quite fulfilled*, and (4) *not at all fulfilled*?" This item was reverse coded so that higher values indicate increased feelings of life fulfillment or satisfaction. Although life satisfaction has not been previously included with measures of cynicism and social-moral outlooks as a possible predictor of punitiveness, we believe that individuals' broad views—that can either be negative or positive, pessimistic or optimistic—influence their punitive attitudes. This specific item captures a broad range of positive or negative feelings about individuals' lives as they currently stand, which may bear on their beliefs about crime and punishment.

We also assess two aspects commonly associated with punitive views: political prioritization of law and order and a measure of racial attitudes specifically relevant for Germany in the form of anti-immigrant attitudes. Law and order as a political priority is measured by a survey item that asks respondents of these four choices, which do they view as the most-important political goal: maintaining law and order, protecting the right of free speech, more citizen influence on political decisions, or fighting rising prices. A dichotomous variable was created in which respondents who selected law and order as the most-important political goal were coded as 1, and all other responses were coded as 0. To measure anti-immigrant sentiments, a four-item scale was created ($\alpha = .72$) from responses to questions regarding citizens' beliefs about immigration for four groups: asylum seekers, EU workers, non-EU workers, and ethnic Germans. Respondents were asked to choose one of the three responses for each group: (a) entry should be unrestricted, (b) entry should be restricted, and (c) entry should be stopped completely. Higher values indicate more restrictive or anti-immigration views.

There is literature indicating that religion and conservatism influence citizens' punitive attitudes (Applegate et al., 2000; Grasmick et al., 1993; Grasmick & McGill, 1994; Johnson, 2001; D. G. Taylor et al., 1979; Young, 1992), and we incorporate measures of those concepts as well. Religion is a measure of self-reported religiousness in which respondents were asked to denote how religious they believed themselves to be (1 = *not at all religious* to 10 = *very religious*). Conservative values are included using a similar measure, in which respondents placed themselves on a continuum of political views, the farther left indicates more liberal, farther right indicates more conservative. The item was coded so that higher values (from 1 to 10) indicate increased conservatism.

The effect of citizens' distrust of government and criminal justice institutions on punitive attitudes has been well researched and findings suggest that distrust of the judicial system is likely to be related to a favoring of more severe criminal punishment because of citizens' belief that courts are too

liberal or too soft on crime (Simon, 2007; Unnever & Cullen, 2010). However, the police as a criminal justice institution are often viewed to be a different and nearly autonomous law-enforcement body in relation to the judicial side, and researchers have hypothesized that distrust in the police may have the opposite effect when compared with court distrust, in that citizens who do not trust police officers will be less likely to favor severe punishment (Simon, 2007). Separate measures of judicial distrust and police distrust are included, where respondents were asked on a scale of 1 to 7 (1 = *absolutely no trust*, 7 = *a great deal of trust*) how much they trusted either institution. Each variable was coded dichotomously so that responses reporting distrust (values from 1-3) were coded as 1, indicating distrust for the specified institution.

Prior research has also noted the importance of victimization, fear of crime, and personal criminal activity to be controlled for when assessing punitive attitudes (Blumstein & Cohen, 1980; Johnson, 2001; D. G. Taylor et al., 1979). Based on these studies, we would expect those who are more deviant to be less punitive and those who have strong fears of crime, as well as those who have been criminally victimized, to be more punitive. Victimization and fear of crime are dichotomous, with "1" indicating positive responses to either of the two following questions: "Have you been a victim of theft in the past 3 years?" and "Is there any place in the immediate vicinity in which you fear walking alone at night?" Prior deviant activity is measured with a four-item additive scale, which includes categorical measures of respondents' frequency for fare dodging, drunk driving, tax fraud, and shoplifting.[11]

Table 1 provides descriptive statistics for all of the variables and measures in the analyses. Of all, 48% of the sample was male, the mean age of citizens was approximately 48 years and 36% of respondents were East German residents. About 9% of the sample reported current or past college/university enrollment, and the average monthly income for the sample was about 2,000 Euros a month. For the dependent variable, approximately 60% of respondents believe severe punishment to be an effective method for reducing crime. In the bivariate, political cynicism, judicial distrust, prioritization of law and order, and anti-immigrant attitudes are all significantly and positively correlated with a belief in severe punishment (available on request). Also, residence in East Germany, age, and conservatism are significantly correlated with acceptance of severe punishment, whereas education and prior deviance are correlated with rejecting severe punishment as effective.

Results

Table 2 presents four separate models analyzing the sources of punitive attitudes. The first model assesses the effects of the demographic variables only.[12]

Table 1. Descriptive Statistics

	M	*SD*	Minimum	Maximum
Dependent variable				
Belief in severe punishment (1 = *yes*, 0 = *no*)	0.62	0.49	0	1.0
Demographics				
Age	48.23	16.88	18	95
Gender (1 = *male*, 0 = *female*)	0.47	0.50	0	1
East Germany (1 = *East*, 0 = *West*)	0.36	0.48	0	1
Income (thousands of Euros per month)	2.01	1.19	0.1	12.5
Education (1 = *college/university*)	0.09	0.28	0	1
Marriage (1 = *married*)	0.62	0.48	0	1
Social and political attitudes				
Moral cynicism (1 = *yes*, 0 = *no*)	0.79	0.40	0	1
Political cynicism (1 = *yes*, 0 = *no*)	0.87	0.33	0	1
Prioritization of law and order (1 = *yes*, 0 = *no*)	0.40	0.49	0	1
Anti-immigrant attitudes (index)	−0.01	0.73	−2	1.8
Conservatism (scale)	4.99	1.73	1	10
Religiosity (scale)	4.73	3.09	1	10
Life Satisfaction (scale)	2.57	0.70	1	4
Institutional distrust				
Judicial distrust (1 = *yes*, 0 = *no*)	0.27	0.44	0	1
Police distrust (1 = *yes*, 0 = *no*)	0.13	0.34	0	1
Crime and deviance				
Fear of crime (1 = *yes*, 0 = *no*)	0.29	0.45	0	1
Victim of crime (1 = *yes*, 0 = *no*)	0.21	0.41	0	1
Deviant activity (index)	1.73	2.30	0	13

Model 2 examines only the theoretical variables and Model 3 contains the full model. The final model (4) isolates the significant effects from Model 3 and examines them separately.

Results of Model 1, assessing only the effects of the demographic variables on citizens' punitive attitudes, show that East Germans are significantly more likely to favor severe punishment whereas higher education is a significant predictor of less-punitive attitudes. Model 2 includes only the theoretical variables. This second model suggests that neither social nor political cynicism significantly influence Germans' views on severe punishment. Research on American public opinions has supported the idea that negative views

Table 2. Logistic Regressions

	Model 1			Model 2			Model 3			Model 4		
	b	RSE	OR	*b*	RSE	OR	*b*	RSE	OR	*b*	RSE	OR
Demographics												
Age	0.004	0.003	1.004	—	—	—	−0.008	0.009	0.992	—	—	—
Male	−0.020	0.111	0.980	—	—	—	0.191	0.279	1.210	—	—	—
East Germany	0.341*	0.114*	1.407*	—	—	—	0.225	0.298	1.252	—	—	—
Income	−0.015	0.051	0.985	—	—	—	0.073	0.130	1.076	—	—	—
Education	−0.436*	0.200*	0.647*	—	—	—	0.555	0.530	1.743	—	—	—
Marriage	0.209	0.118	1.233	—	—	—	0.416	0.284	1.516	—	—	—
Social and political attitudes												
Moral cynicism	—	—	—	0.278	0.322	1.320	0.222	0.332	1.248	—	—	—
Political cynicism	—	—	—	−0.115	0.342	0.891	−0.101	0.351	0.904	—	—	—
Prioritization of law and order	—	—	—	0.444	0.259	1.558	0.514*	0.271*	1.673*	0.382	0.227	1.465
Anti-immigrant attitudes (index)	—	—	—	0.378*	0.182*	1.459*	0.466*	0.198*	1.594*	0.379*	0.167*	1.461*
Conservatism (scale)	—	—	—	0.013	0.072	1.013	0.013	0.074	1.013	—	—	—
Religiosity (scale)	—	—	—	−0.023	0.039	0.978	0.001	0.046	1.001	—	—	—
Life Satisfaction (scale)	—	—	—	0.520*	0.180*	1.682*	0.453*	0.193*	1.572*	0.559*	0.165*	1.749*
Institutional distrust												
Judicial distrust	—	—	—	0.862*	0.338*	2.368*	0.860*	0.353*	2.364*	0.826*	0.298*	2.285*
Police distrust	—	—	—	−0.986*	0.357*	0.373*	−0.985*	0.368*	0.373*	−0.678*	0.317*	0.508*
Crime and deviance												
Fear of crime	—	—	—	−0.030	0.256	0.971	0.041	0.268	1.042	—	—	—
Victim of crime	—	—	—	0.018	0.285	1.018	0.050	0.286	1.051	—	—	—
Deviant activity (index)	—	—	—	−0.138*	0.053*	0.871*	−0.154*	0.057*	0.857*	−0.121*	0.048*	0.886*
Intercept	0.117	0.213		−0.978	0.707		−1.142	0.854		−1.119	0.454	
Pseudo R^2	0.009			0.093			0.109			0.081		
n	1,599			356			356			418		

Note: RSE = robust standard errors; OR = odds ratio. The dependent variable is Belief in Severe Punishment.
*$p < .05$.

regarding society or perceptions of moral disorder are common sources of citizens' beliefs in severe punishment (Tyler & Boeckmann, 1997; Unnever & Cullen, 2010), a notion unsupported among this German sample. Also, life satisfaction is significantly and positively related to citizens' belief in severe punishment.[13]

Two types of institutional distrust, judicial and police distrust, are also assessed in Model 2. Results depict a significant, positive relationship between judicial distrust and punitiveness, indicating that citizens' distrust of courts strongly influences their desire to punish criminals more severely. Distrust in the police (Model 2) evinces the opposite effect, or a decreased likelihood in citizens favoring severe punishment, suggesting that citizens who are skeptical of police are less likely to seek severe punishment for criminals.[14] Deviant activity yields a negative, significant relationship to punitive attitudes, so that respondents who reported more prior deviant activity were less likely to favor severe punishment for criminals. Findings also show that anti-immigrant attitudes are significantly and positively related to beliefs in severe punishment.

Model 3 examines the influence of all demographic and theoretical variables simultaneously. Findings reveal that all theoretical factors significant in their individual models remain so in the full model, but none of the demographic variables yielded significant effects. This includes life satisfaction, judicial distrust, prioritization of law and order, and anti-immigrant sentiments evincing an increase in the belief in severe punishment, whereas distrust of the police and prior deviance have significant, negative effects on punitive views. Neither moral nor political cynicism was significantly related to punitiveness. One new effect emerges in Model 3: Political prioritization of law and order takes on a significant, positive effect on citizens' punitive beliefs. Model 4 examines only previously significant influences on punitive attitudes, finding that every variable had the same effect and significance, except for political prioritization of law and order, which is no longer significant.[15]

As a final illustration of the degree to which each variable affects a person's punitive attitudes, Figure 3 presents six sets of predicted probabilities that were generated from the logistic regression model presented in Table 2, Model 3. The bars represent the predicted probability of favoring severe punishment (i.e., having a 1 on the outcome variable) based on different values for each of the six variables. As can be seen, two predicted probabilities are presented for each variable—the black bar represents the predicted probability of favoring severe punishment for a respondent who was assigned the minimum value on the variable of interest, whereas the gray bar represents the predicted probability for a respondent who was assigned the maximum value for the variable of interest. Take, for example, the judicial distrust (dichotomous)

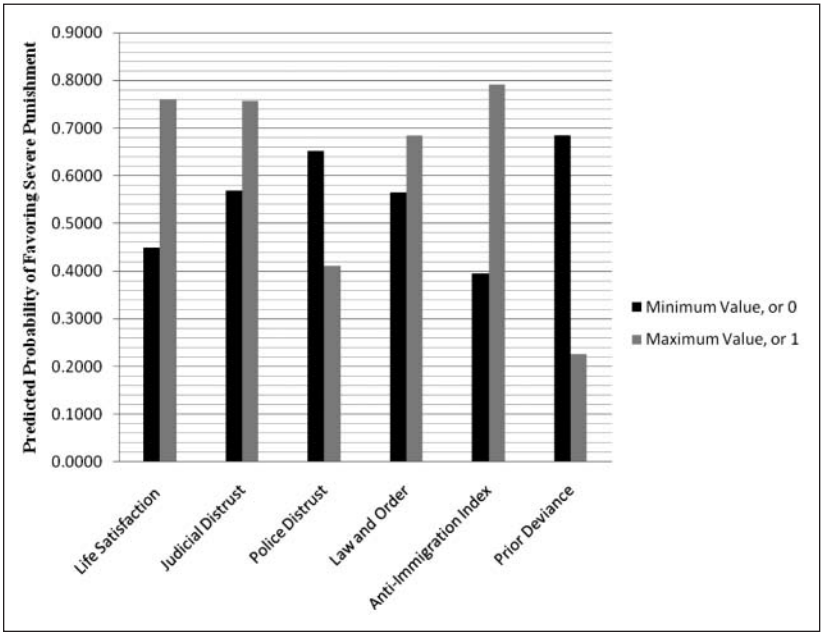

Figure 3. Predicted probabilities of belief in severe punishment (from Table 2, Model 3)

variable. On one hand, respondents who did not indicate distrust (i.e., those assigned a value of 0) had a predicted probability of believing in severe punishment of .58. On the other hand, citizens who indicated distrust in the judicial system (i.e., those assigned a value of 1) were more likely to be punitive, reflected by a higher predicted probability (.75). The variable capturing respondents' prior deviance exhibited the greatest disparity in predicted probabilities: those who reported minimum prior deviance (i.e., no prior deviance) had a probability of about .68 of favoring severe punishment, whereas those who reported maximum prior deviance had a predicted probability of only .26.

Discussion and Conclusions

Recognizing the general lack of research on non-American punishment attitudes, this study assessed the sources of punitive attitudes in a sample of German citizens. The factors analyzed, that is, moral and political cynicism, institutional distrust, prioritization of law and order and racial attitudes, have

been commonly associated with citizens' acceptance of more severe punitive tactics and forms of crime control, under a variety of theoretical assumptions in the extant American-based research. The analyses provided herein broadened the scope of punitiveness research by assessing and furthering our understanding of the salience of traditional punitive influences cross-culturally. Several key findings emerged from our effort.

First, although specific to a German population, our results largely parallel the findings of prior punishment and public opinion research that has analyzed U.S. samples. Results pointed to a significant effect of judicial distrust on citizens' penal views in that those who reported less confidence in Germany's judicial system had an increased likelihood of favoring severe punishment for criminals. Consistent with prior research examining the link between confidence in judicial and government institutions, this result brings light to an issue that has not usually been expanded beyond America. Criminologists have often highlighted the influence of victim's rights prioritization among Americans as one of the driving forces behind recent U.S. penal reform (Garland, 2001a, 2001b; Gottschalk, 2006). In doing so, they have interpreted the link between distrust in the courts as one representing citizens' beliefs that judges favor offenders, or perhaps are too objective, which leads to more lenient punishments than citizens prefer. Yet, our findings support the idea that the relationship between judicial distrust and punitive views may apply more broadly and in other cultural contexts. Although these analyses do not provide a direct comparison of American and German samples, they do offer a comparison of concepts believed to be important in shaping punitive attitudes. In addition, if judicial distrust is believed to be linked to punitiveness cross-culturally as it is in the United States, then it is important that future research explores not only likely explanations for such a relationship, including those set forth by Simon (2007) and Garland (2001a) in addressing American punitiveness, but also more general explanations that can be asserted more broadly.

Beyond judicial distrust, we found evidence of a significant effect of law and order attitudes and of citizens' racial attitudes on views about punishment. Depending on the other variables controlled in the model, findings showed that citizens who viewed law and order as the most-important political priority also tended to favor severe punitive policies. Similarly, those who expressed anti-immigrant attitudes were much more likely to be punitive. Both of these findings confirm research highlighting law and order culture (Baumer et al., 2003; Garland, 1990; Stack et al., 2007) and antiracial views (Barkan & Cohn, 1994, 2005; Bobo & Johnson, 2004; Soss et al., 2003; Unnever & Cullen, 2005; Unnever & Cullen, 2010; Unnever et al., 2008) as significant influences of

citizens' penal attitudes. These results stress the salience that politicization of crime and crime control policies as well as citizens' racial views have on the development of public opinion regarding punishment strategies. Also, the resulting influence of these factors and their applicability beyond an American context encourages expanded testing of prior explanations as well as expanded theorizing about new or broader understandings surrounding political and racial views' connection to punitiveness in future research.

In this vein, some findings provided a new or exploratory insight that deserves commentary. Consider first the effect of police distrust on citizens' punitive beliefs. In both the individual and the full models, distrust in the police was related to less-severe punitive beliefs; that is, Germans who distrust the police appeared to be less likely to prefer severe punishment—the opposite effect to that of judicial distrust. It seems that the judicial system and the police, as separate and fairly autonomous bodies of the criminal justice system in Germany (as they are in the United States), invoke very different feelings regarding punishment when one or the other is distrusted. In addition, although the link between judicial distrust and punitiveness has been addressed to some degree in previous studies, such a direct relationship between punitive attitudes and police distrust is seemingly unaddressed in prior empirical studies.[16] Thus, these analyses should be considered exploratory. Nonetheless, one possible reason for the effect of police distrust on decreasing the likelihood of punitiveness is that citizens who lack confidence in the police as frontline actors in the criminal justice system may be less likely to believe in severe punishment, because those citizens may be initially skeptical of officers' ability to fairly assess who is/is not criminal. It may be that citizens who do not believe that officers make just decisions regarding offenders will be less likely to support severe punishment as citizens are skeptical as to whether offenders have been fairly brought into the system in the first place. However, the differences in sign across the police and judicial distrust effects may be a function of the visibility of these decisions. For example, police decisions tend to be shielded from public view, whereas judicial decisions are more often made in the public eye and much more visible. Combined, it may be that the public "sees" the judicial decisions and they draw their views about the system and punishment in a reaction-like mode. Regardless, this finding should encourage future research as to why this effect appears to exist for Germans, and also, whether police distrust has similar influences in other contexts.

Another exploratory note for our results relates to the positive effect of life satisfaction on punitive attitudes, which suggests that German citizens who felt that they were successful or more accomplished were more likely to favor severe punishment. At first glance, this effect contradicts the theoretical

assumptions of social cynicism, which argue that citizens who are more cynical or more pessimistic about the world are more likely to be punitive, as they believe more strongly that moral order needs to be restored and that harsh punishment is a proper method for restoring it. However, it is likely that life satisfaction, as we have measured it here is more a measure of individuals' personal views about themselves and how accomplished they view themselves to be. If this is the case, then it would make sense for individuals with higher life satisfaction to want to maintain the status quo; and to many, the status quo may be to punish criminals severely for their crimes.[17] This explanation is speculative but does suggest that future research should attempt to sort out individual perceptions of self and society, and their influences on attitudes about punishment.

Certain limitations require the findings to be qualified. One limitation stems from our dichotomous dependent variable indicating German citizens' belief or disbelief in severe punishment as an effective crime control method. Prior punitiveness research has found that individuals' punitive attitudes tend to vary when more specific, anecdotal survey methodologies are employed, or when factorial, situational survey design is implemented (Applegate, Cullen, Link, Richards, & Lanza-Kaduce, 1996; Murray, 2003; Roberts & Stalans, 1997; Steinberg & Piquero, 2010). The limited range of the dependent variable, then, is a conservative measure and future research should expand the reach of punitive attitudes and further consider how a range of different crime types could also influence citizen attitudes. The cross-sectional nature of our data is also a limitation, as it does not allow us to detect how punitive attitudes have changed over time and how factors that predict punitive attitudes have changed. Longitudinal analyses of public perceptions and punitive attitudes would allow us to breakdown the development of factors like distrust of the police and political prioritization of law and order and whether these factors existed (and the degree to which they existed) before or after punitive attitudes developed.

Another limitation related to citizens' assessment of punishment strategies comes from utilizing responses to a question that denotes "severe" punishment. Although our findings support the idea that Germans appear to share many sources of punitive attitudes highlighted in prior research, it is important to note that citizens' belief in what severe punishment may or may not be can vary between countries and cultures (Kury et al., 2009). Severe punishment in the opinion of an American may be different from what comes to mind as severe punishment for a German. Thus, although study findings can speak on shared influences of citizens' belief in severe punishment internationally, they cannot offer insight into what citizens in Germany believe to be

proper or to be an effective degree of severity of punishment for criminal offenders. Future research should unpack citizens' perceptions of severity.

Lastly, our analysis of punitive attitudes among Germans does not provide a direct comparative study of Germany and America. Conceptually, although we attempted to measure factors that have similarly been assessed in prior U.S. studies, variable measurement differed across studies. Furthermore, a potentially interesting and important comparison would examine how perceptions of marginalization, normalization, and reintegration of offenders and prisoners vary across cultural contexts and the effect of this variation on views regarding the severity of punishment. Given the treatment afforded to (ex-)prisoners in the United States and subsequent citizen perceptions of these individuals in the community (Hirschfield & Piquero, 2010), it will be of interest to see if such findings are replicable in societies that incarcerate less and/or reintegrate offenders with much more relative ease (Braithwaite, 1989). In short, our findings offer important implications for future research, and hopefully the exploration provided here can be used to guide future studies that assess sources of punitiveness in Germany, the United States, or any other research context.

Acknowledgments

The authors would like to thank the editor, the anonymous reviewers, and Francis T. Cullen for their comments and suggestions.

Declaration of Conflicting Interests

The authors declared no potential conflicts of interests with respect to the research, authorship and/or publication of this article.

Funding

The author(s) received no financial support for the research, authorship, and/or publication of this article.

Notes

1. Germany's imprisonment rates increased drastically between 2002 and 2003, but this is largely due to changes in reporting of official imprisonment statistics and not indicative of actual growth (Jehle, 2009, p. 47).
2. For cross-sectional analyses, causal order issues (i.e., whether the "sources" caused the punitive attitudes or the punitive attitudes caused the sources) are difficult to sort out especially in public opinion research. Although exploratory, research of this nature provides an important contribution by either (a) "provisionally falsifying" theses that relationships exists between proposed causal

factors and belief in harsh punishment or (b) "if a relationship is found to exist, then further research would be manifestly called for that, building on the current project, probes the origins, nature and policy implications" of the evidenced link (Unnever & Cullen, 2005, p. 9). The majority of the studies outlined here provide theoretical assumptions as to why one concept (sources of punitive attitudes) would precede another (punitive attitudes). In lieu of longitudinal data, we base the modeling design of our analyses on the extant theory and literature outlined here, but acknowledge the possible limitations and the caution needed when interpreting results.

3. It is also important to mention the long line of work by Inglehart and colleagues (Inglehart & Abramson, 1994; Inglehart & Welzel, 2003, 2005, 2010), which has previously measured political prioritization of law and order as part of an index of variables capturing a larger concept, "materialism," with which the researchers have examined, broadly, changes in citizen values and democratization, in many different countries, over long periods of time. There is ample reason to believe that understanding the linkages between the items examined by Inglehart and changes in moral and political values over time could have important implications for understanding how citizens perceive and view crime and criminal punishment over time. Future studies should implement longitudinal approaches to explore these complexities.
4. The source of data used in this publication is "Allgemeine Bevölkerungsumfrage der Sozialwissenschaften (ALLBUS)—German General Social Survey (GGSS) 1980-2006." From 1980 to 1986 and in 1991, the ALLBUS program was funded by the DFG (German Research Foundation). For all other surveys, state and federal funding has been made available through German Social Science Infrastructure Services (GESIS). ALLBUS/GGSS is a joint project of GESIS-ZUMA (Mannheim) and GESIS-ZA (Cologne) branches and the ALLBUS scientific council. The aforementioned institutions and persons bear no responsibility for the use or interpretation of the data herein. Response rates for the survey were as follows: for computer-assisted interviews—46.9% in West Germany, 53.7% in East Germany; for personal interviews—52.5% in West Germany, 56.5% in East Germany.
5. We searched broadly for any type of global, continental, or national event that could have influenced responses to the survey questions during this time period but did not find any potential events.
6. We performed *t* tests comparing individuals who did and did not respond to the "belief in severe punishment" question on a set of key descriptive variables and found no substantive differences between the two groups.
7. To determine if the removal of cases due to missing demographic variables altered the pattern of findings, we examined the same set of analyses (not shown)

but with mean imputation for dropped cases ($n = 486$). These analyses revealed substantively similar results to those reported.

8. It is reasonable to believe that there would be cultural differences in punitive attitudes between Germans and foreign-born respondents residing in Germany (Kury, Brandenstein, & Obergfell-Fuchs, 2009). Because the minimal number of non-German respondents created unstable results when non-German citizen status was included as a control in the models, these cases were dropped from the analysis.
9. A complete breakdown of covariate "missingness" is available on request.
10. We elect to use the term "cynicism" in accordance with prior research (Tyler & Boeckmann, 1997; Unnever & Cullen, 2010) but recognize that question items and wordings were not the same.
11. Ancillary analyses using alternate types of deviance measures, including a standardized index and a variable produced by principal components factor analysis, produced similar results.
12. Additional analyses of Model 1 that delimited the sample to include only the 356 cases included in Models 2 and 3 revealed no significant influence of East German residence or education. To explore these differences further, we conducted *t* tests on a set of key variables (including marital status, age, education, East/West residence, income, and gender) comparing the sample of cases included in Models 2 and 3 with the sample of cases that were excluded (due to missing data on at least one of the theoretical variables). Results indicated that the two groups were nearly identical on these measures, with the sole exception on marital status, which shows that 61% of the included cases were married compared with 68% of the excluded cases.
13. Correlations (not shown, available on request) suggest a minimal relationship between life satisfaction and either of the two cynicism measures. Although we discuss the three variables as similar types of measures, we recognize that life satisfaction may be capturing a very different set of attitudes when compared with the cynicism measures, and theoretical explanations as to why life satisfaction may predict punitiveness likely differ from those that would explain a positive or negative relationship between moral and social cynicism.
14. We also analyzed models with just one form of distrust or the other (judicial or police) and the effects were significant and in the same direction as they are when both are included in the model.
15. We also implemented stepwise elimination of nonsignificant variables in Model 3 (not shown) and these analyses revealed identical findings to those shown in the text.
16. Prior research has found a strong link between minorities and distrust in the police (Brunson, 2007; Hurst, Frank, & Browning, 2000; Weitzer & Tuch, 2006) as well as the decreased likelihood of minority citizens to be punitive (Unnever & Cullen, 2007). But it is unclear whether police distrust and punitive attitudes

are related for minority or White citizens in the United States as they appear to be for Germans in this study.

17. With respect to the significant effect of life satisfaction and the null effect of cynicism, it may be that Germans do not have a very cynical view of the criminal justice system and its functioning (unlike Americans), perhaps because in Germany, many criminal justice decisions are out in the open and for public view. That is, Germans may not be as suspicious of the central government and probably espouse more trust in the government and its agents. Thus, cynicism may not relate at all to punitiveness among Germans because cynicism may have a culturally unique effect in Germany, a country where the concentration of state power is not as feared (or social welfare so unwelcomed). With respect to life satisfaction, it may be that at the individual level, those persons who are most satisfied are more likely to desire punitiveness because they may be projecting out and/or seeking more ways to retain their level of satisfaction—and by continuing and/or increasing the nature of punishment and its punitiveness, they can hold to their satisfied views. Thus, those who are doing well in life will tend to identify with the social order more strongly. Research in the United States has shown that injustice (at least among Blacks) is negatively related to punitiveness (Johnson, 2008). Those happy in life may feel that the system is "just" and thus, not have much empathy for those who break the law. That is, if the state and life are perceived as good, then those who break the law have no reason to do so—and thus, warrant severe punishment. Or, put another way, if life is good, one has more reason to want to protect the social order—in this case by punishing those who threaten it. We would like to thank Francis T. Cullen for suggestions noted above.

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Bios

Joshua C. Cochran, MS, is a doctoral student at Florida State University's College of Criminology and Criminal Justice. His research interests include international comparative analyses of criminal justice systems, criminological theory, imprisonment, and prisoner reentry.

Alex R. Piquero, PhD, is Gordon P. Waldo Professor in the College of Criminology and Criminal Justice at Florida State University and coeditor of the *Journal of Quantitative Criminology*. His research interests include criminological theory, criminal careers, and quantitative research methods.