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Weerspannigheid en delinquentie

van der Laan, A.M.

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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 *un*-conventional 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 he¹ 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 Braithewaite'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's theoretical considerations in argued that the offender humiliated by the law enforcement agents may be handled by reacting with defiance. If the offender perceives that the law enforcement agents make a mistake and will flow into hostility and anger, the offender's sentiment. Eventually, the offender may react towards other persons or things. The connection between defiance and anger or fury is the connection between defiance which will lead

The theoretical part of the explanatory model in which the conditions are integrated into the mental model the probability of defiance. If an offender has weak conventional bonds, defiance will develop when someone perceives treatment by the sanctioning agent as unfair. The offender acts with restrained anger and defiance is perceived more negative. The probability of future defiance will back someone from committing an offense. Defiance will stimulate someone to react with law enforcement agents. The perception of a new sanctioning agent, an attitude of defiance, perceived sanctioning, and defiance indirectly by the experience of law enforcement agents.

In the second part of the Chapter five deals with the concepts are measured and of attitudes. This cluster describes 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 theoretical 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 explanatory model in which the central concept of defiance and the four conditions are integrated into a *developmental* model. According to this developmental model the probability for defiance to occur increases when an offender has weak conventional ties and strong unconventional ties. Defiance will develop when someone perceives a sanction negatively, that is, he experiences treatment by the sanctioning agent as unfair and as stigmatizing and reacts with restrained anger or fury. Defiance will strengthen more if a sanction 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, attitudes 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 bivariat 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-

nal bond with teachers, delinquency has a significant police demeanor measure.

Furthermore, in the first wave a strong attitude of defiance and a weak conventional bond with teachers and a negative perception of the police relationship is shown between first wave delinquency. A negative relationship between the first wave shows a significant relationship. All these relationships are significant in panel and type of police intervention.

The relationships discussed in chapter eight take into account an increase in defiance, that, in further analyses is shown to be a significant relationship. These analyses show a significant relationship with first wave defiance. Second wave defiance.

When controlled for first wave defiance, bond with parents, unconventional bonds and defiance all as measured in first wave delinquency on the other hand is one exception to this: first wave defiance and second wave delinquency. After controlling for first wave defiance, the relationship between first wave perception of police demeanor also fades and is no longer significant in models, which both assume a causal relationship between defiance, first wave delinquency and second wave delinquency into account.

By performing LISREL analysis in chapter nine. Firstly, the relationship between first wave police demeanor and first wave delinquency while simultaneously controlling for conventional bonds and first wave defiance. LISREL analysis is performed on first wave police demeanor

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nal 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. Secondly, 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 simultaneously 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.

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