

Essentialist Views of Criminal Behavior Predict Increased Punitiveness

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Abstract

One bad act can permanently stain perceptions of someone's character. Being labeled a criminal potentially has such an enduring stigma because of people's willingness to believe that people have an internal, unchanging essence leading them to transgress. In Study 1, we developed a novel scale to assess individual differences in essentialist beliefs about criminality and found that these beliefs predicted punitiveness. Study 2 replicated these findings and also revealed that participants' attitudes toward people who had committed crimes mediated this link. Study 3 found that participants who held essential beliefs about criminality were more likely to choose retributive punishments over those that prevented future harm. These results illustrate the importance of essentialist beliefs in the context of the legal system.

Keywords: criminal justice, essentialism, law, legal system, moral cognition, moral psychology, morality, psychology and law, punishment

Essentialist Views of Criminal Behavior Predict Increased Punitiveness

It is possible to come away from research on moral psychology with a general sense of optimism about humanity. From an early age, children help (Warneken & Tomasello, 2006), share with (Olson & Spelke, 2008), comfort (Dunfield, Kuhlmeier, O'Connell, & Kelley, 2011), and generally cooperate with others (Tomasello & Vaish, 2013; Warneken, 2018). Adults cooperate with strangers (Dreber, Rand, Fudenberg & Nowak, 2008), donate money (Henrich et al., 2010), and behave altruistically (Batson, 2011). Perhaps for these reasons, people tend to view others as fundamentally good deep down inside (De Freitas, Cikara, Grossman, & Schlegel, 2017). Thus, one reading of the moral psychology literature, shared by laypeople, is that people are generally good.

This conclusion, however, might come as a surprise to people who have been incarcerated. Even after leaving prison, formerly incarcerated individuals must contend with others' negative perceptions: employers are reluctant to hire them, landlords hesitate to lease to them, and some state governments have deemed them unworthy of the right to vote (Alexander, 2012; Manza & Uggen, 2006; Western, 2018). Ostensibly, people's punishment ends after they have served their sentence. However, many formerly incarcerated people learn that they may never be fully redeemed in society's eyes (Dunlea & Heiphetz, 2021).

Although such experiences may seem unexpected given some prior work in moral psychology, they are consistent with a mass of accumulated work on prejudice. If one believes prejudice and discrimination to be immoral, then this literature covers some of the same ground as work in moral psychology. However, it is nearly impossible to sustain a rosy view of human beings after even a brief exposure to the prejudice and discrimination literature. People are far more likely to help (Dovidio & Gaertner, 1981) and share with (Yu, Zhu & Leslie, 2016)

members of certain groups over others. Indeed, they even fail to attribute a human essence to members of some groups. White people view Black individuals as ape-like (Goff, Eberhardt, Williams, & Jackson, 2008) and explicitly report that "Arabs" and "Muslims" are less evolved than "Americans" (Kteily, Bruneau, Waytz, & Cotterill, 2015). Perhaps of most relevance to people who have been incarcerated, participants in one line of work viewed individuals involved in the legal system as "unevolved" and lacking in humanity (Heiphetz & Craig, in press).

Rather than viewing people who have been involved in the legal system as full human beings with an underlying essence that is good (De Freitas, Cikara, et al., 2017), perceptions of these individuals may stem partially from people's willingness to view criminality through the lens of psychological essentialism. Psychological essentialism is the view that characteristics arise from an internal "essence" that is rooted in biology and remains stable across time (Gelman, 2003). Even though essentialism is often scientifically inaccurate (Rhodes & Mandalaywala, 2017), individuals are quite willing to view social realities through an essentialist lens. Essentialism emerges in domains ranging from social categories such as race (Williams & Eberhardt, 2008) to psychological characteristics such as shyness (Gelman, Heyman, & Legare, 2007) to mental states such as religious beliefs (Heiphetz, Gelman, & Young, 2017). Such essentialism can have important, and typically negative, social consequences. Racial essentialism increases racial bias (Williams & Eberhardt, 2008), and gender essentialism increases endorsement of gender stereotypes (Brescoll & LaFrance, 2004). In one line of work, leading participants to view members of a fictional group in essentialist terms reduced generosity toward members of that group (Rhodes, Leslie, Saunders, Dunham, & Cimpian, 2018). Thus, the tendency to view criminality through an essentialist lens may have negative consequences for people who have been involved in the legal system.

Indeed, some past work has yielded evidence consistent with this possibility, finding that essentialism increases punitiveness (de Vel-Palumbo et al., 2019; Kraus & Keltner, 2013; Newman, de Freitas, & Knobe, 2015). For instance, the degree to which participants essentialized sexual crimes and robbery predicted support for punitive policies like occupational restrictions and the confiscation of assets (de Vel-Palumbo et al., 2019). However, in other work, essentialism was associated with reduced punishment (Aspinwall, Brown, & Tabery, 2012; Cheung & Heine, 2015; Dar-Nimrod et al., 2011; Monterosso, Royzman, & Schwartz, 2005). For example, in one study, participants assigned less punishment to a man who committed murder due to a biological predisposition than to a man who committed an identical crime due to childhood abuse (Monterosso et al., 2005).

The current work extended these findings by clarifying the link between essentialism of criminality and punishment. We developed a novel scale to measure essentialism of criminality and found that essentialism of criminality predicted support for punitive policies (Study 1), an effect mediated by attitudes toward people involved in the legal system (Study 2). Study 3 demonstrated that people who view criminality in essentialist terms prefer punishments that harm perpetrators rather than prevent future crime.

Study 1

The purpose of Study 1 was to develop the Essentialism of Criminality Scale and to determine its ability to predict outcomes of interest—in this case, punitiveness. We tested two competing hypotheses regarding the relation between essentialism and punitiveness. One possibility is that essentialism is associated with leniency; people may reason that it does not make sense to punish people for characteristics they cannot change (Aspinwall et al., 2012; Cheung & Heine, 2015; Dar-Nimrod et al., 2011; Monterosso et al., 2005). In contrast, another

possibility is that essentialist perceptions of criminality—like essentialist perceptions of social class (Kraus & Keltner, 2013) and the essential “true self” (Newman et al., 2015)—lead to greater condemnation; people may dislike and seek to punish individuals perceived to have a bad essence (de Vel-Palumbo et al., 2019).

Method

Participants. Respondents ($n=324$) were recruited via Amazon Mechanical Turk and completed the online survey in exchange for a small payment ($\leq \$2.00$).¹ All procedures for this and all subsequent studies were approved by the Institutional Review Board at the first author's institution.

Participants read two vignettes about individuals who had committed crimes, and, after answering all experimental items, indicated the crime involved in one of these vignettes. This question served as an attention check. Twenty-five participants failed to answer this question correctly, and their data were excluded. We also excluded nine participants who indicated being non-native speakers of English. Furthermore, several participants completed the study more than once, and only their responses from the first testing date were included in the final analyses. These exclusions resulted in a final sample of 281 individuals (13% exclusion rate).

Participants completed a demographic questionnaire on which 51% identified as female and 49% as male. They also identified as White or European-American (81%), Black or African-

¹ We initially conducted three separate studies with n s of 68, 122, and 134, respectively. Based on a rule of thumb, each study sought to recruit approximately 60 participants per condition, over-recruiting slightly in the expectation of needing to exclude some responses. In the first study, participants simply completed the measures described in the main text. In the second study, prior to responding to any of the measures, approximately half of the participants read a prime designed to lead them to view criminality in essentialist terms, while the remaining participants read a non-essentialist prime. A manipulation check revealed that these primes did not effectively manipulate essentialist views. The third study edited these primes but again failed to find a significant effect on the manipulation check. Because results concerning our main measure of interest (the relation between essentialism and punitiveness) were consistent across these three studies, we collapsed them and report these aggregated results in the main text.

American (8%), Asian or Asian-American (5%), Multiracial (5%), and Other (1%). The questionnaire asked about ethnicity separately from race, and eight percent of participants identified as Hispanic or Latino/a. Five percent of participants reported that they had served time in a jail or prison.² These participants were included together with other participants in the final sample; however, we obtained similar results as those reported below when excluding these participants. All participants were United States residents. Data and analysis scripts for all studies are available at https://osf.io/z7frm/?view_only=6c1d7d6cd08349b196034dea10bc15e9.

Procedure. Participants completed the surveys below. The order of the surveys, and the order of items within each survey, was counterbalanced across participants.

Essentialism of Criminality Scale. A twenty-item scale measured the extent to which participants viewed criminality in essentialist terms. This scale included items such as “criminals are born, not made” and “criminals will always be criminals; they can’t change.” The full text of the scale is available at <https://academiccommons.columbia.edu/doi/10.7916/d8-0ff7-6v11>.

Participants responded to each item using a scale ranging from 1 ("strongly disagree") to 7 ("strongly agree"). Some items were adapted from essentialism scales used in prior research (Bastian & Haslam, 2006; Gelman et al., 2007; Haslam & Levy, 2006; Williams & Eberhardt, 2008). Other items were created specifically for this scale. Overall, the items produced a Cronbach’s alpha of 0.87, indicating good internal consistency.

We developed this novel scale because current scales do not focus on participants' essentialist views of people's propensity to perform criminal acts. Many scales measure essentialism regarding specific other characteristics, such as race, sexual orientation, and religion (Haslam & Levy, 2006; Heiphetz et al., 2017; Williams & Eberhardt, 2008). Some scales

² Variables related to incarceration have been removed from data posted online because of their particularly sensitive nature. The complete dataset is available from the authors upon request.

measure essentialist perceptions of specific criminal acts, such as theft and sexual assault (de Vel-Palumbo et al., 2019). To generalize beyond specific crimes to perceptions regarding "criminality" broadly construed, we constructed a novel scale measuring the extent to which participants applied an essentialist framework to their understanding of others' involvement with the legal system.

Comparison Scales. To determine whether essentialism of criminality uniquely predicted punitiveness, we included scales that measured an overall tendency to essentialize human traits as well as scales that isolated essentialism of race and sexual orientation (Bastian & Haslam, 2006; Haslam & Levy, 2006; Williams & Eberhardt, 2008). Crime is stereotypically associated with Black people (Eberhardt, Goff, Purdie, & Davies, 2004), whereas the majority of Americans no longer represent gay men and lesbians as criminals (Hicks & Lee, 2006). Therefore, these measures allowed us to determine whether essentializing criminality predicted punitiveness above and beyond essentializing other marginalized groups that vary in their stereotypical association with the legal system. Finally, we included the general measure of essentialism to control for the possibility that an overall tendency to essentialize traits may predict punitiveness.

Because crime is stereotypically associated with Black people (Eberhardt et al., 2004), attitudes toward Black people may predict responses to people who have committed crimes. To control for this possibility, we included the Modern Racism Scale (MRS; McConahay, 1986). We selected this measure as opposed to other measures of anti-Black attitudes because the MRS in particular is associated with racial essentialism (Jayaratne et al., 2006).

Finally, we included a measure of socially desirable responding (Crowne & Marlowe, 1960). Social desirability often influences adults' explicit responses (Devine, 1989; Gaertner &

Dovidio, 1986), and scores on this scale allowed us to control for this factor when investigating relations between essentialism and punitiveness.

Punitiveness. Participants read two vignettes adapted from prior research (Monterosso et al., 2005). Vignette 1 read as follows: “Joe had a history of violent behavior. At age 30 he was arrested for second-degree murder. He got into an argument with a store clerk. The argument escalated and Joe assaulted the clerk. Witnesses reported that Joe repeatedly kicked the man in the head after he had fallen to the ground. The clerk was dead when police arrived.” Vignette 2 read as follows: “Bob had a fascination with fire. After work one day, he was arrested for arson and second-degree murder. He had set fire to a small shack near his home. He had not checked inside the shack, where there was someone sleeping. The person was killed in the blaze.”

After each vignette, participants indicated whether the main character (Joe or Bob) should receive the death penalty.³ Subsequently, all participants (even those who supported the death penalty) answered five items measuring their punitiveness toward incarcerated individuals. A sample item read, “If Joe were sentenced to prison, it would be acceptable to keep him in solitary confinement for 48 hours.” Responses were provided on a scale from 1 (“strongly disagree”) to 7 (“strongly agree”), and the scale showed good internal consistency (Cronbach’s alpha = 0.85).

Results

Our main question concerned the link between essentialism and punitiveness. We found that the more essentialism participants reported, the more likely they were to support the death

³ If participants responded “no,” they answered a staggered series of additional questions (e.g., whether the main character should receive a life sentence and, if not, how long his prison term should be). We included these subsequent measures because initially it was unclear how many participants would endorse the death penalty. However, rates of endorsement were relatively high. This resulted in a large loss of power for subsequent questions, which we did not analyze as a result.

penalty for Joe and Bob ($M_{\text{essentialism}}=2.87$, $SD_{\text{essentialism}}=0.84$, $M_{\text{death penalty}}=0.25$, $SD_{\text{death penalty}}=0.35$, $r=0.38$, $p<0.001$; death penalty mean represents the proportion of trials on which participants endorsed the death penalty). Furthermore, the more essentialism participants reported, the more likely they were to endorse punitive behaviors toward incarcerated individuals, such as keeping them in solitary confinement ($M_{\text{punitiveness}}=2.94$, $SD_{\text{punitiveness}}=1.21$, $r=0.47$, $p<0.001$; Fig. 1).

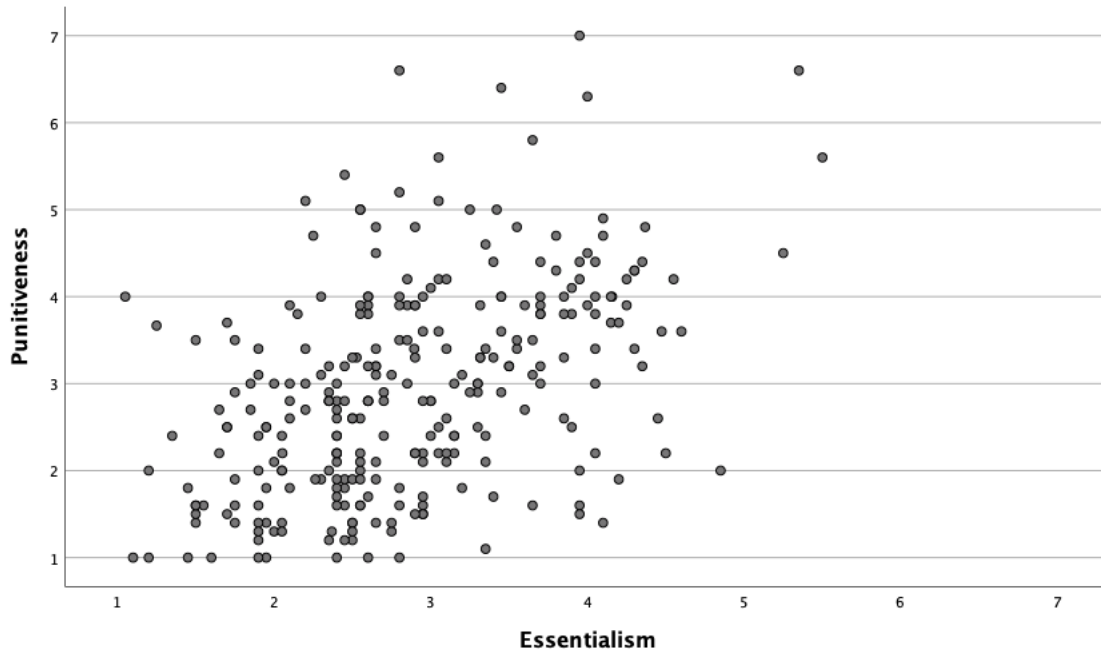


Fig. 1. Correlation between essentialism and punitiveness, Study 1.

To ensure that these correlations were not due to a factor other than essentialism of criminality, such as generalized essentialism or anti-Black attitudes, we conducted two partial correlations. Essentialism and support for the death penalty remained correlated after controlling for racial essentialism, essentialism of sexual orientation, generalized essentialism, anti-Black attitudes, and social desirability ($r_p=0.24$, $p<0.001$). Furthermore, after controlling for these

variables, essentialism continued to predict support of punitive behaviors toward incarcerated individuals ($r_p=0.34, p<0.001$).⁴

Discussion

Study 1 developed a novel scale to measure essentialism of criminality. It further showed that responses to this measure predicted punitiveness even after controlling for other potentially related factors, including general essentialism, essentialism of sexual orientation, anti-Black attitudes, and social desirability.

Study 2

The purpose of Study 2 was threefold. First, and most importantly, we tested a potential mechanism underlying the relation between essentialism and punitiveness. Based on prior work showing that essentialism predicts negative attitudes toward out-groups (Dar-Nimrod et al., 2011; Keller, 2005; Williams & Eberhardt, 2008), we hypothesized that essentialism of criminality would predict negative attitudes toward people involved in the legal system, which would, in turn, predict increased punitiveness. Second, we created a closer match between the predictor (essentialism) and dependent measure (punitiveness). Because the predictor of interest was essentialism regarding criminality in general, the punitiveness measures in Study 2 also targeted the general group of people who have committed crimes rather than specific individuals. Third, we sought to determine whether the results from Study 1 would replicate in a new sample.

Method

Participants. Respondents ($n=64$; sample size determined based on the same rule of thumb described in Footnote 1) were recruited using the student participant pool at a private

⁴ A follow-up study testing 270 participants found that the Essentialism of Criminality Scale had acceptable re-test reliability ($r=.70, p<0.001$) across a three- to ten-month delay ($M_{T1}=2.85, SD_{T1}=0.84; M_{T2}=2.68, SD_{T2}=0.84$).

university in the northeastern United States and received half of a participant pool credit. Recruiting participants in this way rather than through Amazon Mechanical Turk, as in Study 1, allowed us to test whether the link between essentialism and punitiveness would generalize across different types of samples. Study 2 included the same attention check item used in Study 1, and data from seven participants were excluded due to failure to answer this question correctly. Five participants reported being non-native speakers of English and were also excluded. The final sample contained 52 participants (19% excluded; final sample 83% female and 17% male; 76% White or European-American, 6% Black or African-American, 10% Asian or Asian-American, 4% Multiracial, and 4% Other; 8% Hispanic or Latino/a). No participants reported prior incarceration.

Procedure. Participants completed the Essentialism of Criminality Scale from Study 1 as well as two additional surveys: a nine-item measure of attitudes toward people involved in the legal system and an eight-item measure of punitiveness. Sample items measuring attitudes asked participants how much they agreed with statements such as “I feel compassion for criminals” and “criminals are repugnant.” This measure served as the hypothesized mediator between essentialism and punitiveness. Sample items on the general punitiveness measure asked participants how much they agreed with items such as “solitary confinement can be an appropriate punishment for people who are incarcerated.” This measure complemented the more specific punitiveness measures from Study 1 (e.g., “If Joe were sentenced to prison, it would be acceptable to keep him in solitary confinement for 48 hours”) and more closely matched the general nature of the hypothesized predictor (the Essentialism of Criminality Scale) and mediator (the measure of attitudes toward people involved in the legal system). Both new measures

showed good internal consistency (Cronbach's alphas=0.88 for the items measuring attitudes and 0.82 for the items measuring punitiveness).

In addition to these measures of primary interest, participants also completed the comparison surveys from Study 1. Furthermore, they indicated punitiveness toward characters from both vignettes from Study 1. Instead of indicating whether the character should be sentenced to death—a dichotomous variable that may fail to reveal potentially subtle differences in participants' punitiveness—participants in Study 2 reported how many years the character should serve in prison. As in Study 1, participants in Study 2 also indicated their support for punitive actions toward the character, such as keeping him in solitary confinement.

Measures were presented in two blocks. Block 1 included the Essentialism of Criminality Scale, all comparison scales, and the measure of attitudes toward people involved in the legal system. Block 2 included all punitiveness measures. Block 1 always preceded Block 2, but the order of measures within each block, and the item order within each measure, was randomized. Because the punitiveness measures never preceded any other measures in Study 2, these measures could not prime participants to think of particularly severe crimes or to adopt any particular stance regarding the issues measured in Block 1.

Results

To determine whether the patterns from Study 1 emerged in Study 2, we conducted two correlations. Essentialism of criminality predicted punitiveness toward specific incarcerated individuals ($M_{\text{essentialism}}=2.73$, $SD_{\text{essentialism}}=0.69$, $M_{\text{specific punitiveness}}=2.47$, $SD_{\text{specific punitiveness}}=0.85$, $r=0.61$, $p<.001$) and general punitiveness toward people who have committed crimes ($M_{\text{general punitiveness}}=3.38$, $SD_{\text{general punitiveness}}=1.08$, $r=0.53$, $p<.001$). These correlations remained significant when controlling for racial essentialism, essentialism of sexual orientation, generalized

essentialism, anti-Black attitudes, and social desirability (correlation between essentialism and punitiveness toward specific individuals: $r_p=0.44$, $p=0.002$; correlation between essentialism and general punitiveness toward people who have committed crimes: $r_p=0.35$, $p=0.016$). Essentialism did not predict the number of years participants assigned vignette characters to serve in prison ($M_{\text{sentence}}=25.96$ years, $SD_{\text{sentence}}=20.64$ years, $r=0.20$, $p=0.148$), and this continued to be true after controlling for the comparison scales ($r_p=0.12$, $p=0.421$).

To test the hypothesis that attitudes toward people involved in the legal system underlie the relation between essentialism and punitiveness, we conducted a mediation analysis using 5,000 bootstrapped samples (Hayes, 2013). Scores on the Essentialism of Criminality scale served as the predictor variable, scores on the measure of attitudes served as the mediator, and general punitiveness served as the dependent measure. Items from Study 1, including measures of specific punitiveness toward particular characters, were included in Study 2 to test whether the correlations from Study 1 would replicate in a new sample. To reduce Type I error, however, the mediation focused on the dependent measure of greatest theoretical interest—punitiveness toward incarcerated individuals in general. As shown in Fig. 2, attitudes mediated the relation between essentialism and general punitiveness.

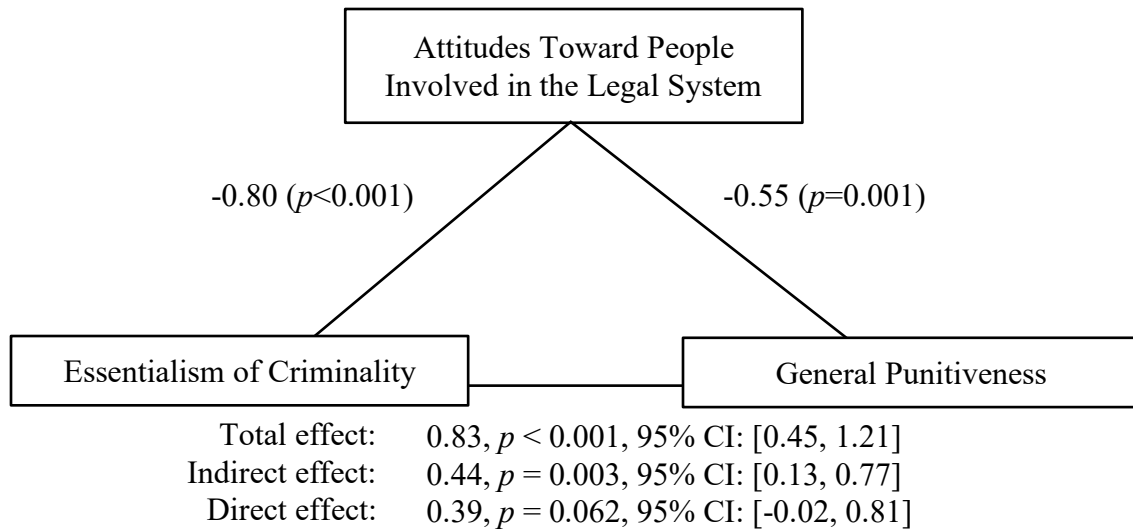


Fig. 2. Mediation model tested in Study 2.

Discussion

In Study 2, we demonstrated for a second time that endorsing essentialist beliefs about criminality predicted greater punitiveness toward people involved in the legal system. We also showed that attitudes toward people involved in the legal system mediated the relation between essentialism and punitiveness. The more people viewed criminality in essentialist terms, the more they viewed people involved in the legal system as repugnant individuals who possessed bad moral character. This negative attitude, in turn, predicted greater levels of punitiveness.

Study 3

Study 3 extended Studies 1-2 by asking whether essentialism regarding criminality predicted preferences for specific *kinds* of punishments. People sometimes punish—or say they punish—on the basis of pro-social motives, such as a desire to prevent the transgression from recurring (Akers, 1990; Darley, Carlsmith, & Robinson, 2000). However, based on the results described above showing that essentialism predicts harsh attitudes toward people involved in the

legal system, we reasoned that essentialist beliefs about criminality may be associated particularly strongly with preferences for harsh punishments that would harm people who had transgressed.

To test this possibility, we first developed a novel set of vignettes, varying in severity from theft to murder, and a series of possible punishments tailored to each vignette. A group of pilot participants rated how retributive, incapacitating, and reasonable each punishment was. Second, we selected one retributive response and one incapacitating response that were matched on perceived reasonableness but were maximally differentiated on perceived retribution and incapacitation. Participants in Study 3 viewed each vignette and chose between the two response options. Examining whether participants chose the more retributive or the more incapacitating option, and testing the relation between participants' choices and their essentialism, allowed us to gain insight into people's preferences regarding punishment.

Methods

Participants. Respondents ($n=101$) were recruited using Amazon Mechanical Turk and received \$1.71. This sample size was selected following a power analysis conducted for a point biserial correlation using a medium effect ($r=0.30$) in G*power (Faul, Erdfelder, Buchner & Lang, 2009), which indicated that 80% power would be achieved with 82 participants. As in prior studies, we over-recruited to account for exclusions. Participants were excluded based on responses to attention check questions (see below) and non-native English speaker status. The final sample included 88 participants (13% exclusion rate); 46% identified as female and 54% as male. This study did not include questions about the participant's race, ethnicity, or prior contact with the legal system. All participants were United States residents.

Stimuli. Stimuli consisted of the Essentialism of Criminality Scale and the 25 vignettes from the pilot test along with a retributive and incapacitating punishment option for each. An example vignette read as follows: “As a woman searches her purse for car keys in a mall parking lot, Jeff notices her gold necklace and decides that he wants it. He runs up and grabs the necklace but it does not break. He yanks the woman to the ground by her necklace, where she gashes her head, requiring stitches. Jeff runs off without the necklace.” The retributive punishment option for this vignette was, “Make Jeff show his Grandma a video of what he did and try to explain what he did.” The incapacitating punishment option for this vignette was, “Have Jeff observed at all times by trained officials who can make sure he never hurts someone again.”

Procedure. Participants viewed all 25 vignettes in a random order and chose one of the two punishment options presented. Specifically, they read the following instructions: “Suppose that [actor] is going to be punished. Assuming that each of the following punishment options is equally easy to implement (e.g., taking for granted that each punishment option is possible and is able to be implemented), which punishment would you choose?” Participants then completed the Essentialism of Criminality Scale. Finally, participants completed attention check questions used to ensure data quality (e.g., describing the content of the previous vignette, self-assessing the amount of attention they paid to the study, etc.), a series of demographic questions, and a debriefing.

Results

On average, when given a choice between a retributive and an incapacitating punishment, participants were no more likely to choose the retributive option than would expected by chance ($M_{\text{retributive}}=56\%$, $SD=27\%$, proportion test against 50% : $\chi^2 [1]=0.0$, $p=1.0$). However, our main interest centered around the link between this choice and essentialism. The more individuals

endorsed essentialist views of criminality, the more likely they were to choose a retributive punishment ($r=0.21$, $p=0.052$).

Further, the relation between essentialism and preferences for retributive punishments remained significant even when using a more sensitive mixed-effects analysis. Running a mixed-effects logistic regression using the lme4 package (Bates, Maechler, Bolker, & Walker, 2014) in R and including random effects for subject and vignette, as well as a random slope for vignette on subject, we continued to find a significant relation between scores on the Essentialism of Criminality Scale and choice of retributive punishments (Odds ratio=0.64, $SE=0.21$, $z=-2.17$, $p=0.03$).

Discussion

Study 3 demonstrated that individuals who endorsed essentialist views of criminality were more likely to choose punishments that focused on harming the perpetrator (retributive punishments) than those that prevented future harm (incapacitating punishments). This finding extends the results of Studies 1, which showed that essentialism predicts punitiveness, and Study 2, which demonstrated that this link is mediated by attitudes toward people who are involved in the legal system. Building on these results, Study 3 found that essentialism predicts a specific *kind* of punishment—namely, one that harms the perpetrator, rather than one that prevents the harm from re-occurring.

General Discussion

Formerly incarcerated people may have walked out of prison with a sense of optimism, hoping to leave punishment behind. However, many aspects of life in the United States continue to punish people who have been incarcerated even after they have served their sentence. This punitive treatment is consistent with the results presented here; if people view their peers who

have had contact with the legal system as possessing an unchanging "criminal essence," it makes sense to deny them full civic participation even after they have completed their sentence.

To empirically investigate the association between punishment and essentialist beliefs about criminality, we first developed a measure to evaluate essentialism in the context of the legal system, the Essentialism of Criminality Scale (Study 1). Those who held more essentialist beliefs about people who have committed crimes were more likely to endorse punishment (i.e., the death penalty and solitary confinement) as a response to criminal behavior. This result held true even when controlling for other potentially relevant factors, including generalized essentialism, essentialism of sexual orientation, racial essentialism, anti-Black attitudes, and social desirability. Study 2 replicated these results and showed that attitudes toward people involved in the legal system mediated the link between essentialism and punitiveness. Study 3 built on these findings to ask what kinds of punishments essentialism predicted. The more participants endorsed essentialism in this study, the more likely they were to choose retributive punishments that created maximal harm for the person who committed the crime rather than incapacitating punishments that would prevent future harm.

Each of these studies highlights the key role essentialism plays in perceptions of people who have been involved in the legal system. As discussed in the introduction, essentialism was associated with reduced punishment in some studies (Aspinwall et al., 2012; Cheung & Heine, 2015; Dar-Nimrod et al., 2011; Monterosso et al., 2005) and with increased punitiveness in others (de Vel-Palumbo et al., 2019; Kraus and Keltner, 2013; Newman et al. 2015). The current work provides some insight into a potential mechanism underlying the relation between essentialism and punitiveness (i.e., attitudes toward people who are involved in the legal system, as discussed in Study 2) and sets the stage for additional research probing *why* different lines of

work reveal different patterns. One possibility centers around perceptions of control. In prior work where essentialism reduced punitiveness, it also decreased perceptions of the extent to which actors could control their actions (e.g., Dar-Nimrod et al., 2011; Monterosso et al., 2005). However, work in which essentialism increased punitiveness—including the studies reported here—did not measure perceptions of control. It is possible that in these studies, essentialism did not reduce perceptions of control and therefore also did not reduce punitiveness. Initial evidence (Martin & Heiphetz, in press) has supported this possibility by highlighting perceptions of control as an underlying factor in the link between essentialism and punitiveness. In this work, essentialist language that predicted increased perceptions that actors had control over their behaviors (e.g., language highlighting a biological predisposition to commit crimes such as, "Because of [actor]'s biological make-up, he sometimes lashes out violently and emotionally when offended, even to the point of committing criminal behaviors") also predicted increased punitiveness. In contrast, essentialist language that was associated with reduced perceptions of control (e.g., more deterministic language such as, "Because of [actor]'s biological make-up, it is near impossible for him to not lash out violently and emotionally when offended, even to the point of committing criminal behaviors") was also associated with reduced punitiveness. Future work can further explore the connection between essentialism, punitiveness, and perceptions of control.

Additionally, our work informs research on true-self beliefs (De Freitas, Cikara, et al., 2017; De Freitas, Tobia, Newman, & Knobe, 2017; Heiphetz, Strohminger, Gelman, & Young, 2018; Heiphetz, Strohminger, & Young, 2017; Newman et al., 2015; Strohminger, Knobe, & Newman, 2017). Typically, participants report that inside every person there is a good “true self” that pushes the person to behave in morally virtuous ways (Newman et al., 2015). Some have

argued that this view stems from a general tendency toward psychological essentialism; that is, people are predisposed to attribute human characteristics to an internal, unchanging "essence" that they perceive to be morally good (De Freitas, Tobia, et al., 2017). On the one hand, our results may appear incompatible with this work. To the extent that people view individuals as having good true selves, they should not essentialize criminality, because viewing individuals as having a criminal essence is incompatible with viewing them as essentially good. On the other hand, our work could be seen as beginning to probe the boundary conditions of when individuals hold "good true self" beliefs. People view individuals who have had contact with the legal system as less than fully human (Heiphetz & Craig, in press). People also associate morality and humanity with each other; for instance, the more they perceive individuals as fully human, the more they perceive those individuals as morally accountable for their actions (Bastian, Laham, Wilson, Haslam, & Koval, 2011). If participants do not view people who have had contact with the legal system as fully human, they may also not attribute to them a morally good "true self." Future work can test this hypothesis and probe the consequences of such dehumanization.

In addition to these future directions, one additional important avenue for future work is to determine the causal direction of the effects reported here. Our correlational results could have emerged because essentialism increases punitiveness, because punitiveness increases essentialism, or because some third factor—not measured here—increases both essentialism and punitiveness. In prior work, experimentally manipulating essentialism has altered punitiveness (e.g., Kraus & Keltner, 2013; Martin & Heiphetz, in press; Monterosso et al., 2005). It seems plausible that a similar causal pathway is at play in the current results, with increases in essentialism causing increases in punitiveness. This type of result would suggest that reducing essentialism would correspondingly reduce punitiveness. However, experimentally

demonstrating this causal relation is an important step in considering interventions; until the causal direction of the effect is known, it is difficult to know whether manipulating essentialism would have any effect on punitiveness. Additionally, it may be challenging to develop interventions that successfully change people's essentialist beliefs (see Footnote 1). Rather than attempting to change people's views regarding criminal behavior broadly, it may be helpful to design manipulations targeting views of specific individuals (e.g., describing one specific person as breaking the law due to a non-essentialist cause; for similar approaches, see Dunlea & Heiphetz, under revised review; Heiphetz, 2019).

A second important direction for future research concerns the role of race in essentialism and punitiveness within the context of the legal system. In the United States, this system disproportionately targets Black individuals (e.g., Fagan & Meares, 2008; Jones, 2014; Western, 2018). Therefore, the harms that might accrue as a result of essentializing legal system contact and enacting punishment on people involved in that system also disproportionately affect Black people. Furthermore, participants (often from largely White samples) stereotype Black people as inherently criminal (Goff, Jackson, di Leone, Culotta, & DiTomasso, 2014; Okonofua & Eberhardt, 2015) and may therefore be particularly likely to view contact with the legal system as reflecting a person's internal, unchanging "essence" when the person is Black. Such greater essentialism could be one factor underlying the particularly punitive responses that Black people face in the legal system (Alexander, 2012; Eberhardt, Davies, Purdie-Vaughns, & Johnson, 2006). Future work probing these possibilities would make important contributions on both a theoretical level and an applied level.

Conclusions

The current work investigated the links between essentialism of criminality and punitiveness. Study 1 developed a scale for assessing participants' essentialism of criminality and found that this measure predicted punitiveness. Study 2 replicated these results and additionally revealed that attitudes toward people involved in the legal system mediated the link between essentialism and general punitiveness. The main result of Study 3 showed that people who held more essentialist views of criminality were also more likely to choose retributive punishments that harmed people who had transgressed over punishments that would prevent the transgressions from recurring. These studies underscore the critical ties between essentialism and punishment and help to further disentangle how essentialist beliefs may contribute to how people punish—a concern that looms particularly large when punishment decisions have the power to deny people their freedom and shape their lives for decades to come.

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Appendix

Unless otherwise noted, participants responded to the measures below using a 7-point scale anchored at “strongly disagree” (1) and “strongly agree” (7). R = reversed scored.

Essentialism of Criminality Scale

1. Criminals have a necessary or defining characteristic, without which they would not be criminals.
2. Criminals are born, not made.
3. Some people are genetically predisposed to be criminals.
4. Criminals will always be criminals; they can't change.
5. When criminals have children, they pass on genes that make their children more likely to become criminals themselves.
6. In the future, scientists will be able to tell who is a criminal by looking at their blood under a microscope.
7. People cannot change whether or not they are criminals.
8. Whether or not someone is a criminal is primarily determined by biology.
9. One way to reduce crime would be to prevent criminals from passing on their genes to future generations.
10. Whether or not a person is a criminal is fixed at birth.
11. On a biological level, criminals are different from non-criminals.
12. Whether or not someone is a criminal depends on how their parents treated them while they were growing up. (R)
13. Rehabilitation programs like GED classes and job training can help criminals change. (R)
14. One way to reduce crime would be to improve economic conditions for poor people. (R)

15. Whether or not a person is a criminal depends on the social context. (R)
16. Criminals and non-criminals are not fundamentally different. (R)
17. Psychologists and social workers can help people change whether or not they are criminals.
(R)
18. Knowing whether someone is a criminal tells you a lot about them.
19. Two criminals probably have more in common with each other than a criminal and a non-criminal.
20. It's impossible to determine whether or not someone is a criminal by examining their DNA.
(R)

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