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Disparate vantage points: Race, gender, county context, and attitudes about harsh punishments in the US

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ABSTRACT

In this paper, I use data from the General Social Survey, FBI Uniform Crime Reporting Statistics, and other sources to consider differences in attitudes about punishment among four groups—Black men, Black women, White men, and White women—as well as how these differences vary according to county crime rates. Centering my expectations about group-specific attitudes within conflict theory and prior empirical findings, I am guided by the presumption that race and gender are cultural categories that shape attitudes about punishment by influencing our interactions with the criminal justice system, and that the meaning of these cultural categories varies by context. Analyses provide some evidence that race, gender, and context interact to shape attitudes about punishment. Overall, this research improves our understanding of group differences in punitive attitudes and of the cultural context in which the US system of incarceration operates.

1. Introduction

American attitudes about punishment have the potential to impact outcomes for the millions who encounter the US criminal justice system each year. Importantly, these attitudes diverge according to race and gender, two characteristics that shape exposure to criminal punishment (The Sentencing Project, 2013). This paper explores whether these differential experiences with the criminal justice system, or individuals' social positioning vis-à-vis this institution, may influence variation in support for harsh punishments. In this case, perhaps those who have firsthand experience with racial inequality in criminal punishment consider this form of social stratification especially salient and it is therefore influential in their attitudes toward punitiveness. At the same time, those who have only witnessed such racial disparities might be less sensitive to them, while those who have substantial distance from these inequalities might be least likely to prioritize them when deciding how to address criminalized behavior. Conflict theory and available evidence support this idea and further suggest that those in a position of social dominance will be especially likely to support punitiveness as a means of social control (Quinney, 1970; Johnson, 2008; Unnever et al., 2008). I am guided by this framework and the presumption that race and gender are cultural categories that shape attitudes about punishment by influencing our interactions with the criminal justice system, and that the local environment shapes the meaning of these categories relative to this institution (Harris et al., 2011). To test the relationships among race, gender, context, and attitudes, I use the General Social Survey (GSS), FBI Uniform Crime Reporting Statistics, and other data from 2000 to 2010. I limit my examination of racial groups to Blacks and Whites, for whom there are well-documented and stark differences in both exposure to and attitudes about the criminal justice system.

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I contribute to the literature on punitive attitudes by exploring how race, gender, and local environment relate to attitudes about punishment. Additionally, while much of the research on support for punitiveness measures either support for capital punishment or attitudes about harsh punishments more generally, I consider a broader view of "punitiveness" by including both of these measures. Overall, this project improves our understanding of attitudes about the criminal justice system in a country with uniquely high rates of incarceration and substantial overrepresentation of certain groups in making contact with that system (The Sentencing Project, 2013).

2. Background

2.1. Conflict theory, race, gender, and punitiveness

A considerable collection of work has observed important differences in punitive attitudes according to race or gender (c.f., Unnever et al., 2008; Cochran and Chamlin, 2006; Cochran and Sanders, 2009), with very little research exploring how these two characteristics intersect to influence attitudes together (Borg, 1998). Regarding race, a substantial portion of the research has focused on differences in punitiveness among Blacks and Whites. Some of this work is situated within discussions of conflict theory, which suggests that Whites may be more supportive of punitiveness than are Blacks, because punishment is a means for Whites to maintain their dominant group status; on the other hand, Blacks are more likely to view criminal punishment as a biased mechanism that maintains their social subordination and they are therefore less supportive of punitiveness than are Whites (c.f., Johnson, 2008; Unnever et al., 2008). This contention is supported by work that suggests variation in the Black-White punitiveness gap emerges according to how punitiveness is defined: Whites are consistently found to be more punitive (DeLisi, 2001; Baker et al., 2005; Cochran and Chamlin, 2006; Unnever and Cullen, 2007), except in the case of corporate crime, for which Blacks are not disproportionately punished (Unnever et al., 2008). Further, Black-White attitudinal differences about certain forms of punishment do not necessarily have strong overlaps with such gaps regarding other types of punishment; this highlights the importance of considering multiple forms of punitiveness in this study. For example, the Black-White gap in support for the death penalty is so persistent that it holds even when controlling for attitudes about other forms of punishment (Cochran and Chamlin, 2006).

Research has also found that punitive attitudes differ according to gender, but these differences may be smaller than racial attitudinal gaps. While research testing the statistical significance of these differences is not available, comparing predicted probabilities of support for the death penalty among Blacks and Whites, and men and women suggests that the racial gap in attitudes may be substantially larger than the corresponding gender gap (Borg, 1998; Cochran and Chamlin, 2006; Cochran and Sanders, 2009). Further, the effect of gender on punitiveness may vary depending on how punitiveness is measured. Some literature finds that men are generally more punitive than women. For instance, while women are more likely than men to support rehabilitative responses to crime, men are more likely to support punitive policies and actions (Gault and Sabini, 2000) as well as to think prisons should primarily serve to punish offenders (Applegate et al., 2002). In contrast, another body of work indicates that men and women are punitive in different ways: for example, women are sometimes found to be more supportive of generally harsh, non-capital punishments than are men (Kelley and Braithwaite, 1990; Kutateladze and Crossman, 2009), while men are consistently found to be more likely than women to support the death penalty in the US (Cochran and Sanders, 2009; Lambert et al., 2014). This again points to differences in punitive attitudes based on our conception of "punitiveness."

The literature generally neglects how gender and race together influence punitive attitudes (see Borg (1998) for one exception), but there is reason to expect this would be the case. Research that explores the theory of intersectionality (Crenshaw, 1991) from a social psychological perspective suggests that the influence of race and gender on attitudes cannot be fully enumerated without considering how these and other social categories work together to potentially produce a unique effect (Renfrow and Howard, 2013).

To contribute to filling this gap in the literature, I apply conflict theory to discuss attitudes about punishment for four groups: Black men, Black women, White men, and White women. Given the primacy of race in discussions of attitudes about punishment, race may yield larger gaps than does gender. And while researchers have not previously employed conflict theory to formulate hypotheses regarding gendered attitudes about punishment, this framework does logically imply that gender might moderate Black-White attitudinal differences. For example, if Blacks are less likely to support harsh punishments because their racial group is more likely to be targeted by biased criminal justice system policies and practices, it would follow that this relationship may be particularly important for Black men, who are substantially more likely than Black women to be incarcerated (Western and Wildeman, 2009). At the same time, conflict theory may be more salient for White men than for White women, since the former have more social dominance to maintain than do the latter (c.f., Maher et al., 2001). Below, I address these possibilities in more detail. In section 2.2, I extend the application of this framework to discuss why conflict theory may be more or less explanatory depending on the local (county-level) crime context.

Conflict theory suggests that Blacks are less punitive than are Whites, because the former are more likely to detect racial injustice in the penal system (c.f., Johnson, 2008; Unnever et al., 2008). Past research supports that such inequalities are indeed felt among Blacks, who are more likely than are Whites to think the criminal justice system is racially biased against Blacks and to question the legitimacy of this institution (Bobo and Thompson, 2006). Further, research suggests that, among Blacks, contact with the criminal justice system relates to a higher likelihood of believing Black men are over-incarcerated because of biased police forces and courts (Muller and Schrage, 2014). There is also reason to believe that perceptions of