

Book reviews

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Kelemen László: Miként vélekedünk a jogról? Szociálpszichológiai kutatás 2010 (How we are thinking on law? Sociopsychological research in 2010). Line Design Kiadó, Budapest, 2010. 215 p.

The above-mentioned book—based on social-political research—tries to give an adequate answer to the complex question, how people are thinking on law, in particular criminal law and criminal justice. The answers given to the questionnaire of the survey are mirroring the opinion of the different social groups on such important issues like public security, risk of victimisation, fear of crime. The survey shows, how the people get informed on public affairs, which sources of news, written and electronic media surfaces are held by them authentic, credible and which ones are regarded less reliable. There are further questions concerning the level of democracy; the role of participation of people in public life, and their possible influence on it; the level of living standards; on the role and importance of voting at the elections for the political decisions; the necessity of fight against corruption and so on. The research gives a short insight into the nature, quality and extent of changes before and after changing the political regime in Hungary.

The survey was finished and the book was published in 2010, before the elections. During the two-year period of the research, the data of questionnaires of the two samples was compiled and elaborated (consisting altogether 1100 persons), moreover the manuscript had been prepared and the book had been published, working with several thousands of data.

The topic has an *interdisciplinary* approach, covering two disciplines: law and psychology. The book *consists of seven parts*, out of which four deals with the essential questions (like on the aim of the research, the theoretical background, the research methodology, the research results) while the last parts include the annex, diagrams and list of background literature.

In the theoretical background, the work discusses and summarises the meaning of social representations and functions, including the connected researches, it analyses the questions of belief in justice, the law and order, the system-approval and system-critic, enriching it with the findings, results of the different empirical studies.

After discussing the general questions, the book leads the reader to the field of criminal law and criminology. First, an overview is given on the causes of criminality, the aim of punishment as well as the connected most relevant theories. The book provides an analysis of the definition and the role of victim, the injured party as well as summarising the most important theories and research results on victimisation and fear of crime. Concerning victimisation, the book consist criminal statistical data and several references to the connected legal literature, empirical research results. There is a reference also for an earlier work of the author, on which the present survey is based, the recent one applies however many more case-study, a wider scope of investigation and consequently constituting an

important step forward in its content as well as methodology. At discussing the sanction system, the book deals with several theoretical questions, among others the pro and contra arguments, opinions on death penalty.¹ Finally, the chapter dealing with methodology provides the content of the questionnaire, the samples, introduces the data on survey and analyses them, summarises the main results. The research findings are rich, adequate and well structured.

In the survey extended to 1100 persons, two different samples played a role: a nation-wide representative sample, consist of 1000 persons and a sample of 100 persons with finished legal studies. The two samples were compared on the basis of *socio-demographical* characteristics, the *interests on actual problems* of society, as well as on *political party preferences*. The author made an analysis in both samples concerning the multidimensional context of the basic distribution and differences of *dependent and independent variables*, too.

The research aimed at identifying what is the common opinion of the present society in certain questions. The questionnaire contained both *legal and psychological* questions. The interesting research gives answer for some very actual questions, like the relationship between the severity of sanction system and the decreasing criminality; the question of reducing the so-called “crime of living” by decreasing unemployment or increasing social benefits, etc.

Among the legal issues, the especially important questions of *legislation and legal practice*, as well as the *realisation of basic principles* of criminal justice can be found. Besides these, the research deals with the *causes of criminal behaviour and prevention of crime*. Before getting a deeper insight into the content of the questionnaire, on the basis of studying the book, maybe it seems to be an additional question to deal with the opinions on death penalty, which is for a long time does not constitutes part of the sanction system. However, studying further the research structures, the reason and logic of this question becomes clearer.

The rate of questioned women in the representative sample is 53%, while in the sample of lawyers 59%.² Thus, in the second sample the women were slightly overrepresented. It is very important that the survey contains several data regarding gender-related distribution, too. For instance, the answers on possible connection of increasing social support and decreasing criminality; or the questions whether support or oppose the legalisation of drugs: *increase of social support* could decrease criminality according to 39% of the answers in the women, while 31% in the man sample. The gender-related distribution is missing however in the answers of questioning the possible prohibition of *abortion*. We can see the distribution according *age-groups* (94% of the youngest and 54% of the eldest³ population disagree with the possible prohibition of abortion) and *school-education* (86% of the persons with higher education and 53% with lower education disagree with the possible prohibition of abortion), too. It should be noted that *most of the interviewed persons however disagree with the possibility of prohibition of abortion*. Discussing the possible legalisation of soft drugs, according to the data of research, *great majority of man and woman is against legalisation*. 31% of man involved in the research and 24% of women

¹ Death penalty was cancelled in Hungary by the decision AB (23) 1990. (VI. 31.) of the Constitutional Court.

² See p. 72.

³ 70–79 years old.

involved supported the idea of legalisation of soft drugs. The man involved in the sample of research seems to be more permissible in this question, than woman.⁴

Looking at some of the main findings I would refer to the followings.⁵ Concerning the question on *legislation, legal practice, prevention* was regarded as the most important issue by the majority in the sample of lawyers, while in the representative group the majority supported the strengthening of punishments. The answers with the opinion on strengthening the sanction system, basically more or less anticipates the attitude towards the theoretical restoring of the death penalty-institution: in the representative sample (except inhabitants of Budapest or the sample of higher education) the majority of answers support restoring death penalty. In the sample of lawyers however the majority was against death penalty. The survey contains a great amount of data in this respect. It should be referred that the author in the theoretical introduction of this topic, gives an analyses and summary on the arguments pro and contra on death penalty, the human rights aspects, the possibility of error in law and other questions, too.

In both sample, it was a general opinion that people have higher fear of crimes of violence, than it is a real risk. According to gender-related data, 63% of women and 51% of men have fear of criminal victimisation.⁶ As far as criminal justice is concerned, in the representative sample there is a strong negative attitude, while in the sample of lawyers there is a positive opinion with some critical remarks (one quarter of the cases).

It is also very interesting that in the representative sample the world is regarded as unjust, the system needs reforms, however there was a positive attitude towards participation in public life and possibility of election. In the sample of lawyers, as a consequence of higher education and social status, in all of these questions there was a positive attitude.

The research results discussed in the book are valuable and innovative. The book is based on elaborating the most interesting and actual aspects of the survey. The excellent work—which made an effort of discovering, mapping the essence, and important characteristics of different opinions—represents an important contribution to the interdisciplinary approach of the given thematic.

⁴ See p. 117. table 41.

⁵ See p. 162.

⁶ See p. 128.