Weerspannigheid en delinquentie

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Document Version
Publisher's PDF, also known as Version of record

Publication date:
2004

Link to publication in University of Groningen/UMCG research database

Citation for published version (APA):

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Summary

In this dissertation, Sherman’s defiance theory (1993) is theoretically differentiated and empirically tested. Sherman has offered an explanation for the adverse effects on offenders of sanctions by law-enforcement agents. Instead of focussing on the instrumental features of sanctions or on the characteristics of offenders, the main concern of defiance theory is on the perception of the interaction between offender and sanctioning agent by the offender.

The main question of this study is:
Does the administration of a sanction of delinquent behavior by a law-enforcement agent have an adverse effect under the conditions that are stated by Sherman?

In the first chapter an analysis of Sherman’s theory is given. Defiance theory offers a reaction model for the adverse effects of a sanction. According to Sherman’s theory a sanction will have an adverse effect if a sanctioned offender who has weak conventional bonds (condition 1) perceives the sanction as unfair (condition 2) and as stigmatizing (condition 3). Instead of shaming himself the offender will react with anger (condition 4). Under these four conditions the probability increases for defiance to occur.

Sherman defines defiance primarily as the net increase in prevalence, incidence or seriousness of future offending against a sanctioning community. He also describes defiance as an affect or an attitude. For the theory to be tested empirically a clear definition of the construct of defiance is needed first. This is given in the second chapter. In this study defiance is defined as a cluster of related attitudes. Attitudes can be conventional or unconventional and can vary in strength. Defiance is characterized as a cluster of related weak conventional and strong unconventional attitudes towards a community, towards the norms and rules in a community, and towards the law-enforcement agents of that community. These attitudes are related to one another through affects. Restrained emotions of anger will weaken the conventional attitudes of a sanctioned person. These restrained emotions will
cause a hostile mood and strengthen latent hostile sentiments, which in turn may stimulate or strengthen unconventional attitudes.

Defiance can vary in intensity. The more someone has weaker conventional attitudes and the more someone has stronger unconventional attitudes, the stronger the attitude of defiance will be. A strong attitude of defiance will increase a propensity for committing a delinquent act. A strong attitude of defiance may result in persistent delinquency in the end. An existing attitude of defiance will be relatively stable. A strong attitude of defiance may fluctuate in time due to changes in those conditions which are necessary for defiance to occur.

Chapter three further elaborates upon the four conditions for defiance to occur. The focus in doing so is on the main theories which are used in defiance theory. To describe the first condition, i.e. weak conventional bonds, Sherman implicitly refers to Hirschi’s bonding theory. In this dissertation a revision of Hirschi’s theory by Weerman (1998) is used. For defiance to occur not just weak conventional bonds are necessary, but also strong unconventional bonds.

The second condition, i.e. an offender perceives sanctioning as unfair, is derived from Tyler’s (1991) procedural justice theory. According to this theory, an offender experiences a sanction as unfair when he finds that he is treated with disrespect, when he thinks that the (law enforcement) agent is prejudiced, when he finds that the (law enforcement) agent does not take his (the offender’s) own view into account, or when he thinks that the (law enforcement) agent does not take him seriously. An unfair treatment causes hostile feelings towards the law enforcement agent and strengthens negative attitudes towards (law enforcement) agents in general.

The third condition, i.e. the offender finds himself stigmatized by the agent, Sherman lends from Braithwaite’s reintegrative shaming theory (1989). The offender experiences that not only his behavior is condemned, but he also finds himself as a person condemned by the (law enforcement) agent, and possibilities for reintegration do not occur. According to Braithwaite, being stigmatized can weaken conventional attitudes towards sanctioning (law enforcement) agents in general and towards rules in a community, and can even strengthen unconventional attitudes.

1 The pronoun ‘he’ or ‘his’ is used in the text to refer to either gender.

The fourth condition, (un)acknowledged shame from Scheff and Retzing, theoretical considerations in Chapter two, argued that the offender feels humiliated by the law enforcement agents, he will be handled by reacting with reactions against the law enforcement agents making the law enforcement agents more and more hostile towards the offender and will flow into hostile sentiments. Eventually, these hostile sentiments against other persons or things. This hostility, anger, or fury is the connection which leads to defiance which will lead to delinquency.

The theoretical part of the explanatory model in which concepts are integrated into the mental model the probability of future crimes treatment by the same law enforcement agents makes the offender act more restrained for offending. The offender perceives sanctioning, more new sanctions, the probability of future offending. The offender will stimulate someone to commit a crime and committing an offense against law enforcement agents. The perception of a new sanctioning, an attitude of defiance, perceived sanctioning, an attitude of defiance, or the attitude of defiance which will lead to delinquency.

In the second part of the dissertation.

Chapter five deals with the quantitative analysis. This cluster of concepts towards the treatment...
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The fourth condition, i.e. the offender does not acknowledge the shame (unacknowledged shame) and instead he reacts with anger or fury, is derived

from Scheff and Retzinger’s theory on emotions and violence. Due to theo-

retical considerations in this study this line of thinking is not adopted. It is

argued that the offender’s anger or fury is caused by the feeling of being

humiliated by the law enforcement agent. These feelings of humiliation can

be handled by reacting with anger or fury. The powerful position of the law

enforcement agents makes that the anger or fury mostly will be restrained

and will flow into hostile feelings e.g. a hostile mood or even into a hostile

sentiment. Eventually, these hostile feelings may also be expressed toward

other persons or things. The transition of humiliation into emotions of anger

or fury is the connection between the unfair and stigmatizing treatment and

defiance which will lead to an increase in delinquency at the end.

The theoretical part of this dissertation results in the formulation of an ex-

planatory model in which the central concept of defiance and the four condi-

tions are integrated into a developmental model. According to this develop-

mental model the probability for defiance to occur increases when an offen-

der has weak conventional ties and strong unconventional ties. Defiance will

develop when someone perceives a sanction negatively, that is, he experienc-

tes treatment by the sanctioning agent as unfair and as stigmatizing and re-

acts with restrained anger or fury. Defiance will strengthen more if a sancti-

on is perceived more negatively. A strong attitude of defiance will increase

the probability of future offending. Weak conventional bonds will not hold

back someone from committing an offense and strong unconventional bonds

will stimulate someone to commit an offense. Strong unconventional bonds

and committing an offense will both increase the probability of new contacts

with law enforcement agents. Moreover, social bonding also influences the

perception of a new sanction by a person. According to the developmental

model, an attitude of defiance is directly strengthened by a new negatively

perceived sanctioning, and by the reactions of the social environment and

indirectly by the experiences of the social environment with sanctioning law

enforcement agents.

In the second part of this dissertation both models are empirically tested.

Chapter five deals with the way in which the concepts are measured. All

concepts are measured as scale variables. Defiance is measured as a cluster

of attitudes. This cluster contains attitudes towards violating the law, atti-

dudes towards the treatment of people in general by the police, attitudes to-
wards the police, attitudes towards confirming law-enforcement agents, and attitudes towards society in general. The strength of conventional bonds is measured as the strength of a person’s bond with his parents and with his schoolteachers. Unconventional bonds are measured as the offending behavior of someone’s best friends. The remaining three conditions which are necessary for defiance to occur are clustered and measured through the scale ‘perception of police demeanor’. The items in this scale refer to the most recent experience of an unfair and stigmatizing treatment by the police and the restrained anger or fury reaction of the offender. Finally, delinquency is measured through a self-reported offending of eleven acts.

Chapter six describes the method of research and the way in which the empirical study was carried out. In this study a longitudinal design was used with two measurement waves. During the first wave 145 boys and girls out of two panels were interviewed. These youngsters were recruited from secondary schools (N=118) and from a juvenile prison (N=27) in the Northern part of the Netherlands. In the second wave 117 interviews were collected.

The (empirical) reliability (Cronbach’s alpha) and (construct) validity of the measurement of the concepts is discussed in chapter seven. For that, data of the first wave is used. With regard to the reliability the measurement of all concepts, this is at least sufficient for all the variables. The construct validity of the concepts is determined by analyzing the relationship of the variables with the background features gender, age and education level. The relationship with these background features is compared with the relationship as shown in other studies (as these are available). The expectations that were based on those other studies are confirmed in the results of this study.

Both theoretical models assume causal relations. The bivariate relations between the variables have to be shown before testing both models. This is done in chapter eight. With (partial) correlations the empirical relationship is examined. In the analyses is controlled for panel, gender, age, education level and type of police intervention (interventions with a negative consequence for the youth or interventions without a negative consequence). The analyses only contains the scores of those youth who had had police experience at the first wave (N=100). The results support both models partially.

A significant relationship is found between weak conventional bonds and a negative perception of police demeanor, both measured at the first wave. There is also a significant relationship between a first wave weak conventio-
enforcement agents, and of conventional bonds is his parents and with his friends as the offending behavior conditions which are measured through the scale of scale refer to the most attention by the police and teachers. Finally, delinquency is defined in acts.

The way in which the empirical design was used with boys and girls out of two schools (recruited from secondary school in the Northern part of the Netherlands) in the first wave and second wave were collected.

The construct validity (construct validity of the variables) was tested. The construct validity was tested for all variables at the measurement level. The relationships are shown as the relationships as expected in this study.

The bivariate relations between both models. This is empirically supported by gender, age, education level, and a negative consequence. The level of police experience and the models partially.

The conventional bonds and the weak conventional bond with teachers, and second wave delinquency. Also, second wave delinquency has a significant relationship with a negative perception of the police demeanor measured during the first wave.

Furthermore, in the first wave a significant relationship is found between a strong attitude of defiance and a conventional bond with parents, a conventional bond with teachers, unconventional bonding with friends and a negative perception of the police demeanor. Moreover, a significant relationship is shown between a first wave strong attitude of defiance and second wave delinquency. A negative perception of police demeanor measured at the first wave shows a significant relationship with second wave defiance. All these relationships are barely influenced by the diverse background variables, panel and type of police intervention.

The relationships discussed above have been examined without taking into account an increase in delinquency or a strengthening of defiance. For that, in further analyses is controlled for first wave delinquency or first wave defiance. These analyses show that second wave delinquency has a strong relation with first wave delinquency. A similar analysis has been undertaken for defiance. Second wave defiance shows a strong relation with first wave defiance.

When controlled for first wave delinquency the relations of conventional bond with parents, unconventional bonding with friends, police demeanor, and defiance all as measured in the first wave on one hand, with second wave delinquency on the other hand fades and are no longer significant. There is one exception to this: the relation between first wave bond with teachers and second wave delinquency, still exists even after controlling for first wave delinquency. After controlling for first wave defiance the relation between first wave perception of police demeanor and second wave defiance also fades and is no longer significant. Concluded is that for testing the models, which both assume an increase in delinquency or a strengthening of defiance, first wave delinquency and first wave defiance have to be taken into account.

By performing LISREL analyses both models are tested. This is described in chapter nine. Firstly, the reaction model is tested. In the analysis the effect of first wave police demeanor on second wave delinquency is examined, while simultaneously controlling for the complex relations with first wave conventional bonds and first wave delinquency. Secondy, a comparable LISREL analysis is performed for the developmental model. The effect of first wave police demeanor on second wave defiance, and the effect of first
wave defiance on second wave delinquency are simultaneous examined, controlling for the relations with first wave conventional and unconventional bonds, with first wave delinquency and with first wave defiance. Neither model fits the data. Because of the absent of the theoretically expected relationships in the data, both models are refuted.

Some alternative explanations can be given for the refutation of both models. This can be because of the research design, the topic of the research, or the research group. In the last chapter of this dissertation the plausibility of alternative explanations is discussed. It is concluded that the refutation of both models can not be caused by artefacts concerning the topic of research, the research group or the measurement of the concepts. It is argued that a design restricted by two waves with a mean interval period of nine months and youth between the ages of fourteen and nineteen may not be the most ideal design for measuring the development of defiance and delinquency. A design consisting more waves with a shorter interval period, covering a longer observation period, and started at a younger age, will be more preferable.

In this dissertation the research design is based on Sherman’s theory in which the reaction of an offender to the administration of a sanction by a law-enforcement agent is central. The probability of a being sanctioned by an agent is high during adolescence. This justifies the chosen design for the test of the reaction model. The developmental model on the other hand assumes that defiance can develop due to changes in social bonds. A design started at a younger age with more measurement waves covering a longer period would have been preferable for testing the developmental model.

Still, the refutation of both models used in the current research does not lead to the conclusion that the defiance theory is falsified. In the concluding remarks of this dissertation the scope of defiance theory is questioned. By using concepts which are on a continuum the scope of the theory is on the administration of sanctions in general. However, according to Sherman (1993: 460) “defiance occurs under four conditions, all of which are necessary” (italics not in the original). This strict assumption limits the scope of the theory. Defiance theory can not explain the adverse effect to the administration of a sanction in general, but the theory may still offer an explanation for the administration of a sanction in specific situations under restricted conditions.

Bibliografie