

ALTERNATIVE PUNISHMENT AS A SUITABLE ALTERNATIVE TO IMPRISONMENT

LÝDIA LEŠKOVÁ

Faculty of Theology Košice, Department of Social Sciences
Catholic University in Ružomberok
Hlavná 89, 041 21 Košice, Slovakia
E-mail address: lydia.leskova@ku.sk
ORCID: <https://orcid.org/0000-0002-8483-0313>

LENKA HABURAJOVÁ ILAVSKÁ

Faculty of Humanities
Tomas Bata University in Zlín
Štefánikova 5670, 760 01 Zlín, Czech Republic
E-mail address: haburajova@utb.cz
ORCID: <https://orcid.org/0000-0002-4699-3381>

JOSÉ GARCÍA MARTÍN

Faculty of Political Sciences and Sociology
University of Granada, Department of Sociology
Calle Rector López Argüeta s/n, 18001 Granada, Spain
E-mail address: jgarciamartin@ugr.es
ORCID: <https://orcid.org/0000-0001-7401-0613>

ABSTRACT

Aim. The philosophy of alternative punishment is based on keeping the convicted person free, while imposing a punishment that will act preventively against committing another felony. The paper focuses on perceiving the importance of alternative punishment as part of restorative justice, and on presenting the results of the questionnaire survey which aimed to identify the public's preferences in the context of various forms of alternative punishments as an option, instead of imprisonment. Attention is paid to three alternative punishments, specifically: community service, house arrest, and monetary sentence (fine).

Methods. The questionnaire survey aimed to find out what forms of alternative punishment are, according to the respondents, a suitable alternative to incarceration. The survey sample comprised of Slovak individuals (N=1078) aged from 16 years and older, thereof 31.3% men (N=337) and 68.7% women (N=741).

Results. Based on the analysis of the data collected from the 1078 respondents' answers to the individual questions in the questionnaire, community service was



identified as the most favorable alternative to imprisonment, whereas the least preferences the respondents gave to the option of monetary fines.

Conclusion. The concept of alternative punishment is understood as a form of punishment that fulfills the purpose of a sentence, without deprivation of freedom, but still guaranteeing the fulfilment of a court-ordered unconditional retribution. Compared to traditional forms of punishment, alternative methods of resolving judicial cases do not enforce repression and prefer the individual approach to punishing the accused (convicted) persons with emphasis on corrective aspects of alternative punishment. The results of the survey showed that the respondents strongly prefer one form of alternative punishment, namely the community service.

Keywords: alternative punishment, quantitative survey, monetary sentence, restorative justice, house arrest, compulsory labour (community service)

INTRODUCTION

Since ancient times, people have performed acts that were unacceptable to society, and were subsequently subjected to various punishments for them, mostly aimed at isolating the offender from society. Gradually, through the development of society, there was an effort to ensure that punishments did not only serve the function of a sanction in the form of preventing contact with the outside world, but also sought to re-socialise and prepare the offender for reintroduction into normal life in society. According to Howard Zehr (2003), two models of social response to crime have operated in Western history: the community justice model and the state justice model. The essence of the community justice model is described by Martina Urbanová (2006) as the internalisation of community norms of social ethics not regulated by law, and this model is often based on negotiation and compensation. A different philosophy is represented by the model of state justice, which was built with the development of state machinery, public authority and legal norms.

Despite prison reform efforts, incarceration is associated with the risks of prisonisation, immobilisation and stigmatisation effects (Lubelcová, 2005). In Zygmunt Bauman's (2000) view, prisons often function as self-fulfilling prophecies. Prisoners are at risk of being drawn further into crime, as they may become acquainted with other criminals, which can lead a higher likelihood of reoffending upon release (Lerman, 2009; Goulding, 2007). This has resulted in a series of studies that are sceptical towards the idea that prison can rehabilitate offenders (Roberts, 2004; Jewkes & Bennett, 2013; Lešková, 2013; Lojan & Vancáková, 2021). Research results also confirm that social isolation causes discomfort and that people become resistant to more community activities (Maturkanič et al., 2022). Based on these arguments, it was necessary to look for other alternatives that, while punishing offenders, would also eliminate their isolation by offering alternative forms of punishment.

RESTORATIVE JUSTICE AND ITS PHILOSOPHY

Humans are born into a web of standard processes and patterns of behaviour created and modified over time (Tkáčová, Pavlíková, Tvrdoň, & Prokopyev, 2021). These regulations are universally applicable and compliance with them is controlled by the relevant legislation. In the case of deviations in behaviour and non-compliance with generally applicable standards come sanctions, which can take a wide range of forms. Imprisonment is one of the most serious interferences with fundamental civil rights and freedoms because it constitutes a restriction on them. Some experts argue (Van Ness & Strong, 2009) that heavily repressive punitive measures are failing and missing their purpose. Gordon Bazemore and Mara Schiff (2001) argue against punitive practices based on isolating individuals. Overall, during any isolation, according to several authors (Petrovič et al., 2021), there may be an increase in anxiety and a decrease in personal well-being. Also in an anomic environment, tendencies to the development of pathological phenomena are noted (Tvrdoň et al., 2021). Despite this premise, there is a strong labelling of individuals who are in prison or have completed their sentence and seek to fully integrate into society (Lešková, 2013). The problem of exclusion is also pointed out by other authors (Tkáčová, Al-Absiová et al., 2021), who emphasise that in societies there are problems of stereotyping the other, or others who deviate from generally accepted norms, which can lead to the labelling of individuals while at the same time deepening opportunities for social inclusion.

Persons who have served their sentences are included among the groups of people who, for various reasons, are excluded from society and disadvantaged on the labour market, which creates a strong prerequisite for their vulnerability to social exclusion.

Social exclusion can affect several areas, it is a multidimensional phenomenon (economic, social, education, housing, cultural, relationships, health,...) (Šuřová, 2015). Caring for the poor and rich, giving each of them what they need most, is based on compassion for every living creature (Králik et al., 2022). There is room for social policy instruments for this target group that would enable them to be included in the labour market and to function better socially in society (Bargel & Mühlpachr, 2010). It is therefore necessary for public policy to help people to live a good life (Murgaš et al., 2022). According to Petr Mareš (2006), it is desirable that a person released from prison is able to function independently socially in society. Ján Praško et al. (2011) argue that stigmatisation can manifest as a feeling of inferiority or as a devaluing attitude of the environment. The authors Hedviga Tkáčová, Martina Pavlíková, Miroslav Tvrdoň and Zita Jenisová (2021) advocate the importance of personal responsibility for the world and sustainable development, which cannot be achieved without tolerance and acceptance of people who are just looking for the right path. At the same time, it is necessary to seek the intrinsic value of the other and to

strengthen his dignity (Roubalová et al., 2021). In this context, according to several authors (Judák et al., 2022), there is room for strengthening the civic responsibility of individuals in society.

A commonly used term in criminal justice has become *restorative justice*, which, according to several authors (Strémy et al., 2015) emphasises the restoration of the victim and society, rather than the punishment of the offender. It has a number of objectives, such as strengthening the offender's accountability in terms of extending their possibilities to compensate victims not only symbolically but also materially and encouraging the settlement of the conflict between offenders, victims and society. One of its most prominent aims, highlighted by Tomáš Strémy and Jaroslav Klátik (2018), is the issue of alternative punishment. The restorative model of justice is an alternative to the traditional disciplinary (retributive) model of societal response to crime.

The punishment imposed on the offender and the way it is carried out should, first of all, enable the restoration of social relations between the offender and the victim that were disturbed by the crime (Karabec, 2000). The restorative model does not only imply the application of alternative sanctions, but a comprehensive change of philosophy in the approach to the offender and the societal response to their wrongdoing.

According to Clifford Shearing (2001) and Hennessey Hayes (2007), it does not predominantly seek to punish offenders and isolate them. In this regard, John Braithwaite (2000) stresses that, unlike punitive justice, it is not so past-oriented but future-oriented.

ALTERNATIVE PUNISHMENTS

The philosophy of alternative punishment is to keep the convicted person at liberty, imposing a sentence that will act as a deterrent against committing further crime (Lášticová & Vajzerová, 2007). According to Katarína Jakubovich (2020) and Jaroslav Ivor et al. (2016), compared to traditional forms of punishment, alternative methods of dispute resolution emphasise an individual approach to dealing with crime and emphasise the importance of a preventive way of working with the accused (or the convicted). When punishing individuals – offenders, we rank alternative punishments with substantive alternative measures (Jurčová, 2012).

The current wording of the Criminal Code (Act No. 300/2005 Coll.) in Slovakia allows for the substitution of an unconditional prison sentence by the imposition of, for example, the following alternative punishments: house arrest (Section 53), compulsory labour (Section 54-55), a fine (Section 56-57), and a ban on participation in public events (Section 62a).

From the beginning, the punishment of house arrest has been presented as an effective tool to relieve overcrowded prisons (Ivor & Záhora, 2019). According to Jakubovich (2020), the positives of imposing house arrest inc-

lude the preservation of family and emotional ties with the neighbourhood and a lower financial burden on the state.

The court may impose the penalty of compulsory labour with the consent of the offender in the amount of 40 to 300 hours. Lenka Lášticová and Jana Vajzerová (2007) state that it is an alternative to short-term imprisonment. A monetary sentence has the character of an alternative punishment only if it is imposed separately and not in addition to an unconditional prison sentence. It may be imposed by the court from EUR 160 to EUR 331930 on the offender of a deliberate criminal offence by which he/she has obtained or attempted to obtain a pecuniary benefit (Act No. 300/2005 Coll.).

RESEARCH METHODOLOGY

The aim of the research was to find out people's views on the perceived importance of alternative punishments in restorative justice and what the public's preferences are in relation to different forms of alternative punishments as alternatives to imprisonment. Attention was paid to three alternative punishments, namely: the sentence of compulsory labour, the sentence of house arrest and the monetary sentence.

To ascertain the views of the public, we created a survey of our own design with identifying questions and statements. Legislation of the Slovak Republic – Act No. 300/2005 Coll. the Criminal Act exhaustively defines punishments and their alternatives. It was this variability that led us to define three statements to ascertain respondents' views on alternative punishments to imprisonment in custody, namely: house arrest (Section 53), compulsory labour (Sections 54-55) and a monetary sentence (Sections 56-57).

We assigned three statements to this area:

- statement 1 sought the respondents' opinion on the alternative punishment of house arrest,
- statement 2 sought the respondents' opinion on the alternative punishment of compulsory labour,
- statement 3 sought the respondents' opinion on a monetary sentence as an alternative to imprisonment.

We stated 3 hypotheses for the statements:

- H1 (statement No. 1) – There is a significant difference between age groups in the respondents' views on their preference for alternative punishments of house arrest.
- H2 (statement No. 2) – There is a significant difference between age groups in the respondents' opinion on their preference for alternative punishments of compulsory labour.
- H3 (statement No. 3) – There is a significant difference between age groups in the respondents' opinion on their preference for monetary sentence.

To measure the opinion of the respondents we used a very appropriate tool, namely scaling, which not only detects the fact whether the phenomenon occurred, but also the degree of evaluation of the respondent's perception of the phenomenon. The scale we set for the evaluation had 5 levels (See Table 1).

Table 1
Scale of evaluation of statements

1	2	3	4	5
I strongly agree	I agree	Neutral opinion on the statement	I disagree	I strongly disagree
Agreement with the statement			Disagreement with the statement	

Source: own research.

When evaluating the preference of the scale levels, we considered the selection of alternatives 1 and 2 as agreement with the statement and the selection of alternatives 4 and 5 as disagreement with the statement.

To characterize the research population, we used data obtained from quantitative research in terms of socio-demographic characteristics, namely gender, residence, marital status and age of respondents (See Table 2 - Table 4).

Table 2
Distribution of respondents by age and gender

Gender	Men		Women		Total	
	N	%	N	%	N	%
Age						
from 16 to 20 years	38	11.3	43	5.8	81	7.5
from 20 to 30 years	96	28.5	129	17.4	225	20.9
from 30 to 40 years	76	22.5	199	26.9	275	25.5
from 40 to 50 years	67	19.9	219	29.6	286	26.6
from 50 to 60 years	33	9.8	116	15.6	149	13.8
60 to 70 years old	21	6.2	31	4.2	52	4.8
70 years and over	6	1.8	4	0.5	10	0.9
Total	337	100.0	741	100.0	1078	100.0

Source: own research.

1,078 respondents participated in the survey, of which 741 were women (68.67%) and 337 were men (31.33%). In terms of age groups, the 40 to 50 age group (26.6%) and the 30 to 40 age group (25.5%) had the largest overall representation. In terms of gender, males were most represented in the 20 to 30 age group (28.5%), while females were most represented in the 40 to 50 age group.

Table 3
Distribution of respondents by residence and gender

Gender	Men		Women		Total	
	N	%	N	%	N	%
Village	141	41.8	292	39.4	433	40.2
City	196	58.2	449	60.6	645	59.8
Total	337	100.0	741	100.0	1078	100.0

Source: own research.

Table 4
Distribution of respondents by marital status and gender

Gender	Men		Women		Total	
	N	%	N	%	N	%
Single	100	29.7	178	24.0	278	25.8
Married	122	36.2	362	48.9	484	44.9
Partner	80	23.7	103	13.9	183	17.0
Divorcee	27	8.0	86	11.6	113	10.5
Widow / widower	8	2.4	12	1.6	20	1.8
Total	337	100.0	741	100.0	1078	100.0

Source: own research.

RESEARCH RESULTS

Respondents' views on the use of *house arrest* were verified with a statement: "I consider house arrest to be an appropriate alternative to imprisonment" (See Table 5 and Table 6).

Table 5
The penalty of house arrest – an alternative to imprisonment

Age limit	Choice of alternative					Total	Ø
	1	2	3	4	5		
16 to 20 years old - total	8	12	1	25	35	81	3.8
of which							
men	2	3	0	12	21	38	4.2
women	6	9	1	13	14	43	3.5
20 to 30 years – total	41	50	54	42	38	225	2.9
of which							
men	21	20	14	21	20	96	3.0
women	20	30	40	21	18	129	2.9
30 to 40 years old – total	60	75	71	38	31	275	2.7
of which							
men	21	22	17	7	9	76	2.5
women	39	53	54	31	22	199	2.7
40 to 50 years – total	67	77	90	33	19	286	2.4

Age limit		Choice of alternative					Total	Ø
		1	2	3	4	5		
of which	men	20	18	17	6	6	67	2.3
	women	47	59	73	27	13	219	2.5
50 to 60 years - total		42	39	36	18	14	149	2.4
of which	men	10	9	5	5	4	33	2.4
	women	32	30	31	13	10	116	2.4
60 to 70 years - total		14	17	9	8	4	52	2.4
of which	men	6	6	1	5	3	21	2.5
	women	8	11	8	3	1	31	2.3
70 and over - total		3	3	2	1	1	10	2.3
of which	men	1	3	1	1	0	6	2.3
	women	2	0	1	0	1	4	2.3
Total (N)		235	273	263	165	142	1078	2.7
%		21.8	25.3	24.4	15.3	13.2	100.0	-

Source: own research.

Overall, the respondents' opinion on the punishment of house arrest was 2.7, which represents a rather neutral opinion. In terms of gender, we see differences in preferences. The youngest age group, aged 16 to 20, preferred negative connotations and did not prefer the punishment of house arrest (3.8), with this being more pronounced in the male group (4.2). Older age groups of respondents preferred more positive connotations and considered house arrest as an appropriate alternative to punishment.

Table 6
House arrest as an alternative to imprisonment (%)

Age limit	Choice of alternative					Total (%)
	1	2	3	4	5	
from 16 to 20 years	9.9	14.8	1.2	30.9	43.2	100.0
from 20 to 30 years	18.2	22.2	24.0	18.7	16.9	100.0
from 30 to 40 years	21.8	27.3	25.8	13.8	11.3	100.0
from 40 to 50 years	23.4	26.9	31.5	11.5	6.7	100.0
from 50 to 60 years	28.2	26.2	24.1	12.1	9.4	100.0
60 to 70 years old	26.9	32.7	17.3	15.4	7.7	100.0
70 years and over	30.0	30.0	20.0	10.0	10.0	100.0

Source: own research.

In terms of the percentage of age groups' choice of alternatives, positive connotations of the alternative punishment of house arrest were more strongly declared by older age groups, while younger age groups tended to prefer negative connotations.

The respondents' views on the use of compulsory labour sentences were verified by the statement: "I consider the punishment of compulsory

labour to be an appropriate alternative to imprisonment” (See Table 7 and Table 8).

Table 7
Compulsory labour – a suitable alternative to imprisonment

Age limit	Choice of alternative					Total	Ø
	1	2	3	4	5		
16 to 20 years old – total	55	20	0	4	2	81	1.5
of which men	28	6	0	3	1	38	1.5
women	27	14	0	1	1	43	1.5
20 to 30 years – total	90	63	41	18	13	225	2.1
of which men	45	29	10	4	8	96	2.0
women	45	34	31	14	5	129	2.3
30 to 40 years old – total	127	82	50	10	6	275	1.9
of which men	39	23	9	3	2	76	1.8
women	88	59	41	7	4	199	1.9
40 to 50 years – total	142	76	44	15	9	286	1.9
of which men	33	20	6	4	4	67	1.9
women	109	56	38	11	5	219	1.8
50 to 60 years – total	95	28	19	5	2	149	1.6
of which men	20	10	3	0	0	33	1.5
women	75	18	16	5	2	116	1.6
60 to 70 years – total	33	12	6	0	1	52	1.5
of which men	16	3	2	0	0	21	1.3
women	17	9	4	0	1	31	1.6
70 and over – total	6	1	3	0	0	10	1.7
of which men	4	1	1	0	0	6	1.5
women	2	0	2	0	0	4	2.0
Total (N)	548	282	163	52	33	1078	1.8
%	50.8	26.2	15.1	4.8	3.1	100.0	-

Source: own research.

Overall, the respondents’ opinion of compulsory labour was 1.8 , representing a rather positive view of the use of this alternative punishment. In terms of gender, we see only slight differences in preferences.

Table 8
Compulsory labour as an alternative to imprisonment (%)

Age limit	Choice of alternative					Total (%)
	1	2	3	4	5	
from 16 to 20 years	67,9	24.7	0.0	4.93	2.5	100.0
from 20 to 30 years	40.0	28.0	18.2	8.0	5.8	100.0
from 30 to 40 years	46.2	28.8	18.2	3.6	2.2	100.0

Age limit	Choice of alternative					Total (%)
	1	2	3	4	5	
from 40 to 50 years	49.7	26.6	15.4	5.2	3.1	100.0
from 50 to 60 years	63.8	18.8	12.8	3.3	1.3	100.0
60 to 70 years old	63.5	23.1	11.5	0.0	1.9	100.0
70 years and over	60.0	10.0	30.0	0.0	0.0	100.0

Source: own research.

In terms of the percentage of age groups choosing alternatives, all age groups declared positive connotations towards the alternative punishment of house arrest, with the most positive preferences in the 16 to 20 age group.

Respondents' views on the use of alternative monetary sentencing were verified by the statement: "I consider a monetary sentence to be an appropriate alternative to a custodial sentence" (See Table 9 and Table 10).

Table 9

Monetary sentence – an appropriate alternative to imprisonment

Age limit	Choice of alternative					Total	Ø
	1	2	3	4	5		
16 to 20 years old – total	11	18	2	28	22	81	3.4
of which men	4	6	0	16	12	38	3.7
women	7	12	2	12	10	43	3.1
20 to 30 years – total	31	36	48	66	44	225	3.2
of which men	18	15	17	24	22	96	3.2
women	13	21	31	42	22	129	3.3
30 to 40 years old – total	53	50	66	68	38	275	3.0
of which men	15	15	17	17	12	76	3.0
women	38	35	49	51	26	199	3.0
40 to 50 years – total	59	73	63	45	46	286	2.8
of which men	9	23	10	12	13	67	3.0
women	50	50	53	33	33	219	2.8
50 to 60 years – total	38	30	32	21	28	149	2.8
of which men	12	7	7	6	1	33	2.3
women	26	23	25	15	27	116	3.0
60 to 70 years – total	18	17	6	6	5	52	2.3
of which men	11	5	2	3	0	21	1.9
women	7	12	4	3	5	31	2.6
70 and over – total	2	3	3	2	0	10	2.5
of which men	0	3	1	2	0	6	2.8
women	2	0	2	0	0	4	2.0
Total (N)	212	227	220	236	183	1078	2.9
%	19.7	21.1	20.4	21.9	17.0	100.1*	–

Source: own research.

Overall, the respondents' opinion of monetary punishment stood at 2.95, representing a rather neutral opinion. The most positive connotations were observed in the 60 to 70 age group (mean 1.9). In terms of gender, we see differences in preferences. The youngest age group, aged 16 to 20, preferred negative connotations (mean 3.4), with a more pronounced negative attitude among men (3.7).

Table 10

Monetary sentence – alternative to imprisonment (%)

Age limit	Choice of alternative					Total (%)
	1	2	3	4	5	
from 16 to 20 years	13.6	22.2	2.4	34.6	27.2	100.0
from 20 to 30 years	13.8	16.0	21.3	29.3	19.6	100.0
from 30 to 40 years	19.3	18.2	24.0	24.7	13.8	100.0
from 40 to 50 years	20.6	25.5	22.0	15.8	16.1	100.0
from 50 to 60 years	25.5	20.1	21.5	14.1	18.8	100.0
60 to 70 years old	34.6	32.6	11.6	11.6	9.6	100.0
70 years and over	20.0	30.0	30.0	20.0	0.0	100.0

Source: own research.

In terms of the percentage of respondents choosing the alternatives by age group, Alternative 1 was most frequently chosen by respondents in the 60 to 70 age group. Not a single respondent in the 70+ age group chose an extremely negative connotation.

The results of the research in terms of the age of the respondents highlighted several facts that reflect the views of the 1,078 respondents. To test for dependence, we used the chi-square test of independence at the $\alpha = 5\%$ significance level. Testing was carried out in all statements, in terms of the gender of the respondents.

Respondents' views on their preference for alternative punishments of house arrest were verified by statement 1: "I consider house arrest to be an appropriate alternative to imprisonment." In terms of age groups, respondents aged 70 years and over (60.0%) were most likely to agree with the statement and respondents in the 16 to 20 age group (24.7%) were least likely to agree.

H0 (to statement 1) – There is no significant difference between age groups in the respondents' views on their preference for alternative punishments of house arrest.

Table 11

Testing the hypothesis for statement 1

Category	Test criterion [G]	Critical value [df]	CHISQ.TEST [p-value]	Decision
Gender	131.505	36.415	8.27689E-17	H0 – we reject H1 – we accept

Source: own research.

At the 5% significance level, we reject the null hypothesis (H0 - statement 1) of independence of individual traits and accept H1 that there is a significant difference between age groups in the respondents' opinion of their preference for the alternative punishment of house arrest.

Respondents' views on their preference for alternative punishments to house arrest were verified by statement 2: "I consider the punishment of compulsory labour to be an appropriate alternative to imprisonment."

In terms of age groups, respondents in the 16 to 20 age group (92.6%) expressed the highest agreement with the statement, while respondents in the 20 to 30 age group (68.0%) expressed the lowest agreement. Negative connotations were not used at all by respondents in the 70+ age group.

H0 (to statement 2) - There is no significant difference between age groups in the respondents' opinion on their preference for alternative punishments to compulsory labour.

Table 12
Testing the hypothesis for statement 2

Category	Test criterion [G]	Critical value [df]	CHISQ.TEST [p-value]	Decision
Gender	59.174	36.415	8,34814E-05	H0 - we reject H2 - we accept

Source: own research.

At the 5% significance level, we reject the null hypothesis (H0 - statement 2) of independence of individual traits and accept H2, that there is a significant difference between age groups in the respondents' opinion of their preference for the alternative punishment of compulsory labour.

Respondents' views on their preference for alternative monetary punishment were verified by statement 3: "I consider a monetary sentence to be an appropriate alternative to a custodial sentence."

In terms of age groups, respondents in the 60 to 70 age group (67.2%) expressed the highest agreement with the statement and respondents in the 20 to 30 age group (29.8%) expressed the lowest agreement. In terms of negative connotations, respondents in the 16 to 20 age group most often preferred negative connotations (61.8%).

H0 (to statement 3) - There is no significant difference between age groups in the respondents' preference for a monetary sentence.

Table 13
Testing the hypothesis for statement 3

Category	Test criterion [G]	Critical value [df]	CHISQ.TEST [p-value]	Decision
Gender	77.534	36.415	1.49624E-07	H0 - we reject H1 - we accept

Source: own research.

At the 5% significance level, we reject the null hypothesis (H0 – statement 3) of independence of individual traits and accept H3, that there is a significant difference between age groups in the respondents' opinion of their preference for a monetary sentence.

CONCLUSION

The results of the conducted research showed several differences in preferences for alternative punishments, both in terms of age and gender. When dividing the respondents into two groups in terms of age (under 40 and over 40), we found that respondents in the older age group more often preferred the punishment of compulsory labour. Respondents under the age of 40 prefer an alternative monetary sentence more than respondents in the older age group (over 40). Men have a more radical preference for the alternative punishment of compulsory labour and women tend to favour a more positive or neutral preference.

Respondents' views on house arrest as a suitable alternative to imprisonment indicated that 47.1% of respondents chose positive connotations, with as many as 24.4% choosing a neutral value of 3. In terms of age, this alternative is not preferred by the youngest group of respondents (from 16 to 20 years – 74.1%), while a high preference for the alternative punishment of house arrest was recorded in the age group of 70 years and over (60.0%). Respondents' views on the punishment of compulsory labour as a suitable alternative to imprisonment indicated the selection of positive connotations by 77.0% of respondents. In terms of age, this alternative was most often preferred by the youngest group of respondents (16 to 20 years – 92.6%). Respondents' views on a monetary sentence as an appropriate alternative to serving a sentence indicated a selection of positive connotations for 40.8% of respondents. In terms of age, this alternative was most preferred by the group of respondents aged 60 to 70 years (67.2%) and least preferred by the group of respondents aged 20 to 30 years (29.8%).

Despite several claims about the positives of restorative justice, Sharon Levrant et al. (1999) have also pointed to evidence from countries where the process of establishing restorative justice has been associated with some psychological resistance to accepting a predominantly non-punitive mode of intervention in response to crime. In this context, we see room for a broader impact of the media, since in the opinion of several authors (Tkáčová, Pavlíková, Jenisová et al., 2021; Mičková, 2020; Králik & Máhrik, 2019a; Králik & Máhrik, 2019b; Hunyadiová, 2017), we live in the information age and the influence of digital media, which are expected to influence not only the development of critical thinking, but also moral formation and tolerance of the other or those who are different.

Alternative punishments represent one of the modern means of penal policy in democratic states and their wider application requires the creation

of appropriate conditions not only by the state, but also a positive attitude of society towards their use in the context of acceptance of each individual as a unique personality who has the right to make mistakes and to correct them.

REFERENCES

- [1] Barger, M., & Mühlpachr, P. (2010). *Inkluze versus exkluze – dilema sociální patologie* [Inclusion versus exclusion – the dilemma of social pathology]. Institut mezioborových studií.
- [2] Bauman, Z. (2000). Social Issues of Law and Order. *British Journal of Criminology*, 40, 205-221.
- [3] Bazemore, G., & Schiff, M. (2001). *Restorative Community Justice: Repairing Harm and Transforming Communities*. Routledge.
- [4] Braithwaite, J. (2000). The New Regulatory State and the Transformation of Criminology. *British Journal of Criminology*, 40(2), 222-238.
- [5] Goulding, D. (2007). *Recapturing Freedom: Issues Relating to the Release of Long-term Prisoners Into the Community*. Hawkins Press.
- [6] Hayes, H. (2007). Reoffending and restorative justice. In G. Johnstone & D. W. Van Ness (Eds.), *Handbook of Restorative Justice* (pp. 426-445). Willan Publishing.
- [7] Hunyadiová, S. (2017). *Nenásilná komunikácia pomáhajúceho profesionála* [Non-violent communication of the helping professional]. Lira-print.
- [8] Ivor, J., Polák, P., & Záhora, J. (2016). *Trestné právo hmotné I.* [Substantive criminal law I.]. Wolters Kluwer (Iura edition).
- [9] Ivor, J., & Záhora, J. (2019). *Repetitórium trestného práva* [Criminal Law Repertory]. Wolters Kluwer (Iura edition).
- [10] Jakubovich, K. (2020). Trest domáceho väzenia a elektronický monitoring v Slovenskej republike [House arrest and electronic monitoring in Slovakia Republic]. *Sociálna prevencia*, 15(1), 9-11.
- [11] Jewkes, Y., & Bennett, J. (2013). *Dictionary of Prisons and Punishment*. Willan. doi.org/10.4324/9781843926009
- [12] Judák, V., Akimjak, A., Zimny, J., Kurilenko, V. B., & Tvrdoň, M. (2022). The importance of social and spiritual bringing in relation to Post-Covid society polarization in Slovakia. *Acta Missiologica*, 16(1), 126-137.
- [13] Jurčová, J. (2012). Alternatívne tresty [Alternative punishments]. *Justičná revue*, 64(4), 523-530.
- [14] Karabec, Z. (2000). Účel trestání [Purpose of punishment]. *Kriminalistika*, 33(2), 108-117.
- [15] Králik, R. & Máhrik, T. (2019a). Interpersonal relationships as the basis of student moral formation. In L. Gómez Chova, A. López Martínez & I. Candel Torres (Eds.), *ICERI 2019: Proceedings of the 12th International Conference of Education, Research and Innovation* (pp. 8896-8900). IATED Academy.
- [16] Králik, R. & Máhrik, T. (2019b). Metaphysics as a base for improving critical Thinking. In L. Gómez Chova, A. López Martínez & I. Candel Torres (Eds.), *ICERI 2019: Proceedings of the 12th International Conference of Education, Research and Innovation*, (pp. 8901-8903). IATED Academy.
- [17] Králik, R., Roubalová, M., Hlad, L., Judák, V., & Akimjak, A. (2022). Compassion and Solidarity with the Poor in Tanakh and Rabbinic Judaism. *Acta Missiologica*, 16(1), 154-168.
- [18] Láštiová, L., & Vajzerová, J. (2007). Alternatívne tresty a ich podstata [Alternative punishments and their substance]. In E. Vajzerová, L. Láštiová & Š. Ronec (Eds.), *Alternatívne tresty v praxi* [Alternative punishments in practice] (pp. 9-22). EDUKOS Consultation and Information Centre.
- [19] Lešková, L. (2013). *Sociálny pracovník v penitenciárnej a postpenitenciárnej starostlivosti* [Social worker in penitentiary and post-penitentiary care]. EU Tribune.
- [20] Lerman, A. E. (2009). The People Prisons Make: Effect of Incarceration on Criminal Psychology. In S. Raphael, & M. Stoll, M. (Eds.), *Do Prisons Make Us Safer? The Benefits and Costs of the Prison Boom* (pp. 151-176). Russell Sage Foundation.
- [21] Levrant, S., Cullen, F. T., Fulton, B., & Wozniak, J. F. (1999). Reconsidering Restorative Justice:

- the Corruption of Benevolence revisited? *Journal of Research in Crime and Delinquency*, 45(1), 3-27.
- [22] Lojan, R., & Vancáková, S. (2021). Milosrdenstvo voči odsúdeným v praxi [Mercy towards the condemned in practice]. In S. Vancáková (Eds.), *Odsúdení: Život za mrežami a návrat na slobodu* (pp. 395-408). Equilibria.
- [23] Lubelcová, G. (2005). Alternatívne tresty v kontexte stratégií spoločenskej regulácie kriminality [Alternative punishment in the context strategies societal control of crime]. *Sociológia*, 37(1), 33-58.
- [24] Mareš, P. (2006). *Factors of social exclusion*. Research Institute of Labour and Social Affairs.
- [25] Maturkanič, P., Tomanová Čergeřová, I., Konečná, I., Thurzo, V., Akimjak, A., Hlad, L., Zimny, J., Roubalová, M., Kurilenko, V., Toman, M., Petrikovič, J., & Petrikovičová, L. (2022). Well-Being in the Context of COVID-19 and Quality of Life in Czechia. *International Journal of Environmental Research and Public Health*, 19(12), 7164. <https://doi.org/10.3390/ijerph19127164>
- [26] Mičková, K. (2020). Selected projects aimed at supporting families affected by poverty. In R. Lojan, & A. Vachnová (Eds.), *Theology and social sciences from interdisciplinary perspective* (pp. 156-184). Avalon.
- [27] Murgaš, F., Petrovič, F., Maturkanič, P., & Králik, R. (2022). Happiness or Quality of Life? Or Both? *Journal of Education Culture and Society*, 13(1), 17-36. <https://doi.org/10.15503/jecs2022.1.17.36>
- [28] Petrovič, F., Murgaš, F. & Králik, R. (2021). Happiness in Czechia during the COVID-19 Pandemic. *Sustainability*, 13(19), 10826. <https://doi.org/10.3390/su131910826>
- [29] Praško, J., Vyskočilová, J., & Prašková, J. (2011). *Úzkost a obavy* [Anxiety and worry]. Portal.
- [30] Roberts, J. V. (2004). *The Virtual Prison: Community Custody and the Evolution of Imprisonment*. Cambridge University Press.
- [31] Roubalová, M., Králik, R., Zaitseva, E., Anikin, G. S., Popova, O. P., & Kondrla, P. (2021) Rabbinic Judaism's perspective on the first crimes against humanity. *Bogoslovni Vestnik*, 81, 57-74.
- [32] Shearing, C. (2001). Punishment and the Changing Face of Governance. *Punishment and Society*, 3(2), 203-220.
- [33] Šulřová, M. (2015). Sociálna exklúzia osôb s duševnými poruchami [Social exclusion of people with mental disorders]. In L. Rosková (Eds.), *Lidská práva v proměnách času*, (pp. 83-93). Jihočeská univerzita.
- [34] Strémy, T., Kurilovská, L., & Vřabřlová, M. (2015). *Restorativna justícia* [Restorative justice]. Leges.
- [35] Strémy, T., & Klátik, J. (2018). *Alternatívne tresty* [Alternative punishments]. C. H. Beck.
- [36] Tkáčová, H., Pavlíková, M., Jenisová, Z., Maturkanič, P., & Králik, R. (2021). Social Media and Students' Wellbeing: An Empirical Analysis during the Covid-19 Pandemic. *Sustainability*, 13(18), 10442. <https://doi.org/10.3390/su131810442>
- [37] Tkáčová, H., Pavlíková, M., Tvrdoň, M. & Prokopyev, A. I. (2021). Existence and Prevention of Social Exclusion of Religious University Students due to Stereotyping. *Bogosl. Vestn. (Theol. Q.)*, 81, 199-223.
- [38] Tkáčová, H., Al-Absiová, E., Al-Absi, & M., & Pavlíková, M. (2021). "Media Invasion" against Islam in the context of the Slovak Republic. *Media Lit. Acad. Res*, 4, 165-179.
- [39] Tkáčová, H., Pavlíková, M., Tvrdoň, M., & Jenisová, Z. (2021). The Use of Media in the Field of Individual Responsibility for Sustainable Development in Schools: A Proposal for an Approach to Learning about Sustainable Development. *Sustainability*, 13, 4138.
- [40] Tvrdoň, M., Kondrla, P., & Mesarsova, L. (2021). Social work as a tool for anomie correction on second stage of primary school. *AD ALTA - journal of interdisciplinary research*, 11(1), 353-357.
- [41] Urbanová, M. (2006). *Systémy sociální kontroly a právo* [Systems of social control and the law]. Aleš Čeněk.
- [42] Van Ness, D.W., & Strong, K. H. (2009). *Restoring Justice: An Introduction to Restorative Justice* (4th edition). LexisNexis Group.
- [43] Zehr, H. (2003) Retributive justice, restorative justice. In G. Johnstone (Ed.), *A Restorative Justice Reader* (pp. 69-82). Willan Publishing.

