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SOME COMMUNICATION STRATEGIES IN THE COURTROOM:

A SIMULATED JURY STUDY

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Jose Ruben Jara Elias

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A SIMULATED JURY STUDY

By

Jose Ruben Jara Elias

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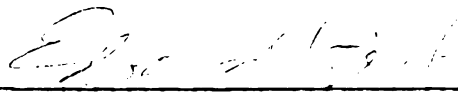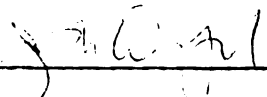

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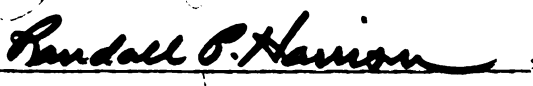

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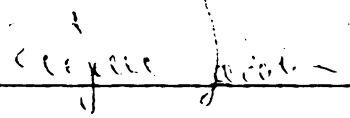
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Director of Thesis

Guidance Committee: _____, Acting Chairman

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Randall P. Harrison , Chairman

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ABSTRACT

SOME COMMUNICATION STRATEGIES IN THE COURTROOM:
A SIMULATED JURY STUDY

By

Jose Ruben Jara Elias

This work is concerned with the effects of some com-
munication strategies used by an alleged offender standing
trial on the decisions rendered by a simulated jury regard-
ing the offender's degree of responsibility. The theoret-
ical underpinnings for the study come from attribution and
equity theories. Equity theory provides a conceptual equa-
tion for arriving at decisions regarding the fate of a defen-
dant based on a variety of perceived rewards and costs
experienced by the offender and his victim in the course of
their relationship. Attribution theory provides some guid-
ance in identifying the relevant inputs and outcomes to be
entered in the equity equation. One of such inputs is the
juror's liking for the defendant. Such liking can be great-
ly influenced by communication variables such as the content
of the information regarding the defendant's behavior and by
the source of such information. The interaction of these
two variables also affects the jurors' stereotyping of the
defendant, their feelings of sympathy for and similarity
with the defendant, and their perceptions of his honesty.

In order to test the relationship between these vari-
ables and attribution of responsibility, 120 undergraduate

students enrolled in various social science courses were
asked to imagine themselves as jurors, and render a judgment
regarding the responsibility of a defendant accused of mur-
dering his father while attempting to defend his sister
from the father's attacks. In a 2 x 3 design, subjects
heard either the defendant (self-disclosure condition) or a
witness (other-disclosure condition) disclose actions per-
formed by the defendant which were either negative (negative
avowal condition), positive (positive avowal condition) or
neutral (neutral avowal condition).

Results indicate:

a) The lack of a significant relationship between the
experimental manipulations and attribution of responsibility.

b) A significant relationship (canonical r = .68) be-
tween liking and attribution of responsibility indicators.

c) Significant relationships (canonical r = .60) be-
tween liking and three hypothetical dimensions: perceived
honesty, perceived similarity, and sympathy.

In the discussion, several operational flaws that ex-
plain the failure of the experimental manipulations to take
effect are pointed out. It is suggested that future research
should be aimed at identifying the communication behaviors
that serve as antecedent conditions of these psychological
processes, and to increase the mathematical rigor of equity
theory formulations by casting them in the form of informa-
tion integration models. It is also stressed the need to

carry out similar studies within the context of social situations with different outcome structures, in order to study the effects of such structures on human behavior.

To my Mother, who has hoped for this
work more than anyone in the world

To my Wife, who always
knew when to push

ACKNOWLEDGMENTS

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CHAPTER I

THEORY

Introduction

In this thesis, an attempt is made to bring together
some theoretical issues of importance for the discipline of
communication, and some pragmatic concerns of relevance for
the legal system in the United States. Thus, the research
reported in it is based on the premise that, in many ways a
trial is a specialized communication event amenable for
scientific study following the guidelines prevalent in the
discipline of human communication. This study focuses par-
ticularly on one aspect of the information-processing func-
tion of the jury system. Its purpose is the investigation of
some of the communication variables relevant to the process
whereby a juror attributes responsibility to a defendent and
renders a verdict regarding his culpability or innocence.

In the process of arriving at a decision a juror is
exposed to several sources of information input. First, there
is a formal communication occurring inside the courtroom where
the juror attends to witnesses' testimony, lawyers' arguments,
and judge's instructions. Second, there are the procedural
characteristics of a trial such as the form of presentation of

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the information (e.g., adversary rather than inquisitorial),
the order in which the information is presented including
arguments and witnesses, and the number and variety of alter-
natives given to the jurors in order to render their verdicts.
Third, there is the informal communication inputs going on in
the courtroom such as audience's reactions, counselors' cred-
ibility, and a host of nonverbal cues such as the defendant's
sex, physical attractiveness, race, clothing, and demeanor.
Finally, there is the informal communication from the total
culture impinging upon the jurors through literature, public
opinion, interpersonal influences, and, more generally, his-
tory and tradition. These general inputs of the culture are
manifested in the personality traits of the jurors, as well
as in their attitudes toward the issues discussed in a par-
ticular trial. While legal practitioners have been aware of
the importance of these variables for a long time, as Mitchell
and Byrne (1973:123) point out, "only recently have systematic
investigations of evaluative factors in the jury system been
undertaken."

     This thesis reports only some aspects of a larger study
designed to probe into the effects that some of the variables
previously mentioned have upon a jury's decision-making pro-
cess. This larger study sought the answers to three questions:
(1) What are the effects of the judge's instructions to the
jury to disregard some information presented to them on the
jury's decisions about the trial? (2) What, if any, are the

effects of informing a jury of its power to disregard the letter of the law and acquit a defendant, even if found guilty, solely on the basis of a different perception of justice (i.e., power of nullification)? (3) How does the use of self-presentation strategies by the defendant affect the verdict and other decisions made by the jury?

The first of these questions relates to the role of moderator that the judge plays in the courtroom. Indeed, we have mentioned that there exist several extra-legal variables that have an impact upon the decision-making process of the jury. In theory, it is the role of the judge to minimize, as much as possible, the unwanted influence of such variables, and one of the means through which this arbitration is accomplished is usually the judge's verbal instructions to the jury to disregard improper evidence. The extent to which such instructions are successful in accomplishing their objective was one aspect of the overall study.

The second question is related to the behavioral effects produced by the explicit avowal of the judge to the jury regarding its right to acquit defendants without regard to law and evidence (i.e., the power of nullification). This issue has become increasingly important in recent years as the number of relatively mild crimes arising out of ideological positions has increased (e.g., war protests), and some sectors of the society have become sympathetic to the cause of the offenders. Thus, the problem is one where the actions of an

individual, while outside the law, have become accepted by the community.

Finally, and most important for this thesis, the study was geared to explore different communication strategies that a defendant may follow in order to impress a jury in a favorable way. In an extensive study involving 3,576 cases in trial, Kalven and Zeisel (1966) found that, in about one-third of the cases, the judges reportedly disagreed with the decisions rendered by the jury. The judges also felt that the disagreements were partly due to the juries' different evaluations of the defendants. Therefore, it seems crucial to determine the ways in which a defendant may influence the jurors' attitudes toward him.

Goffman (1957) has documented a great variety of techniques or strategies of self presentation that people use in order to influence interpersonal evaluations. Following Goffman's (1957) pioneering ideas, a host of writers and researchers have studied verbal and non-verbal techniques of self-presentation. Three such techniques directly relevant to this thesis are: self disclosure (Jourard, 1971), deviance avowal (Turner, 1972), and ingratiation (Jones, 1964). The work of these authors will serve as the basis for our theoretical analysis of communication strategies in the courtroom.

Given the breadth of this study and the large amount of data generated, it is difficult to present the theoretical rationales and hypotheses regarding all of the questions discussed above, as well as the empirical results relating to

them. Therefore, in this thesis we will present the complete
experimental design in order to provide the general context
of the study. However, both the theoretical discussion and
data analysis will refer mainly to the effects of self-pre-
sentation techniques on a jury's attribution of responsibility
of a defendant.

The structure of this work is as follows. In this
chapter we will review the theoretical background of the prob-
lem under consideration, and the theoretical hypotheses to be
tested. In Chapter II we will describe the experimental
design, procedures, subjects and instrumentations. Chapter
III will report the results obtained. Finally, in Chapter IV
we will discuss the findings and analyze the implications of
the study in general.

Equity Theory

Mysliwiec (1974) has argued that the fairness of a
system of justice depends on the principles of universal law
and individualized equity. The principle of universality is
encouraged and preserved in the laws of the country, while
the principle of equity functions through the jury system.
Indeed, in rendering a verdict a jury must apply the general
law and, at the same time, take into consideration the special
circumstances of a particular case. Given the importance
that a jury's decisions have upon the well being of the com-
munity, it follows that questions regarding a juror's sense
of equity are of crucial social importance. Two of such

questions are: What are the relevant legal and extra-legal inputs (variables) that affect a juror's decision-making process? and, how are those inputs weighted and combined in order to arrive at a verdict?

Mysliwiec (1974) suggests that these questions can and should be studied within the scientific framework of _attribution_ and _equity_ theories respectively. The contention is that equity theory provides a conceptual equation for arriving at decisions regarding the fate of a defendant based on a variety of perceived rewards and costs experienced by the defendant and his victim in the course of their relationship. Further, attribution theory provides guidance in identifying the relevant inputs and outcomes to be entered in the equity equation. Let us briefly discuss relevant aspects of each of these theories.

In social psychology, equity theory has been elaborated by Homans (1961), Adams (1965), Blau (1967), and Walster et al. (1970) among others. The basic postulate of the theory is that an equitable relationship exists when the participants derive equal relative outcomes from the relationship. Adams (1965) expressed this principle in the equation:

$$\frac{\text{Outcomes}_A \text{ (rewards-costs)}}{\text{Inputs}_A \text{ (assets-libilities)}} = \frac{\text{Outcomes}_B \text{ (rewards-costs)}}{\text{Inputs}_B \text{ (assets-liabilities)}}$$

Thus, the relative outcomes mentioned in the postulate refer to the ratios of outcomes to inputs of the participants A and

B.   Outcomes refer to the rewards and costs derived from a relationship. Rewards may range from money to affect, and costs may include time invested in the relationship or emotional stress. On the other hand, inputs refer to the assets and liabilities which entitle the participants to rewards and costs respectively. Assets may be personal attractiveness and honesty. Liabilities may include evil intentions and non-conformity.

It should be made clear that equity is a subjective concept which varies from culture to culture and even from person to person. Thus, in a given relationship, one participant may perceive the relationship as equitable while the other participant may not perceive it as such. One such explanation for this disagreement might be the participant's perceptions of what inputs and outputs should be considered in the equation, or the relative importance that should be assigned to them.

A second general postulate of the theory posits that when individuals find themselves in an inequitable relationship, they become distressed and attempt to eliminate their distress by restoring equity.

An individual may restore _actual_ equity by altering his own inputs or outcomes, or the inputs or outcomes of the other participant. On the other hand, an individual may restore _psychological_ equity by changing his perceptions of the inputs and outcomes derived by himself and/or the other participant.

This discussion of equity theory is highly relevant to the problem of jury equity if we consider that as Legant (1973:3) points out, in civil law, inequity "exists between the plaintiff and the defendant; in criminal law it lies between the offender and his victim or, as the law sees it, between the offender and the state, or the larger society which the state represents."

Moreover, observers of an inequitable relationship have been found to experience distress "in much the same way as do participants in the inequitable relationship and are thereby similarly motivated to restore actual or psychological equity . . ." (Mysliwiec, 1974:21). Thus, given that the juror is the observer in disputes over legal inequities, we would expect the juror to feel a strong need to restore equity. In such case, the equity equation previously presented can serve as a theoretical model of the juror's sense of equity.

Attribution Theory

Equity theory, however, does not provide any guidance for identifying the relevant inputs and outcomes of an equitable relationship. Fortunately, researchers working on attribution theory[1] have carried out extensive work in two areas relevant to the problem. First, they have determined some of the inputs (assets and liabilities) which entitle the participants in a relationship to rewards and costs. Second, they have studied the process whereby the existence

of these inputs is inferred by the observer (e.g., juror) of a relationship.

The area of attribution theory which is most relevant to our present concerns is that dealing with attribution of responsibility (AR). Indeed, assignment of responsibility of a defendant is the most important means through which a juror restores equity in the relationship between the defendant and the plaintiff or the victim. Thus, let us now turn to the theoretical analysis of AR and the discussion of some of the variables which have been found to be important inputs in the equity equation and therefore to have a crucial effect on AR.

Fishbein and Ajzen (1973:149) contend that "the term attribution of responsibility can perhaps best be viewed as a moral judgment." The authors substantiate this view by presenting Heider's model of AR which includes five levels. (1) Association: the person is held responsible for all events that are in any way associated with him. (2) Commission: the person is held responsible whenever he is perceived to be instrumental in producing the events. (3) Foreseeability: the person is held responsible if he could have foreseen the consequences of his actions. (4) Intentionality: the person is held responsible only for those events which he intended to produce. (5) Justification: the person is held responsible to the extent that he could not control all of the factors influencing his behavior.

Fishbein and Ajzen (1973:150) argue that, from this category system, it follows that

> a question such as, 'Is the actor respon-
> sible for the accident?' can be interpre-
> ted in different ways: (1) Was the actor
> associated with the accident?, (2) Was he
> instrumental in producing the accident,
> i.e., did he cause it?, (3) Is he respon-
> sible in the sense that he could have fore-
> seen the accident?, (4) Did he intend to
> cause the accident?, and (5) To what extent
> was his behavior justified?

The relevance of this discussion for the investigation reported in this thesis is manifold. First, a jury sitting in judgment of a defendant usually has to make decisions based on its attributions regarding internal states of the defendant such as intentionality or voluntariness. Second, Heider's model of levels of AR is not only intuitively sound but it closely parallels formal distinctions made in criminal law for differentiating between charges such as manslaughter (unfore-seeable and unintentional crime) second degree murder (the crime is intentional but partially justifiable) and first de-gree murder (the crime is intentional and unjustifiable). Finally, in our research we are interested in exploring some variables which may serve as inputs in the equity equation and therefore may affect the responsibility attribution of jurors. Let us now turn to the conceptual analysis of some of these variables.

Liking and Attribution of Responsibility

Recent studies on jury decision-making have uncovered a number of variables which can be considered as inputs in

the equity equation and therefore affect jury decisions. Some of these include race, sex, income, education, family status (Nagel, 1969), juror-defendant similarity of attitudes (Mitchell and Byrne, 1973), and attractiveness of defendant and victim (Landy and Aronson, 1969).

Of these variables, in this work we have chosen to deal only with the defendant's attractiveness variable for two reasons. First, from a pragmatic point of view, attractiveness is a variable which has shown consistent, strong impact on AR, and therefore clarification of its effects is an important practical endeavor. Second, from a theoretical perspective, attractiveness is an important variable in the study of human communication in that it influences and is influenced by social interaction (Newcomb, 1961).

An assumption often made in research dealing with equity theory is that attractiveness of an individual (i.e., liking for an individual) is a positive input in the equity equation. This assumption has been supported in studies by Landy and Aronson (1969), Shaver (1970), Sigall and Landy (1972), Mitchell and Byrne (1973), and Nemeth and Sosis (1973).

Landy and Aronson (1969) asked subjects to read a brief description of a negligent homicide case which was identical for all subjects except in the description of the victim. In a second experiment, the description of the defendant's character was also varied. The results show that simulated jurors view a crime as being more serious if the

victim is an attractive person and/or if the defendant is an unattractive one. In subsequent replications of the study by Sigall and Landy (1972) and Nemeth and Sosis (1973) similar results were reported.

These studies suggest that a defendant who is liked will be perceived in an inequitable relationship with his victim (especially if the victim is disliked). The reason for such perception is that attractiveness is perceived as an asset which entitles the defendant to greater rewards and/or diminished costs. Equity then may be restored by attributing less responsibility to the defendant.[2] Thus,

> Hypothesis 1: The greater the liking of a juror for a defendant, the lesser the responsibility that will be attributed to the defendant.

If this relationship continues to be supported by empirical data, one may ask what are the possible communication alternatives open to a defendant who wants to increase his attractiveness and therefore receive lighter verdicts by a jury. Clearly, the strategies of self presentation that a defendant may choose are greatly restricted by the rules of law and evidence. For instance, while the defendant may want to present an extended account of his positive traits and altruistic activities, such an account could immediately be challenged and curtailed if it is irrelevant to the nature of the trial.

However, within these restrictions, a defendant still can exert some degree of control upon the information to be disclosed and the source of such disclosure. In the remainder of this chapter we will discuss these two variables (content and source of disclosure) and the intervening mechanisms through which they may relate to liking and in turn to AR.

Communication Strategies and Attribution of Responsibility

Generally, we may say that the actions of a given individual can be roughly perceived and categorized as being either positive, negative or neutral. When such actions are described in a message, they become the _content_ of the message, and the same categorization (i.e., positive, neutral and negative message content) can be applied. The questions that concern us in this work are: How do jurors _interpret_ a defendant's disclosure of positive or negative messages about himself? What are the effects of such interpretations on the juror's liking for the defendant? And finally, what are the effects of such liking for the defendant on subsequent attributions of the defendant's responsibility?

In previous sections of this chapter we hypothesized an answer to this last question stating that an increase in liking for the defendant will result in decreased AR. We will now review the issues involved in the first two questions and develop some hypothetical answers.

A simplistic approach would lead us to believe in a straightforward relationship between the content value of a

self-presentation message (e.g., positive or negative) and subsequent liking toward the source: If the source says positive things about himself, his attractiveness will be increased in the eyes of the receiver. On the other hand, negative self-presentation would lead to lesser attractiveness.

Empirical studies, however, do not bear such oversimplified relationship. Although the content-value of messages does have an impact on interpersonal liking, its main effect is not as crucial as its interaction effect with other variables. One of these variables is the importance or relevance of the message content. The interaction is such that if the message is irrelevant or unimportant, no change in liking will occur.

Another important variable is the receiver's perceptions of the source's intentions for delivering the message. If the self-presentation message is perceived as a conscious intent to obtain rewards or avoid punishment by manipulating the feelings of the receiver, an inverse relationship between message content value and source's attractiveness will occur. Often, the context in which the message is sent will be used by the receiver as a cue to decode what the source's intentions are. In the context of the courtroom where the jurors are sitting in judgment of a defendant, it is likely that they will be very sensitive to the "hidden" intentions behind the messages sent by all the other social actors, including the defendant. Thus, the defendant's negative self-avowal (a liability, in terms of content) may not be taken at

face value but be construed as honesty (an asset for the defendant). Conversely, positive self-presentation (asset) may be taken as ingratiation (liability). Several concepts in the social psychological literature bear on this issue and they will be reviewed below.

There are several theoretical notions which are relevant in the discussion of possible effects of negative self-presentation. Literature in the area of <u>self disclosure</u> [3] reports that self avowal of negative information is consistently construed as self-disclosing behavior. Furthermore, it has been found that to receive self-disclosing information is socially rewarding (Worthy <u>et al.</u>, 1969); it indicates to the receiver that he is trusted and liked (Jourard, 1971); it tends to create sympathy towards the source, and it enhances the image of the source as an honest person (Jourard, 1971). Berscheid and Walster (1969) have argued that we like those from whom we receive rewards, liking and trust. Therefore, we would expect that a juror who feels trusted and liked by the defendant, will return the liking and trust (Worthy <u>et al.</u>, 1969), and will be less likely to attribute responsibility for negative actions to the defendant.

Jones and Davis (1965) have offered a theory of attribution which further clarifies why a strategy of negative self disclosure (i.e., <u>deviance avowal</u>) would increase the defendant's attractiveness. These authors are concerned with the process whereby people infer an individual's

internal dispositions from observable events. The basic
thesis of the theory is that the significance of an action
derives from the alternatives open to the actor. Further-
more, given that social roles specify the most likely altern-
ative of social behavior, "the performance of social roles
tends to mask information about individual characteristics
. . ." (Jones et al., 1961). Jones and Davis (1965) intro-
duce the term correspondence, which refers to the extent to
which a person's act and underlying disposition are similarly
described by a perceiver's inference. In general, the attri-
bution of a particular trait on the basis of a given action
will be made more confidently (will be more correspondent)
if the action departs from normative expectations. Thus,
when a defendant is being tried for an offense, one of his
role expectations is that he will not engage in any type of
deviance avowal.[4] Should such expectation be violated by
the defendant, such violation could be interpreted by the
jurors as a revelation of the defendant's underlying dispo-
sition to be honest.

Finally, in a study dealing with source credibility
and persuasiveness, Walster, Aronson and Abrahams (1966:325)
argue that "any communicator, regardless of his prestige,
will be more effective and will be seen as more credible
when he is arguing for a position opposed to his own best
interest, than when arguing for changes obviously in his own
best interest." This proposition was empirically supported
in two studies conducted by the authors.

At this point it should be clear that the common de-
nominator in the theoretical rationales just presented is the
notion of a defendant's <u>honesty</u>. It will be seen that this
same notion of honesty provides the bases for our theoretical
discussion of <u>positive</u> self-presentation by a defendant.

Indeed, when a communicator presents self in a positive
manner to a receiver who has the power to fulfill an immediate
and relevant need of the source, such communication may be con-
strued as ingratiation and, as a result, may lower the liking
for the source.

Jones (1964) describes ingratiation as the attempt to
increase one's attractiveness to another in the hope of gain-
ing something of value in return. The author discusses three
modes of ingratiation: self-presentation of ones positive
attributes, conformity to the opinions of another, and flat-
tering the other person. The choice of ingratiation tactic
depends on the situation. Clearly, in a defendant-juror
relationship the defendant is not in a position of using
either conformity or other enhancement techniques. If the
defendant chooses the strategy of positive self-presentation,
such communication may be perceived as dishonest and produce
an unsympathetic attitude toward him.

In all of the theoretical approaches discussed so far,
theorists have made predictions relating positive and/or
negative self-presentation and attractiveness which are based
on the <u>interaction</u> between the content of the disclosure and

the context in which such disclosure is made. Such inter-
action then provides the basis from which jurors may infer
the defendant's latent dispositions and personal character-
istics. Thus, a defendant who avows deviance may be seen as
a courageous, honest individual. On the other hand, a de-
fendant who presents himself in a positive manner may be seen
as a dishonest manipulator.

However, besides such interpretations and inferences
as to _why_ a communication is made, there exists the aspect
of _what_ the communication says, or, in other words, the con-
tent of the communication itself. It is clear that if a
juror were to consider only the content of the disclosures made
by a defendant, predictions regarding the relation between
strategies of self-presentation and attractiveness would be
opposite to those previously advanced. Let us elaborate on
this argument.

Working within the framework of attribution theory,
Kelley (1967) has postulated that an individual will attribute
the causality of a particular event to an entity if (1) the
event occurs when the entity is present and does not occur
when the entity is absent (i.e., the _principle of covariation_),
(2) the event is consistent over time, (3) the event is con-
sistent when the mode of interaction with the entity varies,
and (4) there is consensus among observers regarding the nature
of the event.

Based on these notions, one would conclude that the more instances of deviant behavior provided by a defendant to a jury, the more the defendant will be identified (i.e., labeled) as a deviant individual and the greater the dislike for him. Furthermore, negative information about the defendant may also decrease the juror's perceived similarity with the defendant, and therefore decrease liking.

This same kind of rationale could be applied to a defendant's positive self-presentation. That is, the more instances of positive behavior provided by the defendant to the jury, the more likely that he will be identified as an honorable individual who has made a mistake, and therefore deserves a break.

In order to probe into the validity of these contradictory hypotheses, it is necessary to separate out the effects produced by message content (i.e., avowal type) from the effects produced by the defendant's self-disclosure (which may result in inferences regarding his motives for such disclosure). One way of doing so is by manipulating the source of disclosure. Indeed, by allowing the information to be presented by an individual other than the defendant himself, it is possible to break up the context which allows for jury inferences regarding ulterior motives of the defendant's avowal type and, at the same time, isolate the effects of the information content.

We are aware that such a move may produce some influence of other variables such as the source's credibility, appearance, etc. However, such variables can be experimentally controlled so that, at least in theory, the problem is ameliorated. Furthermore, such a move greatly increases the practical significance of the study since most of the information pertaining to a case in trial is usually presented by witnesses rather than the defendant.

Thus, we can summarize the alternative hypotheses presented in this section in Figure 1.1.

Disclosure Source[a]

		Self	Other
Avowal Type	Negative	$\overline{X}_{11}$	$\overline{X}_{12}$
	Positive	$\overline{X}_{21}$	$\overline{X}_{22}$

[a]Cell means refer to attribution of responsibility scores.

Figure 1.1   Summary of Hypothesis Relating Communication Dimensions and Attribution of Responsibility.

For purposes of clarity, the interaction presented in Figure 1.1 is presented in a two-part hypothesis:

Hypothesis 2:   There is an interaction effect between disclosure source and avowal type such that,

(a) Under conditions of negative avowal, less responsibility will be attributed to a defendant if

deviance is disclosed by the
defendant himself rather than
by a witness.

(b)   Under conditions of posi-
tive avowal, less responsibility
will be attributed to a defendant
if the positive information is
disclosed by a witness rather
than by the defendant himself.

Intervening Variables and Attribution of Responsibility

It is important to note that this hypothesis takes
for granted that a linear relationship between liking and
AR exists. This assumption is not so troublesome because
it has been expressed in Hypothesis 1 which will be empir-
ically tested. However, we have not accounted for the var-
ious intervening mechanisms posited in the theoretical
rationales in this section. Such intervening variables were
basically four: honesty, similarity, labeling and sympathy.
These variables are posited as the channel of influence from
the communication strategies to the liking for the defendant.
Therefore, their empirical study is crucial if we want to be
able to support the theoretical rationales from which they
were derived. In other words, if we did not measure and
analyze the effects of these intervening variables indepen-
dently, the following consequences would occur: (1) a sig-
nificant relation between communication strategies and AR
could be explained through a number of theoretical rationales;
however, none of those rationales could be empirically support-
ed; (2) if we found the relation between communication and AR

not significant, we would have no way of knowing whether the experimental manipulations actually triggered the psychological mechanisms we had expected to set in motion.

Accordingly, in studying the effects of these intervening variables on AR we will again take the relationship between liking and AR for granted. Further, while we assume that the intervening variables exert some of their influence on AR through liking, alternative rationales and hypotheses regarding the relationship between these variables and AR are presented below.

> Hypothesis 3a: The greater the perceived similarity of a juror with the defendant, the less the AR.

Similarity refers to the process whereby a receiver perceives self as similar to the source. Thus, if the information provided in a communication is deviant in nature (e.g., "I am a homosexual"), we would expect that the receiver will perceive himself as less similar to the source (unless, of course, the receiver also shares homosexual tendencies).

Both Shaver (1970) and Berscheid and Walster (1969) have reasoned that, when an individual perceives self as similar to another individual who is undergoing a stressful situation, such perception is threatening to the perceiver in the sense that it heightens the possibility that he could find himself in the same situation. In a juror-defendant relationship, if a juror perceives the defendant to be similar to self, the dissonance aroused by the situation may be

lessened by attributing less responsibility to the defendant.

> Hypothesis 3b: The greater the _positive_ label-
> _ing_ of a defendant on the part
> of a juror, the less the AR; and
> the greater the _negative_ labeling
> the greater the AR.

The process of stereotyping has been posited in various perceptual theories as a mechanism for providing structure to our perceptions of an environment in constant flux. Such structure, deeply rooted in our language, is basically a category system which allows us to differentiate and label objects in the environment.

For instance, a person who admits being an ex-convict may create negative attitudes towards him/her from the audience, simply because of the information transmitted is negatively valued. Once an object or a person has been placed in a certain category, such a label serves as a basis for subsequent evaluations toward the object or person. In the juror-defendant relationship, if a juror, on the basis of some information, labels the defendant under a positive category, say, as a victim of the circumstances, his general attitude toward the defendant should be more positive and result in less AR. It is also intuitively sound to expect that if juror perceives the defendant as a deviant (negative attitude) person, greater responsibility will be attributed.

> Hypothesis 3c: The greater the _sympathy_ toward
> a defendant on the part of a
> juror, the less the AR.

Sympathy refers to the extent to which the communication produces sympathetic feelings from the receiver toward the source. For instance, a message indicating that its source has experienced some negative outcomes or unjust suffering is likely to produce sympathetic feelings on the part of the receiver.

In some of the studies dealing with the relationship between liking and AR, the variable of liking has been manipulated by presenting a characterization of the defendant as a person having suffered various undesirable outcomes. For instance, one of Landy and Aronson's (1969) manipulations of a defendant's attractiveness includes the description of whether the defendant suffered loss of sight in one eye during the course of a manslaughter offense (attractive condition) or did not suffer any injury (unattractive condition). As Sigall and Landy (1972) point out, the attractiveness of an individual and the feelings of sympathy towards him are two different variables. In terms of equity theory, sympathy results from the perception that a person has incurred some costs. From this, it follows that the actor deserves increased rewards or decreased punishment. In the case of a presumed criminal, this outcome would be reflected in less AR. Hypothesis 3c is, of course, a straightforward derivation of this discussion.

Hypothesis 3d: The greater the perceived <u>honesty</u>
of the defendant, the less the AR.

Honesty refers to the extent to which the receiver feels a source was honest in his communication. For instance, as discussed earlier, negative self disclosure may be perceived as more honest than self-ingratiating information.

The rationale again is that honesty can be viewed as a positive input in the equity equation, and therefore a person who is perceived to be honest should not be attributed too great a responsibility for negative actions. By the same token, a person who, after having committed a crime, is also perceived as dishonest, will be held responsible to a greater extent.

Let us close this chapter by presenting a model (Figure 1.2) which summarizes the variables and relationships presented in this chapter.

It should be noted that the model does not, and is not intended to provide for, unequivocal determination of all possible interrelationships among the variables. The model is intended to serve as representation of the causal flows of influence which we have hypothesized in this work.

INDEPENDENT VARIABLES   INTERVENING VARIABLES   DEPENDENT VARIABLES

| Avowal Type Disclosure Source | →→→ | Labeling Similarity Sympathy Honesty | →→→ | Liking | →→→ | AR |
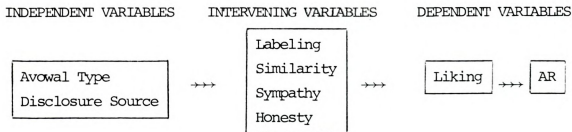
Figure 1.2. A Model of the Relationship Between Message Strategies and Attribution of Responsibility.

FOOTNOTES

[1] Attribution theory derives from the writings of Heider (1958). The basic premise underlying the theory is that a person has a need for perceptual order or a need to find the causes of events (changes) occurring in the environment. The process whereby the person searches for such causes is called _attribution_, and the goal of this process is to identify dispositional properties of entities, either in the environment or in an individual, to which the changes in the environment could be attributed.

[2] It should be noted that the study reported in this work deals with the judgment of a presumed criminal by a jury. Thus, the AR necessarily refers _only_ to negatively valued acts.

[3] Jourard (1971), has defined self disclosure as "the process of making the self known." In order to have a more specific definition, by self disclosure we will understand the transmission of information which is very private and intimate in nature.

[4] An extreme case of this expectation has been formalized in the law which grants a defendant the right to avoid disclosure of self-incriminating information.

CHAPTER II

METHOD

Design

       In order to test the hypotheses presented in the pre-
vious chapter (as well as other hypotheses not presented in
this work), a 13-cell study of a simulated trial was designed
(see Table 2.1). Subjects (Ss) were asked to imagine them-
selves as jurors and render a judgment regarding the respon-
sibility (dependent variable) of a defendant in a murder trial.
In the case presented to the Ss, the defendant (Johnny Marco)
was accused of murdering his father while attempting to de-
fend his sister from the father's attacks.

       In this study, four independent variables were manipu-
lated in the overall design. First, the source of disclosure
was manipulated by either having the defendant self-disclose
personal information (self disclosure condition), or by having
a witness present the same information (other disclosure
condition). Second, the avowal type was manipulated by pre-
senting messages either positive (positive avowal condition)
or negative (negative avowal condition) in their content.
There was also a control group where neither positive nor
negative information was presented (neutral condition).

Table 2.1. The Overall Design of the Study.[a]

	Self Disclosure					Other Disclosure		
	Negative Avowal		Positive Avowal		Neutral Avowal	Negative Avowal	Positive Avowal	Neutral Avowal
	Ignore	Not Ignore	Ignore	Not Ignore	Not Ignore	Not Ignore	Not Ignore	
Nulli-fica-tion	1[b]	3	5	7	9	11	12	13
No Nulli-fica-tion	2	4	6	8	10			

[a] The main dependent variable is the mean attribution of responsibility.
[b] The numbers in the table represent assigned cell numbers.

Third, the stricken testimony variable was manipulated by having the judge instruct the jury to disregard certain information (<u>ignore</u> <u>condition</u>) or by deleting this instruction from the transcript presented to the Ss (<u>not</u> <u>ignore</u> <u>condition</u>). This manipulation occurred within both the positive and negative avowal conditions, and only in the self-disclosure condition. The actual transcripts identifying the messages presented to the Ss in every combination of independent variables discussed so far are presented in Appendix C. Finally, the power of nullification variable was manipulated as the presence (<u>nullification</u> <u>condition</u>) or absence (<u>no</u> <u>nullification</u> <u>condition</u>) of the following sentence:

> However, it is in your power as a jury to go against the instructions given to you in this case, if you deem it <u>necessary</u> in order to best serve the interests of justice.

This sentence was inserted in the final instructions of the judge to the jury, and presented to the Ss as part of the experimental stimulus. Note that in the other disclosure condition all Ss were exposed to the nullification treatment.

The first 10 cells in the design represent combinations of the 3 independent variables: avowal type, stricken testimony, and power of nullification. The last three cells reflect the manipulation of the source of disclosure. Not all logical combinations of the independent variables were studied since this would have implied a 20 cell design difficult to manage and interpret.

Again, it should be stressed that in this thesis we will concern ourselves only with a partial analysis of this design.[1] Such analysis includes data from cells 3, 7, 9, 11, 12, and 13, and is presented in Table 2.2.

Table 2.2. The Design Under Analysis.

		Disclosure Source Self	Other
Avowal Type	Negative	3[a]	11
	Positive	7	12
	Neutral	9	13

[a]All cell numbers correspond to those specified in Table 2.1.

Note that in this design, the presence of the nullification and the absence of the judge's instructions variables are kept constant for all cells. Therefore, the only independent variables being manipulated are source of disclosure and avowal type.

Subjects

The 260 Ss[2] who participated in the study were enrolled in nine undergraduate courses in the Departments of Psychology, Communication, and Urban Development at Michigan State University. One hundred and thirty-eight of the Ss

were male, 120 were female, and two did not indicate sex.
Since N=20 for every cell in this study, 6-cell design to
be analyzed in this dissertation is based on a total of 120
Ss except for some variables where missing data were found
and 12 Ss had to be randomly dropped so that cell sizes would
be equal to 18. Such variables are clearly specified in the
section dealing with the analysis of the data.

Procedures

     The experimental sessions were conducted during regu-
lar class periods. The Ss were told that their participation
in the study was voluntary, and they were generally very
cooperative; only an average of two students in each class
refused to participate and left the classroom.

     The experimenter[3] (a female graduate student in the
Department of Communication), after introducing herself, ex-
plained to the Ss the procedures to be followed. Such expla-
nation took approximately two minutes and was standard for
all classes.

> Good morning; my name is Nancy Richardson. I
> am a research assistant in the Communication Depart-
> ment where we are presently engaged in some research
> regarding communication issues in the legal system.
> Today, you will be asked to read carefully the doc-
> uments I am about to hand out. Then, I will play a
> tape recording, and finally, you will answer some
> questions attached at the end of the handout.
>   You should remember two important points:
> First, in this study we will not trick you, lie to
> you, or otherwise deceive you in any way. Therefore,
> we ask you to answer the questionnaire in all honesty.
> If at the end of the session you have any questions,
> I will be happy to answer them for you.[4]

> The second important point is that you should
> read _carefully_ and _thoroughly_ each and every page
> of the document since every bit of information is
> very important.
> I will now hand out the questionnaires. The
> instructions in the booklets are clear and self-
> explanatory.

A booklet containing the experimental stimulus, ma-

nipulations, and measurements was randomly distributed with-

in each class (see Appendix A).

At this point the experimenter's instructions were

as follows:

> Please begin to read the documents as soon
> as you receive them. Read until page 10 and then
> stop. It will take some people longer to read
> than others. Those who finish first, please do
> not talk to your neighbor, please just wait quietly
> until the other members of the class have finished.

The experimental stimulus consisted of: (a) an introduction

of the issues involved in the study, and the instructions as

to how to proceed with the experiment (the introduction

pointed out some shortcomings of the jury system as it pre-

sently functions and stressed the importance of the Ss' re-

sponses as inputs to be considered in future recommendations

to change it); (b) a questionnaire asking the same kind of

information asked from real jurors in pre-trial examinations

(this questionnaire had the double purpose of collecting

information about the Ss, and bolstering the realism of the

experiment); (c) a transcript of a case which had been

edited and condensed into 5 pages of written information,

and 12 minutes of tape-recorded arguments.

The written part of the transcript contained the following information. (1) A statement of the court clerk regarding the charges against the defendant and the defendant's plea of not guilty to the charge of second degree murder. (2) The opening statements (summarized) of the prosecution and the defense. The prosecution would attempt to show that Johnny Marco fatally stabbed his own father in cold blood. Prosecution asks for a verdict of 2nd degree murder. The defense would attempt to show that Johnny had never had a decent home life and that, on the night of the killing, he had been goaded by his father beyond endurance and had finally stabbed him in the heat of a struggle. Defense asks for a verdict of manslaughter. (3) General information about the defendant, the victim, and the defendant's sister who was also involved in the case. (4) Background testimony of the policeman who arrested the defendant and the coroner who examined the victim. The policeman testifies that, at the time of the arrest, Johnny had told him "I killed him (Johnny's father), but he asked for it." The coroner testified that the deceased had suffered three wounds in his chest, one of which pierced the heart and was fatal. (5) The defendant's testimony (in the self disclosure condition), or the testimony of a friend of the defendant (in the other-disclosure condition) of either positive, negative or neutral information about the defendant. All these combinations of testimony are presented in Appendix C. However, as an example,

let us present the self-disclosure, negative avowal con-
dition:

<pre>
      Defense: Johnny, how old are you?

       Johnny: Nineteen years old.

      Defense: Where did you attend high school?

       Johnny: George Washington High School.

      Defense: Johnny, where do you live?

       Johnny: 1405 East 103rd Street.

      Defense: Who lived with you at that address?

       Johnny: My father and my sister.

      Defense: How would you describe your relations
                with your father?

 Prosecution: Your Honor, I object. That question
                is not relevant to this case.

      Defense: Your Honor, I believe it is relevant.
                I will attempt to show a history of
                hostility and provocation between
                Johnny and his father.

        Judge: The court will withhold ruling on the
                objection and will allow defense counsel
                a few minutes to demonstrate the rele-
                vance of this line of questioning.
                Johnny, please answer the question.

       Johnny: Well, things were not that good between
                my father and me. We had some rough
                times together. He really wasn't home
                that much, and neither was I.

                I spent most of my time with the Raven's
                street gang. We pulled the robbery of
                the neighborhood grocery store last year.

      Defense: Johnny, how long have you lived at the
                1405 East 103rd Street address?

       Johnny: For the last eight or nine years.

                (trial continues)
</pre>

After all of this information was read by the Ss (this reading took about 10 minutes), they listened to a tape recording (Appendix B) containing the closing statements of the defense (7 minutes) and the prosecution (5 minutes). The experimenter's instructions were:

> I will now play the tape recording of the closing statements in this trial. Please listen very carefully, since you may be getting new information. You will first hear the defense attorney's closing statement and then the prosecuting attorney's closing statement to the jury.

The main points in the defense's statement were: (1) that Johnny had had a poor upbringing complicated with family problems and violent surroundings; (2) that Johnny loved his sister very much and therefore was highly provoked when his father attacked her; (3) that Johnny's father was drunk (as usual) and violent the night of the murder. Moreover, since Johnny's father was a strong man, Johnny had to frighten him away from his sister using a knife and, in the heat of a struggle stabbed his father to death.

The prosecution made the following points: (1) that Johnny was a violent, socially disruptive individual who had taken "the easy way out" in life; (2) that Johnny should have been able to handle his father's rage without pulling out a knife because his father was defenseless and clumsy with drunkenness; (3) that Johnny's motivation was not to protect his sister but rather to injure his father, and that the three wounds Johnny inflicted to his father were not accidental.

After the tape had been played, the Ss were asked to read the judge's final instructions, and then to respond to a questionnaire. These activities were usually carried out in a period of 20 to 25 minutes.

At this point, the experimenter's instructions to the Ss were:

> The next section is the transcript of the judge's instructions to the jury. Please read them very carefully. You will then be asked to fill out the last section of the document and answer some questions. Please do not look back into the document--before page 10--when you are answering the questions. This is very important. Please answer every question.
>
> You will notice that there are usually three boxes in the left hand column for your answer. Ignore the numbers above the boxes. They are there for coding purposes only. We have provided three boxes in the event you wish to answer a question 100%, in which case you would use all three boxes. If you answer less than 100%, place a zero in the first box (examples put on blackboard). Please fill in every box.
>
> If you have any questions, raise your hand and I will try to assist you. When you are finished, please raise your hand and I will pick up your booklet. If you must leave at that time, please remember not to discuss this document with people outside this class.
>
> Once again, please read the judge's instuctions and the questions carefully, and give your answers the seriousness and thought they warrant.
>
> Thank you.

In the experimental stimulus the judge instructed the jury as follows:

> As to the question of guilt, it has already been established that the defendant killed his father. It is up to you as a jury member to decide whether or not he is guilty of second-degree murder. To help you make your decision, we repeat here the charges against the defendant: 'It is charged that the defendant willfully and deliberately stabbed his father, causing him to die,

although the act of murder was not premed-
itated nor planned, and that the act was not
committed under sufficient mitigating circum-
stances to relieve him of criminal respon-
sibility before the law.'
    You may find him guilty of this offense or
of the lesser offense of manslaughter, or may
find him not guilty as charged.
    You have been instructed, during the course
of this trial, as to the applicable law in this
case. You have also been advised that if Johnny
is legally guilty of killing his father, he must
be found guilty of either second degree murder
or manslaughter. Your deliberations are con-
fidential and your conclusions cannot be
challenged.

After reading these instructions, Ss responded to a

questionnaire. Upon completion of this instrument, the ex-

perimenter answered questions and later dismissed the Ss.

Other than explaining the nature of the variables involved

in the study, no debriefing took place since there were no

concealed intentions, manipulations or measurements. The

total amount of time required to run the experiment in a

class was from 50 to 60 minutes.

The Trial

The experimental stimulus used in the study was an

actual case originally tried in the state of New York (The

State of New York vs Johnny Burdizk). This case was later

adapted by Sears (1965), and Zillman and Cantor (1974). For

this study, we added the experimental manipulations to the

Zillman and Cantor adaptation.

The Pretest

In order to test the appropriateness of the case as experimental stimulus, as well as the experimental procedures and instrumentation, an extensive pretest was conducted with 96 undergraduate students attending 6 introductory courses in the Department of Communication at Michigan State University.

The results of the pretest showed that the case was indeed interesting and believable for the Ss who consistently showed great involvement and seriousness during the experimental sessions. At the end of the sessions, very frequently the Ss asked the experimenter what had been the outcome of the actual case, and this was also taken as an index of their interest.

On the bases of the pretest, some questions in the questionnaire were reformulated so that they would become more understandable. Since it was found that the Ss required a long time to fully answer the questionnaire, four open-ended questions were dropped. These questions had been designed to measure how well the Ss had comprehended the evidence presented in the case. While such information was valuable, the time required for its gathering exceeded the time availability of the Ss. Also, six new multiple choice questions were added: subjects' felt freedom of decision (question 24), perceived importance of judge's instructions (question 25), perceived defendant's openness (question 26),

and three new manipulation checks (questions 30, 31, and 32).

In the pretest it was also observed that some Ss looked back on the case description in order to answer some of the questions. This observation lead to an increased emphasis by the experimenter that such a practice was not permitted. In the actual study the Ss apparently complied with these instructions.

Subjects raised no questions regarding the clarity of the instructions or the stimulus material during the pretest. Accordingly only two changes were made. First, a paragraph in the prosecutor's closing statement was deleted because it made reference to the defendant being a member of a street gang. Such deletion was due because of the possible unknown interaction effects that it could have with the experimental manipulation of avowal type. Second, the order of presentation of the prosecution and the defense closing statements was reversed to comply with the actual order that would be followed in a courtroom. Thus, in the final experimental stimulus the prosecution presented its opening statements first and the defense second. Then, the defense presented its closing statements first and the prosecution last. Finally, the pretest served as training for the experimenter who became proficient in following the experimental procedures before the actual study was started.

After all these changes, the distribution of time in each run of the experiment was approximately the following:

Initial verbal instructions and distribution of the written materials....... 5 minutes

Time for reading pages 1 to 10........... 12 minutes

Time for playing the prosecution speech.................................. 6 minutes

Time for playing the defense speech......7.5 minutes

Verbal instructions about how to answer the questionnaire................ 2 minutes

Time for answering the questionnaire and coding the responses................ 23 minutes

Total Time.............................. 55 minutes

The Questionnaire

All of the intervening and dependent variables presented in our theoretical model (Figure 1.2) were measured with the questionnaire presented in Appendix A. In Table 2.3 we present a summary of the variables measured, their location in the questionnaire, and the type of scale used for their measurement.

We will now turn to the presentation of the results obtained in the study.

Table 2.3. Summary of Measured Variables.

Identification Variables	Question Number	Scale
1. Sex	A	Male/female
2. Age	B	Year of birth
3. Father's occupation	C	Open ended
4. Family size	D	Number of brothers and sisters
5. Order of birth	E	First born Later born Only child
6. Family economic status	F	Considerably above average Somewhat above average Average Somewhat below average Considerably below average
7. Father and Mother education	G	Less than 8 grades 8 grades 9-11 grades 12 grades Graduated high school Some college College degree Advanced degree
8. Perceived fairness of jury system	H	Open ended

Dependent Variables

1. Attribution of responsibility:

(a) Accident	1	0-100 percent
(b) Responsibility of Johnny	2	0-100 percent
(c) Responsibility of sister	3	0-100 percent
(d) Responsibility of father	4	0-100 percent
(e) Guilt	5	0-100 percent

Table 2.3 (cont'd.)

Dependent Variables	Question Number	Scale
(f) Verdict	6	Guilty of second degree murder Guilty of manslaughter Not guilty
(g) Sentence	7	0 to 30 years imprisonment
(h) Moral justification of crime	9	0-100 percent
2. Liking		
(a) Desire to meet	13	7 intervals
(b) Closeness	14	7 intervals
(c) Admiration	15	7 intervals
(d) Potential liking	16	7 intervals
(e) Initial liking	17	7 intervals

Intervening Variables		
1. Similarity	12	7 intervals
2. Honesty	8	0-100 percent
3. Labeling		
(a) Negative	10	1-100 percent
(b) Positive	18	5 choices
4. Sympathy	19	5 choices

Control Variables		
1. Confidence in responses	20	7 intervals
2. Adjustment to role-playing	21	7 intervals
3. Perceived freedom of choice	24	7 intervals
4. Perceived openness	26	7 intervals

Table 2.3 (cont'd.)

Dependent Variables	Question Number	Scale
5. Perceived ingratiation	11	0-100 percent

Manipulation Checks

1. Attention to experimental task		
(a) Retention of information	22	Johnny's age
(b) Retention of information	23	Year of incident
2. Positiveness of content	32	7 intervals
3. Negativeness of content	31	7 intervals
4. Retention of positive content	30	True/false
5. Retention of negative content	27	True/false
6. Stricken testimony	28	True/false
7. Nullification	29	True/false
8. Importance of judge's instructions	25	7 intervals

FOOTNOTES

[1]Further information concerning the data not presented in this work can be obtained from Dr. Edward L. Fink, Department of Communication, Michigan State University, East Lansing, Michigan, 48824.

[2]A Total of 269 Ss answered the questionnaires. Five of them were dropped because more than 5 questions were left unanswered. Four additional subjects were randomly dropped in order to equalize the cell sizes.

[3]The collaboration of Ms. Nancy Richardson is highly appreciated.

[4]It was felt that adding this paragraph would encourage honesty and participation of the subjects, and that this advantage outweighed the possible danger of a sensitizing effect.

CHAPTER III

RESULTS

In this chapter we will present the results obtained in the study. Unless indicated otherwise, the data analyzed correspond to the six-cell design presented in Table 2.2, and to the four-cell design which can be constructed by dropping from the analysis the two control groups in the neutral avowal condition. Means and standard deviations of all the variables presented in this chapter can be found in Appendix D. The coding of the variables will be indicated as necessary. The data analytic techniques employed to test the hypotheses are product moment correlations, analyses of variance, and canonical correlations. The standard level of significance of $p \leq .05$ is adopted.

The presentation of results will be organized as follows. First, possible biases in the assignment of subjects to the experimental groups will be examined. Second, Ss' background characteristics as possible contaminating influences on the main dependent variable will be discussed. Third, attention will be focused on the Ss' perceptions of (a) the experimental variables, and (b) the intervening variables. Finally, data concerning each of the three sets of

hypotheses previously advanced will be presented.

Equivalency of Subjects in the Experimental Groups

In order to investigate possible biases in the random procedure followed in assigning Ss to treatment groups, the correlations between seven subject background variables and each of the independent variables are calculated. Such correlations for the total sample (N=260)[1] in the 13-cell design are presented in Table 3.1.

Table 3.1. Correlations Between Subjects' Background Variables and the Independent Variables.[a]

	Disclosure Source	Avowal Type (Linear)
Sex	-.053	-.029
Age	-.030	.083
Family size	.008	.089
Birth order	-.054	.034
Family economic status	.036	-.039
Father's education	-.015	.018
Mother's education	-.039	-.002

[a]Missing cases omitted; $257 \leq N \leq 258$ for all correlations.

Analysis of this table reveals no significant[2] correlations between the Ss' sex, age, family size, birth order, family economic status, and parents' education with the independent variables. In fact, the average intercorrelation

is only .038, and the highest correlation in the table is
.089. Thus, we conclude that there is little reason to sus-
pect any subject bias in the overall study.

Influence of Subjects' Background Characteristics on Attribution of Responsibility

Given that AR is the main dependent variable, special
care is taken in probing various possible influences on it.
Previous work in the area (e.g., Stephan, 1973) has pointed
out some significant associations between AR and variables
such as sex and age. Accordingly, simple correlations be-
tween subject background measures and various indicators of
AR are calculated.

These correlations are presented in Table 3.2 which
shows weak relationships for the most part. None of the cor-
relations concerning birth order, family economic status,
and father's education are statistically significant.[3]
Furthermore, mother's education correlates significantly
only with the indicator of sentence (r=-.137; N=200; p $\leq$ .05)
and, given the low magnitude of the other correlations of
this identification variable, such finding could be expected
by chance alone. A similar situation occurs with the variable
age, which is significantly related only to the not guilty
verdict (r=-.168; N=200; p $\leq$ .05).

A stronger pattern of results is present in the var-
iable family size which correlates significantly with both
attributed responsibility (r=-.136; N=200; p $\leq$ .05) and degree
of guilt (r=.146; N=200; p $\leq$ .05). Both correlations indicate

Table 3.2. Correlations Between Subjects' Background Variables and Indicators of Attribution of Responsibility.[a]

	Sex	Age	Family Size	Birth Order	SES	Father Education	Mother Education
Accident	.196[c]	.070	.098	-.090	.020	-.021	-.014
Responsibility Defendant	-.095	.022	-.136[b]	.100	-.029	.043	-.028
Responsibility Sister	.040	.060	-.024	-.010	-.003	.013	-.090
Responsibility Father	.147[b]	.025	-.122	-.025	-.003	-.099	.014
Guilt	.022	.105	-.146[b]	.041	-.049	.101	.075
2nd Degree Murder	-.182[c]	.047	-.046	.013	-.022	.042	-.030
Manslaughter	.082	.096	.045	.068	.010	-.004	-.017
Not Guilty	.073	-.168[b]	-.012	-.098	.008	-.035	.050
Sentence	-.155[b]	.063	.045	.050	-.009	-.013	-.137[b]

[a] Missing cases omitted; $257 \leq N \leq 258$ for all correlations.
[b] Significant at $p \leq .05$.
[c] Significant at $p \leq .01$.

that the greater the family size of the subject, the more

leniency toward the defendant. These findings are unexpect-

ed from the lack of previous research, and are difficult to

explain because of the low magnitude and contradictory

direction of the remaining correlations. It should also be

noted that even the two significant correlations explain a

very low percentage of variance (about 2%).

The strongest relationship shown in Table 3.2 is

that between sex of the subject and various indicators of

AR. The correlations between sex and both accident (r=.196)

and second degree murder verdict (r=-.182) are significant

at $p \leq .01$; the correlations with sentence (r=-.155) and

responsibility of father (r=.147) are significant at $p \leq .05$.

These results show a tendency for women to be more tolerant

toward the defendant and less tolerant toward the defen-

dant's father than males. Such pattern of results is in

accordance with findings reported in the literature (e.g.,

Stephan, 1973). Since these correlations only account for

a 3% to 4% of the variance, and given that Ss were randomly

assigned to experimental groups regardless of their sex

(see previous section), we conclude that there is little

chance of a significant influence of subjects' personal

characteristics on AR.

Subjects' Perceptions of the Experimental Variables

In order to find out if the Ss perceived and inter-

preted the manipulations of independent variables in the way

it was planned, analyses of variance are performed on the

following variables: (1) perceived positiveness of content,

(2) perceived negativeness of content, (3) perceived ingra-

tiation, and (4) perceived openness. These analyses are

presented in Tables 3.3 through 3.6 which are discussed below.

Perceived Positiveness of Content - Along with other

measures in the questionnaire, Ss were asked to state "How

good do you think it is to be a member of a Boy Scout Troop

and participate in a neighborhood clean-up campaign?" This

question was answered on a seven point scale ranging from

"not at all good" (one) to "very good" (seven).

The grand mean (5.3) in Table 3.3 shows an overall

tendency of the Ss to perceive the content of the messages

as fairly positive. Furthermore, it is clear that the source

of disclosure does not have an appreciable effect on the

perceived positiveness of the messages, and this is reflected

in the total means of 5.3 for the self disclosure (SD) and

5.2 for the other disclosure (OD) conditions. However, sig-

nificant differences due to avowal type are found. For the

neutral avowal condition (NoA) the total mean is only 4.7,

while for the negative avowal (NA) condition the mean is

5.3, and for the positive avowal (PA) condition it is even

higher at 5.8. These differences result in a significant

($F=7.13$; $df=2/102$; $p \leq .001$) main effect for avowal type in

the six-cell design. This effect is also present when the

control groups are removed from the analysis in the four-cell

Table 3.3. Means and Analyses of Variance for Perceived Positiveness of Content, by Disclosure Source and by Avowal Type.[a]

	Disclosure Source		
Avowal Type	Self	Other	Total
Negative	5.1	5.5	5.3
Positive	6.1	5.6	5.8
Neutral	4.9	4.5	4.7
Total	5.3	5.2	5.3

Analysis of Variance

Six-Cell Design (N=108):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	.45	.28	.600
Avowal (B)	2	11.68	7.13	.001
A x B	2	2.23	1.36	.260
Residual Error	102	1.64		
Total	107			

Four-Cell Design (N=72 ; Excluding Neutral Avowal Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	0.00	0.00	1.00
Avowal (B)	1	5.56	4.26	.04
A x B	1	3.56	2.73	.10
Residual Error	68	1.30		
Total	71			

[a]Higher means indicate greater perceived positiveness of content. N=18 per cell.

design (F=4.26;df=1/68; p ≤ .04).

Thus, we conclude that the messages designed to present the defendant in a positive manner were perceived by the Ss as generally positive. Furthermore, such messages are rated most positively by those Ss who had been exposed to them, less positively by Ss who had heard negative messages about the defendant; and least positively by Ss in the control groups.

Perceived Negativeness of Content - A similar procedure to the one outlined above for positive messages is followed regarding negative messages about the defendant.

SS were asked "How bad do you think it is to be a member of a street gang and to rob a store?" This question was answered on a scale ranging from one, "not at all bad" to seven, "very bad."

The general perception of such actions as negative is reflected in the grand mean (5.3) shown in Table 3.4, and also in most of the other means presented in the same table which show only small differences among them. The notable exception is the mean corresponding to the SD-NA cell (4.8), which is much lower than the others, and therefore produces identical marginally significant main effects (F=3.80; df= 1/68; p ≤ .055) for both disclosure source and avowal type, when the control groups are left out of the analysis. However, the effect of this low mean is lessened by the uniformity of other means and the within-cell variances when

Table 3.4. Means and Analyses of Variance for Perceived
Negativeness of Content, by Disclosure Source
and by Avowal Type.[a]

Avowal Type	Disclosure Source		
	Self	Other	Total
Negative	4.8	5.8	5.3
Positive	5.8	6.0	5.9
Neutral	5.8	5.6	5.7
Total	5.5	5.8	5.6

Analysis of Variance

Six-Cell Design (N=108):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	2.37	1.53	.220
Avowal (B)	2	3.12	2.01	.139
A x B	2	3.79	2.44	.092
Residual Error	102	1.55		
Total	107			

Four-Cell Design (N=72 ; Excluding Neutral Avowal
Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	6.13	3.80	.055
Avowal (B)	1	6.13	3.80	.055
A x B	1	3.13	1.94	.168
Residual Error	68	1.61		
Total	71			

[a]Higher means indicate greater perceived negativeness of
content. N=18 per cell.

the control groups are included in the six-cell design.
Here, no significant effects are observed.

We conclude that the messages designed to present
the defendant in a negative manner are indeed perceived as
negative by Ss in all conditions, except for those Ss who
had heard the defendant disclose such negative messages be-
fore. These Ss view such information as less negative than
their counterparts in the other experimental conditions.

Perceived Ingratiation - One of the hypotheses in the
study is that when a defendant presents himself in a posi-
tive manner, this communication will be construed as ingra-
tiating, and a negative attitude toward him will ensue.
Furthermore, it is anticipated that the same positive mes-
sages, when presented by a person other than the defendant,
will not be construed as ingatiation and, therefore, no
negative feelings will be produced.

In order to check whether or not perceived ingratia-
tion was produced by the experimental manipulations, Ss were
asked "To what extent did Johnny's testimony impress you as
an attempt to present himself in a favorable way?" The scale
used by the Ss to answer this question ranged from zero to
100 percent, where higher percentages indicate greater per-
ceived ingratiation.

These results are presented in Table 3.5. Taking the
total mean for the NoA condition (44.5) as a baseline for
comparison, it can be observed that the total mean for the

Table 3.5.   Means and Analyses of Variance for Perceived
Ingratiation, by Disclosure Source and by
Avowal Type.[a]

| | Disclosure Source | | |
Avowal Type	Self	Other	Total
Negative	39.4	44.6	42.0
Positive	62.8	66.1	64.4
Neutral	41.0	48.1	44.5
Total	47.7	52.9	50.3

Analysis of Variance

Six-Cell Design (N=108):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	725.93	.73	.396
Avowal (B)	2	5432.58	5.43	.006
A x B	2	31.18	.03	.969
Residual Error	102	1000.22		
Total	107			

Four-Cell Design (N=72 ; Excluding Neutral Avowal
Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	325.13	.29	.590
Avowal (B)	1	9045.13	8.17	.006
A x B	1	15.13	.01	.907
Residual Error	68	1106.61		
Total	71			

[a]Higher means indicate greater perceived ingratiation.
N=18 per cell.

NA condition (42) is somewhat lower, and the total mean for the PA condition is much higher (64.4), resulting in a significant main effect for avowal type for both the six ($F=5.43$; $df=2/102$; $p \leq .006$) and four ($F=8.17$; $df=1/68$; $p \leq .006$) cell designs. A more detailed analysis of the means in the positive avowal condition shows that the defendant's SD does produce a moderately high degree of perceived ingratiation (62.8). However, contrary to expectations, such perception of ingratiation increases to 66.1 when the source of the positive information was a person *other* than the defendant.

Thus, we conclude that, in an absolute sense, the experimental manipulations did not produce a powerful sense of ingratiation in the Ss, even if the differences between experimental groups are significant. Furthermore, whatever the perceived ingratiation produced, it was mainly due to the positive nature of the messages' content, and the source of disclosure did not have an overriding effect which would have been reflected in a significant interaction.

Perceived Openness - The same way that the interplay of SD and positive avowal is thought to result in perceived ingratiation, the interaction between SD and negative avowal is hypothesized to result in perceived openness. Table 3.6 shows the means and analysis of variance for perceived openness as measured by the question "How open do you think Johnny has been in this trial?", which was answered on a scale ranging from one ("not at all open") to seven ("very

Table 3.6. Means and Analyses of Variance for Perceived Openness, by Disclosure Source and by Avowal Type.[a]

	Disclosure Source		
Avowal Type	Self	Other	Total
Negative	5.1	4.2	4.6
Positive	4.3	4.4	4.3
Neutral	3.8	4.3	4.1
Total	4.4	4.3	4.3

Analysis of Variance

Six-Cell Design (N=108):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	.15	.08	.783
Avowal (B)	2	2.78	1.43	.245
A x B	2	4.93	2.53	.084
Residual Error	102	1.95		
Total	107			

Four-Cell Design (N=72 ; Excluding Neutral Avowal Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	2.72	1.63	.206
Avowal (B)	1	1.39	.83	.365
A x B	1	4.50	2.70	.105
Residual Error	68	1.67		
Total	71			

[a]Higher means indicate greater perceived openness. N=18 per cell.

much open"). Generally, the means obtained center around
4.3 or the middle of the scale, which seems to be the base-
line of comparison from which there are two notable depar-
tures. First, in the SD-NA condition a great increase of
perceived openness can be observed ($\overline{X}$=5.1), a result which
conforms to previous expectations. Second, the SD-NoA con-
dition shows a decrease of the mean to 3.8. This reduction
is also logical because of the very nature of the experi-
mental condition which presents the defendant with a minimal
amount of disclosure.

In summary, in this section we have presented the
results concerning the Ss' perceptions of the experimental
variables. These results suggest that Ss perceived as fairly
positive those messages designed to present the defendant in
a positive manner, and as negative those messages designed
to present the defendant under a negative light. Further-
more, a moderately high degree of perceived ingratiation was
observed under conditions of positive avowal and regardless
of the source of disclosure. Finally, under conditions of
negative avowal, greater openness of the defendant was per-
ceived in the self disclosure-negative avowal condition than
in any of the other experimental conditions.

Subjects' Perceptions of the Intervening Variables

Statistical procedures similar to those discussed
above are applied to data regarding the intervening variables
posited by our theoretical rationales. Such analyses, pre-
sented in Tables 3.7 to 3.10, are discussed below.

Table 3.7. Means and Analyses of Variance for Perceived
            Honesty, by Disclosure Source and by Avowal
            Type.[a]

	Disclosure Source		
Avowal Type	Self	Other	Total
Negative	68.3	54.0	61.1
Positive	67.1	58.5	62.8
Neutral	67.3	54.2	60.7
Total	67.5	55.5	61.5

Analysis of Variance

Six-Cell Design (N=120):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	4308.01	7.22	.008
Avowal (B)	2	48.48	.08	.922
A x B	2	92.01	.15	.857
Residual Error	114	596.69		
Total	119			

Four-Cell Design (N=80; Excluding Neutral Avowal
               Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	2610.61	4.43	.039
Avowal (B)	1	56.11	.10	.758
A x B	1	165.31	.28	.598
Residual Error	76	589.00		
Total	79			

[a]Higher means indicate greater perceived honesty.
N=20 per cell.
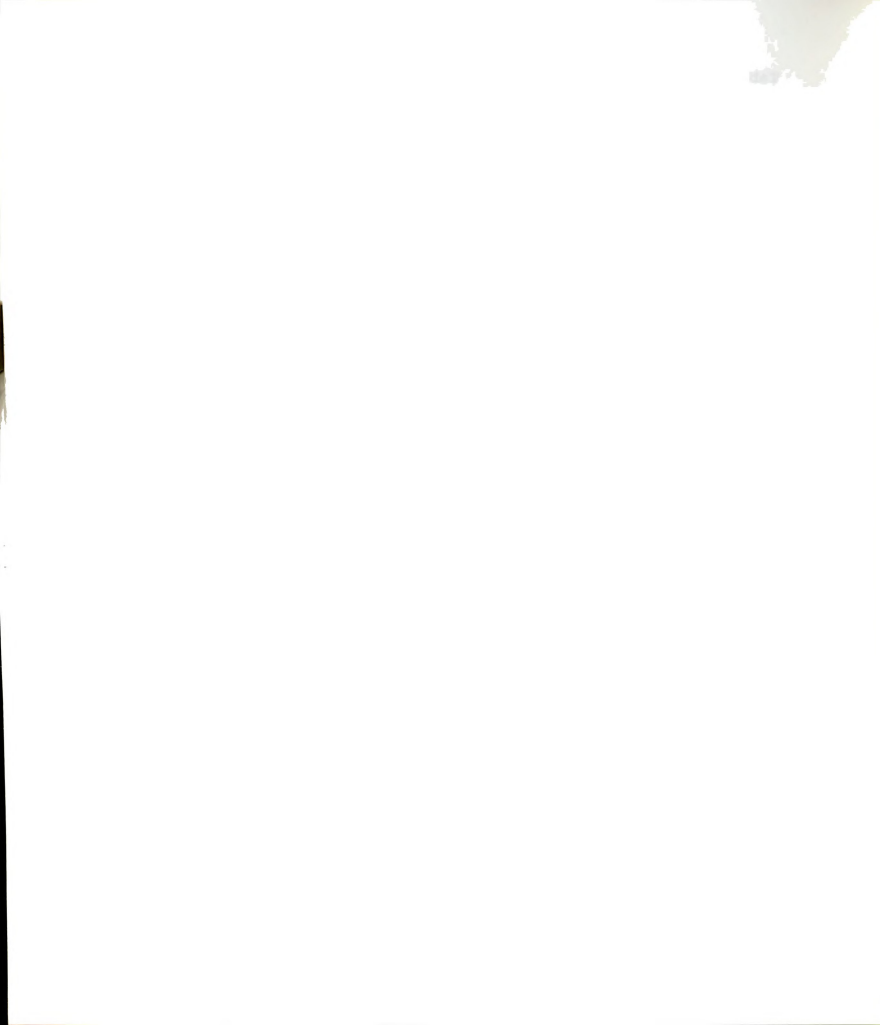
Perceived Honesty - Perceived honesty was measured
on a zero to 100 percent scale of response to the question
"To what extent do you perceive Johnny as being an honest
person?" Greater percentages indicate greater perceived
honesty.

In Table 3.7 it can be seen that while the different
manipulations of avowal type show virtually no differences
between them, the manipulation of disclosure source has a
powerful impact which is reflected in significant findings
for both the six-cell ($F=7.22$; $df=1/114$; $p \leq .008$) and the
four-cell ($F=4.43$; $df=1/76$; $p \leq .039$) designs.

This pattern of results leads us to conclude that
the Ss seem to interpret honesty simply as the defendant's
verbal participation in the trial. Further evidence for
this conclusion lies in the 13 point difference between the
means for the control groups in the neutral condition. In-
deed, even when the defendant presents himself in a neutral
fashion, he is still rated as being moderately honest (67.3);
and this rating contrasts sharply with the rating given when
the same neutral information is provided by another indi-
vidual (54.2).

Perceived Similarity - The variable of perceived sim-
ilarity was measured by the question "How similar do you
feel to Johnny?" Ss responded to this question using a seven
point scale ranging from "not at all" (one) to "very much"
(seven).

The grand mean ($\overline{X}=2.7$) in Table 3.8 clearly shows the low degree of identification with the defendant felt by the Ss, a result which can be expected given the fact that the defendant is being tried for murdering his father. However, even within this low level of perceived similarity, a significant interaction effect is found in both the six ($F=3.34$; $df=2/114$; $p \leq .043$) and the four ($F=6.20$; $df=1/76$; $p \leq .015$) cell designs.

These results show that Ss perceive themselves as being more similar to the defendant when _he_ discloses either negative or neutral information about self, and when _other_ disclosed positive information about the defendant.

Positive and Negative Labeling - In order to find out the effects that the experimental manipulations had upon the stereotyping process of the Ss toward the defendant, Ss were asked: "To what extent do you agree with the following statement? Johnny's testimony increased my _general_ _opinion_ of him"; the response was recorded on a scale ranging from one for "strongly disagree" to five for "strongly agree." The question relating to negative evaluation was "To what extent did Johnny's testimony impress you as information _revealing_ his criminal disposition?" The scale used for this measurement was from zero to 100% where greater percentages of response indicate more negative evaluations.

The results relating to these questions are presented in Tables 3.9 and 3.10. Table 3.9 shows that source of disclosure has only a slight effect on the juror's positive

Table 3.8. Means and Analyses of Variance for Perceived Similarity, by Disclosure Source and by Avowal Type.[a]

	Disclosure Source		
Avowal Type	Self	Other	Total
Negative	3.3	1.9	2.6
Positive	2.3	3.1	2.7
Neutral	3.2	2.8	2.6
Total	2.9	2.5	2.7

Analysis of Variance

Six-Cell Design (N=120):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	6.53	1.74	.190
Avowal (B)	2	.31	.08	.921
A x B	2	12.16	3.23	.043
Residual Error	114	3.76		
Total	119			

Four-Cell Design (N=80; Excluding Neutral Avowal Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	2.11	.57	.454
Avowal (B)	1	.11	.03	.863
A x B	1	23.11	6.20	.015
Residual Error	76	3.73		
Total	79			

[a]Higher means indicate greater perceived similarity. N=20 per cell.

Table 3.9. Means and Analyses of Variance for Positive
Evaluation, by Disclosure Source and by Avowal
Type.[a]

	Disclosure Source		
Avowal Type	Self	Other	Total
Negative	3.1	3.4	3.3
Positive	3.1	3.4	3.3
Neutral	2.9	2.7	2.8
Total	3.0	3.2	3.1

Analysis of Variance

Six-Cell Design (N=108):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	.75	.95	.333
Avowal (B)	2	2.37	2.99	.055
A x B	2	.78	.98	.378
Residual Error	102	.79		
Total	107			

Four-Cell Design (N=72; Excluding Neutral Avowal
Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	2.00	2.87	.095
Avowal (B)	1	0.00	0.00	1.000
A x B	1	.06	.08	.780
Residual Error	68	.70		
Total	71			

[a]Higher means indicate greater positive evaluation.
N=18 per cell.

Table 3.10 Means and Analyses of Variance for Negative
            Evaluation, by Disclosure Source and by
            Avowal Type.[a]

	Disclosure Source		
Avowal Type	Self	Other	Total
Negative	42.2	31.2	36.7
Positive	30.0	30.8	30.4
Neutral	27.7	27.8	27.8
Total	33.3	29.9	31.6

Analysis of Variance

Six-Cell Design (N=108):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	306.70	.34	.562
Avowal (B)	2	764.23	.84	.433
A x B	2	394.29	.44	.648
Residual Error	102	905.78		
Total	107			

Four-Cell Design (N=72; Excluding Neutral Avowal
                   Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	465.13	.45	.507
Avowal (B)	1	715.68	.68	.411
A x B	1	630.13	.60	.440
Residual Error	68	1044.86		
Total	71			

[a]Higher means indicate greater negative evaluation.
N=18 per cell.

evaluations, the general trend being a more positive evaluation of the defendant under conditions of other-disclosure. The avowal type manipulation has a marginally significant effect only when the control groups are included in the analysis (F=2.99; df=2/102; p $\leq$ .055). The fact that this main effect totally disappears when the control groups are taken out of the analysis points to the conclusion that <u>any</u> information about the defendant, regardless of its nature, leads to an increased positive attitude toward the defendant.

Table 3.10 presents the results regarding negative attitudes toward the defendant. It shows no statistically significant main effects or interactions. However, it is important to note the strong negative evaluation of the defendant under conditions of SD-NA (42.2, as compared with a grand mean of 31.6). This result, which is congruent with theoretical expectations, does not produce any significant effects because of high within-cell variability.

Finally, it should be noted that the correlation between the two variables discussed in this section is r=.21 (see Table E.3), a theoretically inconsistent result which will be discussed in Chapter IV.

<u>Sympathy</u> - In an attempt to find out the effects of the experimental variables on the sympathy felt by the Ss toward the defendant, Ss were asked: "To what extent do you agree with the following statement? Johnny's testimony made me feel <u>sympathetic</u> towards him." The scale of response had

five points ranging from one for "strongly disagree" to five

for "strongly agree."

Table 3.11 reports the analyses performed on this

variable. It shows no significant effects produced by the

manipulation of experimental variables. It can be seen that

disclosure source is, in this case, irrelevant as a predic-

tive variable of sympathy. Results for avowal type show only

a minimal amount of variance between groups in the direction

of a slight amount of sympathy when positive content is dis-

closed and little sympathy under conditions of negative dis-

closure.

In summary, in this section we have presented the

results concerning the effects of the experimental manipula-

tions on the intervening variables. It was found that per-

ceived honesty is highly influenced by disclosure source but

not by avowal type. A low level of perceived similarity re-

sults from the self-disclosure of negative actions or from

the other-disclosure of positive actions. Thirdly, while

positive attitude toward the defendant is fostered by any

kind of information (positive or negative) about him, neg-

ative labeling is produced only when the defendant avows

deviant behaviors. Finally, none of the experimental vari-

ables has a significant effect on sympathy toward the

defendant.

We will now turn to the presentation of the results

concerning each of the three sets of formal hypotheses

Table 3.11.   Means and Analyses of Variance for Smypathy,
             by Disclosure Source and by Avowal Type.[a]

Avowal Type	Disclosure Source		
	Self	Other	Total
Negative	3.2	3.1	3.1
Positive	3.4	3.6	3.5
Neutral	3.3	3.2	3.3
Total	3.3	3.3	3.3

Analysis of Variance

Six-Cell Design (N=108):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	.00	.00	1.000
Avowal (B)	2	1.01	.95	.389
A x B	2	.19	.18	.833
Residual Error	102	1.06		
Total	107			

Four-Cell Design (N=72; Excluding Neutral Avowal
                   Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	.06	.05	.823
Avowal (B)	1	2.00	1.81	.183
A x B	1	.22	.20	.655
Residual Error	68	1.10		
Total	71			

[a]Higher means indicate greater sympathy.
N=18 per cell.

advanced in Chapter I. Three statistical procedures will be used in the analysis of the data: simple product-moment correlations, canonical correlations, and analysis of variance. Of these, only the canonical analysis merits some discussion in advance of the presentation of the results.

Canonical Correlation Analysis

Canonical correlation analysis is a statistical technique through which it is possible to assess the nature of a relationship between two sets of variables, where each of the sets has theoretical meaning as such, and may be characterized by more than one underlying dimension. This technique can be viewed as combining principles of both factor analysis and multiple regression. Its goal is to find a linear combination of variables in each set, for which the correlation between the two composites (i.e., canonical variates) is maximum. If no significicnat linear association between the two sets of variables exist, no significant canonical variates can be found. On the other hand, it is possible to find several significant sets of canonical variates.

The correlation between two corresponding canonical variates from different sets is called the canonical correlation, and its meaning is analogous to a simple product-moment correlation. The significance of a canonical correlation is tested through a χ^2 test statistic which takes into account sample size so that the same canonical correlation is

more significant as the sample size increases.

The assumptions of canonical correlation statistical analysis are essentially those underlying simple correlation: (a) normality of distributions, (b) homogeneity of variance, (c) independence of observations, and (d) linear association between variables.

Given the difficulty of interpreting the results yielded by this technique, in the presentation of our results we will examine only the firt set of canonical variates, which is appropriate given that our main interest is the optimal prediction of one set of variables by another.

Furthermore, in an effort to clarify the meaning of our findings we will follow the procedures outlined by Van de Geer (1971:156-170) for interpreting canonical results in the form of causal models. Thus, Figure 3.1 represents, in a summary form, the general causal model hypothesized in Chapter I. This model includes the different variable sets to be entered in the canonical analysis (error terms have been left out for simplicity). Now, given that canonical corre-lation can only handle two sets of variables at a time, Figure 3.1 also shows six possible pair-wise comparisons among the sets.[4] Of these comparisons, (1), (2), and (3) correspond exactly to Hypotheses one, two and three respec-tively. In the discussion below, each of these comparisons will be presented as an isolated causal model so that the manipulation of the data in each of the cases will be clear.
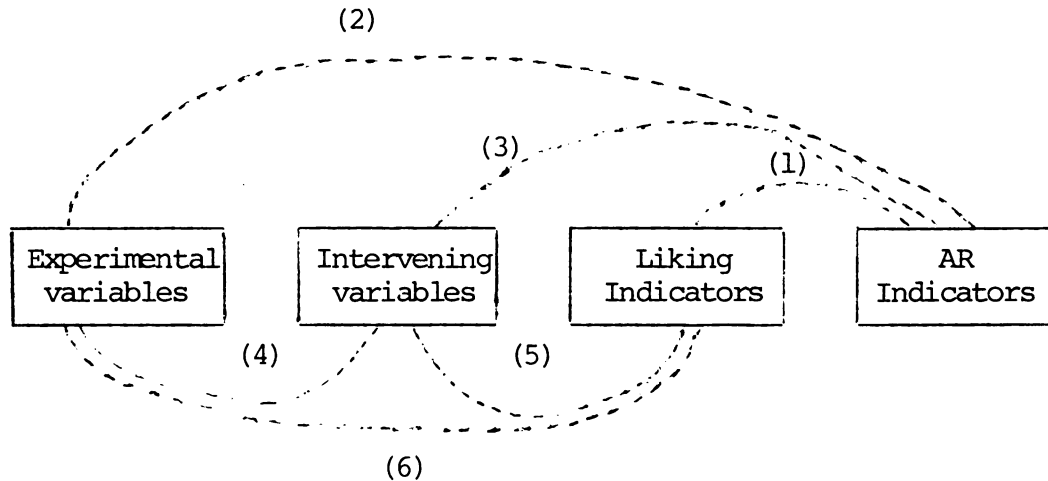
Figure 3.1. Summary Version of the General
Causal Model of the Study and
Pair-wise Comparisons Between
Sets of Variables.

Hypothesis 1

>   The greater the liking of a juror for
>   a defendant, the less the responsibility
>   that will be attributed to the defendant.

In order to test this hypothesis, simple and canon-
ical correlations between different indicators of liking
and AR are calculated. Table 3.12 presents product-moment
correlations between all of the indicators of these vari-
ables. Because of the greater stability accruing to a
greater sample size, such correlations are based on the re-
sponses of the total sample for the study (N=260).[5]

A relevant result, calculated from this table, is the
average intercorrelation between the five indicators of

Table 3.12. Correlations Between Indicators of Liking and Indicators of Attribution of Responsibility for the Total Sample.[a]

	X_1	X_2	X_3	X_4	X_5	X_6	X_7	X_8	X_9	X_{10}	X_{11}	X_{12}	X_{13}
Sentence (X_1)	1.000												
Accident (X_2)	-2.42	1.000											
Responsibility Defendant (X_3)	.310	-.249	1.000										
Responsibility Sister (X_4)	.078	.033	.117	1.000									
Responsibility Father (X_5)	.261	.292	-.273	.154	1.000								
Guilt (X_6)	.300	-.275	.470	-.044	-.296	1.000							
Murder (X_7)	.474	-.290	.320	-.106	-.281	.350	1.000						
Manslaughter (X_8)	-.180	.143	.005	.086	.027	.070	-.632	1.000					
Not Guilty (X_9)	-.256	.102	-.320	-.006	.241	-.432	-.176	-.651	1.000				
Desire to Meet (X_{10})	-.138	.097	-.155	-.064	.099	-.035	-.130	.002	.125	1.000			
Closeness (X_{11})	-.287	.206	-.314	-.059	.146	-.270	-.247	-.041	.294	.456	1.000		
Admiration (X_{12})	-.212	.106	-.274	.023	.126	-.239	-.210	-.039	.255	.317	.461	1.000	
Potential Liking (X_{13})	-.229	.119	-.192	.032	.069	-.220	-.196	-.054	.260	.497	.470	.409	1.000
Initial Liking (X_{14})	-.211	.111	-.142	-.048	.014	-.102	-.057	-.055	.125	.462	.443	.386	.520

[a]Missing cases omitted; $258 \leq N \leq 260$ for all correlations.

liking (X_{10} to X_{14}) which is r=.442. Such correlation points toward the underlying theoretical meaning of this set of indicators, but also points out some degree of independence between the indicators which were designed to tap different dimensions of the general concept of liking. It should also be noted that all these correlations are positive and significantly different from zero at $p \leq .01$.

Data presented in Table 3.12 show strong support of Hypothesis 1. All five correlations between sentence and indicators of liking are negative (as expected); four of them are significant[5] at $p \leq .01$, and the fifth is significant at $p \leq .05$. A similar pattern of results is observed in the correlations between responsibility of defendant and liking, where three of them are significant at $p \leq .01$, and the remaining two are significant at $p \leq .05$. Furthermore, all five correlations between liking and guilt are in the right direction, and three of them reach significance at $p \leq .01$. Finally, except for one, all 13 correlations between liking and the three alternative verdicts (second degree murder, manslaughter and not guilty) are in the right direction, and six of them are significant at $p \leq .01$. These correlations, however, should be considered very cautiously since responses to the three alternative verdicts are obviously interdependent. The process of discussing several intercorrelations separately is cumbersome at best and deceptive at worst. Canonical correlation is a statistical technique especially

suited to overcome this problem. Accordingly, Table 3.13 presents the canonical weights and canonical correlations between indicators of liking and indicators of AR for the four and six-cell designs. The product-moment correlations from which this table is computed are presented in Tables E.1 and E.2 in Appendix E.

Results for the four-cell design shown in Table 3.13 indicate a canonical correlation of r=.646 which accounts for 42% of the variance and results in χ^2 of 67.44, which is significant at the .004 level. Similar results are obtained for the six-cell design which yields a canonical correlation of r=.572, accounting for 33% of the variance. The chi square value in this analysis is equal to 72.88, significant at p = .001.

The comparison of the four and six-cell designs allows us to study the stability of the correlations. When these coefficients do not change a great deal, this is reason to feel more confident that they are good estimators of the true parameters of the population, however, in order to be conservative, the smaller coefficient should always be taken as the better estimate.[6]

Hypothesis 2

There is an interaction effect between disclosure source and avowal type such that,

(a) Under conditions of negative avowal, less responsibility will be attributed to a defendant if deviance is disclosed by the defendant himself rather than a witness.

Table 3.13. Canonical Weights and Canonical Correlations Between Indicators of Liking and Indicators of Attribution of Responsibility for Four Cell and Six-Cell Designs.[a]

Design	Canonical Correlation	Eigenvalue (Variance explained)	χ^2	Degrees of Freedom	Signif-icance
Four Cells (N=72)	.646	.418	67.44	40	.004
Six Cells (N=108)	.572	.327	72.88	40	.001

	Canonical Weights	
Indicators of Liking	Four Cells (N=72)	Six Cells (N=108)
Desire to Meet	-.377	-.531
Closeness	.399	.503
Admiration	.148	.191
Potential Liking	.825	.850
Initial Liking	.142	-.148
Indicators of Attribution of Responsibility		
Sentence	-.286	-.124
Accident	.278	-.162
Responsibility Defendant	-.123	-.042
Responsibility Sister	.175	.003
Responsibility Father	.132	-.006
Guilt	-.434	-.516
Murder Verdict	.022	-.613
Manslaughter Verdict	-.438	-.615

[a]First canonical variate only.

(b) Under conditions of positive avowal,
less responsibility will be attributed to
a defendant if the positive information is
disclosed by a witness rather than the
defendant himself.

In order to test such interaction effect, analyses of

variance are performed on five different indicators of AR.

These indicators were: responsibility of defendant, attri-

bution of guilt, verdicts of murder and not guilty, and

sentence. The results of such analyses are presented in

Tables 3.14 to 3.18 respectively. Note that these tables

include the results obtained for both the four and the six-

cell designs. The latter have been included so that the

reader may have as complete information as possible. However,

the discussion below will concentrate only on the results

for the four-cell design which bear directly on the hypoth-

eses presented above.

Table 3.14 displays the results obtained for the at-

tribution of responsibility variable. To measure this vari-

able, the Ss were given a scale of zero to 100% in which to

answer the question "How responsible do you think Johnny is

for the death of his father?", where greater percentages

represent increased attribution of responsibility. It will

be seen that the manipulation of the experimental variables

has essentially no effect on this indicator of AR. Such

absence of effects is reflected in both the uniformity of

mean values and the extremely low F ratios presented in this

table.

Table 3.14. Means and Analyses of Variance for Responsibility, by Disclosure Source and by Avowal Type.[a]

Avowal Type	Disclosure Source		
	Self	Other	Total
Negative	56.3	55.5	55.9
Positive	55.5	58.7	57.1
Neutral	56.8	51.5	54.5
Total	56.2	55.2	55.8

Analysis of Variance

Six-Cell Design (N=120):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	27.08	.03	.874
Avowal (B)	2	89.26	.08	.920
A x B	2	178.68	.17	.846
Residual Error	114	1069.53		
Total	119			

Four-Cell Design (N=80; Excluding Neutral Avowal Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	28.80	.03	.872
Avowal (B)	1	31.25	.03	.867
A x B	1	80.00	.07	.789
Residual Error	76	1105.37		
Total	79			

[a]Higher means indicate greater attribution of responsibility. N=20 per cell.

Using the same type of scale as in the previous ques-
tion, Ss were asked "To what extent do you think <u>Johnny</u> is
legally <u>guilty</u> of killing his father?" The results of the
analysis are presented in Table 3.15 which shows that the
expected interaction effect failed to materialize. Instead,
there was a main effect for avowal type which reached an
F=2.66, significant at p $\leq$ .10; df=1/76. The effect consisted
in greater attribution of guilt under conditions of positive
avowal, and lesser attribution when negative avowal occurred.

Subjects were also asked to render a verdict which was
to be chosen from three alternatives: second degree murder,
manslaughter, or not guilty. Since each of the alternative
verdicts is analyzed independently, knowledge of the results
obtained for any two verdicts would automatically determine
the outcome of the third. Thus, Tables 3.16 and 3.17 present
the results concerning the second degree murder and the not
guilty verdicts. It should be noted that these two tables
are statistically interdependent. Furthermore, since the
dependent variable is dichotomous, significance levels should
be evaluated cautiously.

Means in the table of second degree murder show that
Ss have a slight tendency to be more lenient when negative
avowal has occurred, and that the source of disclosure has
negligible effects. On the other hand, means in the table
of not guilty verdict (Table 3.17) show the presence of the
expected interaction. Indeed while 30% of the Ss who chose

Table 3.15. Means and Analyses of Variance for Guilt,
by Disclosure Source and by Avowal Type.[a]

Avowal Type	Disclosure Source		
	Self	Other	Total
Negative	56.7	51.1	53.9
Positive	70.7	63.7	67.2
Neutral	70.6	51.8	61.2
Total	66.0	55.5	60.8

Analysis of Variance

Six-Cell Design (N=120):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	3276.08	2.49	.117
Avowal (B)	2	1767.26	1.34	.265
A x B	2	527.48	.40	.670
Residual Error	114	1314.21		
Total	119			

Four-Cell Design (N=80; Excluding Neutral Avowal
Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	787.51	.59	.443
Avowal (B)	1	3524.51	2.66	.107
A x B	1	9.11	.01	.934
Residual Error	76	1325.67		
Total	79			

[a]Higher means indicate greater attribution of guilt.
N=20 per cell.

Table 3.16. Means and Analyses of Variance for Second
Degree Murder Verdict, by Disclosure Source
and by Avowal Type.[a]

| | Disclosure Source | | |
Avowal Type	Self	Other	Total
Negative	10	10	10
Positive	15	20	18
Neutral	25	05	15
Total	17	12	14

Analysis of Variance

Six-Cell Design (N=120):

Source of Variance	df	MS	F	p[b]
Disclosure Source (A)	1	.08	.61	.437
Avowal (B)	2	.06	.47	.624
A x B	2	.18	1.42	.246
Residual Error	114	.12		
Total	119			

Four-Cell Design (N=80; Excluding Neutral Avowal
Condition):

Source of Variance	df	MS	F	p[b]
Disclosure Source (A)	1	.01	.10	.751
Avowal (B)	1	.11	.91	.342
A x B	1	.01	.10	.751
Residual Error	76	.12		
Total	79			

[a]Means indicate the percentage of subjects who rendered this
verdict. N=20 per cell.

[b]Since dependent variable is dichotomous, alpha levels may
not be exact.

Table 3.17.   Means and Analyses of Variance for Not Guilty
Verdict, by Disclosure Source and by Avowal
Type.[a]

	Disclosure Source		
Avowal Type	Self	Other	Total
Negative	30	20	25
Positive	05	30	18
Neutral	15	15	15
Total	17	23	19

Analysis of Variance

Six-Cell Design (N=120):

Source of Variance	df	MS	F	p[b]
Disclosure Source (A)	1	.08	.48	.488
Avowal (B)	2	.11	.70	.499
A x B	2	.33	2.10	.127
Residual Error	114	.15		
Total	119			

Four-Cell Design (N=80; Excluding Neutral Avowal
Condition):

Source of Variance	df	MS	F	p[b]
Disclosure Source (A)	1	.11	.68	.412
Avowal (B)	1	.11	.68	.412
A x B	1	.61	3.71	.058
Residual Error	76	.17		
Total	79			

[a]Means indicate the percentage of subjects who rendered this
verdict.   N=20 per cell.

[b]Since dependent variable is dichotomous, alpha levels may
not be exact.

this alternative verdict were in the SD-NA and OD-PA groups, 20% of these Ss were in the OD-NA condition and only 5% were in the SD-PA group. This interaction results in an F=3.71 which is marginally significant at p=.058 with df=1/76.

Finally, results shown in Table 3.18 again weakly reflect the predicted interaction. While the differences between the means do not reach statistical significance, it is important to note that such means represent suggested number of years in prison for the defendant; therefore, to the extent that these results may be generalizable to an actual court setting, differences of one or two years may have tremendous social importance.

From this discussion we can conclude that the evidence supports Hypotheses 2a and 2b only partially. This conclusion is strengthened by the evidence yielded by a canonical analysis which used the independent variables and their interaction as one set, and the indicators of AR as another set. This evidence is presented in Table 3.19. The canonical correlation obtained was .439 which explains 19% of the variance. The corresponding χ^2=33.59 is significant at $p \leq .09$. Also important is the finding that source of disclosure is the most powerful predictive variable (weight is .91).

Hypothesis 3

Stemming from the theoretical model presented in Chapter I, the following set of hypotheses was advanced:

Table 3.18.   Means and Analyses of Variance for Sentence, by Disclosure Source and by Avowal Type.[a]

| | Disclosure Source | | |
Avowal Type	Self	Other	Total
Negative	5.6	7.3	6.5
Positive	5.8	4.8	5.3
Neutral	4.0	5.4	4.7
Total	5.1	5.8	5.5

Analysis of Variance

Six-Cell Design (N=120):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	16.13	.41	.523
Avowal (B)	2	30.86	.79	.459
A x B	2	21.56	.55	.579
Residual Error	114	39.31		
Total	119			

Four-Cell Design (N=80; Excluding Neutral Avowal Condition):

Source of Variance	df	MS	F	p
Disclosure Source (A)	1	3.20	.07	.798
Avowal (B)	1	26.45	.55	.462
A x B	1	36.45	.75	.388
Residual Error	76	48.42		
Total	79			

[a]Means indicate suggested number of years in prison. N=20 per cell.

Table 3.19.   Canonical Weights and Canonical Correlation
Between Experimental Independent Variables
and Indicators of Attribution of Responsibil-
ity.[a]

Canonical Correlation	Eigenvalue (Variance Explained)	χ^2	Degrees of Freedom	Significance
.439	.193	33.59	24	.092

Independent Variables	Canonical Weight
Source of Disclosure (A)	.908
Avowal Type (B)	.203
A x B	-.367

Indicators of Attribution of Responsibility	
Sentence	-.553
Accident	-.517
Responsibility Defendant	-.464
Responsibility Sister	.070
Responsibility Father	-.797
Guilt	.063
Murder Verdict	.386
Manslaughter Verdict	.399

[a]Four-cell design only (N=72). First canonical variate
only.

Hypothesis 3a: The greater the perceived <u>simi-</u>
<u>larity</u> of a juror with the de-
fendant, the lesser the AR.

3b: The greater the <u>positive labeling</u>
of a defendant, <u>the lesser the AR;</u>
and the greater the <u>negative</u> label-
ing, the greater the <u>AR.</u>

3c: The greater the <u>sympathy</u> toward a
defendant the lesser the AR.

3d: The greater the perceived <u>honesty</u>
of the defendant, the lesser the
AR.

The validity of this set of hypotheses is analyzed
through the use of correlational techniques similar to those
presented in the previous section.   Correlations between
these variables (identified as intervening variables in the
theoretical model) and indicators of AR for the total sample
(N=260) are presented in Table 3.20.

Support for Hypothesis 3a is found in the first column
of Table 3.20.   Indeed, data confirm that perceived simi-
larity results in less attribution of responsibility (r=.230;
$p \leq .01$),[5] less attribution of guilt (r=.232; $p \leq .01$),
fewer murder verdicts (r=-.173; $p \leq .05$), more not guilty
verdicts (r=.263; $p \leq .01$), and lighter sentences (r= $\leq$ .172;
$p \leq .05$) as well as increased attribution to accidental
forces (r=.135; $p \leq .05$).

Results regarding Hypothesis 3b are less conclusive.
While most correlations shown in columns two and three of
Table 3.20 are in accordance with the expectations stated
in the hypothesis, only a few of these correlations are

Table 3.20. Correlations Between Intervening Variables and Attribution of Responsibility Indicators.[a]

	Similarity	Positive Labeling	Negative Labeling	Sympathy	Honesty
Accident	.135[b]	.158[b]	.015	.147[b]	.325[c]
Responsibility Defendant	-.230[c]	-.115	-.043	-.086	-.107
Responsibility Sister	-.021	-.026	.190[c]	.053	.035
Responsibility Father	.034	.179[b]	.104	.211[c]	.183[c]
Guilt	-.232[c]	-.128	-.128	-.066	-.118
Murder	-.173[b]	-.161[b]	-.003	-.162[b]	-.273[c]
Manslaughter	-.073	.116	-.129	.065	.133
Not Guilty	.263[c]	.010	.168[b]	.075	.098
Sentence	-.172[b]	-.205[c]	-.007	-.216[c]	-.356[c]

[a]Missing cases omitted; 258 $\leq$ N $\leq$ 260.

[b]Significant at p $\leq$ .05

[c]Significant at p $\leq$ .01

statistically significant. For instance, positive evalua-
tion of the defendant does lead to decreased murder verdicts
(r=-.161; p ≤ .05), increased accidental attribution (r=.158;
p ≤ .05), and lighter sentences (r=.205; p ≤ .01). However,
negative labeling does not correlate significantly with any
of these variables. Instead, contrary to expectations,
negative labeling is seen to correlate positively with not
guilty verdicts (r=.168; p ≤ .05).

Support for Hypothesis 3c is somewhat stronger.
Sympathy leads to increased accidental attribution (r=.147;
p ≤ .05), fewer murder verdicts (r=-.162; p ≤ .05), and
lighter sentences (r=-.216; p ≤ .01).

Finally, Hypothesis 3d is generally supported since
honesty correlates significantly (at the .01 level) with
accidental attribution (r=.325), murder verdict (r=.273),
and sentence (r=-.356).

It should be noted that while some of the results
concerning attribution of responsibility to the defendant's
sister and father are significant, they are reported here
only as additional information but will not be discussed
in this work.

In the discussion so far we have treated each of the
intervening variables separately from each other. Such
fragmented analysis has shown that negative evaluation is a
weak predictor of AR, and that similarity, sympathy and
honesty correlate only mildly with the dependent variables.

In order to explore this pattern of results further, and, at the same time, to probe the aggregate effect of all the intervening variables, a canonical analysis is performed.

This analysis, presented in Table 3.21, yields a canonical correlation of .601 for the four-cell design which explains 36% of the variance. The χ^2 for such correlation is 57.36 and is significant at $p \leq .037$. The results for the six-cell design show a canonical correlation of .530 which explains 28% of the variance, and a $\chi^2 = 67.61$ significant at $p \leq .004$.

The meaningfulness of these results may be questionable due to the lack of a theoretical common denominator in the set of intervening variables. In order to overcome this problem the data were transformed following procedures outlined by Van de Geer (1971), so that the effects of each of the intervening variables on the construct AR could be observed. The models presented in Figure 3.2 are the result of such transformations.

An analysis of these models reinforces the finding that negative evaluation of the defendant has a negligible effect on AR. Furthermore, they show that honesty has the greatest influence on AR. In regard to the indicators of AR, the high coefficients obtained for sentence and accident indicate their reliability as indicators of AR and clarify why these variables systematically correlate with the intervening variables as shown in the discussion of Table 3.21.

Table 3.21. Canonical Weights and Canonical Correlations Between Indicators of Intervening Variables and Indicators of Attribution of Responsibility for Four Cell and Six-Cell Designs.[a]

Design	Canonical Correlation	Eigenvalue (Variance explained)	χ^2	Degrees of Freedom	Signif- icance
Four Cells (N=72)	.601	.361	57.36	40	.037
Six Cells (N=108)	.530	.281	67.61	40	.004

Intervening Variables	Canonical Weights	
	Four Cells (N=72)	Six Cells (N=108)
Honesty	.634	.742
Similarity	.436	.274
Sympathy	.270	.345
Negative evaluation	-.029	-.115
Positive evaluation	.166	.135

Indicators of Attribution of Responsibility		
Sentence	-.457	-.419
Accident	.597	.367
Responsibility Defendant	-.175	-.236
Responsibility Sister	.212	.185
Responsibility Father	.030	.186
Guilt	.087	.362
Murder Verdict	-.069	-.427
Manslaughter Verdict	-.108	-.221

[a]First canonical variate only.
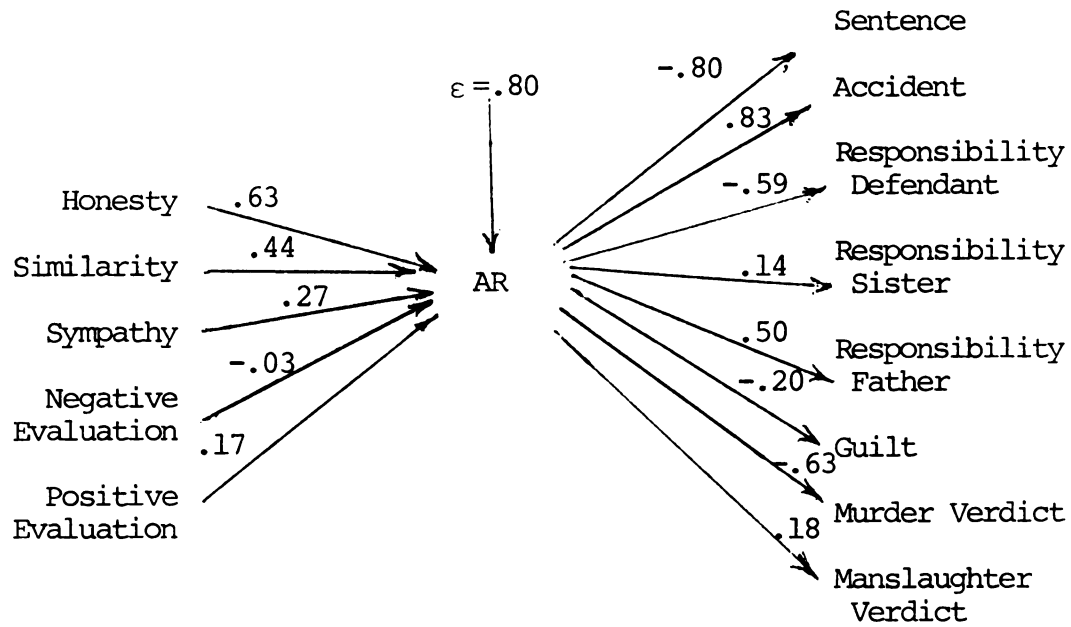
(a) Four-Cell Design (N=72)
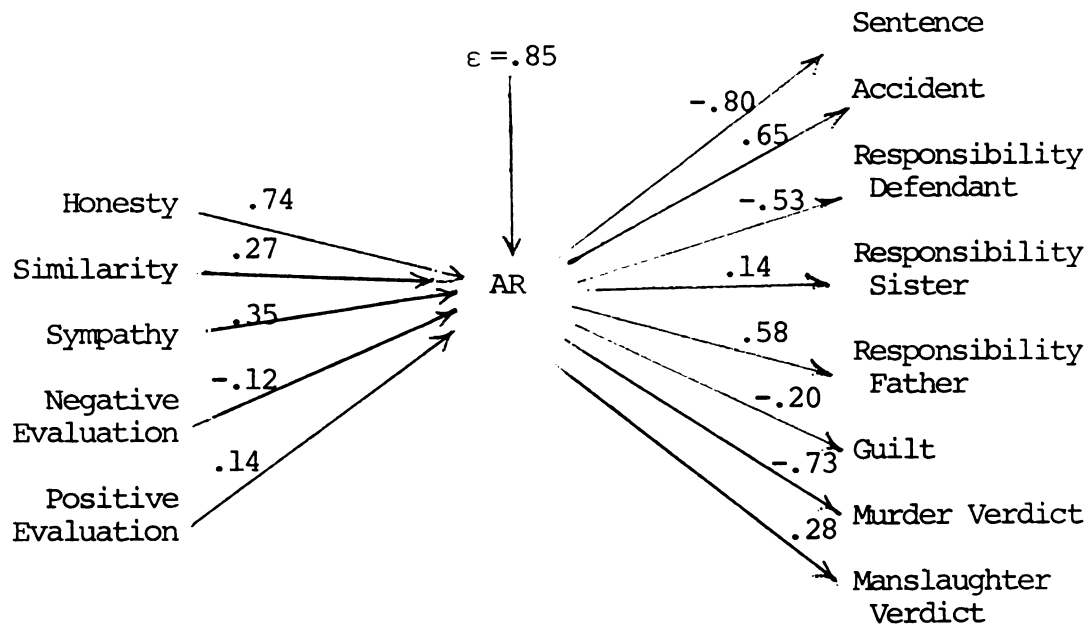
(b) Six-Cell Design (N=108)

Figure 3.2 Causal Model of the Relationship Between
Intervening Variables and AR Variables.
Correlations Between Independent Variables,
and Error Terms of Indicators of AR not
Included.

Summary

In summary, in this chapter we have presented results concerning: (a) equivalency of Ss in the experimental groups, (b) influence of Ss' background characteristics on AR, (c) Ss' perceptions of the experimental variables, (d) Ss' perceptions of the intervening variables, (e) relationship between liking and AR, (f) relationship between disclosure source and avowal type, and AR, and (g) relationship between honesty, similarity, sympathy and attitudes, and AR. In the next chapter we will discuss these results and analyze their theoretical and pragmatic implications.

FOOTNOTES

[1]Throughout this chapter the total sample size is used in the presentation of those results which derive greater statistical stability and/or contextual meaningfulness from a larger sample size. The analysis of possible biases in the random assignment of Ss to groups is a case in point since Ss were simultaneously assigned to all 13 experimental conditions of the overall study.

[2]All significance levels presented in this section are based on N=200 and, therefore, represent conservative estimates, given that the actual sample size is about 260.

[3]Significance levels calculated on N=200.

[4]There exists a statistical technique developed by Jöreskog (1970) which allows for the testing of a complex causal model as a whole, instead of breaking it down into various submodels. This technique was not used in the analysis of the data because the author had no access to any computer facilities where the program necessary for the analysis was operational.

[5]Significance levels are calculated on N=200.

[6]The coefficients presented in the four and six-cell designs are always similar to some extent because two-thirds of the Ss being compared are the same people. However, assuming that the experimental manipulations do have an effect, the addition of the 36 control Ss in the six-cell design should increase the error variance of the calculations.

CHAPTER IV

DISCUSSION

Summary

This work is concerned with the effects of some com-
munication strategies used by an alleged offender standing
trial on the decisions rendered by a simulated jury regarding
the offender's degree of responsibility. The theoretical
underpinnings for the study come from attribution and equity
theories. Equity theory provides a conceptual equation for
arriving at decisions regarding the fate of a defendant based
on a variety of perceived rewards and costs experienced by
the offender and his victim in the course of their relation-
ship. Attribution theory provides some guidance in identify-
ing the relevant inputs and outcomes to be entered in the
equity equation. One of such inputs is the juror's liking
for the defendant. Such liking can be greatly influenced by
communication variables such as the content of the information
regarding the defendant's behavior and by the source of such
information. The interaction of these two variables also af-
fects the jurors' stereotyping of the defendant, their feelings
of sympathy for and similarity with the defendant, and their
perceptions of his honesty.

In order to test the relationship between these variables and attribution of responsibility (AR), 120 undergraduate students enrolled in various social science courses were asked to imagine themselves as jurors, and render a judgment regarding the responsibility of a defendant accused of murdering his father while attempting to defend his sister from the father's attacks. In a 2 x 3 design, Ss heard either the defendant (self disclosure condition) or a witness (other disclosure condition) disclose actions performed by the defendant which were either negative (negative avowal condition), positive (positive avowal condition) or neutral (neutral avowal condition). Subsequent analysis examined:

a) The influence of these experimental manipulations on the Ss' AR to the defendant;

b) The relationship between AR and four intervening variables: perceived honesty of the defendant, labeling of his communication, feelings of similarity with the defendant, and feelings of sympathy toward the defendant;

c) The relationship between liking for the defendant and AR.

Results indicate:

a) <u>Strong</u> <u>support</u> for the hypothesis that liking for a defendant leads to less AR. In fact, liking indicators shared as much as 42% of the variance

of a set of indicators of AR;

b) <u>Mixed</u> <u>support</u> for the hypothesis that there is
an interaction between disclosure source and
avowal type such that under conditions of neg-
ative avowal, less responsibility will be at-
tributed to a defendant if deviance is disclosed
by the defendant himself rather than a witness.
And, under conditions of positive avowal, less
responsibility will be attributed to a defendant
if the positive information is disclosed by a
witness rather than the defendant himself. While
none of the evidence regarding this hypothesis is
significant at an acceptable level, the expected
interaction did materialize in the analysis of
the "not guilty verdict" and suggested sentence,
but failed to materialize in the analysis of at-
tributed responsibility, guilt, and the "second
degree murder verdict." Further, a canonical
analysis yielded a canonical correlation of .44
between the experimental variables and the indica-
tors of AR. Although this correlation indicated
that 19% of the variance is shared by both sets
of variables, such coefficient is significant only
at $p \leq .09$;

c) <u>Support</u> was also found for the hypotheses that
similarity, sympathy, perceived honesty and positive

evaluation of a communication lead to decreased AR. A canonical correlation of .60 between the set of intervening variables and a set of indicators of AR was found. Such correlation is significant at $p \leq .037$ and explains 36% of the variance. Analysis of the canonical weights of the predictor variables indicate that perceived honesty was the best predictor of AR, coming and that labeling processes were virtually useless in predicting AR.

Discussion

The discussion of the results is organized in the following manner: first, we will make a general statement about the theoretical framework for this study (i.e., equity and attribution theories); second, we will systematically discuss the theoretical implications of such framework regarding (1) the victim-related variables, (2) the defendant-related variables (e.g., AR, and liking and its dimensions), and (3) the theoretical rigor of the equity model; third, we will review the experimental manipulations and the way they relate to each of the intervening variables: (4) perceived honesty, (5) positive and negative labeling, (6) similarity, and (7) sympathy; fourth, we will analyze the generalizability of the findings; fifth, based on the previous sections we will propose some suggestions for future research; and sixth, we will end this work with some general conclusions.

The Theoretical Framework

In the theoretical analysis it was pointed out that jurors may seek to apply the law in equitable terms; that is, in the process of attributing the responsibility of an offender, they use the following equation derived from equity theory:

$$\frac{\text{Outcomes A}}{\text{Inputs A}} = \frac{\text{Outcomes B}}{\text{Inputs B}}$$

In the present study, A is the defendant, B is the victim, and their inputs and outcomes adopt the following values:

$$\frac{\text{Attribution of Responsibility}}{\text{Information about the defendant}} = \frac{\text{Death}}{\text{Information about the victim}}$$

It should be noted that both the information about the victim and his death were kept constant in this study. As for the defendant, the attribution of his responsibility is the dependent variable, and the information about him (communication strategies), as well as the way this information may be interpreted (liking, honesty, labeling, similarity and sympathy), represent the independent and intervening variables respectively.

From this theoretical analysis the following implications can be derived:

1) <u>Regarding the victim-related variables</u>:

The servity of the offense (i.e., outcome to the victim), the attractiveness of the victim (i.e., the sum total of his inputs), and the relationship between these variables represent important determinants of both the responsibility attributed to, and the perceived attractiveness of the defendant. Therefore, given that in this study the perceptions of the victim-related variables were not measured, their relation to the independent and intervening variables will remain unknown and subject to future study. In practical terms this means that we cannot be sure that: (a) the Ss perceived the victim-related variables as constant, and, furthermore, that Ss with different perceptions were not systematically distributed in the experimental groups; and (b) the great severity of the offense presented (murder of the defendant's father) did not reduce the variance of the dependent variables, thus moderating the relationship advanced in the hypotheses.

2) <u>Regarding the defendant-related variables</u>:

<u>Attribution of responsibility</u>: As mentioned in Chapter I, there are at least five levels which can be distinguished in the process of AR: association, commission, foreseeability, intentionality and justification. Because of the nature of the case used in this work, intentionality and justification represent the crux of the dependent variable. Unfortunately there are no data to support the experimental assumption that the Ss would perceive their task as that of determining whether the crime committed by the defendant was

(un)intentional and/or (un)justifiable. Furthermore, the
fact that there are two distinct levels of attributions in-
volved in the determination of AR leads to the theoretical
need to make explicit the sets of necessary antecedent con-
ditions which trigger each of these processes. This sug-
gests another line of action for the systematic development
of theory and research.

      <u>Liking</u> <u>and</u> <u>its</u> <u>Dimensions</u>: As for the defendant's
inputs, one outstanding finding in the present study is the
importance that liking for the defendant has on the AR pro-
cess. This finding not only corroborates similar evidence
reported in previous studies but it also furthers our under-
standing of the relationship in at least two ways. First,
previous studies such as those carried out by Landy and
Aronson (1969), and Nemeth and Sosis (1973) have manipulated
the attractiveness of a defendant by varying characteristics
such as family status and defendant's occupation. Thus, in
the Nemeth and Sosis (1973:227) study, the attractive defen-
dant is presented as "a likeable, middle-class. upstanding
citizen with no criminal record," and the unattractive as
"a working class citizen who has marital difficulties and has
a criminal record." In the present study we have explored
how attractiveness can also be influenced by communication
variables, such as source and content of information. More-
over, we have shown that even under conditions of extreme un-
attractiveness (i.e., a low class, socially disruptive teen-

ager who has killed his father), liking for a defendant is still an extremely powerful determinant of AR.

Secondly, we have theorized that liking for a defendant can be conceptualized as indicating the sum-total of his assets. Furthermore, we have posited four variables which might be construed as affecting liking, namely perceived honesty, similarity, sympathy, and labeling. Although the relationship between these intervening variables and liking was not presented as a formal hypothesis in this study, such relationship was considered in the causal model presented in Chapter I (see Figure 1.2). Results presented in Table F. 1 of Appendix F show significant ($p \leq .001$) canonical correlations of .67 and .68 between the intervening variables and liking. These correlations account for 46% of the variance in both the four and the six-cell designs.

3) Regarding the Theoretical Rigor of the Equity Model:

If one were to take the equity formula previously presented at face value, the logical conclusion would be that we are confronted with a systematic, axiomatized, well developed theory. In fact, one would be tempted to consider this formula as the expression of a general law because of the apparent clarity of its components and the precise relationships among them. Regretfully, this is not the situation because of the following reasons:

a) The variables which intervene in the equation have not been clearly and unequivocally

operationalized and thus, their identifica-
tion and precise measurement is not feasible.

b) The mathematical relationships expressed in
the equation such as the additive models
which define numerators and denominators,
the ratio models which define each term, and
the identity sign which relates both terms
have not been systematically derived and
tested. Therefore, no serious mathematical
models are posited; rather, the whole formula
represents a conceptual model geared to sen-
sitize people to the ideas of exchange theor-
ists. The lack of systematic theory building
has led to a situation where any behavior can
be perceived as an input or an outcome, an
asset or a liability, a cost or a reward.
Furthermore, there are no clearcut predictions
of the response of a subject under certain
conditions; that is, equity can be achieved
by changing actual or perceived behaviors in
any of the components of the equation.

In this work, an effort has been made to overcome some
of these problems by:

a) Providing a specific referent for the inputs
of the defendant (i.e., liking).

b) Exploring the relationship between such
input and a few variables (e.g., perceived
honesty, similarity, sympathy and labeling).

c) Determining the relationship between liking
and the output to the defendant (i.e., re-
sponsibility attributed).

d) Attempting to study these variables and
relationships in a controlled experimental
manner, and through the manipulation of
communication variables.

The first three of these objectives have been ful-
filled to a great extent. The achievement of the fourth has
been hindered by operational flaws which are discussed in the
following section.

The Independent and Intervening Variables

If, as we have seen, variables such as honesty, simi-
larity, sympathy, and labeling have an impact on AR, the
question arises as to how different communication acts influ-
ence these variables. This question is especially important
since its answer may help explain the lack of significant re-
sults concerning the relationship between communication strat-
egies and AR. Evidence regarding this question was presented
early in Chapter III.

In summary, it was found that:

a) The messages intended to have a positive content were not perceived as such by the control Ss, while Ss exposed to these messages did find them positive.

b) The messages intended to have a negative content were perceived as negative by the control Ss, but not so negative by the Ss exposed to them.

c) The manipulation of source of disclosure does not seem to have had a strong effect given that Ss perceived the defendant equally open in the self disclosure and the other disclosure conditions.

4) <u>Perceived Honesty</u>: Given the lack of strength of the experimental manipulations reflected in the previous results, it is only logical that such manipulations would produce only a fair degree of perceived honesty. Furthermore, these weak results show a significant main effect due to source of disclosure (SD), which means that the Ss perceived the defendant equally honest regardless of the content of the disclosure. The implication is that negative SD did not increase perceived honesty, and that positive SD did not produce a feeling of dishonest ingratiation.

Similarly, the weak perception of ingratiation produced was mainly due to the type of avowal regardless of the source of disclosure. This situation contributed to

some absurd results. For instance, those Ss in the positive avowal-<u>other</u> <u>disclosure</u> condition report that <u>the</u> <u>defendant's</u> <u>testimony</u> had been perceived as 66% ingratiating, despite the fact that the defendant had not made any explicitly positive statement at all!

While the failure of the experimental manipulations to trigger the expected psychological processes could be interpreted as lack of support for our theoretical expectations, the previous findings lead us to conclude that because of the weakness of the experimental manipulations, this study cannot be considered as a completely fair test of such hypotheses, and that more adequate evidence should be gathered before judging their conceptual validity.

Despite these operational flaws, the results of this work have provided conceptual considerations which have enriched the initial theoretical positions. In Chapter I we reasoned that a defendant who avows deviance may be perceived as an honest individual whereas a defendant who presents himself in a favorable light may be perceived as attempting to gain the favors of the jury by presenting his nice qualities. While this rationale does make sense, this study has made clear that a defendant who avows deviance could also be perceived as sick or dumb by others.

Thus, it may be that honesty is a characteristic difficult to perceive on the basis of information content alone, or even when such information is placed in a particular context. It may be that honesty is a characteristic that

people do not assign very readily to other people. It may also be that such attribution necessarily presupposes actual interaction between both parties. Furthermore, this suggests that honesty may be perceived as a personality characteristic, so that an individual with a criminal history would be perceived as dishonest regardless of the type of information that he subsequently provides.

In this respect, some researchers (Ekman and Friesen, 1969) suggest that people infer honesty from the nonverbal demeanor of the source. This interpretation, firmly grounded on everyday experience and on systematic observations, suggests that an individual who is presented only with a typewritten transcript of a defendant's testimony will have a difficult time trying to decide whether the defendant is an honest person or not.

All of these arguments clearly point toward the need for designing a study in which people can engage in actual interaction for a reasonable period of time, so that some of the conditions necessary for attribution of honesty such as spontaneity and voluntariness can be present.

Finally, it should be mentioned that the relationship "perception of message leads to perceived honesty" is not necessarily an irreversible one. On the contrary, it seems plausible that the perceived honesty of a person should have an impact on the perceptions of messages received from that person. For instance, it would be expected that if a person

perceived as honest presents negative information about self, he/she would be evaluated quite negatively, but if he/she presented positive information, the evaluation would be very positive. On the other hand, if a person perceived as dishonest presented positive or negative information, the evaluation of him/her would probably be somewhere between the positive and the negative ends of the scale, as a cautious response on the part of the receiver. This interaction is graphically depicted in Figure 4.1.

Interpersonal
Evaluation

+   Honest
                    Individual

                    Dishonest
                    Individual

0

−
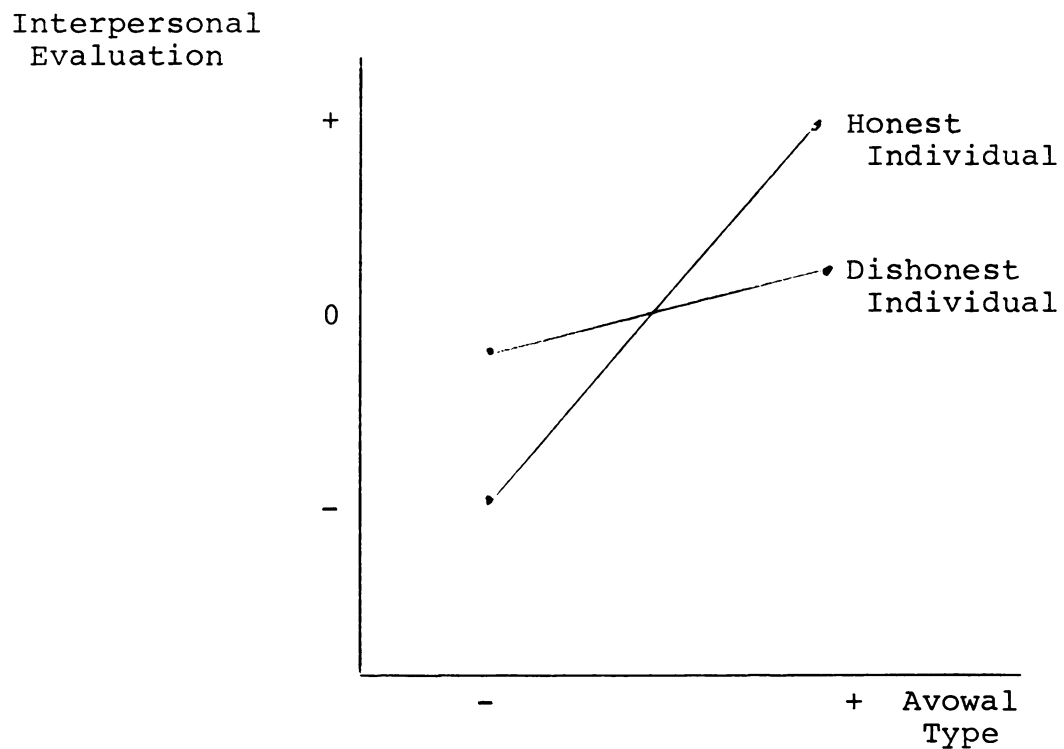
−   + Avowal
                                   Type

Figure 4.1.   Interaction Between Perceived
Honesty, Avowal Type and
Interpersonal Evaluation.

Moreover, from an interpersonal perception standpoint, a message which apparently goes against the best interests of the source may not be taken at face value by the receiver, and instead, may be perceived as manipulative information. This argument stresses the many levels of perception of intent between people (cf., Hastorf et al., 1970), and jointly taken with the argument of reciprocity in the relationship, points out a conceptual complexity between honesty and interpretation of information, not fully realized at the beginning of this work.

5) Positive and Negative Labeling:

Generally weak and insignificant results were observed regarding the positive and negative labeling produced by the various manipulations of disclosure source and avowal type. More positive evaluation occurred whenever there was any information about the defendant regardless of its nature or source. As for the negative evaluation measure, Ss in the self disclosure-negative avowal condition reported greater perceived criminality.

In our theoretical analysis, positive and negative labeling reflected our interest in the process of stereotyping an individual based on limited information about him. It was thought that negative information about an individual would quickly lead to a negative categorization and subsequent dislike for him. These expectations were weakly reflected in the results of the study (see Tables 3.9 and 3.10),

and did not reach significance because of the relatively large amount of error variance. This may be indicative of measurement error and/or the presence of other independent variables which account much better for the variance of these variables. In this case, we believe that both of these factors affect the results.

First, the question "to what extent did Johnny's testimony impress you as revealing of his criminal disposition?" can be considered only as a crude approximation to the concept of stereotyping. A similar question had been found troublesome in the pre-test and accordingly it had been rephrased. Still, Ss may have found this question rather complex, and therefore, its measurement may have been unreliable.

Second, the question "To what extent did Johnny's testimony increase your general opinion of him?" seems to measure a generalized attitude toward the defendant. One might hypothesize that such a general attitude could be a result of the stereotyping process. But such a result would very likely be influenced by a host of other factors besides the content of the messages exchanged in a relationship. These factors would become relevant as the relationship develops over repeated instances in social intercourse.

Further empirical support for the contention that these questions entail faulty measurement is provided by the positive correlation between them. Indeed, since our

theoretical rationale advanced that the positiveness or negativeness of the message would produce positive or negative labeling, one would expect that the answers to these two questions should be inversely correlated. Since the actual result is $r=.21$, there is reason to believe that the questions are not reliable indicators of the labeling process.

6) _Similarity_ is a troublesome variable in that, as Shaver (1970) points out, there are at least two crucial aspects to it. First, _situational_ similarity refers to the likelihood that a juror will find himself in a situation similar to that of the defendant. Second, _personal_ similarity refers to the extent to which the juror perceives himself as being similar to the defendant as a person.

If we take these brief definitions as the necessary conditions that trigger perceived similarity between two people, it follows that these conditions should be reflected in any message intended to produce feelings of similarity.

It is our contention that the very weak perceptions of similarity with the defendant reported by the Ss are quite logical in that: (a) none of the messages used in the experimental manipulations fulfilled the conditions mentioned above; and (b) the experimental situation which presented the defendant killing his father is so dramatic that it is plausible to assume few Ss would imagine themselves involved in a similar situation. Moreover, the

defendant was reported to have lived such an unusual life that any feelings of personal similarity might have been prevented.

Contrary to our initial theorizing, the results of this study have shown that it is not plausible to expect that, in general, if a message carries a content which is positive, this will increase feelings of similarity on the part of the receiver. Conversely, there is no reason to expect that if the message is negative in content, this will automatically increase perceived dissimilarity on the receiver's part.

All of these arguments lead us to suggest that in future studies similarity should be manipulated in one of the following manners:

a)   Pre-test Ss on several important topics, and during the experiment have confederates systematically agree or disagree with the Ss' positions, thus creating different experimental conditions.

b)   Compare a situation where a _friend_ of the juror committed a crime versus a situation where the offender is a stranger. This would allow us to manipulate similarity in an indirect subtle manner.

While these suggestions are not the only possible ones, they make relevant the points that similarity can be

manipulated through communication, and that it is an impor-
tant determinant of AR. In this connection, the theoretical
rationale would be that jurors' decisions may reflect their
need to enhance their own control over their environment, to
feel that their world is ordered, patterned, and therefore
predictable. Thus, if a juror sees self as similar to a
defendant, or feels possible that he might face the same
situation some day, it would be expected that he will be
more lenient in his AR.

7) Sympathy: The absence of significant results re-
garding the variable sympathy illustrates what appears as a
clear operational flaw in the study. Indeed, in the initial
theoretical analysis we proposed that sympathy could be the
result of a message indicating that its source has experi-
enced some negative outcomes or unjust suffering. It is
quite obvious that the negative message presented to the Ss
does not have any of these characteristics. If anything, it
indicates that its source has experienced some underserved
positive outcomes by robbing a store without any subsequent
punishment. Thus, sympathy is not produced by the experimen-
tal manipulations simply because there is nothing in the
information to be sympathetic about.

One strategy of communication which would involve
sympathetic information is the "sad tale" which has been dis-
cussed by Scott and Lyman (1968:52) as a technique for ac-
counting for present behavior through an "arrangement of

facts that highlight an extremely dismal past, and thus 'explain' the individual's present state."

This strategy is currently very relevant because it is closely connected with a recent trend in sociological theory which explains deviant behaviors not as the free exercise of a person's will but as a result of an unfair society which prevents the full development of some of its members, thus forcing them into socially disruptive behaviors (cf., Simmons, 1969). The adoption of such a view by some of the experimental Ss would explain whatever degree of sympathy for the defendant was reflected in the results.

From this discussion it follows that the whole sympathy issue, and in fact the whole AR issue, are determined to a great extent by the attitude toward deviancy that the perceiver has. More generally, it may be that this attitude is dependent upon personality characteristics such as internal-external locus of control (cf., Joe, 1971). At the theoretical level, the implication of this discussion is that this variable should be built into the design of future studies. At the methodological level, one implication is that great care should be taken in the phrasing of AR questions. For instance, the question "why did he do it?" implies personal responsibility while the question "what caused him to do it?" implies external responsibility.

A recurrent issue in all of the findings presented in this section is the lack of power demonstrated by the

manipulation of independent variables in producing any effects on the intervening mechanisms. Such weak effects represent a plausible explanation for the insignificant findings linking communication strategies and AR. Clearly, if the manipulations were not perceived by the Ss in the way they had been intended, there is no reason to expect the theoretical hypotheses to be supported by the evidence. In the previous pages we have tried to analyze why the experimental manipulations were ineffective. In the following section we will deal with several other shortcomings of the study.

Generalizability of Findings

There are some obvious limitations to the generalizability of our findings. First, the Ss were college students who are probably different from the populations from which actual jurors are drawn in terms of their age, education, and personality characteristics. Second, the Ss rendered their judgments in the absence of any group deliberations. Third, Ss knew that their task was hypothetical and that their judgments would not have an effect on a defendant. Fourth, the simulated jury technique used in the investigation departs from actual court proceedings in several ways (e.g., Ss were in a classroom; they read and listened only to a summary of the case; they knew they were participating in an experiment).

While these are all definite shortcomings of the study, there are reasons to believe that their unwanted influence may

not be so powerful. First, various studies which have utilized the simulated jury technique drawing the Ss from different populations have reported findings similar to those reported in field studies in which actual jurors have been interviewed. Furthermore, recent studies (Miller and Siebert, 1974), which used both students and actual jurors as Ss, report only a slight tendency towards leniency on the part of the students. Second, there is evidence to suggest that actual jurors arrive at their decisions before deliberation starts (Kalven and Zeisel, 1966). It has also been found that, in some experimental settings, decisions rendered by a group do not differ significantly from decisions rendered by individuals (Stephan, 1973). Third, the experimental instructions strongly emphasized to the jurors the importance of their performance, and the possibility that their responses could have some effects on future reforms of the trial process. Finally, within the resources available to the investigator, every effort was made to bolster experimental realism. Accordingly, details from an actual trial were used as the experimental stimulus, and the experimental manipulations were designed with legal assistance.

Given these arguments, and given the difficulty of doing research on actual jurors, we conclude that the simulated jury technique provides an adequate starting point for understanding jury processes, and that results obtained by using this technique should be generalized with caution.

A related, yet different kind of limitation refers to the context in which the study was carried out, and its relationship with the theoretical requirements imbeded in the different rationales that we wanted to test. This would translate to the questions: does this experiment trigger the necessary antecedent conditions which have been found in the literature on equity, attribution, self-disclosure, ingratiation, liking, etc.?. Is it reasonable to apply concepts, definitions and findings from these bodies of knowledge to such a structured context?

Aside from the usual arguments of artificiality leveled against experimental designs, these questions ask whether or not the scientific test of the theories was a fair one. Unfortunately, there is not a clear-out answer.

On the one hand, it is quite clear that the context in which previous studies have been carried out has been very different from the context of this study. A few of the differences are:

a) Dyadic interaction versus listening and reading.

b) Unstructured situations versus structured ones.

c) Free flow of information versus restriced flow.

d) Informal situations versus formalized norms.

e) Spontaneous versus contrived interaction.

On the other hand, the theoretical fields of concern to this study are ambiguous in their conceptual requirements.

Thus, while all of them assume some sort of interaction as a basis, most of them do not present a clear-cut, agreed upon set of antecedent conditions. Therefore, there was no a priori reason to believe that this study would deny such conditions.

In conclusion, it seems to us that some of the findings of this study are generalizable, especially those connected with the relationship between the intervening variables and liking, and between liking and attribution of responsibility.

Other findings, especially those regarding the communication strategies, cannot be generalized since we have partially explained their ambiguity on the grounds that there were some operational and experimental flaws, and that the context of the study was very restricted. Here we are confronted with variables which more clearly require other contexts (e.g., self disclosure and ingratiation). In any case, the fact that we have used this argument to defend our theoretical position, even in the face of contradictory results, only points out the need to clarify and systematize the antecedent conditions involved in these theories.

Suggestions for Future Research

The troublesome pattern of results found in this study points out the need for further research designed to extend, clarify, and evaluate several theoretical and methodological aspects left ambiguous in this work. Throughout this chapter

we have already made several suggestions for future research. In this section, an effort will be made to systematize such suggestions and include other relevant ones.

1)   Regarding the victim-related variables:

From our discussion of these variables we conclude that a line of research which can be pursued is the conceptual replication of this study at varying levels of severity of offense. Walster (1966) found that Ss tend to assign greater responsibility for an occurrence to some appropriate person when the consequences of such occurrence are more severe. As we repeatedly pointed out, the present study used an experimental stimulus in which the offense was extremely severe. This situation probably diminished the variability of the dependent variable and suppressed higher correlations with the experimental variables. Thus, we would expect the variables used in the present study to be even more powerful in determining AR when the offense committed by the defendant is not as severe as killing one's father.

It is necessary to study the juror's perceived relationship with the victim. This could be done by taking a balance theory approach which would also systematically deal with the relationships juror-defendant and defendant-victim, which are both very relevant in an exhaustive equity theory. These relationships can be easily depicted in a standard co-orientation model:

Several hypotheses relevant to AR could be derived from this model. Two of them are:
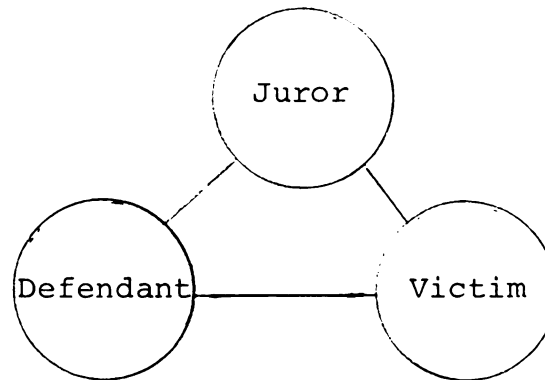
Figure 4.2   A Coorientation Model of the
             Juror-Victim-Defendant Relation-
             ships.

a)   The more attractive the victim, the

     higher the responsibility that will

     be attributed to the defendant.

b)   The more equitable the relationship

     between defendant and victim, prior to

     the commission of the offense, the

     greater the drive to re-balance the

     relationship by attributing greater

     responsibility to the defendant.

2)   Regarding the defendant-related variables:

     First of all, it is necessary to clarify the

different levels of AR and specify the antecedent conditions

that lead to each of them. Then, it is necessary to develop

and validate a taxonomy of messages and situations which

will fulfill those conditions and therefore, trigger the AR

process.

Such messages need not be confined within the context of the legal setting but may easily include similar situations in which an individual finds himself in the position of having to account for his behavior to another individual or social group (i.e., "behavioral accounting"). In this wider context, some relevant work has been done by various authors. For instance, Sykes and Matza (1957) have discussed several "techniques of neutralization" or justifications for deviant behavior which are seen as valid by delinquents but not by the legal system or the society at large. Five major types of such techniques include: denial of responsibility, denial of injury, denial of the victim, condemnation of the condemners, and appeal to higher loyalties. This discussion has been complemented by Scott and Lyman (1968) who discuss several types of excuses such as: appeal to lack of knowledge, appeal to biological drives, scapegoating, and appeal to accidents. The crux of the problem is, of course, to find out which of these accounts are more effective under various conditions.

As for the intervening variables, we have already pointed out certain antecedent conditions that trigger perceived honesty (i.e., any message that conveys spontaneity, voluntariness), similarity (i.e., any message that agrees with same beliefs, attitudes or values of the receiver), sympathy (i.e., any message that indicates negative outcomes or unjust suffering of its source), and positive/negative

labeling (i.e., any message that states the commission of desirable/socially disruptive behaviors on the part of its source).

This approach to the study of communication variables has far-reaching implications for communication science. For instance, the notions just discussed reflect a reorientation of thinking in the sociology of language which views linguistic behavior not as an expression of individual private states but as an indicator of future actions (i.e., language as coordinator of social action). From this perspective, the explanation of a particular type of human behavior follows from "an analysis of the integrating, controlling, and specifying function a certain type of speech fulfills in socially situated actions" (Mills, 1970:472).

The study of behavioral accounting also has implications for other theories in social psychology. For instance, in a discussion of equity theory and legal structures, Macaulay and Walster (1971) have identified some of the techniques through which a harm-doer may restore equity with his victim. Interestingly enough, some of the techniques used to restore psychological equity are exactly those techniques of neturalization discussed by Sykes and Matza (1957). Accordingly, the study of the latter techniques would be a substantial contribution to equity theory.

    3)   <u>Regarding the mathematical rigor of the relationships</u>:

As we have pointed out, the relationships derived from equity and attribution theory lack mathematical rigor partly because of measurement problems and partly because of imprecise integration models. Both problems have been attacked by Anderson (1974), who in the last few years has developed an information integration theory which posits the existence and operation of a general cognitive algebra.

In a review of this work Anderson (1974:3) states that processes for integrating information follow simple rules of ordinary algebra in a wide variety of situations. This cognitive algebra appears to be a general property of the mind, since it is operative in widely different substantive areas." Based on these ideas, Anderson presents several models with different degrees of mathematical sophistication: additive, multiplying, multilinear, ratio, several types of averaging models, and others.

The conclusion of Anderson's survey is that there is enough evidence in the literature to support his claims. This approach opens great new possibilities in the study of social judgment, and these possibilities should also be probed in future research.

4) Regarding other related fields of study:

The results of this research also have implications for areas such as self disclosure, ingratiation and source credibility, and suggest some areas that need further clarification. For instance, in this study, the defendant

was presented as self disclosing either negative, positive
or neutral information. Such a manipulation assumed a linear
relationship between avowal type and the predicted variables
(e.g., AR, liking). However, evidence in the literature on
both self disclosure and ingratiation suggests that the
nature of the relationship may be curvilinear. Cozby (1972)
reports that Ss express more liking for medium disclosers
than for low disclosers, but also feel a strong dislike for
extremely high disclosers. Furthermore, Derlega, Harris, and
Chaikin (1973) had 66 female Ss interact with a female con-
federate who disclosed either very superficial information,
highly intimate information of a conventional nature, or high-
ly intimate information of a deviant nature. Ss like the
confederate significantly less under the deviant-high self-
disclosure condition.

On the other hand, Jones (1964) suggests that potential
ingratiators usually consider the possibility of detection
and therefore tend to adopt a level of ingratiation which
will not make the other person suspicious. Clearly, the
assumption is that high levels of ingratiation may backfire
and result in strong dislike for the ingratiator.

Regarding the source credibility variable, in Chapter
I we reported the finding of Walster et al., (1966) that
"any communicator, regardless of his prestige, will be more
effective and will be seen as more credible when he is argu-
ing for a position opposed to his own best interest, than

when arguing for changes obviously in his own best interest."
The results of this study seem to indicate that their con-
clusion might not be as generalizable as they claim. That
is, whether a position is opposed or in favor of the source's
best interests is something to be decided by the receiver
rather than inferred from the message. In other words, second-
guessing the source's intentions is a possibility that should
be considered. Secondly, it would appear that the phrase
"regardless of his prestige" might not be applicable when
considering sources with <u>negative</u> credibility.

Thus, further research is needed in order to clarify
the relationship between self disclosure, ingratiation,
source credibility and liking, and the subsequent effects of
this relationship on AR.

Conclusion

A goal in this work has been the merging of theoret-
ical and applied concerns so that its results may be useful
for other theory construction in communication, and practical
applications in the legal community.

Regarding the theoretical aspects of this research,
an attempt has been made to clearly specify, whenever possible,
alternative and sometimes contradictory hypotheses derived
from different conceptual frameworks.

Regarding the pragmatic aspects of this work, we have
tried to contribute some knowledge about the workings of the
legal system.

Although the experiment presented in this dissertation refers to a very specific setting such as a simulated jury, its theoretical underpinnings are much broader in scope. We have chosen to view the study of human communication from the standpoint of exchange-based theories such as equity, attribution and identity-negotiation. The basic postulate in these theories is that human behavior (e.g., communicative behavior) will be affected by the actor's perceptions of the outcome structures of social situations (e.g., a court-room trial). In other words, as shown by Weinstein et al. (1968), Weinstein and Deutschberger (1964), Weinstein (1966), Archibald and Cohen (1971), Brown and Garland (1971), Schneider (1969), and many others, "differences in the structure of available outcomes will affect the interpersonal strategies (i.e., communication behaviors) used in pursuing them" (Weinstein et al., 1968).

On the other hand, social actors are usually aware of these tactics and strategies, and therefore seek to interpret the communication behavior of others in light of the possible motives (hidden agenda) that could produce such behaviors.

These theoretical ideas have been the motivation and main thrust of this work. We believe that they reflect a truthful conception of the nature of man. Unfortunately, we have not succeeded in designing a study where all of the richness and truth that we see in them would be adequately tested. Yet, we also believe that some of the findings are supportive
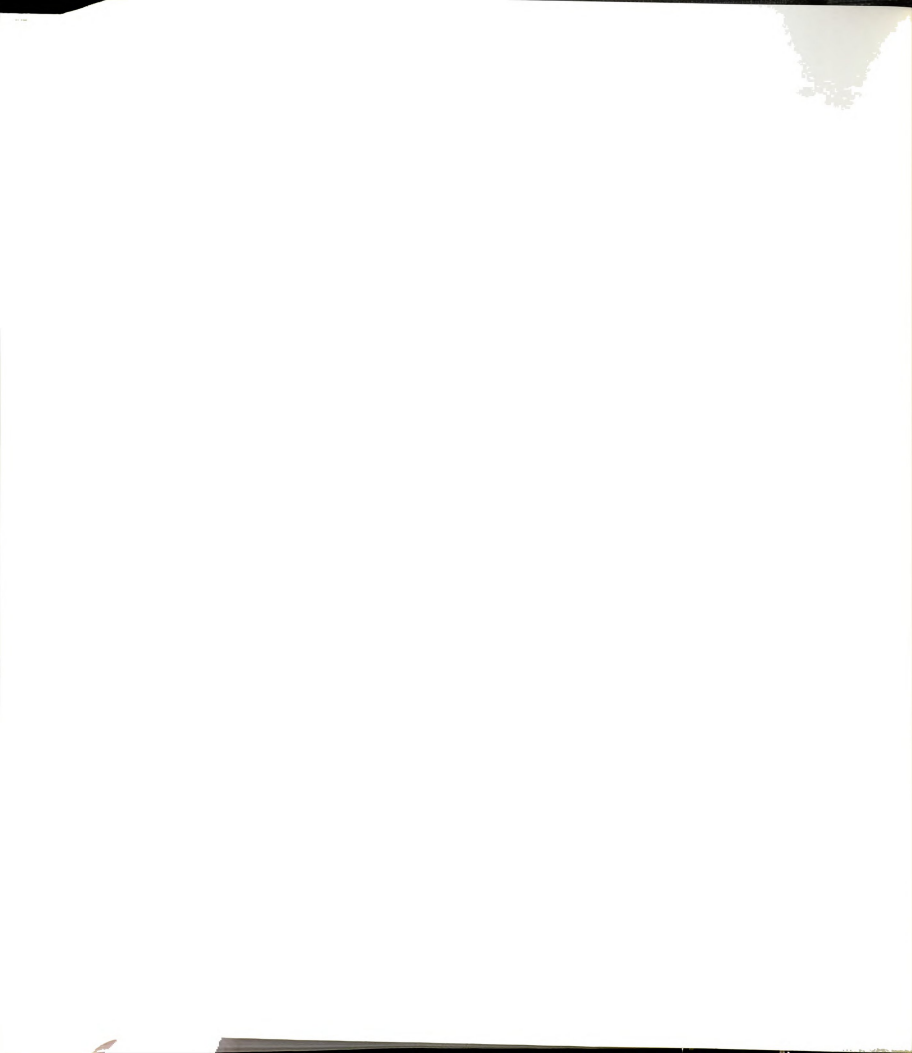
of such a conception. Thus, at the very end, we are forced
to, once more, face and deal with the basic truth that any
scientist must accept: regardless of the results, science
is a painful process where one never dares to believe in
that which one has found.

APPENDIX A

The Experimental Questionnaire

Court Procedures Study

MICHIGAN STATE UNIVERSITY

Spring, 1974

(Study II)

Court Procedures Study

PART I: INTRODUCTION

This project is being carried out as part of a series of studies investigating the process of decision-making in the jury. The goal of this series of investigations is to understand how jury members come to their decisions as they receive information about a case as well as to suggest and try out needed innovations in present court procedures.

The present jury system is under attack for a variety of important reasons. First of all, the insistence upon an absolute decision--that is, the choice between "guilty" and "not guilty"--is considered unrealistic and unfair because in most real situations a person cannot be justifiably considered "totally guilty beyond any doubt" or "totally innocent beyond any doubt." As individuals, we tend to assign to ourselves and to others varying degrees of guilt and innocence, and we assign such guilt or innocence with varying degrees of certainty. And yet jury members are not permitted to do this. This arbitrary restriction on the jury's decision leads to many difficulties in arriving at a decision, and also, many legal experts feel, to many unjust decisions. Therefore, some experts would like to have jury members be able to qualify their votes by indicating the degree of certainty they feel about the defendant's guilt or innocence.

Secondly, the insistence upon a unanimous vote of the jury has some very undesirable consequences. First, it sometimes renders it impossible for a jury to come to a decision. If not, it often adds considerable time to the already cumbersome deliberation process. Secondly, it forces the jury members to discuss the trial and to go over each member's decision. This brings a great deal of social pressure to bear on the few members whose decisions are deviant from the group's judgment. Often, a unanimous decision is reached not as a result of complete agreement about the proper outcome of the case, but as a result of the social pressure and time pressure acting upon all members to agree with each other. Some innovators are suggesting that jury members vote separately and that the results be tabulated by a non-involved party. Under this system, the percentage of agreement necessary for a verdict would be pre-determined.

Thirdly, some critics argue that jury members should have a greater share in the interpretation of the laws they are dealing with. Many times a jury member finds himself in opposition to the law which has been broken--that is, he feels that although an action may have been against the law, it was morally justified. Although this is a difficult issue to deal with, it reflects a problem that is quite frequent these days, and some believe that the jury's views on the moral justification of a defendant's actions should not be entirely beyond the realm of legal considerations.

Finally, the present jury procedures have been criticized for not allowing jury members to make decisions beyond determining the guilt or innocence of the defendant. Many critics would like to see the individual jury members make recommendations about the sentencing or other punishment of the convicted defendant.

The committee which is supporting these studies is considering making some of these recommendations regarding new court procedures, which might remedy some of the shortcomings of the present situation. The purpose of today's study is to try out some of these proposed innovations to see how feasible they are and what implications they have for the decision-making process, before any definite recommendations are made. To do this, <u>we are asking each of you to act as a jury member for a criminal case we will present to you</u>. We want to find out how a jury member comes to decisions on the basis of the information about a case. For this reason, after you hear the testimony on the case, you will be asked to generate a set of judgments on the basis of the information you have received.

The case you will be working with is a classic one. It has been condensed and edited by a group of professors at the Columbia University Law School for use in courses in criminal law, and is now being used at several law schools in this country. All the names have been changed, and the actual jury's verdict has not been made public by the editors.

But the remainder of the records--the testimony of the various witnesses, the arguments made by the prosecuting and defense attorneys, and the statements made by the judge--has been left intact by the editors, except that it has been shortened considerably through summarization of the less important points. We have been careful to provide you with materials selected from the court records of a real trial, and we think it is a case you will find interesting.

In the next few pages you will find the background information on the case. Later on, you will hear the prosecution and the defense's closing statements. Finally, we will ask you to fill out a questionnaire regarding the decisions you have made on the basis of the information provided. Please feel free to report your judgments in all honesty since your answers will be strictly confidential and will be made public only in the form of grouped, anonymous averages.

Remember that you are now a juror evaluating an actual trial.

We thank you for your cooperation.

Court Procedures Study

PART II: JUROR IDENTIFICATION FORM

Below you will be asked to answer a set of questions which are representative of the lines of questioning pursued by most attorneys in the process of selecting a jury.

A. Sex (please check) ___male ___female

B. Date of your birth

    _____
    day   month   year

C. Your Father's occupation: (or was, if dead or retired) (specify the <u>kind</u> of work he does, not where he works)

_____

D. The number of brothers <u>and</u> sisters you have is:

    [ ] (Fill in box)

E. In your family are you the: (please check)

    ___First Born   ___Later Born   ___Only Child

F. In terms of income or wealth of families in your community, do you think your family is:

    ___considerably above average   ___somewhat above average
    ___average   ___somewhat below average
    ___considerably below average

G. How far did your father and mother go in school? (Check one for each)

    FATHER   MOTHER

    ___ less than 8 grades   ___
    ___ 8 grades   ___
    ___ 9-11 grades   ___
    ___ 12 grades   ___
    ___ graduated high school   ___
    ___ some college   ___
    ___ college degree   ___
    ___ An advanced degree (Masters, Ph.D., or   ___
        professional such as law or medicine)

H. How fair do you think the jury system is?

_____

Court Procedures Study

PART III: TRANSCRIPTS FROM TRIAL

State of New York vs. Johnny Marco

I. Opening Statements

1. Clerk: (Introduced and briefly described the case.) "Johnny Marco is charged with 2nd degree murder of his father, Frank Marco, on the night of August 9, 1957. It is charged that the defendant willfully and deliberately stabbed his father, causing him to die, although the act of murder was not premeditated nor planned. The defendant has pleaded not guilty to the charge of 2nd degree murder. He admits killing his father, but pleads that it was a case of simple manslaughter in that the act was committed under sufficient mitigating circumstances to relieve him of criminal responsibility before the law. The trial of the State of New York vs. Johnny Marco is now in session."

2. Prosecuting Attorney: (The attorney for the State briefly summarized the events leading up to the trial.) The prosecution would attempt to show that Johnny Marco, on the night of August 9, 1957, fatally stabbed his own father in cold blood; and that although this act could not be considered premeditated in the usual sense of the word, it was in cold blood and not either in defense or in rage and while in possession of his faculties. Prosecution asks for a verdict of 2nd degree murder.

3. Defense Attorney: (The defense made a rather long statement about the circumstances preceding the alleged act
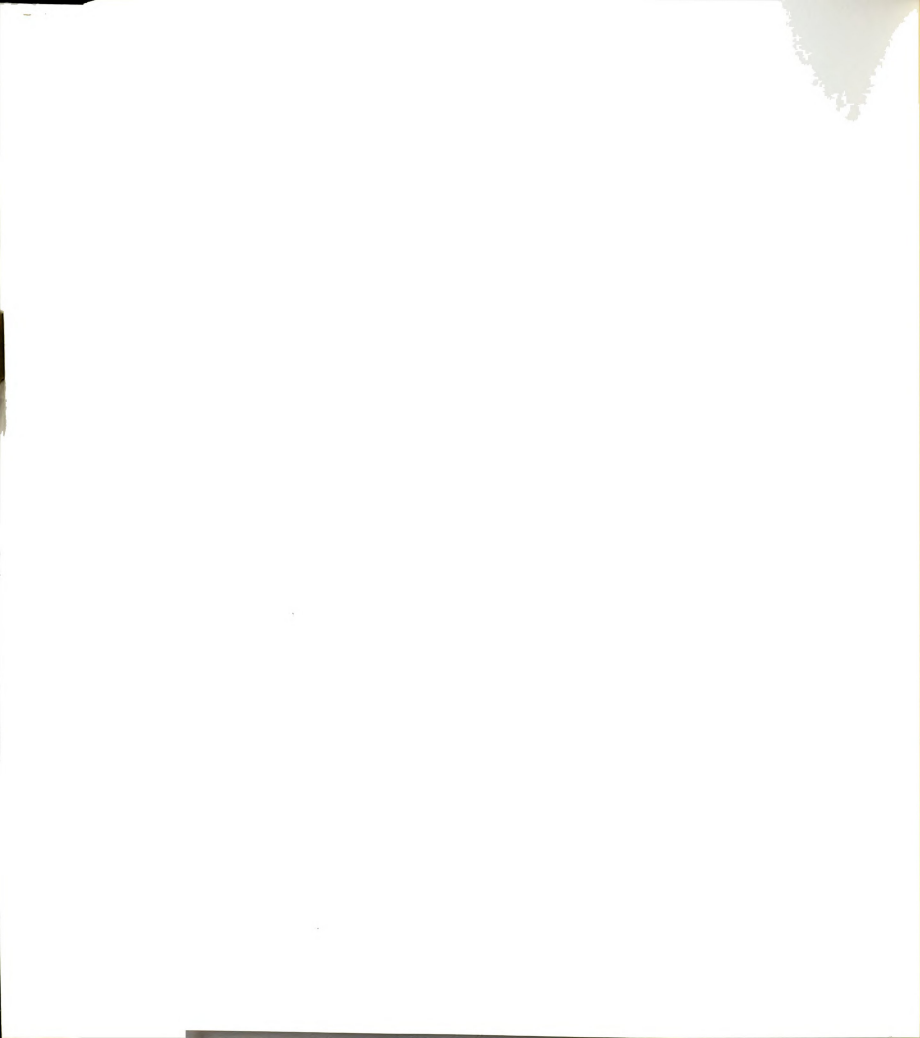
of murder.) The defense admits that Johnny stabbed his
father, but pleads extenuating circumstances. It would at-
tempt to show that Johnny had never had a decent home life,
that he had been brought up cruelly and without love, that
his father and indeed the rest of society had always treated
him as an animal, had not given him even the barest necessi-
ties, and had never even attempted to teach him to be a civi-
lized human being. That on the night of the killing he had
been goaded by his father beyond endurance and had still con-
trolled himself, that his father became openly violent, not
only toward Johnny but also toward his young sister, and that
in attempting to defend himself Johnny struggled with his
father and finally stabbed him in the heat of the struggle.
Defense asks for a verdict of manslaughter, and acquittal on
the charge of second degree murder.

II. General Information

Frank Marco, born 1910, died 1957, the deceased and
father of the defendant.

Johnny Marco, 19 years at the time of the trial,
defendant and son of the deceased.

Angelina Marco, 15 years at the time of the trial,
daughter of the deceased and sister of the defendant.

III. Background Testimony

Witness: Captain Anthony Buonauro, New York City Police
Department. Captain Buonauro testified that on the night of

August 9th he was called to the Marco's apartment by neigh-
bors. He knocked on the door which was opened by Johnny
(whom he identified in court by pointing to him). In the
small apartment he found Mr. Marco lying on his face on the
floor with a switchblade knife beside him. There was blood
on the knife and Mr. Marco was dead. Johnny's sister Angelina
was crying loudly and Johnny was covered with blood. When
Captain Buonauro asked Johnny what had happened, the boy re-
plied, "I killed him, but he asked for it." On cross examin-
ation, Captain Buonauro stated that when Johnny was told of
being arrested he shouted, "No, I'm not going to jail,"
turned around and tried to leave by the fire-escape. Finally
Captain Buonauro and Patrolman Kegel together were able to
capture Johnny and take him into custory.

Witness: Lowell B. Waterman, coroner.

Dr. Waterman testified that the deceased had suffered
three wounds in his chest, one of which pierced the heart and
was fatal.

The consulting physician supported Dr. Waterman's
testimony and there was no cross examination.

The following are excerpts from the actual trial con-
cerning the testimony of the defendant.

Defense: Johnny, how old are you?

Johnny: Nineteen years old.

Defense: Where did you attend high school?

Johnny: George Washington High School.

Defense: Johnny, where do you live?

Johnny: 1405 East 103rd Street.

Defense: Who lived with you at that address?

Johnny: My father and my sister.

Defense: How would you describe your relations with your father?

Prosecution: Your Honor, I object. That question is not relevant to this case.

Defense: Your Honor, I believe it is relevant. I will attempt to show a history of hostility and provocation between Johnny and his father.

Judge: The court will withhold ruling on the objection and will allow defense counsel a few minutes to demonstrate the relevance of this line of questioning. Johnny, please answer the question.

Johnny: Well, things were not that good between my father and me. We had some rough times together. He really wasn't home that much, and neither was I.

               I spent most of my time with my Boy Scout troop. We organized the neighborhood alley clean-up last year.

Judge: The jury is instructed to ignore Johnny's last statement. Johnny, please confine your answers to questions that are asked.

Defense: Johnny, how long have you lived at the 1405 East 103rd Street address?

Johnny: For the last eight or nine years.

(trial continues)

Now we will give you further relevant information on the case. This will be in the form of a tape recording of parts of the prosecution and defense attorneys' closing remarks in court, and it highlights the important points of evidence they raised. You will hear some new evidence being presented in the tapes and some references made to testimony which you have not read, this is natural since we have shortened various portions of the trial in order to present it to you in a short time. This tape, of course, is not an original, since the making of tapes for purposes other than those directly connected with the proceedings of the case itself is prohibited. However, in order to represent, as best we can, the actual situation of a jury member in court, this reconstructed taped speeches are more suitable than merely a printed copy of the testimony. They strictly follow the written court record, and quote it verbatim.

PLEASE DO NOT TURN THE PAGE AND START ANSWERING THE QUESTIONNAIRE UNTIL THE EXPERIMENTER HAS PLAYED THE TAPE RECORDING COMPLETELY. (If other people have not finished reading the case up to this point, you may have to wait a few moments for the tape to be played.)

After the prosecution and the defense rest their cases, the judge instructed the jury as follows:

> As to the question of guilt, it has already been established that the defendant killed his father. It is up to you as a jury member to decide whether or not he is guilty of second-degree murder. To help you make your decision, we repeat here the charges against the defendant: 'It is charged that the defendant willfully and deliberately stabbed his father, causing him to die, although the act of murder was not premeditated or planned, and that the act was not committed under sufficient mitigating circumstances to relieve him of criminal responsibility before the law.'
>
> You may find him guilty of this offense or of the lesser offense of manslaughter, or may find him not guilty as charged.
>
> You have been instructed, during the course of this trial, as to the applicable law in this case. You have also been advised that if Johnny is legally guilty of killing his father, he must be found guilty of either second degree murder or manslaughter. Your deliberations are confidential and your conclusions cannot be challenged.

Court Procedures Study

PART IV: <u>JUROR'S DECISIONS</u>

Now you are to make a judgment on the basis of the information available. Again, you are asked to <u>imagine your-self in the position of a member of a jury</u>, and the evidence you have heard is all you have available. Please answer the questions honestly and carefully as your responses may be very important to future trial procedures. Thank you.

1. To what extent would you say that the death of
    the victim, Mr. Marco was an accident?
    Answer any percent from 0 to 100, where 0 is
    <u>not at all</u> accidental and 100 is <u>totally</u>   16 17 18
    accidental

    %

2. How <u>responsible</u> do you think <u>Johnny</u> is for
    the death of his father?
    Answer any percent from 0 to 100, where 0 is
    <u>not at all</u> responsible and 100 is <u>totally</u>   19 20 21
    responsible

    %

3. How <u>responsible</u> do you think <u>Johnny's sister</u>
    is for the death of her father?
    Answer any percent from 0 to 100, where 0 is
    <u>not at all</u> responsible and 100 is <u>totally</u>   22 23 24
    responsible

    %

4. How <u>responsible</u> do you think <u>Johnny's father</u>
    is for his own death?
    Answer any percent from 0 to 100, where 0 is
    <u>not at all</u> responsible and 100 is <u>totally</u>   25 26 27
    responsible

    %

5. To what extent do you think <u>Johnny</u> is legally
    <u>guilty</u> of killing his father?
    Answer any percent from 0 to 100, where 0 is
    <u>not at all</u> guilty and 100 is <u>totally</u>   28 29 30
    <u>guilty</u>

    %

6. What is your <u>verdict</u> on the case?   31
    Guilty of second degree murder

    Please enter a one in the box at the
    right of the alternative you choose
    and a zero in the other two boxes.
    Guilty of manslaughter and   32
    <u>not</u> second degree murder

    Not guilty   33

7. <u>Assume</u> that Johnny has been found guilty and
    that you are to assign a prison sentence to
    him. If the option of parole does not exist,   34 35
    what <u>sentence</u>, if any, would you assign to him?
    Answer in number of years in prision. The
    maximum number of years for second degree
    murder is usually 30.

8. To what extent do you perceive Johnny as being
    an <u>honest</u> person?   36 37 38
    Answer any percent from 0 to 100, where 0 is
    <u>not at all</u> honest and 100 is <u>totally</u>   %
    honest

9. To what extent do you think Johnny was <u>morally</u>
    <u>justified</u> for his actions in this case?
    Answer any percent from 0 to 100, where 0 is 39 40 41
    <u>not at all</u> morally justified and 100 is
    <u>totally</u> morally justified   %

10. To what extent did Johnny's testimony impress
    you as information <u>revealing</u> his criminal
    disposition?   42 43 44
    Answer any percent from 0 to 100, where o is
    <u>not at all</u> revealing and 100 is <u>completely</u> %
    revealing

11. To what extent did Johnny's testimony impress
    you as an attempt to present himself in a
    <u>favorable</u> way?   45 46 47
    Answer any percent from 0 to 100, where 0 is
    <u>not at all</u> favorably and 100 is <u>completely</u> %
    favorably

In the next set of questions, choose the number in the scales that best corresponds to your feelings for each particular question, and enter it in the corresponding box at the immediate right of the question.

NOT AT ALL   VERY MUCH

12. How similar do you feel to Johnny?

     1   2   3   4   5   6   7   48 ☐

13. How much would you like to really meet Johnny?

     1   2   3   4   5   6   7   49 ☐

14. How close do you feel to Johnny?

     1   2   3   4   5   6   7   50 ☐

15. How much do you admire Johnny?

     1   2   3   4   5   6   7   51 ☐

16. If you got to know Johnny better, how much do you think you would like him?

     1   2   3   4   5   6   7   52 ☐

17. How much did you initially like Johnny?

     1   2   3   4   5   6   7   53 ☐

18. To what extent do you agree with the following statement?
     "Johnny's testimony increased my general opinion of him."

                  1 - strongly disagree
Please enter   2 - disagree
your answer in   3 - neither agree nor disagree   54 ☐
the box at the   4 - agree
right   5 - strongly agree

19. To what extent do you agree with the following statement?
     "Johnny's testimony made me feel sympathetic towards him."

                  1 - strongly disagree
Please enter   2 - disagree
your answer in   3 - neither agree nor disagree   55 ☐
the box at the   4 - agree
right   5 - strongly agree

20. Generally, how confident do you feel of your responses to all the questions presented above? Please enter your answer in the box at the right

NOT AT ALL
CONFIDENT

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

VERY MUCH CONFIDENT

56

21. To what extent do you think you put yourself in the role of a juror in making the prior judgments? Please enter your answer in the box at the right

NOT AT ALL

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

VERY MUCH

57

Please enter your answers in the boxes at the right.

22. What is Johnny's age?

58 59

23. In what year did the incident take place?

60 61

19

In the following questions
please answer with the scale given

24. How free did you feel in arriving at a verdict?

Please enter your answer in the box at the right

NOT AT ALL
FREE

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

VERY MUCH
FREE

62

25. How important were the judge's instructions in arriving at your decisions?

Please enter your answer in the box at the right

NOT AT ALL
IMPORTANT

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

VERY MUCH
IMPORTANT

63

26. How <u>open</u> do you think Johnny has been in this trial?

Please enter your answer in the box at the right

NOT AT ALL
OPEN

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

VERY MUCH
OPEN

64

In the following questions, choose the answer (true or false) that you consider correct, and enter the corresponding number in the box at the right.

27. In his testimony, Johnny mentioned being a member of a street gang.

1 - true

2 - false

65

28. The judge instructed the jury to ignore part of Johnny's testimony.

1 - true

2 - false

66

29. The judge instructed the jury of their power to disregard his instructions concerning applying the law.

1 - true

2 - false

67

30. In his testimony, Robert mentioned Johnny being a member of a Boy Scout troup.

1 - true

2 - false

68

31. How bad do you think it is to be a member of a
    street gang and to rob a store?

    Please enter your answer in the box at the right

NOT AT ALL   VERY BAD
    BAD   69
        | 1   2   3   4   5   6   7 | ☐

32. How good do you think it is to be a member of a
    Boy Scout troup and participate in a neighborhood
    clean-up campaign?

    Please enter your answer in the box at the right

NOT AT ALL   VERY GOOD
    GOOD   70
        | 1   2   3   4   5   6   7 | ☐

        We will now ask you to transcribe your answers for
questions 1 through 22 and 28 through 32a to the answer
sheet provided in the following page. the instructions
for doing this are as follows:

    1. The number directly above each square at
        the right margin of the questions corres-
        ponds with the numbers in bold print on
        the following page. For instance, in ques-
        tion one there are three squares numbered
        18, 19, 20 which match the same numbers in
        the second row of the answer sheet.

    2. After matching the square number with the
        bold print number on the answer sheet, you
        are to black out the alternative that cor-
        responds with the number inside the box.
        For example, if your answer for question
        one had been 075%, you would black out
        alternative zero for number 18, alternative
        seven for number 19, and alternative five
        for number 20.

REMEMBER THE FOLLOWING:

a) If a box is blank because the answer was a two-digit
    number or for any other reason, black out the zero
    alternative in the scoring sheet.

b) Make sure you use the scoring pencil provided to you.
    Otherwise, your scores will not be read by the computing
    machine.

c) Never black out more than one alternative in any given
    number in the scoring sheet.

d) When you have finished, check to see if you filled out
    every number in the scoring sheet. Yours should have
    started at number 18 and finished at number 70.

THANK YOU FOR YOUR COOPERATION

DO NOT WRITE BELOW THIS LINE
_____

71	72	73	74	75	76	77	78	79	80

APPENDIX B

Transcript of the Tape-recorded Statements

Defense

Johnny Marco has lived all his life at one of the
worst slums in the city. His mother died when he was very
young and since then he has lived with a drunken father who
has beaten him, belittled him and squandered the little wel-
fare money he received on liquor instead of supporting his
children. Johnny has gone through life wearing old and
ragged clothing, often not sure of where his next meal was
coming from. He has lived in an area where violence is a
commonplace happening. In Johnny's area, violence is some-
times the only means to prevent one's self from being bul-
lied and pushed around.

Johnny's life has consisted of a series of hard
knocks, one after the other. His environment has continual-
ly acted as a force, eroding his patience and challenging
his stability. We cannot be surprised that he reacted vio-
lently when faced with the extremely provoking circumstances
of the night in question. Imagine this poor, mistreated boy
coming home that night to find his drunken father attempting
to abuse his sister Angelina, an innocent, defenseless,
young girl. We know that Johnny generally tended to pro-
tect his sister whenever it was necessary. As Mr. Long
from the New York Welfare Department pointed out, the only
way he could think of to get Johnny really angry was to say
something negative about his sister. Johnny really loved
his sister very much, and he idealized her womanhood and

her purity, the way it's done in the Italian tradition, a
tradition which he had learned so much about from his late
grandmother.

Knowing that he held such ideals, it should not be
surprising that his first reaction was to protect his sister
from abuse and dishonor by attempting to stop his father.
He tried to protect her without intending to hurt his father.
But he had no way to stop his father without attacking him
physically. He was driven by the urgent and overwhelming
desire to protect his sister. He could have had no better
motivation.

The prosecution would have us believe that Angelina
was in no real danger when Johnny came home. You've heard
Mr. Pucchini's testimony. Frank Marco habitually came into
his bar in the evening and often during the day as well, as
he held no steady job. He drank heavily. Mr. Pucchini said
that Mr. Marco had to be helped home about 2 or 3 times a
week. And that he occasionally became aggressive, "fighting-
like," as he put it, when he had a little too much. Mrs.
Pertelly who lives on the same street as the Marcos has
testified that the women in the area knew that they had
better avoid Frank Marco when he was drunk. More than a few
of them had to reject his unwanted advances when he was in
this condition. Mrs. Samsio, the Marco's upstairs neighbor,
has testified that she has seen Angelina in at least one
occasion with bruises on her face as if she had been beaten.

Mrs. Samsio also said that she overheard violent arguments between Frank Marco and his daughter usually when he came home drunk.

You remember that Mr. Pucchini said that on the night of the stabbing, Frank Marco had a few beers and about a dozen shots of rye, and that he seemed a little more drunk than usual when he left. There cannot be a doubt that in this condition, Frank Marco was a threat to his daughter.

The prosecution has asserted that even if Johnny felt it was necessary to defend his sister, he had no excuse for pulling a knife on his father. This is unfair. We've heard that Frank Marco weighed over 200 pounds and that he was considered the strongest man in the neighborhood before his drinking became heavy. Johnny weighs hardly more than 135. He tried to subdue his father with his bare hands, but he was no match for his father. He could not have protected his sister without threatening him without some weapon. Johnny has consistently reported that he drew his knife only after failing to stop his father with his bare hands. The prosecution is trying to make a big issue out of the fact that on cross examination, Angelina admitted that amid all of the emotion and excitement she couldn't be certain whether or not she could remember Johnny trying to subdue his father first before pulling his knife. Angelina was in critical danger on that night and suffered through one of the most traumatic experiences a young girl can go

through. Being cross-examined was also a highly emotion-
arousing experience for her. To Angelina, the whole evening
was a nightmare and she admits that she is no longer certain
about many things which happened. We should not take this
understandable vagueness of Angelina's memory of the whole
evening as evidence against Johnny on this one particular
point.

The prosecution has tried to show that Johnny meant
to kill his father when he pulled his knife by mentioning
that Johnny was experienced with a knife. But all the boys
in the area carry knives, according to the social worker,
Mr. Withum, and he has a great deal of experience with these
boys. The knives are used as status symbols and play objects
rather than as weapons. Johnny had owned a knife for years
without ever using it as a weapon. We should not take
Johnny's experience as a knife-handler as evidence that he
intended to use his knife on his father. On that night,
when Johnny attempted to protect his sister, his father, in
a drunken state, advanced on the boy and they began to fight.
Johnny risked being severely beaten as well as not being able
to protect his sister; so he pulled out his knife, not with
injuring or killing in mind, but to scare his father off.
Now, instead of realizing his folly and standing back as a
normal, sober man would do, Frank Marco lunged at his son
and tried to get the knife away. At this point Johnny's
fear was intense. He knew his father's violent nature and

saw the extent of his anger. During the scramble for possession of the weapon, Johnny suddenly felt he was fighting for his life. He was sure that if his father ever got the knife away, would not hesitate to use it on him, so in a moment of panic, he stabbed blindly at his father.

We cannot blame him for resorting to the only means of defense he saw left to him. This boy's defense of his sister and of himself against a man who constituted a real threat to the physical and moral safety of his own children, this we are asked to consider as murder. The prosecution cannot ask this of us. Johnny's fear was understandably high. He showed remarkable control until the danger became unbearably great. Johnny may have been guilty of bad judgment in ever using the knife, but we should not charge him with the responsibility for murder. Johnny was a young, responsible boy with human emotions, defending his sister and himself against a drunken, violent father. We have no justification for treating this boy like a ciminal. We may consider Johnny Marco a well-meaning but unfortunate boy whose impulsive actions in defense of his sister led to a senseless tragedy, but we cannot call him a murderer. I ask for a verdict of "not guilty."

Prosecution

Johnny Marco was a bad boy. He was constantly getting
in trouble; bullying people and taking what he wanted with
little regard for others. He disrupted school and he beat
other boys. His teacher, Miss Calderare, testified that he
was a continual behavior problem. Often Johnny solemnly re-
fused to reply to her questions, and once he shouted an ob-
scene remark at her. Now this is hardly the picture of a
peaceful boy. Nor are the frequent threats, the "I'll get
you later," that he often put to those who dared to disagree
with him.

Many other boys have lived in poor families and not
killed their fathers, how can this boy be excused just be-
cause his life has not been easy? Instead of rising above
his difficulties and becoming a decent citizen, he has taken
the easy way out.

Now going through the major events once more: Johnny
came home one night and presumably found his father yelling
at his sister. According to the defendant, he tried to stop
his father, and he struggled with him. Up to this point,
his behavior sounds like what other boys might have done,
but then ladies and gentlemen, then Johnny took a switchblade
knife from his pocket. He stated that he merely wanted to
scare his father off, but did he need a switchblade knife to
do that? Johnny Marco, a healthy, young man of 19, asks us
to believe that he could only stop a defenseless man, clumsy

with drunkenness, by pulling a switchblade knife on him.

What is even more surprising is that the knife was
not used to threaten his father, or even to wound him
slightly.

No, the knife was plunged three times into the man's
body. Once straight into his heart.

According to the police reports, there were no bruis-
es on Mr. Marco's body, nor on Johnny, indicating a struggle
had taken place. Now we must remember that Johnny was no
clumsy novice with a switchblade knife. He couldn't have
stabbed his father three times by accident. He stabbled
the unarmed man and can give no better reason than "he just
didn't think."

Throughout this trial we have maintained that Angelina
Marco was in no danger when her brother came home. And yet
if we suppose for the moment that she was in danger, John-
ny's actions still cannot be seen as justified. He clearly
had other, better and safer, means to protect his sister.
If he really wanted to protect his sister, he could easily
have done so without the knife. If his sister really was
in danger, Johnny could at least have interferred with his
father long enough for her to run away. And at this point,
having accomplished what he had set out to do, he could have
run away, too. He would have had no reason to stay and
fight. If his motivation was really to protect his sister,
and not to injure his father, his task would have been quite

simple.   But, Johnny remained to fight.

Johnny had other, completely nonviolent alternatives
if his goal was really to protect his sister.   This incident
did not happen in isolation, it happened in an apartment
house on a hot summer night, with all the windows open.   And
Johnny could easily have summoned help from the neighbors.
But he didn't even try.   Five of the Marco's immediate neigh-
bors have testified in this trial, and not one has mentioned
hearing any loud voices from the Marco's apartment before
they heard the screams of the dying Frank Marco.

Johnny did not choose the only alternative open to
him; he chose the most violent, and the most senseless way
he could of stopping an argument between his sister.   The
defense asks you to excuse him because there was provocation,
but was there sufficient provocation? No.   Clearly, neither
Johnny's life nor that of his sister was threatened.   Nor
was it shown that his father was a cruel man who tortured
his son.   It was hardly a matter of self defense.   Nor was
it an accident.   No, ladies and gentlemen, there was some
provocation but nothing of a severity sufficient to excuse
a boy for killing his own father.   I ask for a verdict of
guilty of second degree murder.

APPENDIX C

Experimental Manipulations of the Independent Variables

(Cells 1 and 2)

Self, negative avowal

Ignore condition

Johnny: Well, things were not that good between my
             father and me. We had some rough times
             together. He really wasn't home that much,
             and neither was I.

             I spent most of my time with the Raven's
             street gang. We pulled the robbery of the
             neighborhood grocery store last year.

Judge: The jury is instructed to ignore Johnny's
             last statement. Johnny, please confine your
             answers to the questions that are asked.

Defense: Johnny, how long have you lived at the 1405
             East 103<u>rd</u> Stteet address?

Johnny: For the last eight or nine years.

             (trial continues)

(Cells 3 and 4)

Self, negative avowal

Not ignore condition

Johnny: Well, things were not that good between my
            father and me. We had some rough times
            together. He really wasn't home that much,
            and neither was I.

            I spent most of my time with the Raven's
            street gang. We pulled the robbery of the
            neighborhood grocery store last year.

Defense: Johnny, how long have you lived at the 1405
            103rd Street address?

Johnny: For the last eight or nine years.

            (trial continues)

(Cells 5 and 6)

Self positive avowal

Ignore condition

Johnny: Well, things were not that good between my father and me. We had some rough times together. He really wasn't home that much, and neither was I.

I spent most of my time with my Boy Scout troop. We organized the neighborhood alley clean-up last year.

Judge: The jury is instructed to ignore Johnny's last statement. Johnny, please confine your answers to the questions that are asked.

Defense: Johnny, how long have you lived at the 1405 103rd Street address?

Johnny: For the last eight or nine years.

(trial continues)

(Cells 7 and 8)

Self positive avowal

Not ignore condition

Johnny: Well, things were not that good between my
           father and me. We had some rough times
           together. He really wasn't home that much,
           and neither was I.

           I spent most of my time with my Boy Scout
           troop. We organized the neighborhood alley
           clean-up last year.

Defense: Johnny, how long have you lived at the 1405
           East 103rd Street address?

Johnny: For the last eight or nine years.

(trial continues)

(Cells 9 and 10)

Self neutral avowal

Not ignore condition

Johnny: Well, things were not that good between my
             father and me. We had some rough times
             together. He really wasn't home that much,
             and neigher was I.

Defense: Johnny, how long have you lived at the 1405
             103<u>rd</u> Street address?

Johnny: For the last eight or nine years.

(trial continues)

(Cell 11)

Other negative avowal

Not ignore condition

Robert: Well, things were not that good between Johnny and his father. They had some rough times together. His father really wasn't home that much, and neither was he.

Johnny spent most of his time with the Raven's street gang. They pulled the robbery of the neighborhood grocery store last year.

Defense: Robert, how long have you lived at the 1405 103<u>rd</u> Street address?

Robert: For the last eight or nine years.

(trial continues)

(Cell 12)

Other positive avowal

Not ignore condition

Robert: Well, things were not that good between
           Johnny and his father. They had some rough
           times together. His father really wasn't
           home that much, and neither was he.

           Johnny spent most of his time with his Boy
           Scout troop. They organized the neighbor-
           hood alley clean-up last year.

Defense: How long have you lived at the 1405 East
           103rd address?

Robert: For the last eight or nine years.

(trial continues)

(Cell 13)

Other neutral avowal

Not ignore condition
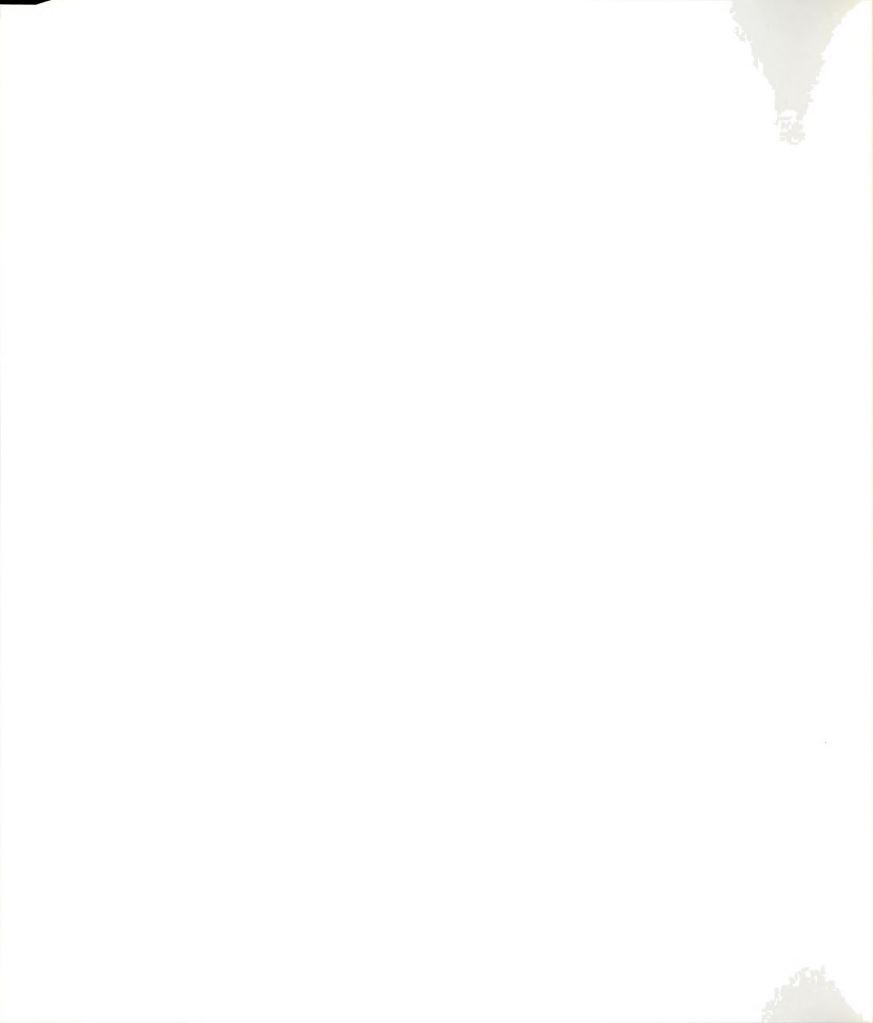

Robert: Well, things were not that good between
            Johnny and his father. They had some rough
            times together. His father really wasn't
            home that much, and neither was he.

Defense   How long have you lived at the 1405 East
            103rd Street address?

Robert: For the last eight or nine years.

(trial continues)

(Cells 1, 3, 5, 7, 9,
11, 12 and 13)

Nullification condition

After the prosecution and the defense rest their
cases, the judge instructed the jury as follows"

As to the question of guilt, it has already been
established that the defendant killed his father.
It is up to you as a jury member to decide whether
or not he is guilty of second-degree murder. To
help you make your decision, we repeat here the
charges against the defendant: 'It is charged that
the defendant willfully and deliberately stabbed
his father, causing him to die, although the act
of murder was not premeditated or planned, and that
the act was not committed under sufficient mitigat-
ing circumstances to relieve him of criminal respon-
sibility before the law.'

You may find him guilty of this offense or of the
lesser offense of manslaughter, or may find him not
guilty as charged.

You have been instructed, during the course of this
trial, as to the applicable law in this case. You
have also been advised that if Johnny is legally
guilty of killing his father, he must be found
guilty of either second degree murder or manslaughter.

However, it is in your power as a jury to go against the instructions given to you in this case, if you deem it necessary in order to best serve the interests of justice. Your deliberations are confidential and your conclusions cannot be challenged.

(Cells 2, 4, 6, 8
and 10)

No nullification
condition

After the prosecution and the defense rest their
cases, the judge instructed the jury as follows:

As to the question of guilt, it has already been
established that the defendant killed his father.
It is up to you as a jury member to decide whether
or not he is guilty of second-degree murder. To
help you make your decision, we repeat here the
charges against the defendant: 'It is charged that
the defendant willfully and deliberately stabbed
his father, causing him to die, although the act of
murder was not premeditated or planned, and that
the act was not committed under sufficient mitigating
circumstances to relieve him of criminal respon-
sibility before the law.'

You may find him guilty of this offense or of the
lesser offense of manslaughter, or may find him not
guilty as charged.

You have been instructed, during the course of this
trial, as to the applicable law in this case. You
have also been advised that if Johnny is legally
guilty of killing his father, he must be found

guilty of either second degree murder or man-
slaughter. Your deliberations are confidential
and your conclusions cannot be challenged.

APPENDIX D

Means and Standard Deviations of
the Variables in the Study
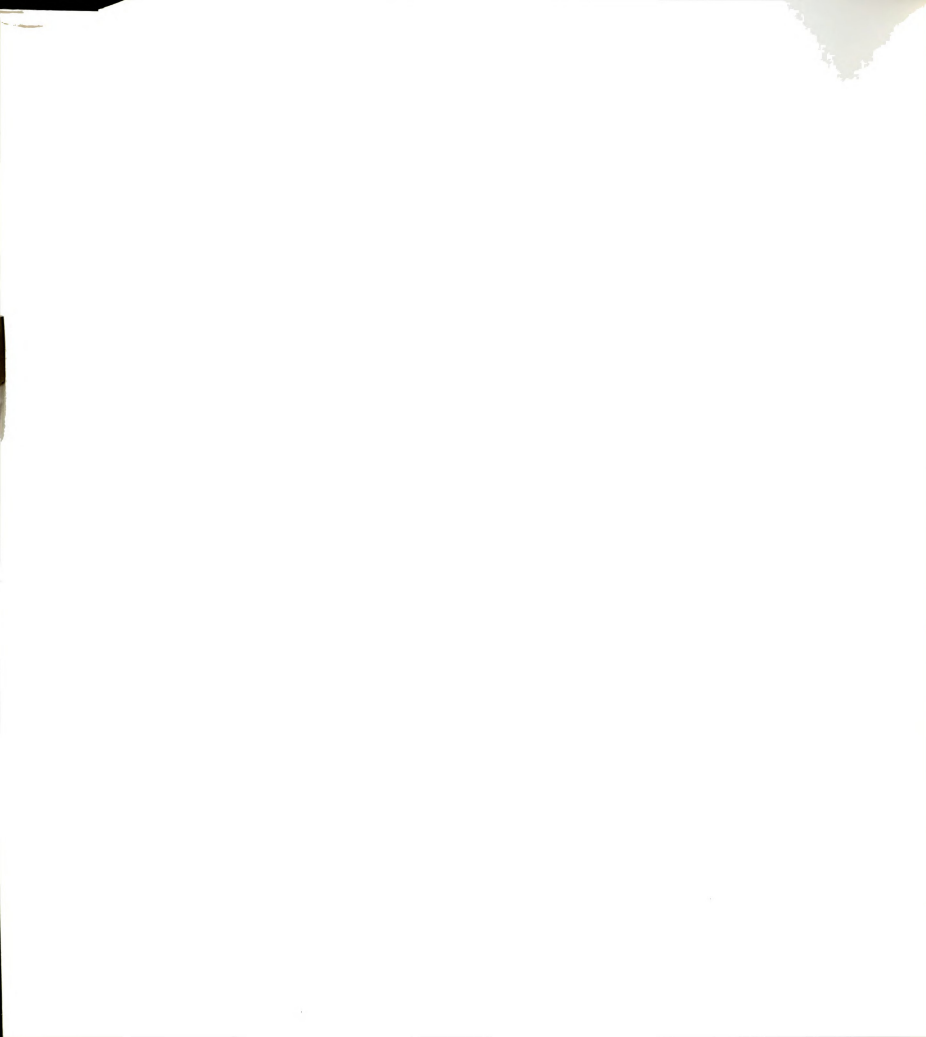
Table D.1. Means and Standard Deviations of the Variables in the Study.

Variable	N=260		N=108		N=72	
	X	SD	X	SD	X	SD
Sex	.46	.50				
Year of Birth	52.22	3.70				
Family Size	2.95	1.98				
Birth Order	.76	.52				
SES	1.41	.88				
Father Education	4.75	1.85				
Mother Education	4.41	1.53				
Accident	47.22	30.83	49.53	31.69	48.82	31.98
Responsibility Defendant	56.99	29.88	55.16	32.22	55.46	33.34
Responsibility Sister	12.06	18.15	11.92	18.91	10.99	18.90
Responsibility Father	60.24	28.84	59.09	29.99	58.25	31.21
Guilt	62.60	34.22	62.03	35.99	62.12	36.33
2nd Degree Murder	.15	.35	.13	.34	.14	.35
Manslaughter	.70	.46	.69	.46	.65	.48
Not Guilty	.15	.36				
Sentence	5.55	5.96	5.40	6.34	5.80	7.09
Desire to Meet	4.06	2.28	4.33	2.36	4.36	2.47
Closeness	2.99	1.75	3.18	1.79	3.32	1.84
Admiration	2.36	1.54	2.50	1.59	2.51	1.61
Potential Liking	3.65	1.49	3.70	1.39	3.75	1.36
Initial Liking	3.28	1.50	3.40	1.48	3.44	1.46
Similarity	2.44	1.73	2.56	1.85	2.49	1.85

Table D.1 (cont'd.)

	$\bar{X}$	SD	$\bar{X}$	SD	$\bar{X}$	SD
Positive Evaluation	3.15	.87	3.10	.91	3.25	.84
Negative Evaluation	34.17	30.54	31.63	29.80	33.56	32.03
Sympathy	3.43	.96	3.30	1.02	3.30	1.04
Honesty	60.45	24.21	61.28	24.23	60.62	24.96
Perceived Positive-ness of Content	5.30	1.40	5.66	1.27	5.56	1.17
Perceived Negative-ness of Content	5.53	1.39	5.23	1.35	5.63	1.33
Perceived Ingratiation	50.65	31.39	50.34	32.58	53.24	34.53
Perceived Openness	4.34	1.40	4.33	1.41	4.47	1.31

	N=80		N=120	
	$\bar{X}$	SD	$\bar{X}$	SD
Honesty	61.94	24.55	61.53	24.70
Similarity	2.64	1.98	2.68	1.97
Responsibility	56.47	32.64	55.69	32.08
Guilt	60.54	36.47	60.74	36.40
2nd Degree Murder Verdict	.14	.35	.14	.35
Not Guilty Verdict	.21	.41	.19	.40
Sentence	5.85	6.89	5.46	6.22

APPENDIX E

Additional Intercorrelations Among Variables

Table E.1. Correlations Between Indicators of Liking and Indicators of Attribution of Responsibility (N=72).

	X_1	X_2	X_3	X_4	X_5	X_6	X_7	X_8	X_9	X_{10}	X_{11}	X_{12}	X_{13}
Sentence (X_1)	1.000												
Accident (X_2)	-.403	1.000											
Responsibility Defendant (X_3)	.462	-.415	1.000										
Responsibility Sister (X_4)	-.043	-.084	.204	1.000									
Responsibility Father (X_5)	-.393	.361	-.476	.015	1.000								
Guilt (X_6)	.277	-.265	.475	-.149	-.394	1.000							
2nd Degree Murder (X_7)	.616	-.428	.400	-.107	-.326	.354	1.000						
Manslaughter (X_8)	-.186	.198	-.051	.038	-.017	.210	-.551	1.000					
Desire to Meet (X_9)	-.260	.250	-.325	.058	.131	-.057	-.124	.048	1.000				
Closeness (X_{10})	-.341	.261	-.421	-.081	.296	-.226	-.180	-.030	.607	1.000			
Admiration (X_{11})	-.269	.237	-.241	.030	.186	-.221	-.230	-.058	.253	.413	1.000		
Potential Liking (X_{12})	-.274	.293	-.310	.188	.316	-.480	-.163	-.243	.441	.358	.278	1.000	
Initial Liking (X_{13})	-.318	.243	-.237	.104	.112	-.172	.015	-.098	.434	.385	.315	.418	1.000

Table E.2. Correlations Between Indicators of Liking and Indicators of Attribution of Responsibility (N=108).

	X_1	X_2	X_3	X_4	X_5	X_6	X_7	X_8	X_9	X_{10}	X_{11}	X_{12}	X_{13}
Sentence (X_1)	1.000												
Accident (X_2)	-.271	1.000											
Responsibility Defendant (X_3)	.418	-.313	1.000										
Responsibility Sister (X_4)	.014	-.036	.260	1.000									
Responsibility Father (X_5)	-.297	.360	-.397	.075	1.000								
Guilt (X_6)	.233	-.237	.493	-.036	-.311	1.000							
2nd Degree Murder (X_7)	.561	-.392	.354	-.113	-.306	.324	1.000						
Manslaughter (X_8)	-.175	.198	.013	.087	.063	.211	-.582	1.000					
Desire to Meet (X_9)	-.201	.232	-.256	.002	.148	-.002	-.172	.128	1.000				
Closeness (X_{10})	-.248	.138	-.325	-.079	.100	-.253	-.224	-.070	.466	1.000			
Admiration (X_{11})	-.225	.156	-.253	-.016	.122	-.216	-.244	-.032	.277	.393	1.000		
Potential Liking (X_{12})	-.282	.140	-.296	.082	.212	-.412	-.236	-.128	.419	.363	.380	1.000	
Initial Liking (X_{13})	-.281	.165	-.209	.056	.030	-.202	-.104	-.012	.464	.405	.378	.533	1.000

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Table E.3.   Intercorrelations of Intervening Variables for Four
Cell and Six-Cell Designs.

		X_1	X_2	X_3	X_4	X_5
Honesty (X_1)		1.000	.099	.155	.197	.232
Negative labeling	(X_2)	.099	1.000	.121	.212	-.052
Similarity (X_3)		.155	.121	1.000	.267	.134
Positive labeling	(X_4)	.197	.212	.267	1.000	.428
Sympathy (X_5)		.232	-.052	.134	.428	1.000

Four-Cell Design (N=72)

		X_1	X_2	X_3	X_4	X_5
Honesty (X_1)		1.000	.052	.163	.145	.188
Negative labeling	(X_2)	.052	1.000	.116	.215	.050
Similarity (X_3)		.163	.116	1.000	.160	.069
Positive labeling	(X_4)	.145	.215	.160	1.000	.383
Sympathy (X_5)		.188	.050	.069	.383	1.000

Six-Cell Design (N=108)

APPENDIX F

Canonical Weights and Canonical Correlations
Between Indicators of Intervening Variables and
Indicators of Liking

Table F.1. Canonical Weights and Canonical Correlations Between
Indicators of Intervening Variables and Indicators
of Liking.[a]

Design	Canonical Correlation	Eigenvalue (Variance explained)	χ^2	Degrees of Freedom	Significance
Four Cells (N=72)	.682	.466	55.15	25	.000
Six Cells (N=108)	.676	.458	82.17	25	.000

Intervening Variables	Canonical Weights	
	Four Cells (N=72)	Six Cells (N=108)
Honesty	.517	.578
Similarity	.599	.580
Sympathy	.084	-.059
Negative Evaluation	.088	.058
Positive Evaluation	.240	.331
Indicators of Liking		
Desire to Meet	.298	.196
Closeness	.069	.170
Admiration	.491	.471
Potential Liking	.303	.398
Initial Liking	.241	.123

[a]First canonical variate only.

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