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 focus on two competing justice motives for punishment: *Retribution*, according to which punishment is giving offenders what they deserve for their offense (past-oriented), and *Rehabilitation,* according to which punishment should better the offenders (future-looking). In order to elucidate the influence of these two motives on observers’ support for punishment, we will employ the mindset of malleability as a possible moderator. Thus, we will first manipulate participants’ mindset (malleable vs. fixed). We will next manipulate the justice motive by focusing participants on an either retribution or rehabilitation perspective for punishment. Finally, participants will read a vignette depicting an incident of professional misconduct and will have 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 was shocked by 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 alleged use of a counterfeit $20 bill. The video depicting the arrest and death of Floyd went viral and sparked worldwide protest. Later, it turned out 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 impeded his career. One can wonder whether an earlier sanction to those misdeeds might be legitimate in order to do justice or might have altered his ulterior behavior, thus preventing the tragic incident. More specifically, what might be the motivations for sanctioning misconduct, or neglecting to sanction it? In the present work, we examine whether the interplay between motives underlying demands for justice, on the one hand, and the belief in the human capacity to change, on the other, can influence people's responses toward offender’s punishment.

More specifically, the present research seeks to investigate, first, the influence of two competing motives for obtaining justice (retribution vs. rehabilitation) on observers' reactions to misconduct. Second, and more importantly, this research 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 the past that cannot be changed (give the offenders what they deserve; offense’s retaliation), whereas rehabilitation is inherently oriented towards the future that can be changed (transforms the offenders who no longer want to commit the offense), we reasoned that observers’ mindset (fixed vs. malleable) will moderate the specific influence of these motives on their support for offender’s punishment.

**Motives for Seeking Justice**

When rules or norms are violated, the intuitive judgment concerning 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 making justice, which is ingrained in a radically different time perspective (utilitarianism). We assume that utilitarianism can be conceptualized as a continuum, along which different utilitarian motives are placed. It followed that 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 from 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 basically reflects forward-looking considerations (Goodwin & Gromet, 2014). Indeed, at the heart of rehabilitation lies the notion of corrigibility: that is, a belief in the propensity of offenders to change, to make different choices or to overcome their circumstances (Raynor & Robinson, 2009; McNeill, 2014). Finally, despite that research often indicates that rehabilitative motives can be linked to a desire for restorative measures instead of punishment (e.g., Moss et al 2019), other research suggests 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) point 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 point out 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). While people state a strong preference for utilitarianism in theory, in practice they seem to be mainly 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 rely mainly on information related to retribution, or considerations of rehabilitation are also taken into account under specific conditions. Identifying situational factors affecting 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 which 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). As our perception of one's ability to change influences the type of moral standards we 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 punishment 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 the 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) and experimental evidence suggests that malleability can be contextually induced by various different means (Goldenberg et al., 2018; Burkley, Curtis & Hatvany, 2017; Kamins & Dweck, 1999). Despite some concerns of 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, 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 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). Such a mindset regarding groups 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). By 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 less support for harsh sanctions(Plaks, Levy & Dweck, 2009). Consequently, people with a malleable mindset are less likely to assert attributions of internal proclivity for criminal behavior, less likely to expect offenders to reoffend, and their judgments are less punitive (Tam, Shu, Ng & Tong, 2013) than those of people with a fixed mindset.

Malleability is not only related to the willingness to punish, but also to the preferred type of punishment. For example, people with a fixed mindset are more likely to attribute negative behaviour to dispositional personality characteristics, focus more on retribution, and are more likely to recommend retaliation for wrongdoing than are people with a mindset of malleability (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 and greater negativity associated with interpersonal conflicts that they have experienced than do 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, rehabilitation may shape the nature of punishment (McNeill, 2014).

Thus, as outlined above, one's mindset (malleable vs. fixed) has pivotal implications on decision making and social judgments, including those related to moral issues. Despite the obvious relevance of the link between malleability and justice motives, experimental research on the subject is scarce and so far no study has investigated the potential moderating role that malleability plays in the specific link between justice motives and punishment. However, the moderating role of malleable mindset could shed light on the processes underpinning the effect of rehabilitative or retributive motives on the support for punishment. That is, specific justice motives might lead to contradictory effects on punishment as a function of whether people can change or not over time (i.e., malleable mindset). Therefore, the present research aims to experimentally investigate this issue.

**The moderating role of malleability mindset**

The present work will investigate for the first time whether malleability moderates the effect of retribution versus rehabilitation motives upon observers’ support of 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 future focus (Goodwin & Gromet, 2014). It follows that a malleable mindset should lead people to understand punishment not as an end in itself (e.g., based upon desert or vengeance), but as a means in order to alter who the offender is for her/his and society good. Therefore, we contend that a malleable mindset should strengthen the relevance of rehabilitation motive in predicting people’s support of offender’s punishment—i.e., punishment would be supported specifically in order to motivate change in offender’s behavior. Indeed, rehabilitation is forward-oriented, aiming to transform the 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 might promote past focus (Goodwin & Gromet, 2014). It followed that, according to a fixed mindset, 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 in order give the offenders what they deserve and to restore the moral balance. However, a fixed mindset seems incompatible with offender’s education and rehabilitation. Therefore, we contend that a fixed mindset would strengthen the relevance of retribution in predicting people’s support of offender’s punishment. Indeed, retribution is past-oriented, as punishment is supported specifically in order to do justice for the wrong that has been done (Erdley & Dweck, 1993; Gervey et al., 1999).

According to this understanding, we expect that malleability will moderate the influence of retribution versus rehabilitation motives on observers’ support for offender’s punishment. More specifically, a malleable mindset should strengthen the influence of rehabilitation rather than retribution motive on people’s support of offender’s punishment. Conversely, a fixed mindset should strengthen the influence of retribution rather than rehabilitation motive on people’s support of offender’s punishment.

**Overview and Hypotheses**

In the current study, we will mainly examine whether malleability moderates the relative influence of retribution versus rehabilitation motive on people’s support of offender’s punishment. We will specifically focus on professional misconduct, which reflects violation of a wide array of professional norms, and the way it is perceived thus depends on the context it occurs in. 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 behavior is conducted within legal or regulatory boundaries (Gabbioneta, Faulconbridge, Currie, Dinovitzer & Muzio, 2019). For instance, drug or alcohol abuse, absenteeism, 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’ response to it may be affected by their understanding of the situation and their justice motives. Professional misconduct is therefore fertile ground for the exploration of factors influencing third-party observers’ motivation for punishing an offender. We developed vignettes describing 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 among these two incidents of misconduct.

Participants will be randomly assigned to one of the 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 and then introduce an elaboration of a perspective for justice (retribution vs. rehabilitation) and subsequently urge the participants to assign a punishment from that perspective. In order to examine the specific impact of each justice motive, we will also introduce a control condition in which participants will not focus on any specific justice motive. Then the participants will read one of two vignettes depicting an incident of professional misconduct, and finally indicate to what extent they would support punishment for the offender.
Based on the reviewed literature, we have formulated the following hypotheses:

**H1)** *Participants either in the retribution (H1a) or rehabilitation (H1b) conditions will support more punishment of the offender, than those in the control condition*. These predictions are based on past research showing that highlighting either 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 support less punishment of the offender, than those in the fixed mindset condition.* This assumption was based on fact that people with malleable compared to fixed mindset are less likely to recommend punishment for a wrongdoer (Erdley & Dweck, 1993; Gervey et al., 1999).

**H3**) *Finally,* w*e also expect a malleability mindset by justice motives interaction on participants’ support for offender’s punishment. More specifically, in the fixed mindset condition we expect punishment’s support to be higher in the retribution condition, as compared to the rehabilitation and control conditions (H3a). Conversely, in the malleable mindset condition we expect punishment’s support to be higher in the rehabilitation condition, as compared to the retribution and control conditions (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 investigating the interaction hypothesis (H3), and uses for the first time the present paradigm to test the main hypothesis (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 and will recruit 450 adult participants in exchange for financial compensation through a survey company. As we did not expect to find any difference between the two misconducts developed to test our hypotheses, we decided to merely counterbalance them as an additional between-subjects factor. Therefore, participants will be randomly assigned to one of the 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 we will next introduce the questionnaire as including two separate (unrelated) parts. Regarding the first part, we will manipulate the malleability mindset as a reading comprehension exercise (Appendix 2). At that point, participants will be thanked for their participation in this reading study, and then will continue with 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 developed vignettes (Appendix 4 and 5). Finally, we will remind the participants about the motive that was previously introduced to them and will 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 respond to a few demographic questions (Appendix 8), and will be carefully debriefed about the goal and characteristics 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 pages text which was developed and employed by Rattan & Dweck, (2010). This *Psychology Today*-type article provides information supporting either the malleable or fixed mindsets 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 the most convincing.

***Justice motive*** ***(Appendix 3)*.** Drawing on Carlsmith, et al., (2002; study 2), we will manipulate the justice motive by asking participants to read an elaboration written in colloquial language of either the retribution or rehabilitation perspectives. 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 on 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 and an employee who humiliates his subordinates. These instances of professional misconduct accord with Trevino’s (1992) conceptualization of misconduct. In order to facilitate that the participants pay sufficient attention to the vignette, a minimum time limit of 90 seconds will be set before participants can move on to the next page.

**Dependent variables**

*C****heck on the manipulation of malleability (Appendix 2B)***. In order to ensure that the manipulation of mental malleability worked as expected, we will assess beliefs about the malleability of human attributes through the three-item Implicit Person Theory Measure (Levy, Stroessner & Dweck, 1998). Despite the original scale ranges from 1 to 6, in the present study scales will range from 1 = ‘strongly agree’ and 7 = ‘strongly disagree’. This was done in order to be consistent with the other scales. An example of such an item 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. High scores will indicate a rather malleable (vs. fixed) mindset.

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

***Support for punishment (Appendix 6)***. We will then measure participants’ support for punishing the offender depicted in the vignette. They will respond on a 3-item scale assessing the extent to which the participants support for punishment of the offender (e.g., "A sanction to what Jake did would be legitimate"). We will make a composite average of the responses to these items.

***Punishment motivations* *(Appendix 7)*.** For exploratory purposes, 6 items will 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). Finally, we will ask participants to write down the principle(s) or value(s) that motivated their decisions regarding assignment of punishment. This qualitative information will be inspected independently by two trained judges in order to map and classify the perspectives influencing the participants' decision-making. This 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 will fail either the reading comprehension question or the attention check will be excluded from the analyses. Next, we will examine whether the manipulation of malleability worked as expected. To do that we will conduct a t-test as a function of the two experimental conditions. Participants should endorse more malleable (vs. fixed) beliefs in the malleable (vs. fixed) condition.

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

In order to test our three hypotheses, the mindset condition will be centred (malleable = -1 and fixed = +1) and we will compute two orthogonal contrasts from the 3 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 regress participants’ support for offender’s punishment on mindset, C1, C2, as well as the interactions between mindset and each contrast. According to H1, we expect a main effect of C1 according to which support for punishment will be higher in the retribution (H1a) and rehabilitation (H1b) conditions as compared to the control condition. That is, 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 according to which 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 examine more in detail the nature of this interaction we will also compare each justice motive separately with the control condition for the malleable and fixed conditions.

**Additional analyses**. For exploratory purposes, the same analysis will be conducted on participants’ punishment motivations. Regarding the justifications provided by participants to support punishment, two independent judges will code these justifications as a function of retribution versus rehabilitation motives. Finally, the same analysis will be conducted on these ratings.

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**APPENDIX 1 – CONSENT FORM**

Dear participant,
We invite you to participate in a research examining different social issues. Participation in this survey should take about 9 minutes. We appreciate your cooperation and your participation is highly valued for what it contributes to science and our research.
*Risks*: Participation in this study does not involve any foreseen risks or damages. However, if for any reason you do feel uncomfortable, 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 get paid for your participation).
*Confidentiality*: Participation in this study is anonymous. The information you provide will be identified by a random serial number only. Any study materials and collected data will be stored in secured computers with no identifiable personal information attached.
*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. **Pay attention: continuing on to next page will be allowed only after 90 seconds**.

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

**[ITEMS STRENGTHENING MALLEABILITY MANIPULATION]**

Please summarize in your own words what 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 to what extent do you agree or disagree with the following statements

**APPENDIX 3 – RETRIBUTION VERSUS REHABILITATION MANIPULATION**

In this study we will present you a certain perspective of justice. We need you to read it carefully as we will ask you to make moral judgment **on the basis of this perspective**.

**Retribution condition:**
*Punishment can respond to a wrongdoing and to the violation of social norms. According to the* ***retribution motive****, people assign punishment to the offender in order to address the wrong did 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 even out that wrong, thereby restoring justice.*

**Rehabilitation condition:***Punishment can educate a wrongdoer and help them change their behavior in a positive way. According to the* ***rehabilitation motive****, people assign punishment in order to change the offender’s behavior in a desirable way (the ‘educative’ principle). The focus is on improving the offender’s future behavior (to teach the offender in order to prevent future offenses), and the goal is to assign an expected value of punishment so that they learn 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, even if there are other distracting information present. It is actually a process that can be intentionally and is related to the maintenance of response persistence and continuous effort over extended periods of time.*

**APPENDIX 4 – VIGNETTES**

**General instruction:**

We will first ask you to **carefully** read a short scenario about a specific situation and then we will ask you some questions about it.

**Vignette A**

The "Lions" is a football club ranked high in the national college league. Lately, it was brought to attention of team's coach that Jake's conduct was in contrast with ethical code of the league.

Jake, a leading player, occasionally consumes weed and fails to pass periodical physical tests. He often shows poor performance that lower the team achievement and demoralize the team. The use of any substance among athletes violates the code of the league.

**Vignette B**

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

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

**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 act that Jake conducted?

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

**vignette A**

What is the main message of the text that you have just read? (Randomized order)
- A football player who consumes light drugs in the eve of 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 catching on in the United States

**APPENDIX 6 – THE SUPPORT FOR PUNISHMENT**

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

|  |
| --- |
|  To what extent do you agree or disagree with the following statements:  |
|  | not at all |  |  |  |  |  | absolutely |
| I support punishment of Jake~~.~~ | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| If I were (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 to your previous responses you provided to Jack’s misconduct and sanction. When responding, to what degree did you pursue the following goals:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | not at all  |  |  |  |  |  | absolutely |
| To teach something to the offender | 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 make the offender receive what he deserves  | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| To focus on the past behavior | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| To focus on the future behavior | 1 | 2 | 3 | 4 | 5 | 6 | 7 |

We would also like to know what 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?


2. What is your age?


3. What is your gender



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 on 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**

Before finishing, and for the sake of transparency, we would like to inform you about the goal and characteristics of the present research. After reading this information, we will finally ask you whether you consent us to use your responses. Thank you for your participation.

In the present study we explored the way we make moral judgments and assign sanctions to a transgressor. More specifically, we examined whether beliefs about the possibility that people and groups can change versus remain the same (i.e., malleability mindset) moderates the impact of justice motives on the support for punishment. All participants (including you) initially had to read one text suggesting that people either remain the same or can change. These texts have already been used in past research in order to examine whether these perceptions influence the way people perceive different situations, and we used them in the present study in order to examine if these perceptions influence the perception of professional misconduct and the offender’s punishment. To do that, we asked you to read a vignette reporting one of two instances of professional misconduct that was presented in different ways. We inform you now that these vignettes were developed by us in order to present 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 characteristics 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 statistically, 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 data is anonymous, no individual results will be provided.

Now that you have been informed about the characteristics and real objective of this study, we need you to confirm your consent to participate in it. We also need you 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]**