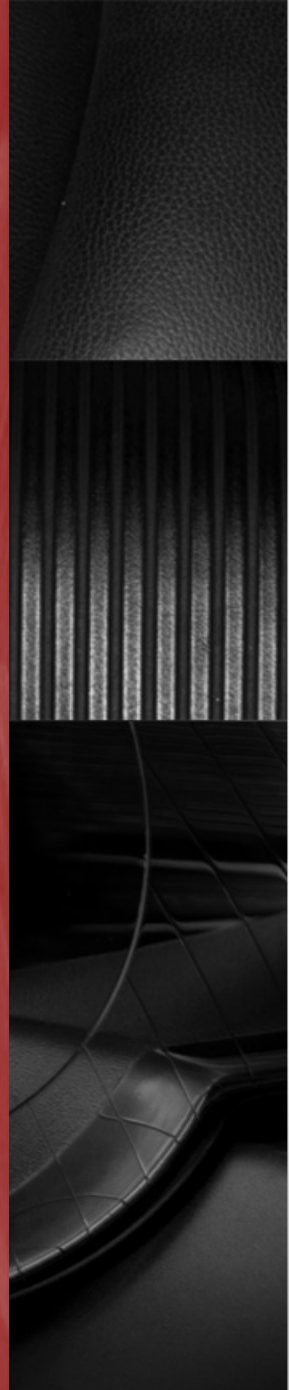



# *Social-psychological suggestions with respect to judicial influencing*

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- 
- Social influence is everywhere. Basic model: someone influencing, someone the target of influencing (and positioning himself with respect to the influencing 'tactic')
  - From a social-psychological point of view, penological issues as 'dealing with imposed conditions' or 'imposing conditions' are straightforward examples of social influencing.

Court

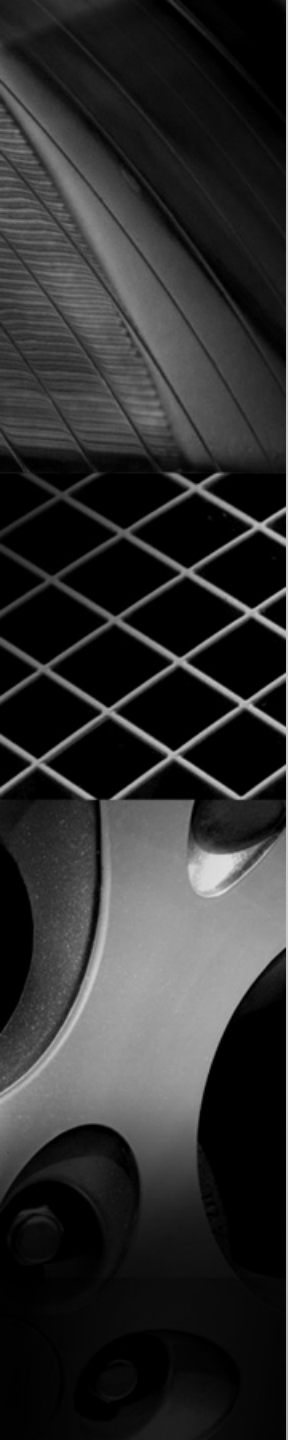
**ACTOR with a  
REQUEST**

Influencing tactic

(ex-)offender

**TARGET of the  
request**

(dis)Obedience?  
(non-)Compliance?  
(non-)Conformity?  
Reactance?  
Resistance?



# Some themes



# 1. Motives


- Social influence research has given the realisation of 'values' and 'goals' a central role in understanding how persons deal with kinds of influence: how they handle discrepancy between personal and influencer's goals, how emotion and thinking co-regulate such perceived discrepancies
- *Core Social Motives*
  - Can operate consciously, but
  - Goals-setting often is implicit and automatic

## FISKE

- *Belonging (strong, stable relations?)*
- *Understanding (shared meaning & prediction?)*
- *Enhancing self (Self worthy?)*
- *Trusting (are others good?)*
- *Controlling (perceived contingency B – O?)*

## CIALDINI

- *Affiliation (do I belong to the reference group?)*
- *Accuracy (does reality match my goal-setting?)*
- *Maintaining positive self-concept (self-consistency)*

- 
- Motives of agent and recipient may, but should not be expected to, match.
  - How an influencing tactic is given meaning depends on the recipient's 'activated' motive + his hypotheses concerning the agent's motive(s) ... and vice versa
    - Intra- and interindividual variability reign!
    - 'verbal reports' will be highly idiosyncratic



## 2. Social influence\*, 'kinds of':

- **Conformity** is changing one's **behavior** to match the responses of *the* others/reference group. The group doesn't do anything actively (it just is). Doing as perceived.
- **Compliance** is acquiescence to a proposal (either explicit or implicit), by a 'peer'. Doing as asked/suggested.
- **Obedience** is doing what authority/ingroup hierarchy demands. Doing as told.
- *\*I use conventional terms (not those used by recent general models such as Nail's (2000, 2013) 4d model of social response – see following slides)*





## *a). Conformity to group (majority):*

- Functions quite often in automatic mode
- Influencing agent does not pressure or force, but 'is' 'present'
- Target mostly wants to
  - understand how the world functions (informational conformity)
  - tune into positive expectations of the others (normative conformity)



## *b). Compliance:*

- An influencing agent (with equal (or higher) social status) asks the target something, who then publicly acts as requested.
- The influencing agent uses social pressure/tactics (more or less indirect) to realize behavior change
- Literature describes a myriad tactics to obtain compliance
- Functions mostly through core motives of accuracy, affiliation, and maintaining + self-concept




### *c). Obedience:*

- Influencing agent and target are in a hierarchical (power) **relationship** (superordinate - subordinate).
- A person obeys another if he publicly yields to the power exerted by the influencing agent.
- And this yielding is, again, differentiated by the particular underlying core social motives

## ■ e.g., French & Raven's model of power bases

- *Informational power*: Leading to socially independent change = Agent has knowledge, target understands its value and accepts (within a zone of relative autonomy).
- *Reward power vs Coercive power*: Leading to socially dependent change with surveillance necessary. either personal or impersonal/tangible/physical
- Leading to socially dependent change with surveillance unnecessary: *Legitimate power vs Expert power vs Referent power*
  - Legitimate position power ('legitimacy')
  - Legitimate power of reciprocity ('obligation to reciprocate')
  - Legitimate power of equity ('righting a wrong')
  - Legitimate power of responsibility ('helping who depends on you')



■ So, Relative positions of target and influencing agent are important in differentiating conforming, complying vs obeying....

- Can an (ex-)offender ever be thought of as ‘with equal social status’ as, e.g., sentencing implementation court, or probation officer?
- Is using compliance as term not really newspeak for ‘demanding obedience’? And camouflage of power tactics as compliance *seeking*?
- A bottom-up model of following imposed conditions will start as a obedience/disobedience model. The (ex-)offender has to obey, not to comply.




### 3. Resisting social influence:

- **Reactance:** resisting the *influence attempt*. Refers to the negative emotional reaction to the usurpation of freedom. Feeling that choices are taken away, or range of choices limited.
- **Skepticism:** resisting the content of the influence, by reasoning or activating negative associations of the proposal.
- **Inertia:** desire not to change, to avoid disruption. Disengagement. (*As it was until now, is how it is best*).

## 4. Influencing is an ingroup process:

- All social influence processes presuppose that persons interact as group members (impersonal in conformity, peer-to-peer in compliance, and sub vs superordinate in obedience processes).
  - For offenders who consider themselves as not part of the reference group (eg., high on antisocial cognitions), none of these processes should be expected to be necessarily present!!

Why obey someone you do not 'recognize? (unless by brute power)



- Social influence should differentiate the public vs private position vis à vis the proposal.

- We hope that the private position (on rule-following) changes – accepting the norm not just publicly, but privately as well.

*But why would we want to ask this? Do you have internalized all society's normative requests?*

- Attempts at a comprehensive model (e.g. Nail) differentiate public/private (= behavioral vs attitudinal) at various steps of influence process.



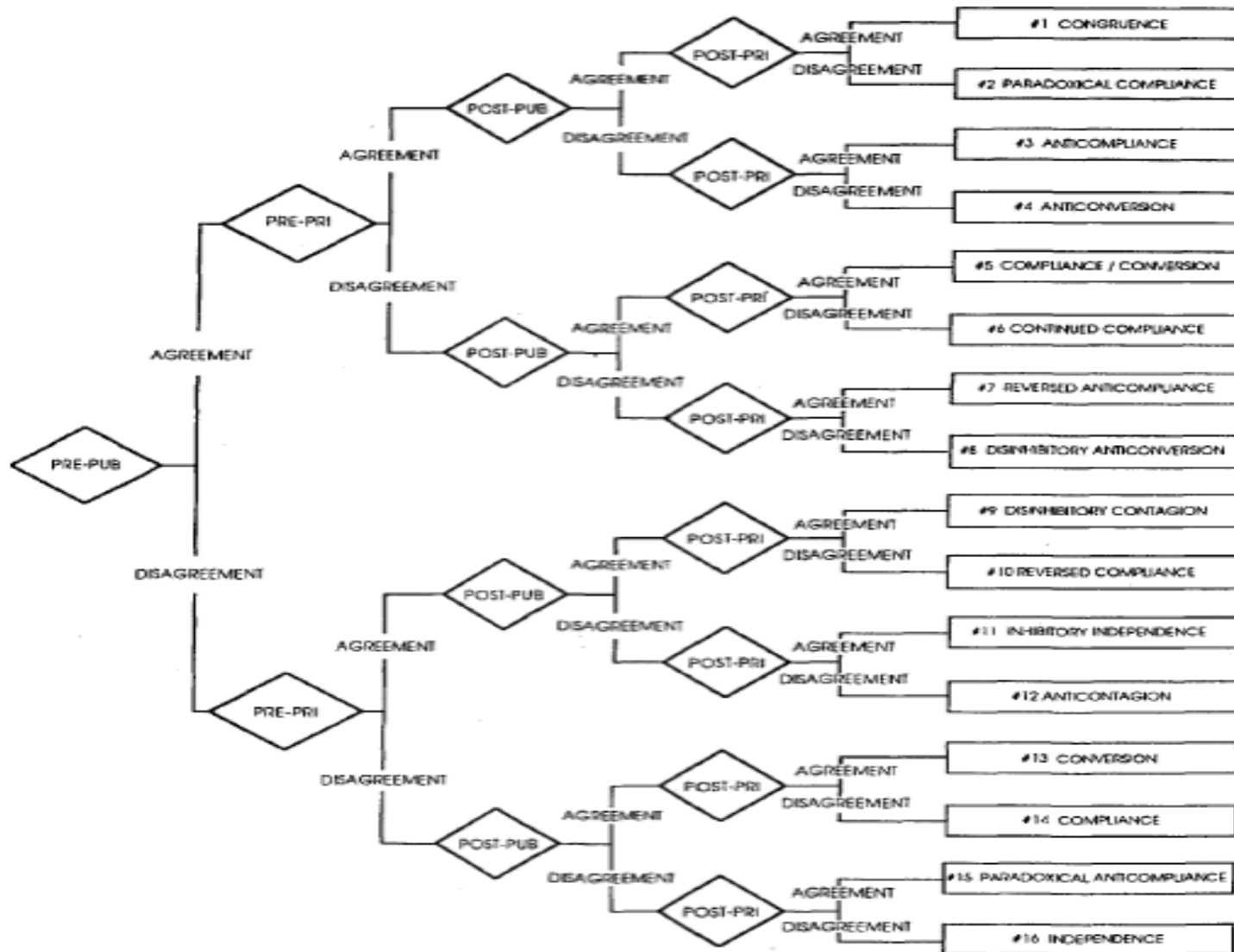


Figure 2. A four-dimensional model of social influence. PRE-PUB is the influencee's preexposure, public position relative to the influence source; PRE-PRI is the preexposure, private position; POST-PUB is the postexposure, public position; POST-PRI is the postexposure, private position.

Compliance Conformity (#14) Versus  
Disinhibitory Contagion (#9)

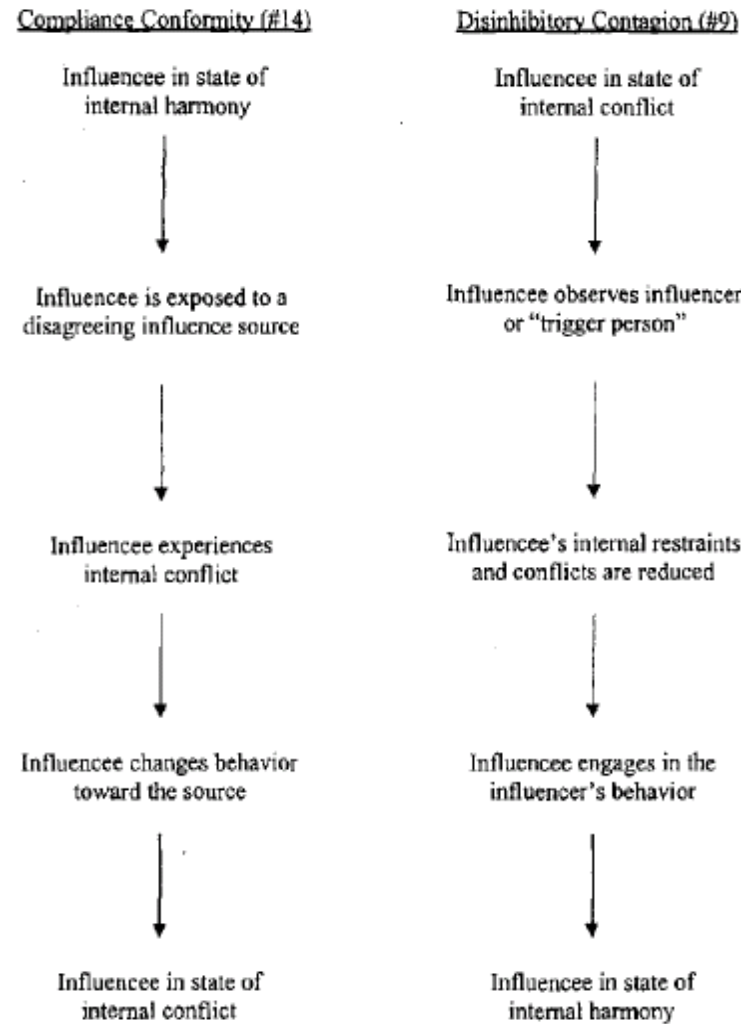



Figure 3. A flow chart contrasting #14 compliance conformity and #9 disinhibitory contagion.



## *Where to with Bottoms' typology?*

It seems to me that, social-psychologically speaking, ...



... it uses 'Compliance' rather loosely, conflating it with behavior and processes that, in the relevant psychological literature on social influence, have been differentiated:

**Instrumental (+/-):** *obedience* to impersonal reward/coercive power.

**Constraint-based:**

Imposed physical: *obedience* to impersonal coercive power

Social-structural: *obedience* to impersonal coercive power  
(unadorned)

**Normative:**


Acceptance social norm: *obedience* ? To informational or referent?  
Power. Nail would call it **conversion**


Attachment: (*indirect*) *compliance* for affiliation?

Legitimacy: *obedience* to legitimated position power

**Habitual:**

Normative *conformity*

- 
- So, a social psychological reformulation results in a predominance of power — based processes.
  - Incorporating desistance in this model does not seem to work well, as this would imply a **transformation** of power to social status relationships.
    - One must obey before one becomes a peer (again)
    - Which, by the way, is one way to interpret the notion of ‘desistance signaling’

- 
- The Robinson & McNeill inclusion of ‘motivational postures’ is interesting, but does not translate well into modes of resistance--at least two of these are non-resisting the proposed behavior. Mot. Posturing seems a way of talking about **private** attitude differences that could affect social (non-)influence (using Nail’s classification)

Capitulation seems a kind of conformity

Committment seems a kind of compliance

Disengagement seems a kind of compliance

Resistance seems a kind of skepticism

Game-playing seems a kind of Anti-conformity/independence  
(using Nail’s classification)

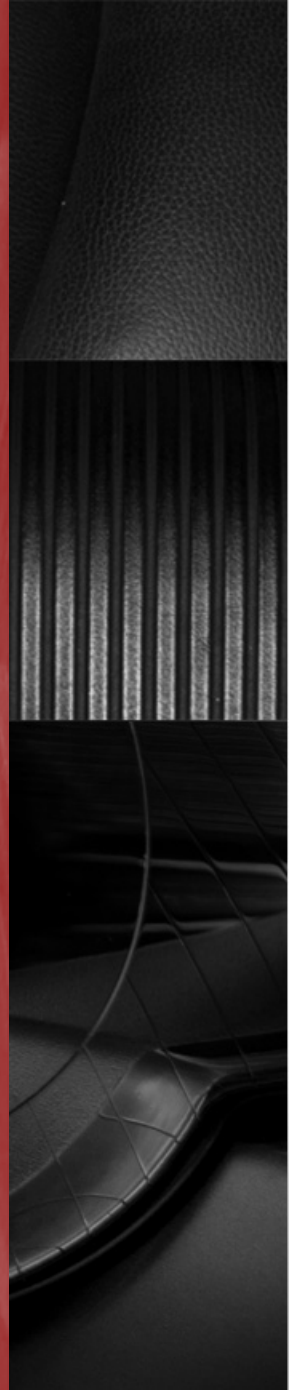


# Why bother with (social) psychology?

- Besides improving (*sorry*) the criminological self-concept (being consistent  $\approx$  comply because of the inter/multidisciplinary motive)
- Formulating compliance (with community sanctions) in more psychologically validated concepts/models, would allow to integrate it with the large literature on rule-following and rule-breaking (deviance, delinquency) and stimulate coherent approaches to rehabilitation & prevention
- And will help improve 'probation' practices with what is known to work in which situation with which person in social influencing

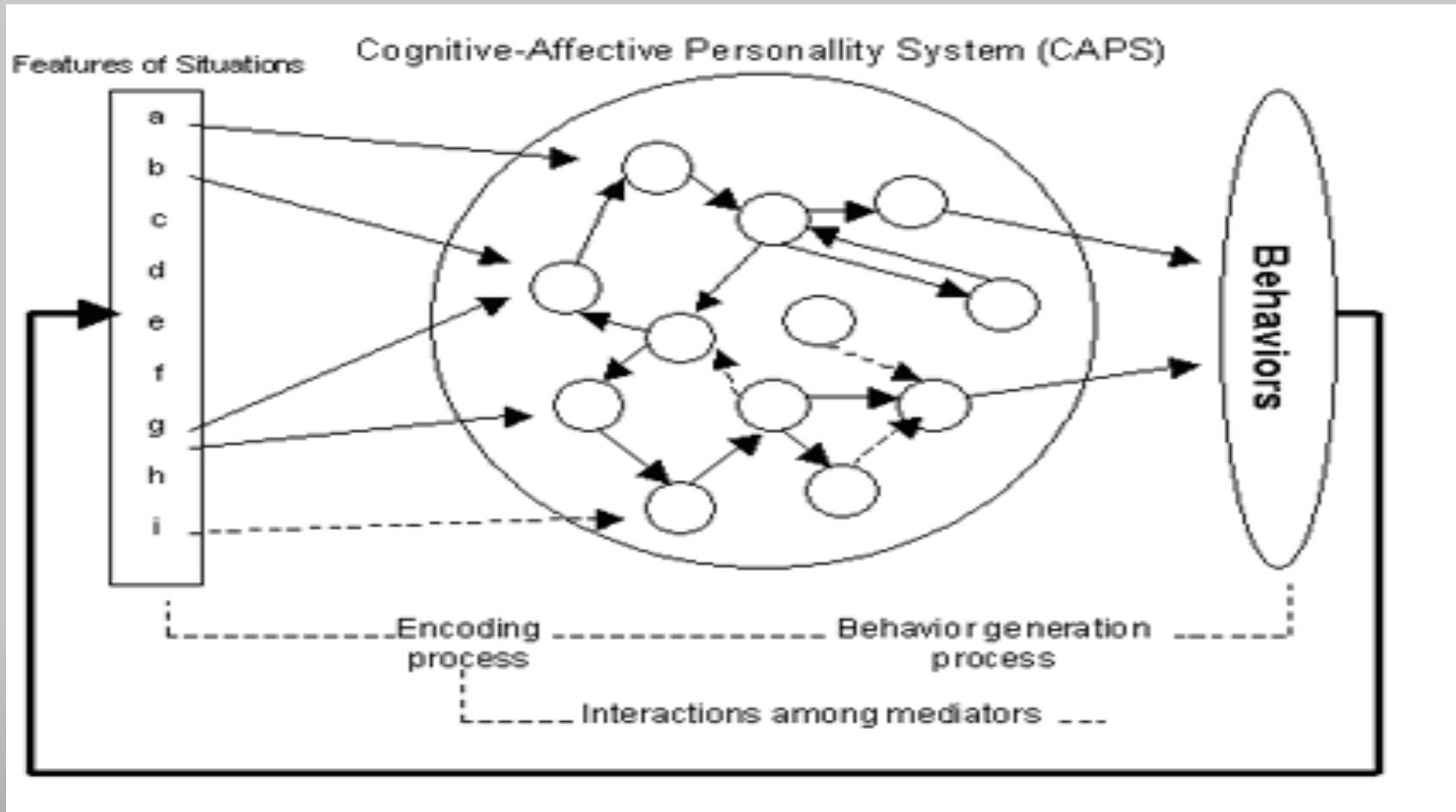
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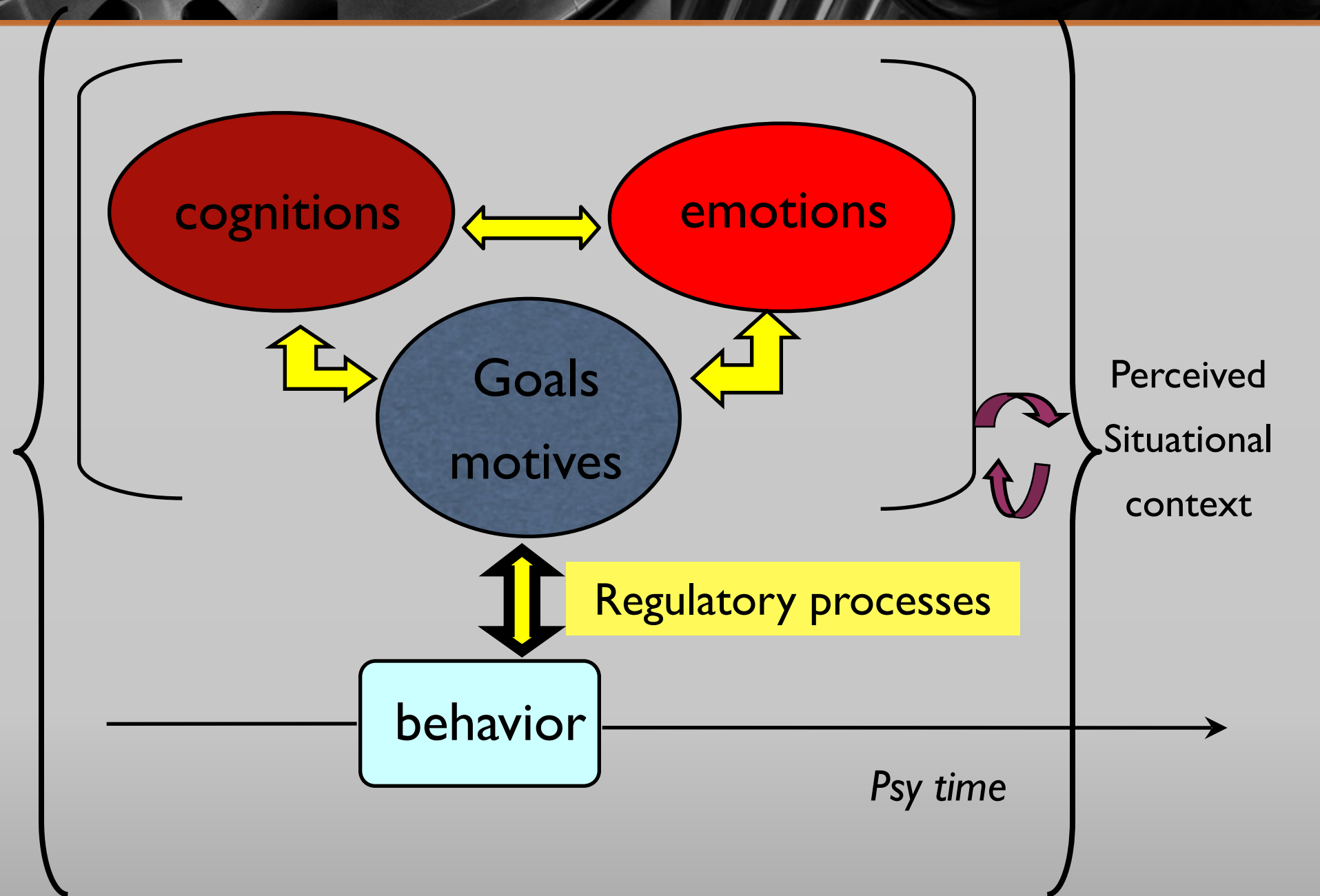
[Stef.decoene@vub.ac.be](mailto:Stef.decoene@vub.ac.be)





# Process model of personal functioning (Mischell & Shoda, Bandura ....)



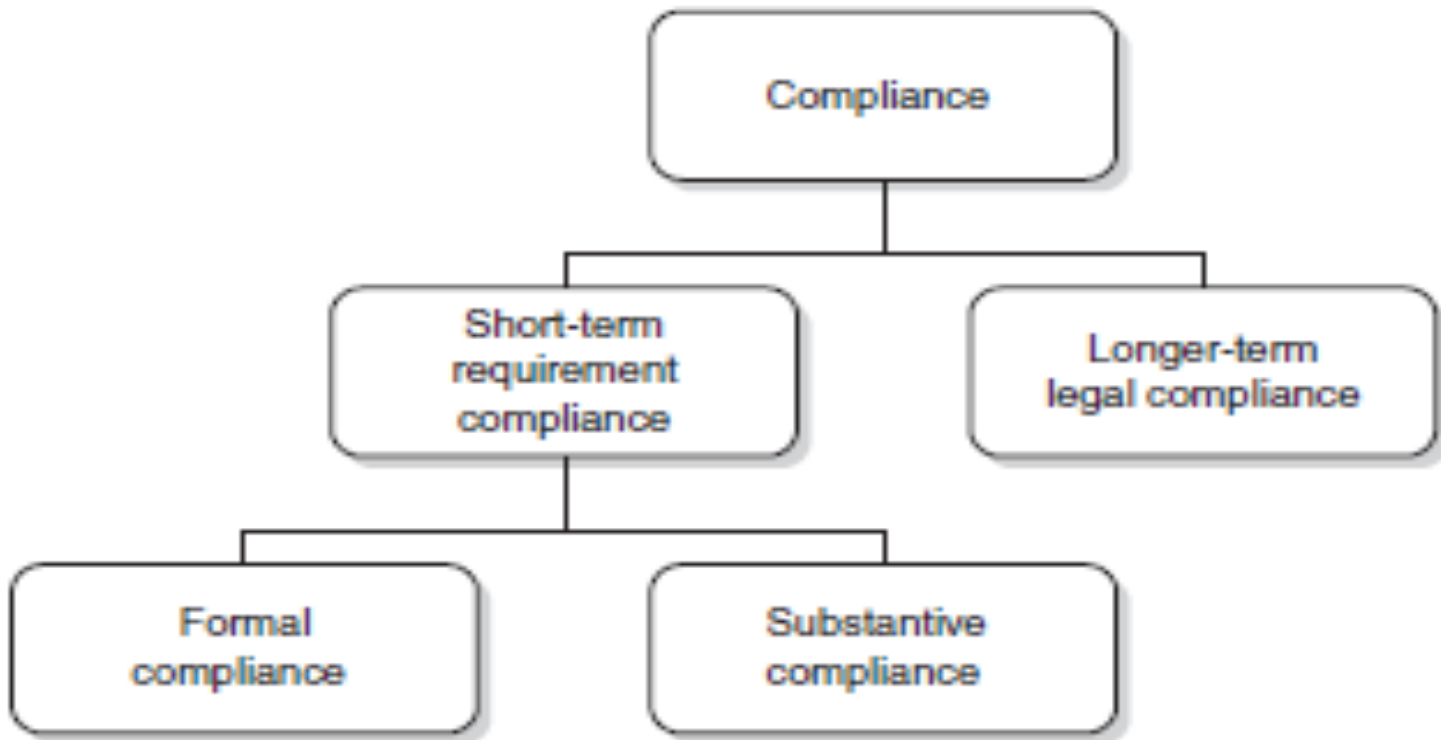




# Bottoms' compliance typology

- A theoretical typology (2001, 2002) of various ways in which an (ex-)offender can 'accept imposed conditions, and linking it with desistance processes; adapted by Robinson & McNeill (2008)
- Combines a 'kinds-of' and 'determinants-of' typology, resulting in a possible dynamics of complying (with community sanctions)

# Kinds of compliance



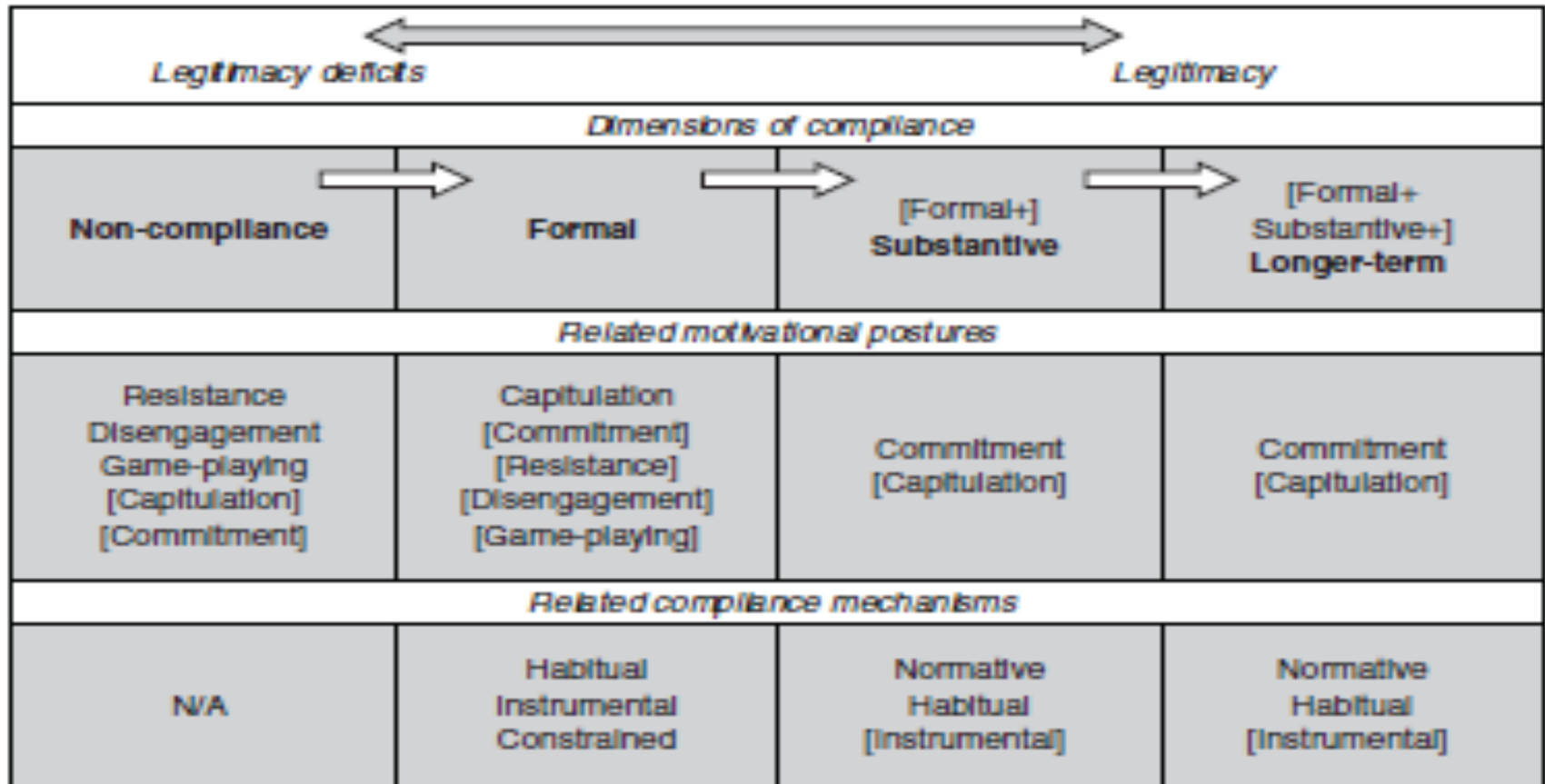
**Figure 1**  
A typology of compliance

# Determinants (Bottoms 2002)

- A. Instrumental/prudential compliance**
  - 1. Incentives
  - 2. Disincentives
- B. Constraint-based compliance**
  - 1. Physical constraints
    - (a) Physical restrictions on individuals leading to compliance:
      - (i) natural; (ii) imposed
    - (b) Physical restrictions on accessibility of target, availability of means to commit crime, etc.
  - 2. Social-structural constraints
- C. Normative compliance**
  - 1. Acceptance of or belief in social norm
  - 2. Attachment leading to compliance
  - 3. Legitimacy
- D. Compliance based on habit or routine**

*Figure 1 An Outline of the Principal Basic Mechanisms Underpinning Legally Compliant Behaviour*

# Dynamics (Robinson & McNeill 2008)



**Figure 4**

A dynamic model of compliance with community supervision