



A sociological study on the tendency of prisoners to applying the restorative Justice programs on them and its relationship with psychological capital

Mohammad Abbaszadeh

Associate Professor, Department of Sociology, University of Tabriz

E-mail: m.abbaszadeh2014@gmail.com

Mohammad Bagher Alizadeh Aghdam

Associate Professor, Department of Sociology, University of Tabriz

E-mail: aghdam1351@yahoo.com

Nayer Mohammad Pour*

PhD student of Sociology, University of Tabriz

E-mail: Mohammadpour.1356@yahoo.com

Abstract

Restorative justice is an approach in justice system introduced as the result of insufficiency in the criminal justice. It aims to compensate the damage to the victim and notify the offender of his action's outcome. This paper aims to examine the prisoners' attitude towards the application of restorative justice programs and also the impact of psychological capital on the prisoners. The method of study is a survey, and the measurement tool is a questionnaire. The statistical population includes the male prisoners in Tabriz prison in 2010 that numbered 2500. Of these, 333 prisoners were chosen based on simple random sampling method. The data were analyzed using SPSS software (16). The results show that there is a strong, direct and positive relationship between self-esteem and self-efficacy, internal locus of control and the application of restorative justice programs on the prisoners. Therefore, the independent variables could explain about 14% of the variance in the dependent variable. Through performing many different programs and getting the help of the mass media and chancellors, holding psychology-based conferences, government and non-government agencies; we can directly and indirectly increase the confidence of the prisoners and mainly encourage them towards restorative justice.

Keywords: Restorative Justice, psychological capital, self-esteem, emotional Stability

Introduction

Reputative system is the dominant paradigm in the justice system of many countries and especially Iran. In this system, the offender is liable to the punishment and it seriously stresses that the criminal should be treated as he/she was with others. This model focuses on the past behavior of the offender and regards him/her deserving of retribution. This is a model of revenge that is taken from the ideas of German philosophers, especially Kant and Hegel. Kant emphasizes on the concept of justice and believes that criminals should be punished for their deeds (Shiri, 2008: 225). However, following the failure of the criminal sanctions and penalty problems, such as increasing prison population, the high cost of prisons, increasing the incidence of crime offenses, a break between the offenders and the community, the restorative justice approach was introduced. In fact, restorative justice and at the same time ancient and deep-rooted pattern emerging from the 1970s and 1980s has been the revitalization of the twentieth century. Restorative justice firstly was common in North America, Australia and New Zealand. In addition to

resolving the disputes arising from crime commitment, this approach can also fix the tensions between the victim and the offender (defendant) in the local community, especially in the context of collective negotiation process (Najafi Abrand Abadi, 2008: 28). Unlike the traditional justice system, a restorative justice does not only focus on the individual victim, but it also focuses on other aspects such as the offender and the community. Due to the flexibility of restorative justice programs and compliance with different cultural, social, political situations, it should be stated that applying the restorative justice programs should be based on the status of victim, offender and the community. Given the purpose of this study, the application of restorative justice programs on the prisoners, we assess this point from the prisoners' point of view. That is, it is trying to assess the Tabriz prisoners' ideas about their participation in restorative justice programs, including the decision-making, relationship (direct / indirect) with the victim, attempt to compensate the damage, having active participation in discussions. Since there are many factors which affect the people's view, for example, social, cultural, economical and psychological ones, here we focus on the psychological factor with aspects of emotional stability, locus of control, self-efficacy and self-esteem. Here, the relationship between the psychological capital of the prisoners and its impact on their tendency towards applying the restorative justice programs was evaluated.

Methodology

This is an applied research conducted in survey method in 2010. The data collection instrument is a researcher made questionnaire (in the Likert Scale form) and to analyze data, SPSS16 software was used. To describe the qualitative variables, the frequency distribution and for quantitative variables, the distributional indexes and hypothesis testing, regression analysis, and Pearson's correlation coefficient test were used. The statistical population includes the male prisoners of Tabriz, who were 2500 ones in 2010. Of these, 333 ones were chosen as the sample of study through Cochran and simple random sampling method. To measure the validity of the questions, content validity (consensus of the sociology and criminology professors) was used. Cronbach's alpha was used to determine the reliability of the questions. The results show that internal reliability of the items was desirable.

Theoretical Framework

Restorative justice is not merely a theory about crime and justice; it also expresses a more or less successful experience obtained in actual dealing with crime problems. This means that this program is not restricted only to the theoretical and subjective framework, instead, by operating in the field, it can also resolve the offense related disputes and fix and repair the hostility, tension and disruption caused by the victim and the offender in the local community through the collective negotiations process (Najafi Abrand Abadi, 2008: 28). Martin Wright believes that restorative justice seeks a balance between the concerns of the whole criminals, victims and local community. From one hand, it leads to a re-adoption of the offender in the society and on the other hand, seeks to provide relief for victims and assess the damage caused to them and finally tries to recover them. Restorative justice enables the all parties involved in the inquiry process to have active participation. This process also involves the other people affected by crime, including the offenders and victims' relatives, friends and families. Michel Mise states that restorative justice seeks to involve all the parties involved in crime and provides opportunities for those affected by crime (Wright et al, 2005: 13). Howard Zehr defines restorative justice as a process for the involvement of those who have a stake in a specific offense and tries to collectively focus on the injuries and losses, requirements and obligations to repair, improve, and solve the problems (Zehr, 2009: 74). Among the factors affecting prisoners attitude, we can note the psychological capital; an individual's positive psychological state is characterized by having self efficacy for the effort to succeed in challenging tasks; having a positive attitude (optimism) about the present and future success, perseverance towards goals and if necessary, changing the path to success in achieving the goals and also tolerance the problems and finally achieve the success. Self-esteem, as one of the aspects of psychological capital, refers to the love and hatred of one from him/her (Gholipour et al, 2008: 16). Self-esteem is an extent in which an individual believes that he is capable and valuable and reflects his hope for resisting, being competent, successful and self-confidence in facing the real world (Baumeister et al, 2003: 1). It relates to a

person's belief to his/ her abilities in performing the tasks, such as organizing, managing and executing, the ability to change behavior and emotional reactions (Karimi et al, 2009: 184). People with high self-esteem have positive characteristics such as high creativity, happiness, long life and high power in challenges, while those with low self-esteem are depressed, sad, hopeless and careless people (Gholipour et al, 2008: 16).

Bandura believes that self-efficacy plays an important role in the person's performance because not only it directly affects human behavior but it also impacts on the human behavior through determinants such as goals, aspirations and opportunities in the social environment. Self-efficacy definitely affects the people's optimistic or pessimistic, regular or irregular attitude. Based on different situations, people have high or low self efficacy which in turn depends on the competence of individuals. Those with high self efficacy appear in new situations easily and confidently and insist on their work because they believe that they will probably succeed, while individuals with low self-efficacy feel that they will fail and thus this feeling prevents them from any challenge. In fact, self efficacy refers to an individual's trust in thinking, learning, making decisions and responding appropriately and effectively against changes (Phillips, 2005: 26). Another aspect of psychological capital is emotional stability. It refers to a frequency degree in which the individual feels anxious and worried. This concept is related to concepts such as a lack of job satisfaction, involvement in risky behaviors such as alcohol and drug use. To overcome difficult situations such as changes in the individual and psychological pain caused by short-or long-term changes in their decision making, these people tends towards this issue. Those with high emotional stability are more prone to disturbances in emotional stability. They experience negative emotions more frequently and ever fickle, nervous and worried and anxious (Cole, 2007: 45).

According to Rotter, locus of control expresses the one's perceptions of his ability to control the environment (Gholipour et al, 2008: 17). In other words, locus of control concept is used to describe the fact that how people describe their life events. There are two modes of internal and external locus of control; People with an internal locus of control are primarily responsible for controlling their own behavior and its consequences, while those with an external locus of control attribute the events to chance (Cole, 2007: 45 -46). People belonging to these groups are different from each other. After success, individuals with external locus of control believe that their success was due to chance, while the other group with internal locus of control, even after several times of failure, feel themselves more accountable (Ibid, 46) In an overview and based on the research hypothesis, it can be said that there is a relationship between the tendency of prisoners towards applying the restorative justice and psychological capital.

Results

Descriptive findings show that 83.1% of the respondents were diploma, 60.8% were married, 59.2% were self-employed and 43.6% had no criminal experience. The results show that 95.9% of respondents like to follow the restorative programs which include meeting the victim and their family, settling the problems, paying the compensation to victim etc. More precisely, it can be said that the average tendency of prisoners to apply the restorative justice programs on them was high (Table 1).

Table 1

Statistics Related to the Tendency of Prisoners to apply the Restorative Justice Programs on Them

Variable	Mean	Standard deviation	Variance	Skewness	Min.	Max.	Total
The tendency to apply restorative justice programs	124.87	15.79	249.37	-0.285	64	161	205

To test the correlation between different aspects of psychological capital and the tendency of prisoners to apply the restorative justice program on them, Pearson's correlation coefficient was used. Based on the results it can be said that there was a direct and linear correlation between self-esteem, self-efficacy and internal locus of control and applying the restorative justice programs. This means

that when the self-esteem, internal locus of control and self-efficacy of people are high, their tendency to apply the restorative justice is high and vice versa. However, the results show that there was not a significant correlation between emotional stability and tendency of respondents to apply the restorative justice programs on prisoners (Sig =0.55). On the whole, those with high psychological capital are more likely to accept applying the restorative justice program on them (Table 2).

Table 2

Descriptive and Inferential Statistics related to the Aspects of Psychological Capital and applying The Restorative Justice Programs on the Prisoners

Variable	Mean	Standard deviation	Variance	skewness	Range	Min.	Max.	Total
Self esteem	39.89	6.24	39	0.0253	37	17	54	302
Pearson test: the tendency of prisoners to apply restorative justice and self esteem					Number: 208 Sig= 0.30			
Variable	Mean	Standard deviation	Variance	skewness	Range	Min.	Max.	Total
Self efficacy	33.75	5.61	31.52	-1.28	32	10	42	302
the tendency of prisoners to apply restorative justice programs and self efficacy					Number: 213 Sig= 0.002 Correlation= 0.207			
Variable	Mean	Standard deviation	Variance	skewness	Range	Min.	Max.	Total
Stability	19.76	5.15	26.59	0.222	28	6	34	302
the tendency of prisoners to apply restorative justice programs and Stability					Number: 211 Sig= 0.599 Correlation= 0.40			
Variable	Mean	Standard deviation	Variance	skewness	Range	Min.	Max.	Total
Internal locus of control	19.76	2.59	8.74	-0.968	15	9	24	302
the tendency of prisoners to apply restorative justice programs and Internal locus of control					Number: 210 Sig= 0.001 Correlation= 0.226			

The results of regression analysis test show that self esteem and self efficacy variables remained in the model and could explain the changes in dependent variables, while the stability and internal locus of control variables were removed from the model (Table 3).

Table 3

The Remained Variables in the Regression Model

Variables	B	Standard error	Beta	T	Sig.
Self efficacy	0.811	0.290	0.268	2.792	0.006
Self esteem	-0.658	0.248	-0.251	-2.651	0.009

Conclusions

In this study, we assessed the prisoners' attitudes about the restorative justice programs and its relation to the four aspects of psychological capital (self-esteem, self-efficacy, emotional stability and internal locus of control). To do so, the theories of sociologists, including Foucault, Durkheim and Giddens have been used. They indirectly criticized the imprisonment punishments in the traditional justice system and referred to some problems such as negative consequences of retribution punishment, creating a gap between offenders and society, the separation between offenders and their families.

The results of the present study show that the attitude of prisoners to apply the restorative justice programs, such as meeting the victim and their family, compensation of the material and non material losses, dialogue with criminals, etc was high. Therefore, we can say that the findings of this study were in harmony with mentioned sociological theories in this study. Reviewing the available literature suggests that the people's high degree of psychological capital affects the prisoners' tendency towards applying the restorative justice programs on them. The results of this study indicate that individuals with high level of internal locus of control, self-esteem and high self-efficacy are more likely to accept the restorative justice programs. Through performing many different programs and getting the help of the mass media and chancellors, holding psychology based conferences, government and non-government agencies, we can directly and indirectly increase the confidence of the prisoners and mainly encourage them towards restorative justice. Due to the research limitations, the present study only examined the attitudes of prisoners in Tabriz prison; this research can be conducted on female prisoners and then the results can be analyzed comparatively. Also, with regard to the various aspects of restorative justice and implementation processes that cover a wide area and since that studying them in one survey is a very difficult task, therefore, it is recommended to evaluate them in future studies.

References

- Baumeister, F. Roy, Campbell, D. Jennifer, Krueger, I. Joachim, Vohs, D. Kathleen (2003). Does high self esteem cause better performance, interpersonal success, happiness, or healthier lifestyles?. Vol. 4, No.1
- Braithwaite, John (2002). Setting standards for restorative justice, British Journal Criminal. No.42, 563-577.
- Cole, D. Kenneth (2007). Good for the soul: the relationship between work, wellbeing and psychological capital, university of Canberra. Thesis for submitting PhD in Economics.
- Gilbert, J Michael Settles. L. Tanya (2007). The next step: indigenous development of neighborhood – restorative community service. Vol. 3, No.1, 5-25.
- Moazzami, Shahla & Parsa, Mohammad (2009). Narcotics Anonymous from the Restorative Justice View. Justice Law Journal, Vol. 73, 68, 121- 136.
- Najafi Abarndabady, Ali Hussain (2008). From the classic criminal justice to restorative justice. Research Journal, 3-38.
- Najafi Aabarndabady, Ali Hussain (2008). Interpersonal reform and restorative justice theory. Quarterly Journal of Human Sciences, Volume 12, No: 3, 193- 222.
- Philips, T. Kristina (2005). Applying the relapse model to harm reduction: the development and evaluation of the harm reduction, self efficacy questionnaire. A dissertation for submitting the degree of Ph.D.
- Shiri, Abbas (2006). Paradigms of Criminal Justice; retribution justice and restorative justice. Journal of the Faculty of Law and Political Science, No.74, 213-245.
- Shams Natary, Mohammad Ibrahim & Jahed, Muhammad Ali (2008). Causes and consequences of criminal swelling and ways of dealing with it. Fiqh and Law Journal, Issue 17, 93-120.
- Ward, Tony & Lang lands, L. Robyn (2008). Restorative justice and the human rights of offenders: converges and divergences, Aggression and violent behavior.13, 355-372.
- Ward, Tony& Lang lands, L. Robyn (2009). Repairing the rupture: restorative justice and the rehabilitation of offenders. 14, 205-214.

- Witvelt, V.O. Charlotte, Et al (2008). Retributive justice, restorative justice, and forgiveness: An experimental psychological analysis. *Journal of Experimental Social Psychology*, 44, 10-25.
- Wright, Martin et al. (2004). Restorative justice promoting the victim-centered approach (Proceedings). Translated by Amir Samavati Pirouz, Tehran: Khalilian press.
- Zehr, Howard (2009). Little Book of Restorative Justice. Translated by Husein Gholami. Tehran: Scientific and Cultural Council of Majd.