

Attitude towards Criminal Justice System as a Predictor of Political Violence

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ABSTRACT

The criminal justice system of a nation is responsible for maintaining its community peace and law and order. However, due to major short comings of the Indian Criminal Justice System, there is a great deal of mental, emotional and financial turmoil. Such short comings makes the common man hostile towards the justice system and makes him lose faith in justice itself. This results in him questioning the foundations of morality itself and resolving in methods of violence. The current pilot study tries to understand the impact of attitude towards the criminal justice system on attitude towards political violence for future research purposes. A sample size of 100 was taken from the Delhi-NCR region of India. Statistical analysis of linear regression was administered. The results rejected the null hypothesis and accepted the alternative hypothesis. There was a significant relationship between the variables. The results suggested an impact of the independent variable on the dependent variable. In conclusion, this pilot study will be extended to understand the impact of attitude towards criminal justice on an individual's concept of morality.

Keywords: *Criminal Justice System, Morality, Political Violence, Terrorism.*

1. Introduction

Human rights, democracy, the rule of law, and development depends on the strength of the country's criminal justice system. The ultimate goal of the criminal justice system is to provide peace in the society, defend the rights of the victim and the suspect, prevent and control crime rate, punishment and rehabilitation of those who are found guilty, lastly, to defend life and property against crime.

The major agencies of the Criminal Justice System are the police force, courts, and prisons. The constitution of Bharat bestows the responsibility of law enforcement and prison administration to the states of the Republic of Bharat. However, the nation's Judiciary is administered by the Federal Supreme Court and the State High Courts.

The Indian Penal Code, Criminal Procedure Code, The Indian Evidence Act, Police Act, and Prison Act, govern the complete structure, management and operations of all institutions of The Indian Criminal Justice System.

Although, our Criminal Justice System is well structured, it's functioning has always troubled the common man (Saxena, 1975). With growing crime rates and delayed court verdicts, the Indian Criminal Justice System (CJS) has always been in questions. The prolonged issues in the Criminal Justice System (CJS) of India has always scarred the country and the belief of individuals in the system. According to the report of National Judicial Data Grid (2022), there have been nearly 48 million pending cases in

the Supreme Court, High Courts and Subordinate Courts. Further, the data estimated a time span of 15 years for a civil case to reach its conclusion. In other instances, the delay has also extended to several decades, leaving the litigants and victims hanging on straws of uncertainty.

The other short-comings of the Indian Criminal Justice System is that of the modern-day police. The major issues is of a high percentage of vacancies in the police force (as of 2020). This exacerbates an already existing problem of over-burden on the police force and their work. According to the U.N., the suggested strength of police officers should be of 222 per lakh people, whereas in India, it is just 181 police personnels per lakh people.

This is followed by a major concern about the negative attitude of people against police officers is that police are presumed to be corrupt, bias, and abusive (Lamani, 2013). In some cases, the police falsely accuse, harasses, and seeks bribe from individuals who generally belong to lower income classes such as rickshaw-pullers, labourers, shopkeepers, vendors, etcetera (Lamani, 2013). In some parts of India, police personnels hold a very stereotyped, patriarchal beliefs and inequitable perceptions regarding women (Tripathi, 2020). This attitude also brings about a case of gender-insensitivity within a police officer that can result in ill-behaviour.

Lastly, the Indian prison system face significant challenges such as longer periods of detention of under-trial prisoners,

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insufficient treatment programs, poor living conditions, over-crowding of the prisons and allegations of misbehaviour and callous approaches by the prison staff.

One of the significant issues of the Prison Systems in India is overcrowding. With nearly half of the prison inmates being undertrial (Census, 1970), the concerns of mental and physical well-being are high among the prisoners. The solution to this problem lies in the hands of the court and the police through cooperations and speedy trials. However, this milestone is yet to be achieved by the criminal justice system. Another worldwide issue in the prisons is that of corruption. Officers or guards often accept bribes in return of special treatments. This problem is generally seen due to low salaries and extreme work pressure.

All the above-mentioned drawbacks of the Indian Criminal Justice System, results in disapproval and hostility towards it.

Repercussions of delayed or unjust verdicts result in great mental, emotional and financial turmoil, to both the parties (Prosecution and Defendant). Such hinderance cause an individual to lose faith in the system and give rise to cynic attitudes towards the CJS.

Unjust treatment by the system nourishes an individual to resort to violence and question the foundation of morality. This, in turn motivates criminal behaviour and acceptance for Political Violence within the individual (Silver and Silver, 2020).

While talking about Political Violence, it is very important to understand it's complexities and multifaced phenomenology. The primary cause of Political Violence is generally social or political in nature (Sanyal, 2020). Delayed judgment and mistreatment from the protectors of law, is a case of social discrimination and injustice.

Review of Literature

There have been researches that highlight the influence of Morality on Politically Violent intent. According to these studies, the concept of morality that one is raised in, effects their inclination towards finding a resolve in politically violent behaviours.

One such study was done by Silver and Silver (2020) on The Nature and Role of Morality in Offending using the Moral Foundations Approach. This research aimed to study the influence of morality in the acts of violent and criminal behaviours that were produced as a result of morally unacceptable behaviours of others. The Moral Foundations Theory was used for this study as it fits remarkably well with the conceptions of morality found in political violence and criminal behaviours. Negative binomial regression was used as a method of research which was used to model self-reported counts of violence, theft, property damage, and illegal phone use while driving. The sample was of Icelandic Youths (N = 10,710).

The findings were that, the individualizing of the institutions of morality centered on rights and autonomy and binding moral intuitions centered on social order and cohesion that are uniquely associated with various types of offending and display of inhibiting or motivating effects with respect to the outcome.

This study highlighted how foundations of morality vary according to individuals and groups. Individualizing moral institutions focused majorly upon authority and justice for self and the need to standup for oneself; however, binding moral institutions focused on the ill treatment of the ingroup that the individual belonged to and the need to centre the moral virtues of loyalty, and care. It demonstrated how social injustice can give rise to a negative attitude towards a certain type of group or the complete Justice System. In conclusion, Silver and Silver (2020) studied the influence of morality on views related to political violence. The concept of morality in the sample was formed due to the environmental and societal exposure.

Another such study, conducted by Kadushin and colleagues (2014) focused upon the role of morals in decision making. A hypothetical situation where two groups of adult subjects; one, with a high moral reasoning and another, with a low level of moral reasoning was established. The next step in the research was that of decision making. The subjects were asked to play along the hypothetical situation by sentencing defendants for acts of crime that vary in intensity and severity of intended outcome and actual consequences. The results determined that consequences effected sentencing more than intentions. The study also suggested that the group of adults with higher sense of moral reasoning, were influenced more by the severity of the intention than their counter part group. This study was indicative of the impact of moral reasoning on decision making. Kadushin and Colleagues (2014) highlighted the importance of individual differences in moral reasoning while evaluating sentencing decisions. This study can help explain the differences and disparities in punishment that can arise due to the varying ways in which an individual weighs intentions and consequences while judging another's actions.

A study by Nussio (2023) described how moral beliefs of individuals influence their favourability towards collective violence. Further, this study talks about two ways in which moral beliefs influence favourability to collective violence; One, moral salience and the other, group-oriented moral beliefs. To understand this study, first lets talk about Moral Salience and Group-Oriented Moral Beliefs.

Moral Salience is one's perception to take moral decisions and actions while avoiding immoral acts. People high on moral salience, generally emphasis on the importance of

moral actions. Similarly, Group Oriented Moral Beliefs put the interests of the group above the individual needs. This concept deals with moral values that prioritize group values, such as loyalty, credibility, trust and other group virtues.

To find the significance of this study, a representative sample of 2183 residents of Mexico City was taken. It was found that Moral Salience reduces favourability to criminal offences like lynching which is a significant and serious form of collective violence in Mexico City. However, on the contrary, Group-Oriented Moral Beliefs, when measured using Moral Foundations Theory, suggested favourability to lynching and less compassion for targets of violence.

The above papers emphasis on how moral beliefs, group cohesiveness and social injustice gives rise to the feeling of disapproval of the Justice System. Many other studies also revealed how attitudes towards politically violent behaviours is a learnt phenomenon and how the media plays a strong role in manifesting it.

One such research is on Differential Online Exposure to Extremist Content and Political Violence: Testing the Relative Strength of Social Learning and Competing Perspectives was authored by Pauwels and Schils (2014). The mentioned paper applies Social Learning Theory to the explanation of political violence, focusing on exposure to extremist content through new social media. The sampling was done through (a) a paper-and-pencil study among high school students, and (b) a web survey targeting youths between 16 and 24 years old. A total 6020 respondents were sampled for the study. Results demonstrate that even when controlling for background variables, strain variables, personality characteristics, moral values, and peer influences, the statistical association between measures of extremism through social media and self-reported political violence remains significant and constant.

In a study done by Nellis and Savage (2012) on Importance of Media Exposure on Terrorism Fear, it was concluded that exposure to terrorism-related news is positively related with perceived risk of terrorism to self and others and with fear for others, but not for one's self. The method adopted for the study was via telephone survey which was conducted with a sample size of $N = 532$ individuals of the age group 20-35 years. This study is also an example of learnt behaviours via media exposure. The participants were asked about their daily exposure to contents of terrorism and political violence. Their exposure to such content was fair enough. However, neither of the participant had ever encountered a real terrorism attack but had witnessed political disturbance at least once.

Another study that focused on the role of media in shaping attitudes was conducted by Boda and Szabó (2012). This study focused on complex and multifaceted

issue of the Criminal Justice System of California. Various quantitative studies have indicated a relationship between media consumption and attitudes, the causal nature of this relationship has not been proven. However, in their study, Boda and Szabó used the method of focus group to explore how and to what extent people rely on the media when interpreting issues of crime and evaluating justice institutions. The focus group approach demonstrated that the participants depended on the information provided on media to a certain extent. This way, they interpreted issues of crime and evaluations of the institutions of justice.

The conclusion to the above analysed papers state that attitudes towards Political Violence and influence of Morality are learnt behaviours. The above-mentioned research done by Pauwels and Schils (2012) focused on Bandura's Social Learning Theory. The participants were youth that were regularly exposed to extremist contents on social media. The attitudes that they had formed regarding Political Violence was a learnt behaviour. Similarly, studies done by Nellis and Savage (2012) and Boda and Szabó (2011), were an example of learnt behaviours via media exposure.

There have also been studies that aim to understand the psychological and physiological aspects of criminality. One such study is done by Đurđević and Ilić (2018). The aim of the study was to explore the distinctive contribution of personality characteristics to the difference between offenders sentenced to community service and normal controls. Correlation between personality traits such as Extroversion, Hysteria, Anxiety, Aggressiveness, and Psychoticism and personal values such as Hedonism, Materialism, and Altruism was measured. It was found that the correlation between Aggressiveness and Hedonism in offenders sentenced to community service ($p < 0.05$) and between Psychoticism and Altruism ($p < 0.05$). The emphasizes of the study was on the importance of considering personality characteristics and values in the criminal justice system, particularly during pre-trial and criminal proceedings, judicial proceedings, and sentencing stages.

2. Methodology

Aim of the study

To study how one's beliefs regarding Indian Criminal Justice System acts as a predictor for Attitude towards Political Violence.

Sampling

A sample size of 100 adults of age group 25-35 years was collected for the purpose of a pilot study. The selected age group represents majority of individuals who have at least once been in close encounter with Indian Criminal Justice System or have a fair understanding of the system. Gender specified for this study are both, male and female. Sample

collection was done using Volunteer Sampling and Snowball Sampling methods. Electronic Questionnaires were used for the pilot study, since it makes data collection more feasible and organized.

Research Design

After reviewing nearly 50 research papers, it was found out that societal factors such as, social status, economic status, living conditions and group cohesion form an individual's ideas of an ideal society and influences their attitude towards political violence. This also influences the individual's concept of morally acceptable behaviours and shapes their conscientiousness.

However, it was found that the researches were confined to societal discrimination as a predicting factor and such studies have been rarely conducted in the Indian Sub-Continent. The current research aims to explore other predicting factors for political violence and address this short coming. For the same, a pilot study of 100 samples have been conducted to understand whether Attitude towards the Criminal Justice System could act a predictor for Attitude towards Political Violence in the Indian Sub-Continent.

The statistical tool of Linear Regression is used by analysing the data on IBM Statistical Package for Social Sciences (SPSS). To measure the attitude towards the criminal justice system, Pretrial Juror Attitudes Questionnaire (Lecci & Myers, 2008) was used and to measure the attitude towards political violence, a survey scale was derived from pre-existing literature (Sanyal, 2020).

Further, if the data shows significance, this research would be continued in future and the findings from the current study would serve as its foundation.

Tools and Measurements

1. *Pretrial Juror Attitudes Questionnaire (Lecci & Myers, 2008)* : The Pretrial Juror Attitudes Questionnaire (PJAQ) is a 29-item questionnaire developed by Len Lecci and Bryan Myers in 2008. It measures various legal attitudes of potential jurors that may influence their verdicts. The PJAQ includes six factors: conviction proneness, system confidence, cynicism toward the defense, social justice, racial bias, and innate criminality. The PJAQ has been found to have good reliability and validity. In a study by Sara Jane Moblely in 2.
2. To measure the attitude towards political violence, a survey of 5 point-Likert scale was derived from pre-existing literature (Sanyal, 2020).

Objective of the study

- To study the impact of attitudes towards Indian Criminal Justice System on Political Violence among adults.

Hypotheses

- H_0 There will be no impact of attitudes towards the Indian Criminal Justice System on Morality and Political Violence among adults.
- H_1 There will be positive impact of Attitudes towards the Indian Criminal Justice System on Political Violence among adults.

3. Results

Table 1 : Result

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1.	.851a	.725	.723	11.689

- **Predictors** : (Constant), Attitudes towards Criminal Justice System.

Note : In the above table the correlation between the predicted and actual values is represented by the R value. Whereas the proportion of variance in the dependent variable that can be explained by the independent variable is represented by the value of R Square. Standard Deviation of the random component in the model, which is the variation in the dependent variable that cannot be explained by the independent variable is represented by the Std. Error of the Estimate.

Table 2 : Result

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1.	(Constant)	3.132	2.251		1.391	.166
	Attitudes towards Criminal Justice System	.619	.028	.851	21.878	.000

- **Coefficients** : Standardized coefficients are in standard form.

Note : Dependent Variable-Attitude Towards Political Violence.

In Result Table-1, the model summary for regression analysis where "Attitude Towards Political Violence" is the dependent variable and "Attitude Towards Criminal Justice System" is the independent variable, is shown.

The correlation coefficient which is the "R" value, is .851. This indicates a strong positive relationship between the two variables studied in this paper. This means that attitude towards the criminal justice system, and attitude towards political violence have a significant positive relationship. This means that if one has a negative attitude toward the criminal justice system, they are likely to have a supportive approach towards political violence according to the results discussed.

The value of "R Square" is .725, indicating the proportion of variance in the dependent variable that the independent

variable can explain. The value of .725 means that there is a variation of 72.5% in attitude towards political violence which can be explained by attitude towards criminal justice system.

The "Adjusted R Square" value which is a more conservative measure of the proportion of variance, is also .723. This indicates that the model demonstrates a substantial amount of the variation in the dependent variable. This indicates that the dependent variable is a good fit with the independent variable and the tendency of dispersion of data is appreciable since it is well controlled.

The value of "Std. Error of the Estimate" is 11.689. This represents the standard deviation of the random component in the model, which indicates that the average distance from the observed values of the dependent variable deviates from the predicted values of 11.689 units which is a moderate value. To better understand the difference between observed and predicted values, further research with a larger sample size should be conducted.

The overall model summary suggests that attitude towards the criminal justice system and the attitude towards political violence have a strong positive relationship and shows the impact of attitudes towards the criminal justice system on, attitudes towards political violence. The model also explains a substantial amount of variation in attitude towards political violence.

Result Table-2, states results of regression analysis with "Attitude Towards Political Violence" as the dependent variable and "Attitude Towards Criminal Justice System" as the independent variable. The value of the standardised coefficient (Beta) is .851 which demonstrates the strength and the direction of the impact of the independent variable on the dependent variable. Since the value is close to 1, it suggests a strong relationship between the two variables of the study and suggests that the independent variable has an impact on the dependent variable.

The t-value is 21.878 and the significance level is .000. Both the mentioned values indicate that there is a statistically significant relationship between the two variables.

Thus, null hypothesis is rejected, and alternative hypothesis is accepted.

4. Discussion

The Indian criminal justice system is a well-structured institution comprising of set of rules like the Indian Penal code, The Indian Evidence Act, Police Act, Criminal Procedure Code and the Prison Act. Yet, the system's ill working has always troubled the common man. With vacancies in the police department, rising crime rates, delayed court judgements and low maintenance of the prisons system, the credibility of the justice system is always in doubt. This in turn, makes the society hostile towards the justice system and creates a negative impact

on the attitude towards the police by labelling them as corrupt, irresponsible, bias, and crude.

Towards the end, the common man is only discouraged and is drained financially, emotionally, and mentally. This way, he loses faith in justice and develops cynic attitudes towards the justice system.

This cynic attitude can give rise to a feeling of retributive violence, aiming to claim what is rightfully of the individual, through acts of violence. As analysed by J. Angelo Corlett, retributive violence aims at giving a person or a group what they deserve. It is a tool, through which philosophers understand the morality of politically violent actions.

According to Cassam (2024), political violence is justified and morally sound as long as there is a morally supported motive and well-structured objective. Any availability of an alternative and non-terroristic means of achieving the same goal would place a question in front of the argument that justifies political violence as moral.

Moreover, researches have shown that the idea of morality, held by an individual influences their views on political violence. The foundation of such attitudes are laid by the environmental and societal exposures (Sliver, 2020).

Our current study states the impact of attitudes towards criminal justice system on attitudes towards political violence. With a sample size of 100, a pilot study was conducted in the Delhi-NCR region of India. This was done to check whether if there is any significance between the two variables. It was important to identify any possible significance between the two variables because then only will it be useful to add a third variable of Morality (or any other variable component) in the future scope of this study. Since, such researches have been least conducted in the Indian sub-continent, a null hypothesis was also stated.

As the results imply, there was a significantly, positive relationship between the two variables and it was also noted that the independent variable had a strong impact on the dependent variable. Thus, rejecting the null hypothesis and carving way for the future of the following study.

Lastly in conclusion, the bill always comes due, sometimes it can come late but it always does come. Harm of any sort cannot ever be justified. Hostility towards a system is a basic right of the society because they only can the system thrive to improve and then only will it be able to serve its right purpose. Damage to innocent people and property will never come as a solution to any problem but it will surely give rise to impactful, global concerns and would leave an everlasting footprint of chaos and violence on humanity.

In all chaos there is a cosmos, in all disorder a secret order (Jung, 1981), which means that a lot of things can seem chaotic, but now it is up to the individual's interpretation

of what they want to make out of that chaos. It is wise to understand that one is not what happened to them, but instead what they choose to become out of it.

5. References

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