



Making Reparations: How Passage of Time, Expression of Remorse, and Provision of Compensation Affect Punishment Inclinations

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Introduction

How do expressions of remorse, provision of compensation, and the passage of time affect judgments about collective harm and the need for reparations? In a series of studies, moral outrage and recommendations for punishment diminished with compensation and with remorse. However, compensation and remorse were not wholly substitutable for one another; compensation and remorse interacted to affect perceptions of guilt and punishment inclinations.

Study 1

Compensation and Time

Study 1 investigated the effect of the passage of time and amount of compensation volunteered by the accused on judgments of punishment and moral outrage in response to a situation in which it was alleged that Zipole Manufacturing, a company, took land away from the Native People. Notably, the **guilt** of Zipole was **not clearly established** in this study.

Method

Time and compensation were varied in a 2x2 between-subjects design

Time	Compensation	
	None	\$50,000
2 yrs		
50 yrs		

Participants were asked to make judgments about compensation, punitive damages, and their degree of moral outrage in response to the crime.

Results

- Zipole was rated more liable for and more guilty of the alleged crime, and was assigned greater punishment payments when they voluntarily compensated the Native People.
- However, Zipole was also perceived to have expressed more remorse and to have apologized more when they provided compensation.
- Time had a marginal effect on perceptions of innocence/guilt, such that participants thought Zipole was less guilty when more time had passed.
- Time interacted with compensation to decrease punishment payments. When the alleged crime was recent, no difference between the compensation conditions was found, but when the crime had occurred in the distant past, participants thought more was owed when Zipole compensated than when they did not.

Study 2

Remorse and Compensation

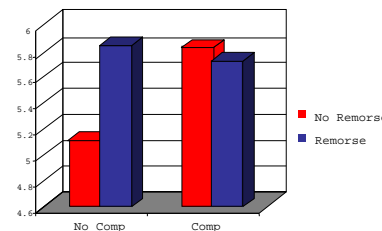
According to Study 1, inclinations to punish diminish with time and increase with compensation. Study 2 examined how remorse affects the same variables that compensation was shown to affect in Study 1. In the scenario that participants read, Zipole either expressed remorse or no mention was made of remorse, and they either compensated \$50,000, or no mention was made of compensation (2x2). The same scenario as in Study 1 was used.

Results

- Consistent with Study 1, participants thought Zipole had expressed more remorse and apologized more when they compensated and when they expressed remorse. Remorse and compensation also increased perceptions of admitted guilt.
- Compensation increased recommended punishment payments. Furthermore, more harm was perceived to have been intended by Zipole with compensation.
- A significant 2-way interaction was found for perceptions of innocence/guilt. When Zipole compensated, no difference was found between the remorse conditions, and Zipole was perceived to be slightly guilty. However, when there was no compensation, more guilt was perceived when Zipole expressed remorse.

• This is evidence that compensation may be a more powerful cue than remorse as to the guilt of a perpetrator, but when there is no compensation (no cue), remorse affects perceptions of guilt.

The Effect of Compensation and Remorse on Perceived Innocence/Guilt



• A similar 2-way interaction was also found for moral outrage. When Zipole compensated, there was no difference between the remorse conditions, but when Zipole did not compensate, participants were more outraged when Zipole did not express remorse.

Study 3

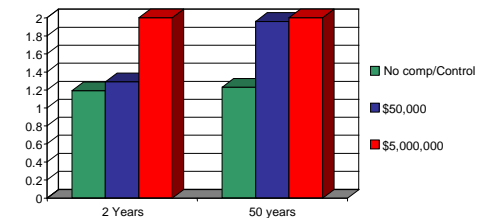
Time and Amount of Compensation

Studies 1 and 2 examined the effects of remorse, compensation, and time in a situation in which the guilt of the perpetrator was ambiguous. In Study 3, we used a scenario in which Zipole Manufacturing was **clearly guilty** of the crimes of which they were accused. We again varied time and compensation, but this time added in a condition in which \$500,000 was provided to see if a higher amount of compensation had any significant effects in a 2x3 (time: 2 years/50 years x compensation: none/\$50,000/\$5,000,000) between-subjects design.

Results

- Consistent with Study 1 and 2, the provision of compensation increased perceptions of expressed remorse, apology, and admitted guilt.
- Participants thought less was owed as punishment payments when Zipole compensated the Native People with \$50,000. When Zipole compensated \$5,000,000, **more** was thought to be owed.
- Participants thought more remorse had been expressed when Zipole provided compensation in the 2 year condition, but when 50 years had passed, amount of compensation made no difference.

Effect of Compensation and Time on Perceptions of Expressed Remorse



Discussion

Provision of compensation and expression of remorse by a perpetrator act independently to affect perceptions of expressed remorse, admitted guilt, liability, and punishment inclinations, but also interact to affect these judgments. Whether expressing remorse or compensating the victim of a crime yields more or less punishment for a perpetrator depends on whether the two are expressed in conjunction with one another or separately.

Together these effects create a **perpetrator's dilemma**: providing compensation increases perceptions of expressed remorse and apology, effects that typically mollify those who have been harmed, but it also appears to exacerbate perceptions of guilt and inclination to punish in potential jurors.