

## ABSTRACT

### **Punitiveness across cultures: How human nature and social conditions are intertwined**

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In the 16<sup>th</sup> century Europe public mutilations were popular; today prisons sentences are not uncommonly criticized as inhumane. In some primitive societies, blood feud is an accepted means of handling conflicts; others rely on restorative means. The conceptions of punishment obviously vary across cultures. But what are the social conditions of this variation? This is the overall question that I am seeking to answer. To answer such a question, it is necessary to rework some traditional notions of human nature and culture.

The point of departure is two contemporary theories on the relationship between cultural conditions and the public's perception of punishment, as presented by David Garland and Nils Christie. They both stress how culture (modernization) is removing man from his true nature; but Garland views man as fundamentally aggressive, whereas Christie depicts us as good natured. Both theories contain important insights, but these cannot be synthesized because of the contrasting notions of human nature. My argument is that the fundamental problem is a common assumption of the two theories, namely that culture and human nature are fundamentally opposed. Instead of opposing the two, we can see human nature as a sort of mediator between social facts. Human nature thus transforms social facts in a predictable way. The approach then, building upon cognitive science and neurology, is to view human nature as a collection of mechanisms creating different beliefs by responding to different social conditions.

A central feature of human societies is complex cooperation. According to the biological theory of reciprocal altruism, this cooperation builds upon a set of evolved capacities including both egoistic and altruistic traits. In this view, cooperation follows a tit-for-tat pattern, and the participants closely monitor if cheating, giving less than you receive, occur. Cheating in social dilemmas is in many ways akin to behaviour commonly conceptualised as criminal. From the concept of reciprocal altruism, we can deduce two collections of psychological systems in relation to this concept of crime. One set of systems trigger moral aggression, whereby we try to get rid of the criminal, the other trigger reparative altruism, whereby we try to restore the broken relation between offender and offended. By investigating the relations between these two psychological systems and a range of other social adaptations, it becomes plausible that restorative reactions are triggered within inclusive social systems, where the participants are deeply engaged in levelling out inequalities. The relationship between these two conditions is interactive, so redistribution becomes more important as the community becomes more inclusive. At first glance, the hypotheses are actually contra-intuitive. A highly inclusive community engaged in redistributive cooperation is also the most vulnerable to cheating. Why are such systems not the harshest when it comes to punishment? The reason has to do with the relationship between individual and social facts. Many properties of a system of reciprocal altruism are not grounded in conscious calculation, but are an emergent feature of the individuals' reactions to each other. The vulnerability of the system in relation to crime is first of all a property of the social system. As long as a stable pool of trust in fact sustains the system, the individuals will not perceive the vulnerability.

I test the theory by combining cross-country data on opinions about punishment with socio-economic variables. The analysis of the data, based on 55 countries from different parts of the world, is highly supportive of the theory. The plausibility of the hypothesis on the relationship between social and individual facts is also confirmed by high correlations between the social conditions and an indicator of homogeneity.