Retribution versus Rehabilitation as Motives for Support of Offender’s Punishment:   
The Moderating Role of a Malleable versus Fixed Mindset

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**Abstract**

In this research we will focus on two competing justice motives for punishment: *Retribution*, in which punishment is based on what offenders deserve for their offense (past-oriented), and *Rehabilitation,* in which punishment is intended to better the offenders (future-oriented). In order to elucidate the influence of these two motives on observers’ support for punishment, we will examine the mindset of malleability as a possible moderator. We will first manipulate participants’ mindset (malleable vs. fixed), and then manipulate the justice motive by having participants adopt either a retribution or rehabilitation perspective for punishment. Finally, participants will read a vignette depicting an incident of professional misconduct and will be asked to indicate their support for punishment of the offender. In the fixed mindset condition, we expect that punishment support will be stronger in the retribution condition than in the rehabilitation condition, whereas the reverse is expected in the malleable mindset condition.

Keywords:

Justice motives, retribution, rehabilitation, punishment, professional misconduct, implicit theory

**Retribution versus Rehabilitation as Motives for Support of Offender’s Punishment: The Moderating Role of a Malleable versus Fixed Mindset**

On May 25, 2020, the world expressed shock in response to the killing of [George Floyd](https://en.wikipedia.org/wiki/George_Floyd), an African-American who was choked to death by a White police officer when arrested for the alleged use of a counterfeit $20 bill. The video depicting the arrest and death of Floyd went viral and sparked protests worldwide. Later, the world learned that Derek Chauvin, the police officer who caused Floyd's death had amassed [18 citations for professional misconduct](https://www.nytimes.com/2020/06/04/us/george-floyd-police-records-chauvin.html) during his 19 years of service, none of which had impeded his career. One may wonder whether an earlier sanction for those misdeeds might have been legitimate in the name of justice or might have altered his future behavior, thus preventing the tragic incident. More specifically, what might have been the motivations for either sanctioning misconduct or neglecting to do so? In the present work, we plan to examine whether the interplay between motives underlying demands for justice, on the one hand, and the belief in the human capacity for change, on the other, will influence people's responses regarding an offender’s punishment.

More specifically, the present research seeks to investigate the influence of two competing motives for obtaining justice (retribution vs. rehabilitation) on observers' reactions to misconduct. More importantly, this research additionally aims to investigate whether people’s mindset, either fixed or malleable, moderates the specific influence of these two motives. Given that retribution is inherently oriented toward a past that cannot be changed (give offenders what they deserve; offense’s retaliation) and rehabilitation is inherently oriented toward a future that can be changed (transform offenders to people who no longer want to commit the offense), we hypothesize that observers’ mindsets (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 perspective regarding punishment and restorative justice is based primarily on retribution, which purportedly punishes the offender on the grounds of 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 reflects backward-looking considerations (Goodwin & Gromet, 2014). According to Kant (1952/1790), a punishment is deemed just only if it is proportional to the offender’s *internal wickedness*. It is possible to extend the attribution of wickedness to refer not only to the specific offense but also to the offender's character (Kelly, 1955; Heider, 1958). Indeed, wrongdoing can be used as evidence of the offender's bad moral character (Kershnar, 2001).

Rehabilitation offers a competing motive for pursuing justice, which is ingrained in a radically different time perspective (utilitarianism). We propose that utilitarianism can be conceptualized on a continuum, along which different utilitarian motives are present. As such, these motives differ in the extent of change that they seek to motivate in the offender's behavior, ranging from superficial (i.e., deterrence, according to which the offender simply avoids committing the offense again; Nagin, 1998; Bentham, 1948/1843), to 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, a belief in the ability of offenders to change, to make different choices or to overcome their circumstances (Raynor & Robinson, 2009; McNeill, 2014). Finally, although research has often indicated that rehabilitative motives are linked to a desire for restorative measures instead of punishment (e.g., Moss et al 2019), other research has suggested that rehabilitation can be understood as a sort of punishment (Ward, 2010; McNeill, 2014).

Despite their apparent opposition, these two motives for justice may work in tandem (Gromet & Darley, 2009), as they are often correlated (Orth, 2003). Funk, McGeer, and Gollwitzer (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, Oswald, Stucki & Gollwitzer 2010). 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 are likely to demand the same degree of punishment regardless of the punished party’s awareness of the punitive act (Nadelhoffer, Heshmati, Kaplan & Nichols, 2013).

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It is therefore debatable whether laypeople always solely rely on information related to retribution, or whether considerations of rehabilitation are additionally taken into account 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 punishments. In order to shed light on this issue, we turned to Dweck’s (2008) extensive work on people’s implicit theories. This body of work maintains that our beliefs about the likelihood of people changing their attitudes over time (i.e., the concept of mental malleability) affect our understanding of, and reaction to, their actions ([Dweck, Chiu & Hong, 1995](https://www.frontiersin.org/articles/10.3389/fpsyg.2017.01341/full#B14); Molden & Dweck, 2006). Since individuals’ perceptions of one's ability to change influences the type of moral standards they seek to satisfy (Chiu, Dweck, Tong & Fu, 1997), we contend that the perception of malleability may shape the relative weight observers attribute to retribution versus rehabilitation motives when supporting particular punishments for an offender.  **Malleability Mindset**

Moral judgment is not based exclusively on motives for justice. Other factors unrelated to the offense, such as such as malleability mindset (Weimann-Saks, Peleg-Koriat & Halperin, 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 (Miller, Burgoon & Hall, 2007; Chiu, Dweck et al., 1997; Gervey, Chiu, Hong & Dweck, 1999), and 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](https://www.frontiersin.org/articles/10.3389/fpsyg.2017.01341/full#B14)), they are also domain-specific (Hughes, 2015). Experimental evidence suggests that malleability can be contextually induced by various means (Goldenberg et al., 2018; Burkley, Curtis & Hatvany, 2017; Kamins & Dweck, 1999). Despite some concerns over the lack of replicability (e.g., Li & Bates, 2019; see Mueller & Dweck, 1998; Dweck 2018), there is robust evidence to support the effectiveness of manipulation of mental malleability in the wider population (Andersen & Nielsen, 2016). Of particular relevance to the current study, mental malleability can be effectively primed by reading a short article presenting persuasive empirical evidence with respect to different domains such as intelligence (Bergen, 1991; Hong, Chiu, Dweck, Lin & Wan, 1999; Nussbaum & Dweck, 2008), body weight (Burnette, 2010), personality and character (Chiu, Dweck, et al., 1997; Rattan & Dweck, 2010), criminal behavior (Rade, Desmarais & Burnette, 2018) and morality (Huang, Zuo, Wang, Cai & Wang, 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 different outcomes in various fields (e.g., academics, social relationships, and physical health; Lüftenegger & Chen, 2017), although this link may not always be strong (Burgoyne, Hambrick & Macnamara, 2020). Past research has shown that malleability influences overall social judgments. A fixed mindset predicts global dispositional inferences (Chiu, Dweck et al., 1997; Dweck, Hong & Chiu 1993; Gervey, Chiu, Hong & Dweck, 1999) and is related to an overreliance on dispositional information in making judgments and decisions (Miller, Burgoon & Hall, 2007). Conversely, a malleable mindset predicts inferences that are more specific, conditional, and provisional (Dweck et al., 1993). When a malleable mindset is applied to groups, it fosters constructive emotions, such as group-based guilt (Weiss-Klayman, Hameiri & Halperin, 2020), and channels anger into constructive directions (Shuman, Halperin & Reifen Tagar, 2018). Overall, the malleability mindset is associated with less negative intergroup attitudes (Levontin, Halperin & Dweck, 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, Miu, Powers & Dweck, 2013). In contrast, a malleable mindset is related to greater tolerance of immorality (Huang, Zuo, Wang, Cai & Wang, 2017), 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, Levy & Dweck, 2009). Consequently, in comparison 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 reoffend, and are more likely to make judgments that are less punitive (Tam, Shu, Ng & Tong, 2013).

Malleability is not only related to one’s 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, more likely to focus on retribution, and are more likely to recommend retaliation for wrongdoing than are people with a malleable mindset (Erdley & Dweck, 1993; Gervey et al., 1999). Yeager, Trzesniewski, Tirri, Nokelainen, and Dweck (2011) found that those with a fixed mindset report greater desire for vengeance, as well as 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, Dweck, et al., 1997), and agreement to participate in meetings that promote restorative justice (Moss, Lee, Berman & Rung, 2019).

However, when the infliction of punishment is inevitable, one’s rehabilitation perspective may shape the nature of 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. Despite the obvious relevance to the current study concerning the link between malleability and justice motives, experimental research on the subject is scarce and, thus far, no study has investigated the potential moderating role that malleability plays in the specific link between justice motives and punishment. However, gaining insight into the moderating role of malleable mindset could shed light on the processes underpinning the effects of rehabilitative or retributive motives on the support for punishment. In other words, specific justice motives might lead to contradictory effects on punishment depending on one’s perspective regarding whether people can change or not over time (i.e., malleable mindset). The present research aims to experimentally investigate this issue.

**The Moderating Role of Malleability Mindset**

The present work will be the first to investigate whether malleability moderates the effect of retribution versus rehabilitation motives on observers’ support for punishment for professional misconduct. On the one hand, a malleable (vs. fixed) mindset relates positively to the belief that offenders can truly change their future behaviors, and thereby it might promote a future-oriented perspective (Goodwin & Gromet, 2014). From this point of view, a malleable mindset should lead people to understand punishment not as an end in itself (e.g., based upon desert or vengeance), rather as a means to alter the offender’s character, both for her/his sake and for the good of society. Therefore, we contend that a malleable mindset should strengthen the relevance of the rehabilitation motive in predicting people’s 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 long-term behavior of the offender (e.g., McNeill, 2014).

On the other hand, a fixed (vs. malleable) mindset relates to the belief that offenders cannot change their behavior and, as such, this mindset might promote a focus on the past (Goodwin & Gromet, 2014). According to a fixed mindset perspective, the wrongdoing reveals the offender’s true nature (e.g., Chiu, Hong & Dweck, 1997; see also Dweck, Chiu & Hong, 1995; Kershnar, 2001). Put differently, a fixed mindset seems to uphold punishment for its own sake; that is, to give offenders what they deserve and to restore the moral balance. Further, a fixed mindset appears to be incompatible with promoting an offender’s education and rehabilitation. Therefore, we contend 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; Gervey et al., 1999).

Based on this understanding, we expect that malleability will moderate the 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 rather than retribution motive on people’s support for the punishment of the offender. Conversely, a fixed mindset should strengthen the influence of the retribution rather than rehabilitation motive on people’s support for an offender’s punishment.

**Overview and Hypotheses**

In the current study, we will primarily examine whether malleability moderates the relative influence of retribution versus rehabilitation motive on people’s support for an offender’s punishment. We focus specifically on professional misconduct, which reflects a wide array of professional norm violations, and the way it is perceived thus depends on the context in which it occurs. More specifically, professional misconduct refers to any behavior that violates normative expectations and professional codes of conduct (Muzio, Faulconbridge, Gabbioneta, Greenwood, 2016), even if such behaviors are conducted within legal or regulatory boundaries (Gabbioneta, Faulconbridge, Currie, Dinovitzer & Muzio, 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, Kenney, Martin & Walsh, 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. We developed vignettes that describe professional misconduct in two different fields in order to prevent the processes we are investigating from being attributed to a specific context. However, we do not expect to find differences between these two incidents of misconduct.

Participants will be randomly assigned to one of six conditions in a 2 (mindset: fixed vs. malleable) x 3 (justice motive: retribution vs. rehabilitation vs. control) experimental design. We will initially manipulate participants’ mindset, then ask participants to read a short passage that discusses a perspective on justice (retribution vs. rehabilitation) and subsequently urge them to assign a punishment based on that perspective. In order to examine the specific impact of each justice motive, we will also include a control condition in which participants do not focus on any specific justice motive. Finally, participants will read one of two vignettes depicting an incident of professional misconduct, and will be asked to indicate the extent to which they would support punishing the offender.   
Based on the reviewed literature, we formulated the following hypotheses:

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

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

**H3**) *There will be a malleability mindset by justice motive interaction effect with response to participants’ support for an offender’s punishment. More specifically, we expect 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 expect 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**. We computed an a priori power analysis using G\*Power3 (Faul et al., 2009) for ANOVA (interaction effects) including 6 groups (a power of 80% and an alpha 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 had no previous findings on which to base the expected strength of the effect sizes. We therefore anticipated a small to moderate effect size of *f* = .15 for all the investigated hypotheses, and the analysis suggested a sample size of 432 participants. Due to the possibility of potential dropouts, we decided to increase our sample size and recruit 450 adult participants. Participants will be recruited through a survey company, a service for which we will pay. As we do not expect to find any difference between the two misconduct scenarios developed to test our hypotheses, we choose only to counterbalance them, and this will included an additional between-subjects factor. Therefore, participants will be randomly assigned to one of 12 conditions in a 2 (mindset) x 3 (motive) x 2 (misconduct) experimental design.

**Procedure.** The study will be administered using the Qualtrics platform through Prolific (e.g., Palan & Schitter, 2018), a crowdsourcing platform for recruiting participants (https://www.prolific.co). Participants will first read an Informed Consent form (Appendix 1) and then will be introduced to the questionnaire, which is split into two separate (unrelated) parts. The first part will consist of our manipulation of the malleability mindset, which will be presented as a reading comprehension exercise (Appendix 2). After completing this part of the study, participants will be thanked for their participation in the reading study and will continue to participate in a seemingly independent study. In the second part of the questionnaire, we will manipulate the justice motive (Appendix 3) and ask participants to read one of the two researcher-developed vignettes (Appendix 4 and 5). Finally, we will remind participants about the motive that was previously introduced to them and ask them to indicate their support for punishment (Appendix 6). We will also include a few questions assessing participants’ motivation behind their support of the offender’s sanction (Appendix 7). Finally, participants will be asked to respond to a few demographic questions (Appendix 8), and will be carefully debriefed about the goal and procedures of the study (Appendix 9).

**Material**

**Independent variables.**

***The mindset of malleability*** ***(Appendix 2a)*.** We will manipulate the malleable mindset of personality by asking participants to read a two-page text which was developed and employed by Rattan and Dweck (2010). This *Psychology Today*-type article will provide information supporting either the malleable or fixed mindset of human character. In order to strengthen participants' understanding of the text, we will ask them to (a) summarize the theme of the article in one sentence and (b) state the evidence that they thought was most convincing.

***Justice motive*** ***(Appendix 3)*.** Drawing on Carlsmith and colleagues (2002; study 2), we will manipulate the justice motive by asking participants to read a passage written in colloquial language of either the retribution or rehabilitation perspective. For example, participants reading about retribution will learn that "punishment can respond to a wrongdoing and reaffirm group norms that were violated." In contrast, those in rehabilitation condition will learn that "punishment can educate a wrongdoer and help them change their behavior in a positive way." In the control condition, the participants will read a text about sustained attention (e.g., "to focus on an activity over a long period of time"), and will be subsequently urged to pay close attention in the next tasks. We will also instruct participants to employ the specific perspective later in the study.

***Vignettes*** (Appendix 4). Each vignette reflects a specific instance of professional misconduct: a football player who takes drugs prior to a crucial game or an employee who humiliates his subordinates. These instances of professional misconduct were developed in accordance with Trevino’s (1992) conceptualization of misconduct. In order to encourage participants’ attention to the vignette, a minimum time of 90 seconds will be set before allowing participants to move on to the next page.

**Dependent variables.**

***Check on the manipulation of malleability (Appendix 2B)***. In order to ensure that the manipulation of mental malleability works as expected, we will assess participants’ beliefs about the malleability of human attributes through the three-item Implicit Person Theory measure (Levy, Stroessner & Dweck, 1998). Although the original scale ranged from 1 to 6, we plan to utilize a scale ranging from 1 = ‘strongly agree’ and 7 = ‘strongly disagree’ in the present study. This will be done so that the scale will be consistent with the other scales of the study. An example of an item on the scale is: "The kind of person that someone is, is something basic about them that can’t be changed very much." The three items will be reverse-coded and mean scores will be calculated. Higher scores indicate a rather malleable (vs. fixed) mindset.

***Attention check (Appendix 5)****.* After the vignette, we will ask participants to summarize the offense described, and to respond to a simple multiple-choice question in order to verify their understanding of the main message of the vignette. Only one of the three possible options will be relevant to the vignette that the participant reads.

***Support for punishment (Appendix 6)***. We will measure participants’ support for punishing the offender depicted in the vignette using a 3-item measure (e.g., "A sanction to what Jake did would be legitimate"). We will compute an average from the responses to each of the items.

***Punishment motivations* *(Appendix 7)*.** For exploratory purposes, six items will be used to assess whether punishment was supported for rehabilitation purposes (e.g., to help the offender improve this behavior) or for retribution purposes (e.g., to make the offender receive what he deserves). Additionally, we will ask participants to write down the principle(s) or value(s) that motivated their decisions regarding their assignment of punishment. This qualitative information will be inspected independently by two trained judges in order to map and classify the perspectives influencing participants' decision-making. This analysis may shed additional light on participants’ motives to seek justice behind their support for punishment.

***Demographics (Appendix 8)*.** Participants will provide socio-demographic information such as gender, age and political orientation.

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

**Plan of Analysis**

***Manipulation checks.*** Participants who fail either the reading comprehension question or the attention check will be excluded from the analyses. Additionally, we will examine whether the manipulation of malleability worked as expected by conducting a t-test with the two experimental conditions. We expect that participants will endorse more malleable (vs. fixed) beliefs in the malleable (vs. fixed) condition.

***Support for offender’s punishment***.

In order to test our three hypotheses, we will center responses on the mindset condition (malleable = -1 and fixed = +1) and we will compute two orthogonal contrasts from the three justice motive conditions. The first contrast (C1) will compare the control condition (-2) to the retribution (+1) and rehabilitation (+1) conditions. The second contrast will compare the retribution (-1) and rehabilitation (+1) conditions (the control condition will be coded as 0). We will then regress participants’ support for offender’s punishment on mindset, C1, C2, as well as on the interaction terms between mindset and each contrast. According to H1, we expect a main effect of C1, such that support for punishment will be higher in the retribution (H1a) and rehabilitation (H1b) conditions as compared to the control condition. In other words, each justice motive condition will be higher on support for punishment than the control condition. According to H2, we expect a main effect of malleability mindset, such that support for punishment will be higher in the fixed condition than in the malleable condition. Finally, according to H3, we expect a significant interaction effect between C2 and mindset. More specifically, in the fixed mindset condition, we expect that support for punishment will be relatively higher in the retribution condition than in the rehabilitation condition (H3a), whereas the reverse is expected in the malleable mindset condition (H3b). In order to more thoroughly examine the nature of this interaction, we will compare each justice motive, separately, to the control condition within both the malleable and fixed conditions.

**Additional analyses**. For exploratory purposes, the same analysis as described above will be conducted on participants’ punishment motivations. In regard to the justifications provided by participants to support punishment (or not), two independent judges will code these justifications as a function of retribution versus rehabilitation motives. Finally, the same analysis as described above will be conducted on these ratings.

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**APPENDIX 1 – CONSENT FORM**

Dear participant,  
We invite you to participate in a research study examining different social issues. Participation in this survey should take approximately 9 minutes. We appreciate your cooperation, and your participation is highly valued for its contribution to science and to our research.   
*Risks*: Participation in this study does not involve any foreseeable risks or damages. However, if for any reason you feel uncomfortable during the study, you have the right to refuse to participate or to stop your participation before the study has ended. However, if you do not finish the study, you will not be paid for your participation.   
*Confidentiality*: Participation in this study is anonymous. The information you provide will be identified by a random serial number only. All study materials and collected data will be stored in secured computers and will not include any identifiable personal information.   
*Questions*: For any questions related to this study, you are invited to contact X.

I hereby declare that I have read this consent form and agree to voluntarily participate in this study.

* I give my consent to participate in this study
* I DO NOT give my consent to participate in this study

=====================page break===============================

**APPENDIX 2A – MALLEABILITY MANIPULATION**

In this part of the survey, we will present you with a reading comprehension text.

Please read the article carefully, as you will be asked about it later.

**It is imperative that you** **pay close attention. You will only be able to continue on to the next page after 90 seconds**.

\*\*\* In separate files \*\*\*

**[ITEMS STRENGTHENING MALLEABILITY MANIPULATION]**

Please summarize in your own words what you believe is the main message of the text that you just read (one sentence):  
  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Please state the evidence that was the most convincing for you:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**APPENDIX 2B**

**MANIPULATION CHECK OF MALLEABILITY**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | Strongly Disagree |  |  |  |  |  | Strongly Agree |
| The kind of person someone is, is something basic about them, and it can’t be changed very much. | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| People can do things differently, but the important parts of who they are can’t really be changed. | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Everyone is a certain kind of person, and there is not much that they can do to really change that. | 1 | 2 | 3 | 4 | 5 | 6 | 7 |

Please indicate the extent to which you agree or disagree with the following statements.

**APPENDIX 3 – RETRIBUTION VERSUS REHABILITATION MANIPULATION**

In this study, we will present you with a certain perspective on justice. We ask that you read the passage carefully, as we will ask you to make moral judgments **on the basis of the perspective**.

**Retribution condition:**   
*Punishment can be administered in response to a wrongdoing and to the violation of social norms. According to the* ***retribution motive****, people assign a punishment to an offender in order to address the wrong that was conducted in the past (the “just deserts” principle). The focus is on sanctioning the offender’s past behavior (to assign the just punishment that the offender deserves for the wrong committed), and the goal is to balance out that wrongdoing, thereby restoring justice.*

**Rehabilitation condition:***Receiving a punishment can educate wrongdoers and help to them change their behavior in a positive way. According to the* ***rehabilitation motive****, people assign punishment in order to change an offender’s behavior in a desirable way (the ‘educative’ principle). The focus is on improving the offender’s future behavior (i.e., to teach the offender in order to prevent future offenses), and the goal is to assign an expected value of punishment so that the offender learns from it.*

**Control condition:***Sustained attention refers to the ability to focus on an activity over a long period of time. It enables a person to concentrate on an activity for as long as it takes to finish the task, even if there are other distractions present. It is actually a process that can be intentionally improved and is related to persistence and engagement in continuous effort over extended periods of time.*

**APPENDIX 4 – VIGNETTES**

**General instruction:**

We first ask that you **carefully** read a short scenario about a specific situation. Afterwards, we will ask you some questions about what you read.

**Vignette A**

The "Lions" is a football club ranked high in the national college league. Lately, it was brought to the attention of the team's coach that Jake's conduct was in conflict with the league’s ethical code of conduct.  
  
Jake, a leading player, occasionally consumes weed and fails to pass periodic physical tests. He often exhibits poor performance, which hinders the team’s overall achievement and demoralizes his team members. The use of any substance among athletes violates the league’s code of conduct.

**Vignette B**

“Forward” is an educational enterprise that targets highly talented young adults,   
 and is run by professional educators and counselors. Lately, it was brought to  
 the attention of upper management that Jake's conduct was in conflict with   
 Forward's values.

Jake, a senior educator, disparaged his subordinates and assigned them humiliating tasks. This behavior made his subordinates feel miserable and exploited. He also made offensive jokes about them.

**Before you move on to the next page, it's essential that you make sure that you remember the information, as you will have to make a decision regarding it.**

**APPENDIX 5 – READING AND ATTENTION CHECK**

How would you describe the behavior that Jake engaged in?  
  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Vignette A**

What is the main message of the text that you have just read? (Randomized order)  
- A football player who consumes “soft” drugs the evening before a game

- Being an athlete requires good stamina and motor skills

- Football is very popular in the United States

**Vignette B**

What is the main message of the text that you have just read? (Randomized order)  
- An employee who behaves maliciously towards his subordinates   
- Being an educator requires extensive knowledge and verbal skills

- Advanced education is becoming prevalent in the United States

**APPENDIX 6 – THE SUPPORT FOR PUNISHMENT**

We now ask that you think about the extent to which you would support punishing Jake. Before making a decision about this action, we would like you to keep in mind the (retribution / rehabilitation / sustained attention) perspective that you previously read about. In other words, your decision about Jake’s punishment should reflect that perspective.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| To what extent do you agree or disagree with the following statements: | | | | | | | |
|  | Not at all |  |  |  |  |  | Absolutely |
| I support punishing Jake. | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| If I were (the coach / upper management), I would punish Jake. | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| The team/upper management should punish Jake. | 1 | 2 | 3 | 4 | 5 | 6 | 7 |

**APPENDIX 7 – PUNISHMENT MOTIVATIONS**

We would like you to think carefully about your previous response regarding Jake’s misconduct and punishment. Please respond in regard to the degree to which you considered the following goals:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | Notat all |  |  |  |  |  | Absolutely |
| To teach the offender something | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| To make justice for the offense | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| To help the offender improve his behavior | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| To give the offender what he deserves | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| To focus on the offender’s past behavior | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| To focus on the offender’s future behavior | 1 | 2 | 3 | 4 | 5 | 6 | 7 |

We would also like to know which principle(s) or value(s) motivated you to make that decision. Please write few sentences that explain your considerations:  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**APPENDIX 8 – DEMOGRAPHIC QUESTIONNAIRE**

*Please answer the following questions:*  
1. What is your nationality?

https://lh5.googleusercontent.com/ibTUuK7UtzHwkhvz4w3Vn6-qjA9BHYMsID3l5ZyOoBWI-vGetHoQGYdy-_s23NnlIADIaXjXUQWF-zZ9BJusdMCsYEKZZmjOj782wwv5b8LPawl1xHpQDUx8Q1ciwnJYaYODMEAZhU9AVbZ4Vw  
2. What is your age?

https://lh5.googleusercontent.com/ibTUuK7UtzHwkhvz4w3Vn6-qjA9BHYMsID3l5ZyOoBWI-vGetHoQGYdy-_s23NnlIADIaXjXUQWF-zZ9BJusdMCsYEKZZmjOj782wwv5b8LPawl1xHpQDUx8Q1ciwnJYaYODMEAZhU9AVbZ4Vw  
3. What is your gender?

https://lh5.googleusercontent.com/iISd-PicH_mWb_rICcFe2q5iKLFCaOvFRo1E2QHylWWe6INp10BVIBdVvzuNtmWvT0iGwb1-OHB2Fc_prq0h8lBjQPdPpDZ_4IXnsK6OTTHLNDmkaXZRylLzDA73AoXt1DcIRI5mSNL2E6NRbQ

4. What is your highest completed level of education?

* Upper secondary school
* Bachelor's degree
* Master's degree
* PhD
* Other \_\_\_\_\_\_\_\_\_\_\_\_

5. How would you define your political orientation, based on the following liberal-conservative scale?

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | Very Liberal |  |  |  |  |  | Very Conservative |
| 1. How would you describe your political party preference? | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 2. How would you describe your political outlook with respect to economic issues? | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 3. How would you describe your political outlook with respect to social issues? | 1 | 2 | 3 | 4 | 5 | 6 | 7 |

**APPENDIX 9 – DEBRIEFING FORM**

Now that you have completed the study, we would like to inform you about the goal and procedures of the present research for the sake of transparency. After you have had the chance to read this information, we will ask you whether you consent for us to use your responses. Thank you for your participation.

In the present study, we explored the way individuals make moral judgments and assign sanctions to a transgressor. More specifically, we examined whether beliefs about the possibility that people and groups can change (or not) (i.e., one’s malleability mindset) influences the way that justice motives impact one’s support for punishment. All participants (including you) were initially asked to read a passage that suggested that people either remain the same or can change. These texts have been used in past research in order to examine whether these perceptions influence the way people view different situations. We used them in the present study to examine if these perceptions influence how professional misconduct is viewed, as well as what people think about an offender’s punishment. To do that, we asked you to read a vignette describing one of two instances of professional misconduct. These vignettes were presented in different ways and they were developed by us in order to present you with a situation in which you have to decide about the legitimacy of sanctions as a response to a specific transgression. As previously stated, the purpose of the present research was to examine whether the perception of the mental malleability of either an individual or a group influences your perception of the legitimacy of these sanctions.

We hope you understand that we have informed you about the goal and the procedures of this study only after your having completed the study because if you had been aware of this information before responding to the questionnaire, you might have provided different responses. We would also like to remind you that the data we collected is anonymous, will only be analyzed for statistical purposes, and will only be used for scientific purposes. If you need additional information, you can contact X (X @gmail.com). In case you are interested in the results of this research, you can also contact X from June 30, 2021 onwards. However, given that the data is anonymous, no individual results will be provided.

Now that you have been informed about the procedures and goals of this study, we ask you to confirm your consent to participate in it and to agree that your responses can be used for scientific purposes. Please note that if you refuse to allow your data to be used, we will destroy it.

**[Final consent form to be added]**