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Punitiveness in Slovenia: A study of criminal justice students as future practitioners and decision-makers in the criminal justice system

Punitivność w Słowenii: badanie studentów wymiaru sprawiedliwości jako przyszłych praktyków i decydentów w systemie wymiaru sprawiedliwości

Abstract: The paper focuses on the punitiveness and support of the death penalty among criminal justice students in Slovenia. First, a literature review on punishment and punitiveness, penal changes in Slovenia, and punitive attitudes among criminal justice students, is provided. In the second part of the paper, the results of the empirical study that took place among criminal justice students in Slovenia in 2019 are presented. Statistical analyses performed were based on a sample of 244 students at the Faculty of Criminal Justice and Security, University of Maribor. The findings highlighted retribution as the strongest predictor of students' punitive attitudes, followed by support for harsh punishment. The majority of students (59.0%) were against the death penalty. The findings indicate that support for the death penalty among criminal justice students has been decreasing in recent years.

Keywords: punitiveness, death penalty, young people, students, Slovenia

Abstrakt: Artykuł koncentruje się wokół postaw punitivnych i poparcia dla kary śmierci wśród słoweńskich studentów kierunków związanych ze sprawowaniem wymiaru sprawiedliwości. Artykuł składa się z dwóch części. W pierwszej znajduje się przegląd literatury poświęconej karaniu

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i punitowności, zmianom w słoweńskiej polityce kryminalnej oraz represyjnym postawom studentów. W drugiej z kolei przedstawiono wyniki badania empirycznego przeprowadzonego wśród 244 studentów Wydziału Wymiaru Sprawiedliwości i Bezpieczeństwa Uniwersytetu w Mariborze w Słowenii w 2019 roku. Z badania wynika, że najsilniejszym predyktorem represyjnych postaw studentów jest zemsta, a drugim w kolejności – poparcie dla surowego karania. Większość badanych (59%) była przeciwna karze śmierci. Wyniki przeprowadzonych analiz pokazały także, że poparcie dla tej kary wśród studentów kierunków związanych ze sprawowaniem wymiaru sprawiedliwości spada w ostatnich latach.

Słowa kluczowe: punitowność, kara śmierci, młodzież, studenci, Słowenia

Introduction

David Garland (2001) described punitiveness as an abstract and complex social phenomenon, including individual attitudes, sentiments and emotions, and the particular reactions of society (legislation, judiciary, police, penal system, media, and public opinion) to deviant behaviour. Punishment and punitiveness have been the subjects of legal, criminological, and penological debates in Slovenia for more than seven decades. From a global perspective, Slovenia has been a stable, moderate country in terms of punishment (Slovenia records one of the lowest imprisonment rates in Europe, comparable to that in Scandinavian countries) (Plesničar, Drobničar 2019). However, a closer look reveals that Slovenia has witnessed a harsher criminal justice policy and legislation in the last two decades, which is most noticeably reflected in a steady increase in the prison population (despite the decreasing number of crimes) (Hacin, Meško 2020a). Compared to other European countries, Slovenia has not experienced aggressive punitive populism, at least not on a broad scale. Nevertheless, reforms of the criminal justice system resulted in greater punitiveness (e.g., punishments and sentencing policy became harsher, life imprisonment was introduced, criminal procedural law became ever more utilitarian and less focused on guaranteeing the rights of the accused, etc.) (Flander, Meško 2013). Since 2008, criminal law in Slovenia (i.e., the Criminal Code and Criminal Procedure Act) experienced significant changes in the form of 1) harsher punishments for certain offences (e.g., sexual offences, certain drug-related offences), 2) criminalising domestic violence, 3) harsher sanctions for officials for violating individual privacy (e.g., unjustified tapping, recording, etc.), 4) new criminal offences introduced in the Criminal Code, 5) introducing the mechanism of striking a deal with the prosecution and plea bargaining, 6) changes in the pretrial and main hearings, and 7) introducing life imprisonment (Official Gazette of 2012, item 50; Official Gazette of 2012, item 32; Flander, Meško 2013).

Changes that were introduced in the Slovenian, criminal legislation and criminal justice represent the result of the changes in the society, which became

increasingly less tolerant of deviant behaviour and more supportive of severe punishment (e.g., 35.8 per cent of the Slovenian population in 2020 considered the death penalty an appropriate form of punishment; public pressure contributed to the first implementation of life imprisonment in 2021; vigilantism increased among dissatisfied citizens, leading to the creation of “quasi” paramilitary vigilante groups, etc.) (Flander, Meško 2016; Hafner-Fink et al. 2020).

In this paper, we focus on the punitiveness and support for the death penalty among criminal justice students in Slovenia. Gorazd Meško, Rok Hacin and Katja Eman (2014) highlighted that these students express more punitive attitudes than students majoring in other fields (e.g., law students). Moreover, in 2007, 57.2 per cent of criminal justice students supported the death penalty, which makes their attitudes similar to those of police officers (Mitar, Meško 2008). These findings are worrisome as these students are the future practitioners and decision-makers in the criminal justice system (especially in the police and prison service), and they will (possibly) become penal policy (co)creators. The present study draws on the data from a survey of criminal justice students from the Faculty of Criminal Justice and Security, University of Maribor, in 2019 and has two purposes. Firstly, the effects of different aims of punishment, fear of crime, trust in the criminal justice system and satisfaction with the country’s policies, and previous victimisation on students’ punitiveness are studied. Secondly, a comparison between students supporting the death penalty and those who do not support it was conducted to identify possible differences between the groups regarding their support of various punishment aims, trust in the criminal justice system and satisfaction with the politics of the country and fear of crime.

1. Punishment and punitiveness

There is little consensus on defining punitiveness as a theoretical construct (Maruna, King 2008). To be punitive is, by definition, to punish, and if one punishes more, one becomes more punitive. As Natasha Frost (2008) argued, this definition is too broad and demands various interpretations. It can be used as a term to indicate harsh public attitudes towards offenders and to evaluate the preparedness of states to use penal power (King, Maruna 2006). Relative levels of punitiveness are used to compare the harshness or leniency of penal policies. There are numerous debates about which factors (e.g., imprisonment rates, sentence lengths, prison admissions, etc.) or a combination of them are the best assessment criteria (Frost 2008). David Green (2009) agrees that public attitudes, public policies, and penal practices intertwine in debates about punitiveness, but none is an appropriate proxy for others. Increasing punitiveness is frequently referred to as punitive legislation, which focuses more on longer prison sentences than sending more offenders to prison.

The term “penal populism”, or “populist punitiveness”, refers to the justification of harsh punishments due to harsh public attitudes. It is usually treated as a label attached to the devisors of punitive policies who seem to be popular with the public and favour popularity over other policy considerations (Roberts et al. 2003; Pratt 2007; Green 2009). In addition to the response to public opinion, populist penal policies can be a consequence of an attempt to exploit public fear of crime whilst they intend to win elections rather than to reduce the crime rate and promote justice (Roberts et al. 2003). Fear of crime and punitiveness are parts of a public discourse shaping criminal policies (Zimring, Johnson 2006). Kenneth Dowler (2003) confirmed the positive correlation between increased fear of crime and individuals’ punitiveness. John Pratt (2007) argues that penal populism promotes the precedence of victims’ and communities’ rights over offenders’ rights and seeks opportunities to turn the punishments into a spectacle of reassurance and vengeance. The central tool of penal populism is imprisonment and, whilst it is necessary, it has been overused for decades.

Richard Frase (2013) emphasised that the goals of punishment can be either positive or negative, meaning they can provide practical and moral arguments in favour of the punishment. The punitive paradigm is an integral part of punishment (Ashworth 2010) and is [de]emphasised by the aims of punishment that an individual country pursues. Generally, the aims of punishment pursue the following goals: retribution, deterrence, incapacitation, rehabilitation/resocialisation, and restitution (Crow 2001; Jones 2010; Duus-Otterström 2013; Hoskins, Care, Ruback 2015), which are (usually) defined in the criminal legislation. Whilst treatment of prisoners and restorative justice are characteristics of countries with lenient penal policies, the opposite is true for countries emphasising retributive ideas based on harsh punishments (including long imprisonment and the death penalty) (Cavadino, Dignan 2006; Pratt 2007).

Jonathan Simon (2001) argued that increasing punitiveness in society led to cruelty. He describes it as a trend towards painful, vengeful, and destructive penalties, among which life prison sentences, shame sanctions, and the death penalty are included. The most intensive form of punitiveness is demonstrated in support of the death penalty (Meško et al. 2013). Patrick Fisher and John Pratt (2006) highlighted that political culture is relevant to the practice of the death penalty. Traditionalistic culture may see the death penalty as a way the elites can control the masses. Conversely, moralistic culture may be less likely to support the death penalty because of their belief that all should participate in improving the commonwealth. An individualistic, political culture seems more likely to be divided on the question of the death penalty because whilst it may be supportive of the “eye for an eye” belief, it fears an intrusive government and that individual rights will be forgotten.

2. Penal changes and punitiveness in Slovenia

In Slovenia, punitiveness has been the topic of academic and professional debates for decades. Benjamin Flander and Gorazd Meško (2013) observed punitiveness and penal populism in Slovenia and found that harsher criminal justice policy and legislation were characteristics of the last two decades. The analysis showed that the changes had been for the worse, “reforms” of the criminal justice system resulted in greater punitiveness (e.g., punishments and sentencing policy are now harsher and procedural criminal law is becoming ever more utilitarian and less focused on guaranteeing the rights of the accused). Benjamin Flander and Gorazd Meško (2016) also focused on penal and prison policy in Slovenia from its roots to the present. Although, in the last fifteen years, the public has adopted more punitive attitudes and criminal justice policy and legislation, in general, have become harsher, this, in itself, does not necessarily mean that the substance of the criminal justice system has been changing at the same pace. The analysis shows no clear trend towards punitiveness in the sentencing practice of criminal courts. Mojca Plesničar and Marko Drobnjak (2019) described Slovenia as a stable and moderate country in terms of punishment, where no excesses took place, except for rare politically coloured processes and sanctions.

Matjaž Ambrož (2016) reviewed the aim[s] of punishment in Slovenia from the positive general prevention perspective. This idea has become a leading theory of punishment in several legal systems. The Slovenian, legal system is part of the family of continental European legal systems and it has been strongly influenced by the German legal tradition, resembling the legal systems of Germany, Austria, and Hungary, as well as the legal systems of former Yugoslav republics (Flander, Meško 2013; Meško, Tičar, Hacin 2020). The current Criminal Code entered into force in 2008 and has been amended several times since. One of the most important amendments of the Criminal Code was implemented in 2017 (Official Gazette of 2017, item 27), as it introduced the purpose of punishment in the legal text after twenty-three years. Elements of retribution, prevention, and (social) rehabilitation are found in the current definition of the purpose of imprisonment (Plesničar, Drobnjak 2019). More specifically, by imposing punishment, the state pursues the following aims (Meško, Tičar, Hacin 2020):

- the protection of the fundamental values and principles of the legal order,
- the establishment of a framework so that perpetrators of criminal offences and others are aware that criminal offences are unacceptable, and
- the effective reintegration of perpetrators of criminal offences into society by taking into account their dignity and personal rights and imposing an appropriate sentence.

In accordance with Slovenian penological tradition, rehabilitation is put first as the state is (still) striving towards the resocialisation and successful reintegration of offenders back into the community. However, elements of positive general

prevention, in the form of establishing trust in the functioning of the legal system and retribution, can also be observed (Plesničar, Drobnjak 2019). The positive, general prevention can quickly become universal and a relatively cheap rhetorical device in the struggle for harsher punitiveness and stricter penal policy. Katja Šugman Stubbs (2020) reflects upon ideas of the development of criminal law using administrative law principles to expedite and make criminal procedures more efficient. This trend has been noticed in several Western European countries after experiencing terrorist attacks (Decoeur 2017), and it also seems to be gaining support in Slovenia.

Rok Hacin and Gorazd Meško (2020b: 9) studied legitimacy in the Slovenian prison environment and discovered that the rise of punitiveness in Slovenian legislation and society affected correctional practices. The authors noted that the values and prevailing norms of the society are reflected in the legitimising process of punishment. In one respect, the public's exclusion from the sphere of punishment reduces public control over the process when it becomes excessive as per prevailing standards. In another, the public does not see how and why prisoners are punished, which leads to illusory notions about the quality of life in prison and demands for harsher punishments of offenders. The findings reveal that the more the public is factually informed and educated about the causal factors related to criminality, the less punitive it is. Danijela Frangež and Jerneja Šiferer (2010) revealed that Slovenian penal institutions are dominated by a compromise between a treatment and punishment policy. Thus, one must bear in mind that the treatment can be implemented only to the degree permitted by the security measurements in the penal institution.

At the end of the 20th century, alternative forms of punishment began to be increasingly discussed in Slovenia. Juvenile community work and social training became predominant, alternative forms of punishment (Filipčič 2006). A review of Slovenian developments showed that both measures could be imposed more often as their use proved to be successful in most of the analysed cases, especially when parents were also involved in the discussion. Similar findings were obtained by Gorazd Meško et al. (2016), who tested community service implementation as a form of alternative sentence in the Ljubljana region. They discovered that, despite a long-standing statutory regulation of community service, organisations in the Ljubljana region began to accept persons sentenced to community service no sooner than in 2004, the great majority of them between 2011 and 2013. The revocation of suspended sentences is another contemporary, (alternative) criminal sanction. An analysis of statistical data in Slovene courts revealed a high proportion of suspended sentences in the structure of criminal sanctions. This concludes that the penal policy of courts in Slovenia is overbalanced in favour of alternative (i.e., suspended) sentences (Medved 2016).

What do the changes made in recent decades mean for the Slovenian penal system and its functioning? The described, comparative picture of Slovenia does not show a bad image or incredibly worrying deviations, especially as probation

is still the predominant form of sanctions. However, there are worrying trends in the form of an increasing harshness of sanctions (e.g., the length of imprisonment is rising).

3. Punitiveness and criminal justice students

Various circumstances and variables shape young individuals' attitudes toward mechanisms of social control and punishment. In general, youngsters are more punitive than older people (Chiricos, Welch, Gertz 2004). Studies on punitive attitudes revealed that males, white people, and conservative individuals express greater punitiveness, while individuals with higher education qualifications tend to be less punitive (Applegate, Cullen, Fisher 2002; Chiricos, Welch, Gertz 2004; Hogan, Chiricos, Gertz 2005). Education is considered to be one of the most consistent and important predictors of punitive attitudes, where higher education negatively affects punitiveness (Rossi, Berk 1997; Chiricos, Welch, Gertz 2004). Diana Falco (2008) suggests that individuals with higher levels of education tend to be less punitive but, despite this consistent finding, there is no consensus on how exactly the educational process and chosen fields of study influence punitiveness.

Tara O'Connor Shelley, Courtney Wald and Rhonda Dobbs (2011) suggest that students majoring in criminology and criminal justice have a more accurate knowledge of crime, criminal justice, criminological theories and punitive practices than their peers. Consequently, they might view punishment from a different perspective. However, studies provide contrasting results regarding the punitiveness of criminal justice students as some findings indicate that criminal justice and criminology students are more punitive than students of other majors (e.g., students of social work and law students) (Mitar, Meško 2008; O'Connor Shelley, Waid, Dobbs 2011; Meško, Hacin, Eman 2014), while others suggest that they are less punitive in comparison to students majoring in other fields (Falco, Martin 2012). The latter can be explained by the increased exposure of students to different theories and perspectives through the educational process (in general, seniors are less punitive than freshmen).

Nevertheless, it can be said that criminal justice students express high, punitive attitudes, which can, at least partially, be attributed to the nature of their studies (Meško, Hacin, Eman 2014). Kenneth Dowler (2003) argued that fear of crime affects an individual's punitive attitudes. However, Gorazd Meško, Jerneja Šifrer and Ljubo Vošnjak (2012) found out that a fear of crime does not influence the level of punitiveness among criminal justice students in Slovenia. Moreover, retribution was more favoured by students who had not been victimised. The authors stressed that the fear of crime or feelings of threat, in general, did not affect punitiveness in students. Therefore, students who felt more threatened considered the death

penalty less appropriate. A similar trend, towards abolishing the death penalty in criminal law and the practice of criminal justice, was also noted by Miran Mitar and Gorazd Meško (2008). Tom Taylor et al. (2001) discovered similar findings among juveniles in the USA as students who expressed greater fear of crime were less inclined toward the death penalty. Nevertheless, more than half of them favoured the death penalty (57.2%) (Mitar, Meško 2008).

It is generally known that individuals change their opinion with age as experiences shape their perspectives. Regarding the views and perceptions of authority, it is well known that young people have lower trust in authority (especially in representatives of the criminal justice system), which sometimes develops distrust and antiauthoritarian behaviour (Meško, Hacin, Eman 2014). These forms of behaviour can influence students' punitive attitudes as they perceive the criminal justice system as ineffective and, consequently, they support harsher measures to fight crime and punish offenders. To mediate such behaviour and prevent the emergence of punitive attitudes in young individuals, police should present themselves as legitimate powerholders. Michael Reisig, Justice Tankebe and Gorazd Meško (2012; 2013) argued that it is essential to study not only the public perspective on police legitimacy but also attitudes towards the police and the levels of punitiveness among the public (especially students).

In their study on public trust in police in Slovenia, conducted among criminal justice and law students, Gorazd Meško, Rok Hacin and Katja Eman (2014) also included the legal cynicism perspective. Expectations from the police and the criminal justice system are not insignificant. Their survey showed that the manner and quality of a police officer's performance and attitude towards the public during the procedures have an impact on their opinion and feelings (i.e., trust) about the police. The results revealed that certain variables could affect an individual's level of trust in the police: 1) procedural justice, 2) police effectiveness, 3) police authority, and 4) legal cynicism. The authors (Meško, Hacin, Eman 2014) note that, if police chiefs want to improve trust in police, their reforms should focus on increasing 1) procedural justice, 2) police effectiveness, 3) police authority, and 4) decreasing legal cynicism.

In Slovenia, cases of police abusing their power and authority are rare. The level of people's perception of moral authority and the moral right of the law to dictate appropriate behaviour is relatively high. Cynicism is created when the police and other authorities break generally accepted social norms, encouraging people to think, "If the police can behave however they please, and ignore the rules, so can I" (Jackson et al. 2012: 9). Gorazd Meško et al. (2016) note that, if police exercise their authority via fair procedures, they influence the sense of normative commitment to the police and enhance compliance with the law.

4. Methodology

The social context in which this study took place was the [former socialist] cultural and economic environment of the Republic of Slovenia. In 2019, Slovenian society witnessed the resignations of several politicians, irregularities in big construction projects (suspicion of corruption), restrictions on obtaining credits, which will affect young people the most, and the rise of “quasi” paramilitary vigilante groups (*slo. varde*), enhanced security of the Southern border due to the (persisting) migration crisis, and the notorious criminal case in which the perpetrator was accused of influencing his girlfriend to cut her hand to commit insurance fraud. The general mood of the population was passive and negatively affected by an unpredictable future, fear of another economic crisis and quick changes in political leadership.

The study took place among students of the Faculty of Criminal Justice and Security, University of Maribor in Slovenia. The survey was developed in English by Helmut Kury and later translated into Slovenian by the authors. It included questions about the attitudes of the participants towards punishment (e.g., punitiveness, treatment of offenders, trust in the criminal justice system, satisfaction with the country's policy, death penalty), and their previous victimisation and fear of crime. The data was collected anonymously during lectures in 2019. Surveys were conducted by the authors and trained assistants from the Faculty of Criminal Justice and Security, University of Maribor. The surveying began with an introduction to the study. It should be noted that none of the participants declined to participate in the study after the introductory explanation. The number of participants amounted to 290 students, who had completed a paper and pencil survey that took them approximately 30 minutes. However, only respondents who had fully completed the questionnaire were included in the sample (244 students). The data was put in the SPSS database and further analysed using factor analyses (the principal component method, rotation varimax), Pearson's r correlation test, regression analysis, and discriminant analysis.

The first limitation of the study can be seen in the sincerity of the participating students. It is possible that participants gave socially desirable answers due to a fear of disclosure. Moreover, the specifics of the environment of the study present the second limitation as the results are based on the participation of a small number of students, out of which, not all members work in the criminal justice system.

4.1. Participants

The study participants were students of graduate and postgraduate studies at the Faculty of Criminal Justice and Security, University of Maribor, representing 25.4% of all students (962 students in 2019). Females presented the majority (70.9%). The ages of the participants ranged from 19 to 55 years (mean = 21.27). With regard their accommodation status, 75.4% self-reported they were living with

parents, 7.8% were living with a partner, 6.1% were living alone, and 10.7% were living with other people. In terms of a formal education, 86.9% had completed high school, and 13.1% had bachelor's degrees. The length of the study at the university varied from less than one semester to nine semesters (mean = 3.07). The self-rated, economic situation of participants was as follows: 25.4% good, 57.0% medium, and 17.6% difficult. Moreover, regarding the development options in the future, 66.4% of participants believed they were good, 30.3% average and only 3.3% believed they would experience hardships in the future. Finally, 19.3% of the participants reported that they had been victimised at some point in their life. Approximately 60% of those who participated in the study had personally known at least one offender. Regarding the death penalty, 59.0% self-reported that they were against it and 25.8% were in favour of the death penalty (15.2% of students did not provide an answer). These data results were largely representative of the student population of the Faculty of Criminal Justice and Security, particularly in terms of gender, average age, and achieved education.

4.2. Measures

Dependent variable. Punitiveness was operationalised using five survey items ("In fighting crime, law enforcement should be tougher and more consistent"; "The courts should be tougher on criminals"; "Prison sentences should be imposed more often in my country"; "It is fully justified to punish offenders harshly because they are responsible for their own behaviour"; and "Criminal law in my country should be harsher"). The items featured a 5-point Likert-type response ranging from "strongly disagree" (coded 1) to "strongly agree" (coded 5). The scale possessed a high level of internal consistency (Cronbach's $\alpha = 0.82$, Kaiser-Meyer-Olkin measure of sampling adequacy was 0.83). Punitiveness was operationalised as a summated scale (Mean = 17.25, SD = 3.34).

Independent variables. Students' attitude towards retribution, as an aim of punishment, was operationalised using four survey items ("The primary way to reduce crime is through harsher sentences"; "To reduce crime we need to increase punishment"; "The harsher the punishment, the less that crime will be committed"; and "I believe that the primary way to reduce recidivism is harsh conditions of incarceration"). Retribution was a summated scale that exhibited a high level of internal consistency (Cronbach's $\alpha = 0.84$, Kaiser-Meyer-Olkin measure of sampling adequacy was 0.79) and was coded so that higher values correspond to greater levels of retribution (Mean = 10.41, SD = 3.49).

The attitude of the students towards harsh punishment was operationalised using three survey items ("The sentences that are imposed on sex offenders are too mild"; "Life-long prison sentences should be decreed more often in cases of severe crimes"; and "Offenders who committed severe crimes should be monitored for the rest of their lives"). Harsh punishment was a summated scale that exhibited an adequate level of internal consistency (Cronbach's $\alpha = 0.69$, Kaiser-Meyer-Olkin

measure of sampling adequacy was 0.66) and was coded so that higher values correspond to greater levels of harsh punishment (Mean = 10.87, SD = 2.42).

The students' judgments on lenient punishments were captured using three survey items ("Incarceration does more harm than good"; "In general, the length of imprisonment should be shortened"; and "It is more important to work with offenders therapeutically than to lock them up"). Each item featured an ordinal response option ranging from "strongly disagree" (coded 1) to "strongly agree" (coded 5). Leniency was a summated scale that exhibited an adequate level of internal consistency (Cronbach's $\alpha = 0.70$, Kaiser-Meyer-Olkin measure of sampling adequacy was 0.66) and was coded so that higher values correspond to greater levels of leniency (Mean = 7.80, SD = 2.04).

The treatment of offenders was operationalised using four survey items ("Therapy is effective for most offenders"; "Therapeutic treatment of offenders leads to a reduction in recidivism"; "We should put less emphasis on the punishment of offenders and instead provide more support and treatment for their problems"; and "Incarceration should be more about rehabilitation than about punishment"). Items featured a 5-point Likert-type response ranging from "strongly disagree" (coded 1) to "strongly agree" (coded 5). The scale possessed an adequate level of internal consistency (Cronbach's $\alpha = 0.69$, Kaiser-Meyer-Olkin measure of sampling adequacy was 0.68). The treatment of offenders was operationalised as a summated scale (Mean = 14.06, SD = 2.65).

The students' trust in the criminal justice system was operationalised using four survey items ("In general, the courts in my country impose fair verdicts"; "In my country, law enforcement does a good job"; "The legal practice is just in my country"; and "In my experience criminal policy in my country is handled justly and is justified"). Trust in the criminal justice system was a summated scale that exhibited an adequate level of internal consistency (Cronbach's $\alpha = 0.77$, Kaiser-Meyer-Olkin measure of sampling adequacy was 0.77) and was coded so that higher values correspond to greater levels of trust in the criminal justice system (Mean = 11.91, SD = 2.42).

The students' satisfaction with the country's politics was operationalised using three survey items ("I am satisfied with the politics in my country"; "Overall I am satisfied with my country and how it is run"; and "Politicians in my country are trustworthy"). For each item, there was a 5-point Likert-type response ranging from "strongly disagree" (coded 1) to "strongly agree" (coded 5). The scale possessed an adequate level of internal consistency (Cronbach's $\alpha = 0.72$, Kaiser-Meyer-Olkin measure of sampling adequacy was 0.67). Satisfaction with the politics of the country was operationalised as a summated scale (Mean = 6.62, SD = 1.97).

Fear of crime was operationalised using three survey items ("I am often afraid of becoming a victim of a crime"; "I feel disadvantaged in this society"; and "I do not feel safe in my neighbourhood"). Fear of crime was a summated scale that exhibited an adequate level of internal consistency (Cronbach's $\alpha = 0.63$, Kai-

ser-Meyer-Olkin measure of sampling adequacy was 0.64) and was coded so that higher values correspond to greater levels of fear of crime (Mean = 6.32, SD = 1.81). The results recorded for each factor are presented in detail in Table 1.

Table 1. Factors

Variables	FL	Mean	SD	Median	Mode	Min	Max
Punitiveness ($\alpha = 0.82$; KMO = 0.83; var. = 58.76%)		17.25	3.34	17	18	6	25
In fighting crime, law enforcement should be tougher and more consistent.	0.61	3.44	0.68	3.47	4	1	5
The courts should be tougher on criminals.	0.79	3.64	0.79	4	4	1	5
Prison sentences should be imposed more often in my country.	0.77	3.50	0.85	4	4	1	5
It is fully justified to punish offenders harshly because they are responsible for their own behaviour.	0.78	3.13	0.87	3	3	1	5
Criminal law in my country should be harsher.	0.86	3.69	0.89	4	4	1	5
Retribution ($\alpha = 0.84$; KMO = 0.79; var. = 67.93%)		10.41	3.49	10	8	4	19
The primary way to reduce crime is through harsher sentences.	0.88	2.63	1.04	2	2	1	5
To reduce crime, we need to increase punishment.	0.87	2.65	1.12	2	2	1	5
The harsher the punishment, the less that crime will be committed.	0.79	2.41	1.05	2	2	1	5
I believe that the primary way to reduce recidivism is through harsh conditions of incarceration.	0.74	2.71	1.03	3	2	1	5
Harsh punishment ($\alpha = 0.69$; KMO = 0.66; var. = 62.79%)		10.87	2.42	11	12	5	15
The sentences that are imposed on sex offenders are too mild.	0.80	4.08	0.77	4	4	2	5
Life-long prison sentences should be decreed more often in cases of severe crimes.	0.82	3.33	1.23	4	4	1	5
Offenders who committed severe crimes should be monitored for the rest of their lives.	0.75	3.46	1.03	4	4	1	5

Variables	FL	Mean	SD	Median	Mode	Min	Max
Leniency ($\alpha = 0.70$; KMO = 0.66; var. = 62.25%)		7.80	2.04	8	7	3	14
Incarceration does more harm than good.	0.82	2.42	0.85	2	2	1	5
In general, the length of imprisonment should be shortened.	0.74	2.14	0.79	2	2	1	5
It is more important to work with offenders therapeutically than to lock them up.	0.81	3.24	0.94	3	3	1	5
Treatment of offenders ($\alpha = 0.69$; KMO = 0.68; var. = 52.09%)		14.06	2.65	14	12	7	20
Therapy is effective for most offenders.	0.65	3.21	0.84	3	3	1	5
Therapeutic treatment of offenders leads to a reduction in recidivism.	0.69	3.78	0.76	4	4	1	5
We should put less emphasis on the punishment of offenders and instead provide more support and treatment for their problems.	0.73	3.36	1.04	4	4	1	5
Incarceration should be more about rehabilitation than punishment.	0.81	3.71	1.01	4	4	1	5
Trust in the criminal justice system ($\alpha = 0.77$; KMO = 0.77; var. = 59.16%)		11.91	2.42	12	13	4	18
In general, the courts in my country impose fair verdicts.	0.79	2.93	0.85	3	3	1	5
In my country, law enforcement does a good job.	0.77	3.32	0.79	3	4	1	5
The legal practice is just in my country.	0.77	2.82	0.78	3	3	1	4
In my experience, criminal policy in my country is handled justly and is justified.	0.74	2.85	0.72	3	3	1	5
Satisfaction with the country's politics ($\alpha = 0.72$; KMO = 0.67; var. = 64.93%)		6.62	1.97	7	6	3	13
I am satisfied with the politics in my country.	0.85	2.02	0.76	2	2	1	4
Overall, I am satisfied with my country and how it is run.	0.80	2.83	0.94	3	3	1	5

Variables	FL	Mean	SD	Median	Mode	Min	Max
Politicians in my country are trustworthy.	0.77	1.77	0.74	2	2	1	4
Fear of crime ($\alpha = 0.63$; KMO = 0.64; var. = 57.51%)		6.32	1.81	6	6	3	12
I am often afraid of becoming a victim of a crime.	0.78	2.36	0.89	2	2	1	5
I feel disadvantaged in this society.	0.72	2.31	0.74	2	2	1	4
I do not feel safe in my neighbourhood.	0.78	1.75	0.75	2	2	1	5

Scale ranging from 1 – Strongly disagree to 5 – Strongly agree.
Factor analysis method: Principal components, Varimax Rotation; FL: factor loadings.
KMO: Kaiser-Meyer-Olkin coefficient of sampling adequacy. All KMO values are between 0.63 and 0.83. α : Cronbach alpha coefficient of reliability. Reliability coefficient values span from 0.63 to 0.82.

5. Findings

Prior to the regression analysis, based on which factors influenced the students’ level of punitiveness were identified, Pearson’s *r* correlation test was conducted (Table 2). The test was run as a preliminary assessment of the predictors that influence dependent variables and, as a correlation analysis, to establish whether any of the variables are strongly correlated. The results of the test showed that significant correlations exist between students’ punitiveness and: (1) retribution ($r = 0.64$; $p < 0.01$), (2) harsh punishment ($r = 0.63$; $p < 0.01$), (3) leniency ($r = -0.56$; $p < 0.01$), (4) treatment of offenders ($r = -0.64$; $p < 0.01$), (5) trust in the criminal justice system ($r = -0.37$; $p < 0.01$), (6) satisfaction with the country’s politics ($r = -0.27$; $p < 0.01$), and (7) fear of crime ($r = 0.23$; $p < 0.01$). The results ruled out threats of multicollinearity as the correlations were lower than 0.80 (Field 2009).

Table 2. Correlation matrix

Punitiveness	1	2	3	4	5	6	7
Retribution	0.64**						
Harsh punishment	0.63**	0.46**					
Leniency	-0.56**	-0.57**	-0.38**				
Treatment of offenders	-0.64**	-0.53**	-0.49**	0.64**			
Trust in the criminal justice system	-0.37**	-0.22**	-0.24**	0.26**	0.12		

Punitiveness	1	2	3	4	5	6	7
Satisfaction with the country's politics	-0.27**	-0.02	-0.22	0.14*	0.14*	0.52**	
Fear of crime	0.23**	0.23**	0.14*	-0.16*	-0.06	-0.33**	-0.25**

Level of significance * $p < 0.05$, ** $p < 0.01$.

Firstly, the predictors that affect punitiveness were examined, the results of which are displayed in Table 3. The key question was to establish the factors that explained the students' punitive attitudes. The model considers the influence of the aims of punishment, trust in the criminal justice system, satisfaction with the country's politics and fear of crime in combination with socio-demographic variables. The following socio-demographic variables were included in the regression analysis as a control for spuriousness. Age was measured in years. Years of the study were measured in the number of completed semesters. Three binary-coded variables are also included: male, crime victim, and do you know an offender? (1 = yes, 0 = no). The variables included in the model accounted for 65.7% of the variation in punitiveness ($F = 36.85$, $p < 0.001$). As can be seen from the results of the Ordinary Least Squares (OLS) regression analysis, the students' punitiveness was influenced by: (1) retribution ($\beta = 0.29$, $p < 0.001$), (2) leniency ($\beta = -0.29$, $p < 0.001$), (3) harsh punishment ($\beta = 0.28$, $p < 0.001$) and (4) trust in the criminal justice system ($\beta = -0.15$, $p < 0.01$). Overall, the findings indicate that support for retribution and harsh punishment were positively associated with punitiveness. Moreover, support of leniency mediated the level of punitiveness. Finally, students with a lower level of trust in the criminal justice system have more punitive attitudes. Retribution and leniency were identified as the strongest predictors of students' punitiveness. It should be noted that fear of crime and previous victimisation did not cause the students to be more or less punitive.

Table 3. OLS regression analysis: Predicting students' punitiveness

Punitiveness	Se	β	t	VIF
Retribution	0.05	0.29	5.39***	1.93
Harsh punishment	0.05	0.28	5.81***	1.51
Leniency	0.06	-0.29	-5.26***	2.12
Treatment of offenders	0.06	-0.05	-0.97	2.01
Trust in the criminal justice system	0.05	-0.15	-2.99**	1.64
Satisfaction with the country's politics	0.05	-0.08	-1.70	1.49
Fear of crime	0.04	0.02	0.37	1.22
Male	0.09	-0.05	-1.19	1.08
Age	0.02	-0.07	-1.51	1.25
Years of study	0.02	0.03	0.70	1.24

Punitiveness	Se	β	t	VIF
Crime victim	0.10	0.01	0.11	1.13
Do you know an offender?	0.08	0.01	0.21	1.10
F	36.85***			
R ²	65.7%			
n	244			

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$; se: standard error of regression; VIF: Variance Inflation Factor that quantifies the severity of multicollinearity. The highest VIF is 2.12, which means that the possibility of collinearity is low.

Secondly, statistically significant differences between students in favour of the death penalty and those against it were examined, the results of which are displayed in Table 4. As can be seen from the results of the discriminant analysis, there are statistically significant differences between students in favour of the death penalty and those against it (Wilks' Lambda; 0.69, $p < 0.001$). The results emphasise that: (1) treatment of offenders (0.88, $p < 0.001$), (2) leniency (0.87, $p < 0.001$), (3) harsh punishment (0.81, $p < 0.001$), (4) punitiveness (0.77, $p < 0.001$), (5) retribution (0.76, $p < 0.001$), (6) fear of crime (0.98, $p < 0.05$), and (7) trust in the criminal justice system (0.97, $p < 0.05$) affect differentiation between the groups. A comparison between the groups of students showed that those in favour of the death penalty were more punitive, favour retribution and harsh punishment and are more afraid of crime than those who are against the death penalty. In contrast, students who were against the death penalty were more inclined towards leniency and better treatment of offenders and expressed greater trust in the criminal justice system than students in favour of the death penalty.

The classification of students shows that 76.8% of the originally grouped respondents were classified (58.7% of students were in favour of the death penalty and 84.7% of students were against the death penalty). The results of the classification showed that students who were against the death penalty had more unified views, with 15.3% of those students expressing similar views to students who were in favour of the death penalty. Moreover, 41.3% of students in favour of the death penalty had similar opinions to students who were against it.

Table 4. Discriminant analysis: Supporting the death penalty

Variable	Death Penalty				Wilks' Lambda	F
	Yes (n = 63)		No (n = 144)			
	M	SD	M	SD		
Punitiveness	19.60	2.61	16.03	3.23	0.77	59.71***
Retribution	12.81	2.95	9.04	3.17	0.76	64.69***
Harsh punishment	12.43	1.75	10.03	2.44	0.81	49.49***
Leniency	12.70	2.67	14.81	2.40	0.87	31.69***
Treatment of offenders	6.71	1.54	8.28	2.07	0.88	28.83***
Trust in the criminal justice system	11.33	2.49	12.24	2.33	0.97	6.42*
Satisfaction with the country's politics	6.30	2.01	6.73	1.87	0.99	2.19
Fear of crime	6.57	1.69	5.99	1.69	0.98	5.22*
Wilks' Lambda	0.69***					

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.
^a 37 students (15.2%) were not included in the analysis as they did not provide an answer regarding support of the death penalty.

Finally, the roles that gender and level of education play with regard to an individual supporting (or not supporting) the death penalty were examined, the results of which are displayed in Table 5. As can be seen from the analysis results, there are small differences between male and female students, the latter expressing lower support for the death penalty. However, it is important to emphasise that approximately two-thirds of students did not support the death penalty. Moreover, the results indicate that undergraduate students were more in favour of the death penalty than postgraduate students. Whilst approximately a third of undergraduate students supported the death penalty, the proportion of students in postgraduate programs who were in favour of the death penalty was significantly lower (10%). The findings indicate that this decrease is (at least in some small part) the result of the curriculum at the Faculty of Criminal Justice and Security, as undergraduate students participated in lectures on criminology, penology and victimology and developed a more critical opinion regarding punishment, especially the death penalty.

Table 5. Support of the death penalty by gender and year of study

	Death Penalty	
	Yes (n = 63)	No (n = 144)
Gender		
Male	21 (34.4%)	40 (65.6%)
Female	42 (28.8%)	104 (71.2%)
Level of study		
Undergraduate	61 (32.6%)	126 (67.4%)
Postgraduate	2 (10%)	18 (90%)

^a 37 students (15.2%) were not included in the analysis as they did not provide an answer regarding support of the death penalty.

Discussion and conclusion

The primary focus of the paper was to explore the punitive attitudes of criminal justice students and whether or not they support the death penalty. Diana Falco and Jamie Martin (2012) argue that it is important to assess their punitive attitudes, given that they will probably be working as professionals within the criminal justice system after graduation. Their attitudes may influence their perceptions and actions in the future towards criminal justice, victims, and offenders. The first significant finding relates to the influence of support for the specific aims of punishment on students' overall punitiveness. Based on the results of the regression analysis, it can be argued that retribution positively influenced students' punitiveness to the same degree as leniency negatively influenced it. Retribution and harsh punishment were based on the vengeance principle and are fundamental elements of penal populism (Roberts et al. 2003; Pratt 2007; Green 2009) which has spread throughout the criminal justice system and Slovenian society. Conversely, support for leniency was negatively associated with students' punitiveness and can, at least partially, be attributed to criminological and criminal justice studies. It seems that the more liberal approaches to punishment that argue in favour of leniency for (certain) offenders (Jones 2010) present a counterweight to retribution ideology, which supports harsh punishment for all. Objections against [long] incarceration and support for the treatment of offenders are the main elements of the opposite ideology to retribution (Crow 2001). Distrust in the criminal justice system influences punitive attitudes.

Students who perceive the criminal justice system as ineffective in the fight against crime have more punitive attitudes. It can be assumed that they see the solution to this problem in more strict and harsh approaches to fight crime and

punish the offenders. Socio-demographic variables, including the previous victimisation, do not influence the punitive attitudes of students, which confirms the claim that socio-demographic factors are generally not very good predictors of punitive attitudes (Spiranovic, Roberts, Indermaur 2011). Fear of crime was not associated with punitiveness. It seems that individual anxiety about crime does not affect punitive attitudes (Meško, Šifrer, Vošnjak 2012). However, further research is needed as the results of the discriminant analysis highlighted the differences in fear of crime between students supporting the death penalty and those who did not support it.

The second significant finding concerns support for the death penalty among criminal justice students. The results showed that 25.8% of students supported the death penalty, and approximately 15% of students did not provide an answer. In comparison with previous years, support for the death penalty among criminal justice students has decreased. A significant drop was noted in students' support for the death penalty: 2007 (57.2% in favour), 2011 (47.1% in favour) and 2019 (25.8% in favour) (Mitar, Meško 2008; Meško et al. 2013). These findings indicate that support for the death penalty is decreasing (at least among criminal justice students). We assume that the content of (especially) criminological, penological, and victimological classes at the Faculty of Criminal Justice and Security, University of Maribor, mediate harsh punishment attitudes and direct students towards humanist treatment ideology, which is traditional in Slovenian criminal justice practice.

The findings also showed that students supporting the death penalty expressed more punitive orientation, believed in retribution and harsh punishment, and were more anxious about becoming victims of crime. As Jonathan Simon (2001) argued, punitive attitudes influence an individual's support for harsh punishments. Moreover, the fear of crime affects an individual's punitiveness (Dowler 2003). Students who support retribution predominately based on the "eye for an eye" principle (O'Hear 2011; Duus-Otterström 2013) also support harsh punishments, including the death penalty. Students who support the death penalty expressed a certain level of distrust in the criminal justice system, which means that they also believe that the criminal justice system is too lenient towards criminals. It seems that students who are not satisfied with the performance and effectiveness of the criminal justice system tend to support the death penalty.

Future studies should expand the study sample and include the general population, law enforcement agents, law students, and students of social work, pedagogy, and social sciences as they represent a significant proportion of the individuals who will (later) work in the criminal justice system and the supportive formal agencies of social control (Pečar 1988). Future research should focus on the use of mixed methods, where quantitative research is combined with qualitative methods (primarily interviews and focus groups) to gain a better understanding of the root causes of students' punitive attitudes. Moreover, it is necessary to establish a well-designed, longitudinal study to determine public opinion relating to punitiveness and to compare it to legal punitiveness, which is manifested by the decisions of criminal courts.

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