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**EXPLORING PUBLIC OPINION:
THE DISCURSIVE CONSTRUCTIONS OF
CRIME AND PUNISHMENT**

*A thesis presented in partial fulfilment
for the requirements for the degree of
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at Massey University*

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ABSTRACT

Crime has been positioned as a serious social problem within New Zealand society over the last decade. Continual claims that ordinary citizens are under threat from a growing population of predatory people has become the norm. Such claims call for harsher and more punitive forms of punishment which are evidenced in the increased use of incarceration as a treatment for criminal offenders. The result is that a punitive, get-tough movement has come to dominate the justice system resulting in the overpopulating of the nation's prisons. Frequently cited as the impetus for current penal practices is public opinion which is determined by presenting forced choice questions through surveys, polls and referenda. Present understandings of public opinion are that it is fixed, static and punitively orientated. Yet people's opinions are subjective, contextually arranged and show a great deal of variability and inconsistency when explored discursively.

The present study, developed from within a qualitative and social constructionist framework, explores public opinion in reference to crime and punishment and the punitiveness of current penal practices. Twelve people were engaged in conversation and produced a complex but uncomplicated understanding on this topic. Two broad discourses were identified as emerging from people's talk: punitively orientated discourses of crime and punishment, and alternative non-punitive discourses. Discourses of punitiveness were drawn upon to construct an understanding of crime and punishment that was contextual and conditional. Participants also engaged with alternative discourses to construct a non-punitive point of view that drew on notions of offender rehabilitation, crime prevention and humanitarian ideals in the treatment of criminal offenders.

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