

# Social Psychology and Law

## *Basic Principles in Legal Contexts*

Kees van den Bos

The focus in this chapter is on the interface between social psychology and law. There are several reasons why it is important to study the intersection between these two scientific fields. One reason is that, upon reflection, it becomes clear that social psychology and law share many similarities. For example, the law as a system can be defined as a codified set of rules developed to regulate interactions and exchanges among people (Tyler & Jost, 2007). As such, the law constitutes an arrangement of rules and guidelines that are created and enforced through social and governmental institutions to regulate behavior. This regulation of behavior includes conflict resolution and sentencing decisions, and ideally takes place in such a way that a community shows respect to its members (Robertson, 2013).

Social psychology is the science of human behavior and how people think and feel in social contexts. More formally, it entails the scientific study of how people's thoughts, feelings, and behaviors are influenced by the actual, imagined, or implied presence of others (Allport, 1985). This chapter illustrates that insight into these issues is relevant for the understanding of how the law operates in courtrooms, how people perceive the law as a legal system, and how

officials function in several legal contexts, for example, in areas of legal decision making, law making, and law enforcement. In other words, this chapter seeks to show that social psychology is needed to understand how the law works (or *law in action*).

One could say that social psychology and law share a common interest in behavioral regulation such that whereas social psychology describes how human behavior *is* regulated, law as a discipline tends to focus on the issue of how behavior *should* be regulated. Of course, the two disciplines examine many more different issues, but this observation of *descriptive* versus *normative* accounts of behavioral regulation implies that legal scholars and legal practitioners can profit from the insights of the social psychological discipline to better understand how people's behaviors (and their associated thoughts and feelings) are, in fact, regulated. This implies that notions of how the law should work (or *law in the books*) can profit from an understanding of basic principles of social psychology.

Insight into social psychology in legal contexts is also important because it shows how important societal institutions can impact human behavior. This is an understudied issue in mod-

ern social psychology, which is surprising given social psychology's central orientation to the issue of how social contexts influence human reactions (Allport, 1985). This chapter is an attempt to fill this void. In doing so, I argue that studying in detail the basic principles of social psychology in legal contexts is not merely an instance of "applied social psychology." Rather, insights from the social psychology of law provide important nuances to (and hence feed into) basic social psychology, needed to make the social psychological discipline more robust, more fine-grained, and more relevant (see also Kruglanski, Chernikova, & Jasko, 2017).

This chapter fits into a growing—albeit not undisputed—trend in the legal discipline to pay attention to insights from the behavioral and societal sciences, including findings from empirical studies conducted in legal contexts. Because social psychology can be characterized as a hub science that bridges behavioral, societal, and other scientific disciplines by means of careful conceptual analysis and empirical study, it can well be argued that focusing on the social psychology of law is timely and important. In exploring this issue my aim in this chapter is twofold: (1) to provide a general overview of the topics that fit under the general umbrella of the "social psychology of law" and (2) to provide an overall conceptual framework for organizing these topics by affording a set of basic principles governing the social psychology of law.

### Two Basic Principles and Two Contexts

Psychological science, including the science of social psychology, can be depicted as an exploded confetti factory, producing many colorful empirical findings and fascinating mini-theories (Ellemers, 2013). It can be difficult to figure out how the various ideas, research studies, phenomena, and domains in social psychology (including the social psychology of law) fit together (Stangor, 2011). In order to structure the burgeoning field of social psychology in legal contexts, I differentiate between two legal contexts and focus on two basic social psychological principles that I think are relevant for understanding what people think, feel, and do in these legal contexts. The chapter's focus is on

the two basic principles that I distinguish in the social psychology of law.

The first social psychological principle that I distinguish has to do with the notion that people working in legal contexts are and should be busy with ascertaining the truth on which legal decisions should be based. An important corollary of this principle implies that the presence of bias in legal functioning and decision making warrants our close attention. In fact, a lot of legal psychology is oriented toward delineating these biases. This first principle includes the determination by people working in the legal domain of who is guilty or innocent in criminal law cases. The reliability of eyewitness testimony and to what extent we can trust human memory in criminal law is also important here. This basic principle also involves the striving for the absence of biases and discrimination, as well as the issue of individual and group decision making of judges and juries in various legal cases. In short, the first basic principle on which this chapter focuses examines *ascertaining the truth*. I label literature on this issue as *legal psychology*.

The second social psychological principle I put forward here focuses on the human justice judgment process that I assume is related to the first principle and that is important both inside and outside the courtroom. That is, the law is all about establishing justice. Thus, when people interpret their court hearings, perceive the legal system, and try to ascertain the truth in legal contexts, they rely on their judgments whether justice has prevailed and whether just treatment and just outcomes were established in the court hearings, by the law, and in the ascertainment of truth. I assume, therefore, that people's judgments of justice play a pivotal role in various legal contexts and in every topic thus far mentioned. This assumption implies that the justice judgment process warrants our special attention when studying the social psychology of law. I pay careful attention in this chapter to the process by which people form justice judgments. In fact, I propose the *justice judgment process* as the second principle and refer to this as the *social psychology of justice judgments* when examining this principle.

I note explicitly that the principles on which I focus do not operate in an autonomous man-

ner, but often function in combination to shape thoughts, feelings, and behaviors in legal contexts. For example, one could say that justice in legal contexts is about establishing the truth of legal decisions. Therefore, the first and second principles are clearly related to each other. Nevertheless, it makes sense, I argue, to discuss these two principles separately, for reasons of emphasis and because different literatures provide meaningful input for the social psychology of these two principles.

I further propose that to understand the social psychology in legal contexts, it is pivotal to realize that there are many different legal contexts that vary in important ways from each other, both from legal and psychological perspectives. Lawyers distinguish, for example, between criminal law cases (pertaining to crimes and the appropriate punishment of those crimes), civil law cases (having to do with private relations between members of a community or organizations or businesses within that community), and constitutional or administrative law cases (referring to the relationship between individuals and the state). Many different categorizations are made by lawyers, and many nuances are important to understand the ins and outs of legal arrangements and different types of law cases. Thus, lawyers make relevant distinctions between various legal contexts.

Furthermore, although different legal systems tend to deal with similar basic issues, jurisdictions categorize and identify their legal subjects in different ways. As such, systems can differ widely across different countries (e.g., the United States vs. the United Kingdom vs. Continental Europe). The presence or absence of juries is one important difference. This is not the time and the place to review all the different legal categories and the various legal contexts that are distinguished in the legal literature. Here, I note that the psychological processes involved in different types of law cases may well vary between cases, in part because different types of litigants tend to be involved in the different cases and because different legal issues are at stake in these different cases. This is something the social psychology of law should pay more attention to.

Against this background, I distinguish between two different legal contexts, namely, what

happens inside the courtroom and what occurs outside the courtroom (or courthouse). This simple distinction is often overlooked, yet studies conducted inside or outside the courtroom tend to examine different social psychological issues and processes. Whereas studies inside the courtroom examine legal decision making and how litigants respond to this decision making, studies done outside the courtroom tend to assess how the legal system is functioning and how people perceive the functioning of the legal system. Therefore, after having discussed the two basic social psychological principles on which this chapter focuses, I pay some attention to the social psychology of people's reactions to what happens inside versus outside the courtroom as two relevant legal contexts.

### **Ascertaining the Truth**

The whole justice system, including the criminal justice system, is oriented toward determining the truth. This does not imply that the law as a system is always able or even good at finding the truth, and it also does not mean that "the" truth is always simple to uncover, but it does suggest that officials working for the law are and should be oriented toward ascertaining the truth. This basic principle of law is the part that many people first think of when reflecting on psychology and the law. And indeed it is a very important part of what psychological insight can offer to the field of law. In fact, the literature on this issue is huge, and is inspired to a large extent by cognitive psychology and the literature on social cognition (see, e.g., Ellsworth & Mauro, 1998; Kovera & Borgida, 2010). Here I can discuss only some instances of the literature on legal psychology. I focus on basic psychological insight regarding eyewitness testimonies, lie detection, expert evidence in the courtroom, judicial and jury decision making, biases, and false convictions.

One of the core areas of legal psychology is the groundbreaking research on eyewitness reports by Loftus (1975) and others. Rooted in the observation that human memory is often flawed (e.g., Loftus & Greenspan, 2017), it has been shown that the way questions are asked during interrogations and other interviews can have a dramatic impact on what people report to

have seen (Loftus, 1975). The way that possible guilty individuals are lined up and presented to those who have to identify the guilty person is also influencing cognitive processes and the decisions of those who do the identification tasks (Wells & Turtle, 1986). In addition to system variables such as lineup composition, lineup instruction, and lineup presentation that all influence witness accuracy, own race, unconscious transference, and stress of the identifying person also affect the (un)reliability of eyewitness identifications (Kovera & Borgida, 2010).

The criminal law system has been reluctant to accept these conclusions and the implications that follow from them, but things now seem to be changing, resulting in eyewitness science paying off in the end (Loftus, 2013). Perhaps the biggest boost to public appreciation of eyewitness research came as a result of progress in forensic DNA testing. It was DNA that helped exonerate many wrongfully convicted individuals in the mid-1990s, and today over 300 innocent people owe their freedom to that testing. As a result, expert testimony has an easier time being admitted. Courts are commenting more favorably on eyewitness science (Loftus, 2013). And expert evidence on eyewitness reports has played a very important role in important law cases (e.g., Wagenaar, 1988). This slow-to-start but exponentially growing collaboration among psychologists, legal professionals, and others has done a great deal to change the justice landscape for people accused of crimes (Stebly & Loftus, 2013), although a lot still needs to be done (see, e.g., Vredeveldt, Hildebrandt, & Van Koppen, 2016; Wixted & Wells, 2017).

Another important issue in legal psychology is whether there are experts in deception detection. Bond (2008) presented videotaped statements produced by paroled felons to students and law enforcement personnel. Results suggested that those correctional officers who could be identified as experts were accurate in their assessment of the video statements over 80 or 90% of the trials. Experts showed high discrimination in signal-detection tasks and did not evidence biased responding. The experts relied on nonverbal cues to make fast and accurate decisions.

O'Sullivan, Frank, Hurley, and Tiwana (2009) note that although most people have a

no better than chance probability of detecting deception, some groups of police professionals have demonstrated significant lie detection accuracy. One reason for not detecting expert deception may be that the types of lies police are asked to judge in scientific experiments often do not represent the types of lies they see in their profession. Across 23 studies, involving 31 different police groups in eight countries, police officers tested with lie detection scenarios using high-stakes lies (i.e., the lie was personally involving and/or resulted in substantial rewards or punishments for the liar) and were significantly more accurate than law enforcement officials tested with low-stakes lies.

Van Veldhuizen, Horselenberg, Landström, Granhag, and Van Koppen (2017) demonstrated that Swedish asylum officials mainly formulate open-ended and information-gathering questions. These types of questions are likely to elicit more elaborate and accurate answers than closed-ended and accusatory questions. In contrast, Dutch asylum officials primarily pose predominantly closed-ended and fact-checking questions, and thereby are likely to elicit short answers that make it more difficult to ascertain the truth (Van Veldhuizen, Maas, Horselenberg, & Van Koppen, 2018). Related to this, Vrij (1993) showed that in interrogations Dutch officers tend to misinterpret the "looking away" behavior of Black norm violators from Suriname as confirmatory of the crime ("They must have something to hide"), while the Suriname person regards some avoidance of eye contact as showing respect to the officer.

Vrij and colleagues (2008) argue that observers could improve their deceit detection performance by taking a more active approach to the task, specifically by asking interviewees to report their stories in reverse order. Vrij and coauthors suggest that this is particularly debilitating for liars because their cognitive resources have already been partially depleted by the cognitively demanding task of lying. The authors hypothesized and found that increased cognitive load would lead to the emergence of more nonverbal and verbal differences between liars and truth tellers in reverse-order interviews than in chronological interviews, and that this facilitates the observers' task of discriminating between them.

Another issue concerns when expert evidence is admissible in court. Quality science provides the foundation for applications of social psychological science to the law. To be admissible in court, expert testimony must be legally relevant to the case at hand and scientifically valid (Kovera & Borgida, 2010). In this respect, it is important that contemporary social psychologists generally base (or should base) their understanding of phenomena not on single studies but on large groups of studies that have been submitted to rigorous statistical analysis to examine the magnitude and consistency of their findings across samples and methods. Quality science thus obtained can provide meaningful input, such as the role of expert knowledge on social cognition in employment discrimination cases (Fiske & Borgida, 2008).

Legal psychology has been concentrating on decision making of judges, in part to find out whether the truth is ascertained by means of judicial decision making. Guthrie, Rachlinski, and Wistrich (2001) note that the quality of the judicial system depends on the quality of decisions that judges make. Even the most talented and dedicated judges surely commit occasional mistakes, but the public understandably expects judges to avoid systematic errors. This expectation, however, might be unrealistic. Psychologists who study human judgment and choice have learned that people frequently fall prey to cognitive illusions that produce systematic errors in judgment. Even though judges are experienced, well-trained, and highly motivated decision makers, they might be vulnerable to cognitive illusions. Guthrie and colleagues reported that five common cognitive illusions (anchoring, framing, hindsight bias, the representativeness heuristic, and egocentric biases) influence the decision-making processes of a sample of 167 federal magistrate judges. Although the judges were somewhat less susceptible to two of these illusions (framing effects and the representativeness heuristic) than lay decision makers, the findings suggest that judges are human, and that their judgment is affected by cognitive illusions that can produce systematic errors in judgment.

Related to this, Danziger, Levav, and Avnaim-Pesso (2011) studied extraneous factors in judicial decisions. Their research focused on whether

judicial rulings are based solely on laws and facts. This is an important issue, as legal formalism holds that judges apply legal reasons to the facts of a case in a rational, mechanical, and deliberative manner. In contrast, legal realists argue that the rational application of legal reasons does not sufficiently explain the decisions of judges, and that psychological, political, and social factors influence judicial rulings. Legal realism is sometimes referred to as depicting justice as “what the judge ate for breakfast.” To test this metaphor empirically, Danziger and colleagues recorded sequential parole decisions made by experienced judges before or after daily food breaks.

The Danziger and associates (2011) results indicate that the likelihood of a favorable ruling is greater at the beginning of the workday or after a food break than later in the sequence of cases. The likelihood of a ruling in favor of a prisoner spikes at the beginning of each session. The probability of a favorable ruling steadily declines from (approximately) .65 to nearly zero and jumps back up to .65 after a break for a meal. The authors interpret these findings by arguing that when judges make repeated rulings, they show an increased tendency to rule in favor of the status quo. This tendency can be overcome by taking a break to eat a meal, consistent with previous research demonstrating the effects of a short rest, positive mood, and glucose on mental resource replenishment. These findings add to the literature that documents how experts are not immune to the influence of extraneous irrelevant information. Indeed, the metaphor that justice is “what the judge ate for breakfast” might be an appropriate depiction of human decision making in general.

A research project by Cho, Barnes, and Guanara (2017) fits with this line of reasoning. These authors argue that sleep deprivation in judges increases the severity of their sentences. Taking advantage of the natural quasi-manipulation of sleep deprivation during the shift to daylight saving time in the spring and analyzing archival data from judicial punishment handed out in the U.S. federal courts, their results show that judges doled out longer sentences when they were sleep deprived.

Projects such as these raise the question how judges do judge. Do they apply law to facts in a



mechanical and deliberative way, as the formalists suggest they do, or do they rely on hunches and gut feelings, as the realists maintain? Relying on empirical studies of judicial reasoning and decision making, Guthrie, Rachlinski, and Wistrich (2007) propose a new model of judging. This model accounts for the tendency of the human brain to make automatic, snap judgments, which are surprisingly accurate, but which can also lead to erroneous decisions. The authors argue that their model provides a more accurate explanation of judicial behavior. In line with this proposition, Ham, Van den Bos, and Van Doorn (2009) found that when forming justice judgments, unconscious thought can indeed lead to more accurate justice judgments than do both conscious thought and immediate judgment.

In legal contexts, not only individuals but also groups make important decisions; hence, group processes and group decision making plays an important role in the ascertainment of truth (Kovera & Borgida, 2010). For example, in jury decision making, jury size, jury unanimity, jury competence, and processes of jury deliberation all matter (Ellsworth & Mauro, 1998). A famous example of decision making by juries is the 1957 movie *Twelve Angry Men*, in which one (male) jury holdout attempts to prevent a miscarriage of justice by forcing his colleagues to reconsider the evidence.

Following-up on this, Salerno and Peter-Hagene (2013) investigated whether expressing anger increases social influence for men, but diminishes social influence for women, during group deliberation. In a deception paradigm, participants believed they were engaged in a computer-mediated mock jury deliberation about a murder case. In actuality, the interaction was scripted. The script included five other mock jurors who provided verdicts and comments in support of the verdicts. Four of these jurors agreed with the participant, and one was a “holdout” dissenter. Holdouts expressed their opinions with no emotion, anger, or fear and had either male or female names. Holdouts exerted no influence on participants’ opinions when they expressed no emotion or fear. Participants’ confidence in their own verdict dropped significantly, however, after male holdouts expressed anger. However, participants became

significantly more confident in their original verdicts after female holdouts expressed anger, even though they were expressing the exact same opinion and emotion as the male holdouts. This study has implications for group decisions in general, and jury deliberations in particular, by suggesting that expressing anger might lead men to gain influence, but women to lose influence on societally important decisions, such as jury verdicts.

Recent advances in DNA, blood type, and fingerprint testing have increased the likelihood that average citizens will confront complex scientific evidence when serving as jurors in civil and criminal cases. McAuliff, Kovera, and Nunez (2009) examined the ability of jury-eligible community members to detect internal validity threats in psychological science presented during a trial. Participants read a case summary in which an expert testified about a study that varied in internal validity (valid, missing control group, confound, and experimenter bias) and ecological validity (high, low). Variations in internal validity did not influence verdict or ratings of plaintiff credibility, and no differences emerged as a function of ecological validity. The authors argue that their findings suggest that training programs on statistics and research methodology for the judiciary and bar become increasingly important. Future research aimed at developing new programs or evaluating those already in place is greatly needed if we genuinely desire to help the legal system better accommodate jurors’ reasoning skills in trials containing psychological science.

Group processes such as tunnel vision during police interrogations can also play an important role in the functioning of the legal system. Directive police interrogation tactics can even lead to false convictions and false confessions (Ellsworth & Gross, 2013; Kovera & Borgida, 2010). Kassin and colleagues (2010) summarize what is known about police-induced confessions. Interrogation tactics such as excessive interrogation time, presentation of false evidence, and as an interrogator trying to minimize the crime can lead suspects to see confession as an expedient means to escape the interrogation interview. The mandatory electronic recording of interrogations and the reform of interrogation practices can protect vulnerable suspect populations.

Group processes can also impact possible verdicts. For example, Glaser, Martin, and Kahn (2015) conducted a survey-embedded experiment with a nationally representative sample in the United States to examine the effect on verdicts of sentence severity as a function of defendant race, presenting respondents with a triple-murder trial summary that manipulated the race of the defendant. When respondents had been told that death was the maximum sentence, respondents presented with Black defendants were significantly more likely to convict (80.0%) than were those with White defendants (55.1%). The results indicate that the death penalty may be a cause of racial disparities in criminal justice and implicate threats to civil rights and to effective criminal justice.

Similarly, Schuller, Kazoleas, and Kawakami (2009) studied the impact of prejudice screening procedures on racial bias in legal contexts. Specifically, the authors examined the influence of the challenge for cause procedure and its effectiveness in curbing racial prejudice in trials involving Black defendants. Participants were provided with a trial summary of a defendant charged with either drug trafficking or embezzlement. The race of the defendant was either White or Black, with participants in the Black defendant condition receiving (prior to the trial presentation) either no challenge, a close-ended standard challenge, or a modified reflective pretrial questioning strategy. Overall, the results revealed an anti-Black bias in judgments. While the closed-ended challenge did little to reduce this bias, the reflective format demonstrated a reduction in racial bias, suggesting there might be some remedies to biases in legal judgments.

Besides race, other group categories play an important role in legal decision making. For instance, Herzog and Oreg (2008) linked the observation of earlier studies showing that female offenders frequently receive more lenient judgments than equivalent males to chivalry theories, which argued that such leniency is the result of paternalistic, benevolent attitudes toward women, in particular toward those who fulfill stereotypical female roles. Eight hundred forty respondents from a national sample of Israeli residents evaluated the seriousness of hypothetical crime scenarios with (traditional

and nontraditional) female and male offenders. As hypothesized, hostile and benevolent sexism moderated the effect of women's "traditionality" on respondents' crime seriousness judgments and on the severity of sentences assigned.

To conclude, I have discussed in this section some studies examining the multifaceted literature on legal psychology. What I argue in the next section is that the ascertainment of truth, being a core topic in legal psychology, in essence, to a large degree boils down to the establishment of justice. The next section focuses in some detail on the issue of how people form justice judgments.

### Forming Justice Judgments

Whether people think that officials working for the legal system are successful in ascertaining the truth (discussed in the previous section) and how legally interested parties make sense of what is happening in court hearings, and how individuals outside the courthouse evaluate the legal system (to be discussed in the next sections) are issues related to a second basic social psychological principle that I discuss in some detail here: how people form justice judgments. I think there are good reasons to propose that this psychological process is a common thread underlying many issues of the social psychology of law.

After all, people are interested in justice concerns when interpreting their court hearings, evaluating how the law works, and determining whether the truth is ascertained or biases are present in legal functioning and legal decision making. Indeed, law is a "discipline organized to design *just* rules of conduct and to determine when those rules have been broken" (Ellsworth & Mauro, 1998, p. 686; emphasis added). Thus, I argue that the perception of just or unjust behavior by judges in the courtroom and other legal professionals of the legal system, as well as perceived justice of the legal system and the absence (or presence) of bias in legal decision making, are linked strongly to just conduct.

However, what is just conduct? To examine this issue, social psychologists interested in law focus not only on law in the books but also on law in action, in particular on people's justice judgments. Finkel (1995) examined the

relationship between “law in the books,” as set down in the Constitution and developed in legal cases and legal decisions, and what he calls “commonsense justice,” the ordinary citizen’s notions of what is just and fair. Law is an essentially human endeavor, Finkel argues, a collection of psychological theories about why people think, feel, and behave as they do, and when and why we should find some of them blameworthy and punishable. But is it independent of community sentiment, as some would contend? Or, as Finkel suggests, do juries bring the community’s judgment to bear on the moral blameworthiness of the defendant? When jurors decide that the law is unfair, or the punishment inappropriate for a particular defendant, they have sometimes nullified the law.

Research shows that justice judgments are important, for one thing because discrepancies may cause citizens to feel alienated from authority, and reduce their voluntary compliance with legal codes (Darley, 2001). Justice judgments are also important because they can create a link to legitimacy of the law in society (Tyler & Jost, 2007). And justice judgments are important as a goal of the legal system for their own sake or because of moral concerns. After all, the goal of law is to create justice in society (Ellsworth & Mauro, 1998). Furthermore, justice judgments are important because they can have real consequences (Van den Bos, 2018).

Before I examine this latter notion in detail, I would like to focus on the subjective quality of justice judgments. After all, although justice judgments are important for several reasons, they can also be susceptible to various subjective factors, which is an issue with which many lawyers may be uncomfortable. This is understandable, but it is good to know that social psychological science indicates how to understand this subjective quality

Not only in law but also in all scientific fields that have examined the justice concept there exists an ongoing controversy between “rationalist” and “intuitionist” accounts of justice. Rationalist theories emphasize that reasoning causes justice judgments to be constructed primarily in a deliberate, objective, and cognitive way, whereas intuitionist notions suggest that justice judgments are mainly the result of automatic or spontaneous evaluations and are strongly influ-

enced by subjective and affective factors (for an overview, see Beauchamp, 2001). As a result of this controversy, the social psychology of law is confronted with scholars and practitioners who explicitly or implicitly adhere to the notion (attributed to Aristotle) that “the law is reason, free from passion” versus those who work from the assumption that justice judgments are derived from feelings, not from reasoning (e.g., Hume, 1739–1740/1951) and that subjectivity and affectivity hence play an inescapable role in the forming of justice judgments and the working of the law.

Ever since the days of Aristotle and Plato, there have been arguments in philosophy and science that either rationalist or intuitionist conceptions of justice are true. A social psychological perspective on this controversy is important, I argue, because the discipline proposes that in some situations, people construct justice judgments in a careful way, weighing all relevant information carefully in an impartial manner, whereas in other circumstances, people’s gut reactions lead to snap judgments that are colored by their feelings or their own interests. Thus, rather than continuing the ancient and ongoing impasse of believing in either rationalist or intuitionist conceptions, social psychology suggests that it makes more sense to adopt an integrative approach that studies social conditions that affect the relative importance of rationalist and intuitionist accounts (Van den Bos, 2003).

Testing this integrative social psychological account, I argued in a 2003 article that when forming justice judgments, it is not uncommon for people to lack information that is most relevant in the particular situation. In information-uncertain conditions, people may therefore construct justice judgments by relying on how they feel about the events they have encountered, and justice judgments may hence be strongly influenced by affect information. Findings indeed show that in information-uncertain conditions, people’s prior affective states that are unrelated to the justice event in fact strongly influenced justice judgments. This suggests that in situations of information uncertainty, people’s judgments of justice can be very subjective, susceptible to affective states that have no logical relationship with the justice judgments they are constructing. This insight may have important



implications for the social psychology of law and the rationalist and intuitionist conceptions of justice in that literature (see also Bandes & Blumenthal, 2012). People may also adopt rationalistic or intuitionist mindsets, and this may have an impact on their justice judgments without people being aware of this effect (Maas & Van den Bos, 2009).

An insight that follows from the justice judgment literature is that besides issues of relative deprivation, equity of outcomes, and people's belief in a just world, a core aspect of people's justice judgments is the notion of perceived "procedural justice." Whereas in organizational and interpersonal contexts, perceived procedural justice may entail predominantly the fairness of the way people are treated (Van den Bos, 2005, 2015), due to its special and formal qualities, perceived procedural justice in legal contexts also included the fairness and justice of formal procedures and processes that are used, or should be used, by the legal system (Thibaut & Walker, 1975). Indeed, both formal and informal aspects of procedural justice constitute pivotal aspects of justice judgments in legal contexts and influence people's behavior and other reactions in these contexts (e.g., Hollander-Blumoff, 2011; Lind & Tyler, 1988; Tyler, 2006).

The importance of perceived procedural justice does not imply that other notions of justice do not affect people's reactions. For example, courtroom research shows that litigants' perceived procedural justice is positively associated with their trust in judges, and that this effect is there when outcomes of court hearings are relatively favorable and is even stronger when outcomes are relatively unfavorable (Grootelaar & Van den Bos, 2018). These findings fit with a line of reasoning that perceived procedural justice is especially important to people when they are trying to make sense of what is going on in their environments (Van den Bos & Lind, 2009), such as when outcomes are unfavorable (Brockner & Wiesenfeld, 1996).

The importance of judgments of justice and injustice is also seen in the disdain for law in processes of radicalization. Van den Bos (2018) proposes that judgments of injustice are closely associated with the process of delegitimization and the rejection of law and democratic princi-

ples that often constitutes a turning point in the radicalization process of many people (see also Moghaddam, 2005). In particular, the issue of people perceiving certain things in their worlds as profoundly unjust and unfair can influence why Muslims or those who identify with right-wing or left-wing politics can be tempted to engage in violent extremism and be sympathetic to terrorist acts. For example, radicalizing individuals may feel that their group is being treated in a blatantly unjust manner or they judge crucial moral principles to be violated. These judgments of injustice threaten people's sense of who they are and jeopardize their beliefs of how the world should look. Furthermore, these judgments can have a disastrous impact on people's perceptions of legitimacy of democratic values and the rule of law.

There is evidence that delegitimization of government, law, and other societal institutions plays a crucial role in the radicalization of Muslims, right-wing groups, and left-wing individuals (Van den Bos, 2018). Key to understanding the ontogenesis of violent extremism and terrorism may well be people's rejection of constitutional democracy and law. After all, when it is hard or impossible for you to work within principles of constitutional democracy, then you might easily get frustrated that your wishes and opinions are not put into action. Related to this, when you cannot really force yourself to be open minded about different opinions and at least be willing to tolerate them to such a degree that you try to make your case heard through majority rule or other democratic rules, then you are more likely to take action yourself to ensure that things will go your way. Furthermore, violent extremism and terrorism constitute illegal acts, and when one does not care about what the law says, or when one even sympathizes with illegal behavior, it is easier to prepare or prompt oneself to engage in illegal actions.

It is very difficult to predict in advance people's intentions to break the law and whether they will actually break the law. This noted, modern social psychological insights can be used to account for people's intentions to commit legal violations. When people perceive that it is easy or doable for them to perform the illegal behavior, and when they believe that

other important people positively evaluate the behavior, then people are likely to form the intention to break the law. This indicates that the relevance of behavioral control and what others think of the behavior in question can be key variables predicting when people will actually engage in illegal behavior, such as violent extremism (Van den Bos, 2018).

I hasten to note that adherence to radical beliefs and ideas does not need to imply violent breaking of the law. Radicals who engage in civil disobedience and as a result of this break the law also provide an interesting example in this respect. I also note explicitly that the task of understanding and predicting the actual onset of violent extremism and terrorism is very difficult. This noted, the psychology of judgments of unfairness and injustice can help us to understand violent extremism and perhaps even ways of countering this by trying to nourish agreement with democratic values (Van den Bos, 2018).

All this is an illustration of the notion that if perceptions are real, they tend to have real consequences (Thomas & Thomas, 1928). Understanding perceptions in general, and perceptions of justice and injustice in particular, can be complex, in part because these perceptions can be biased in important ways. What is just and unjust is really in the eye of the beholder, but because injustice perceptions are deeply felt as real and genuine, they tend to have real consequences and can fuel radical beliefs and extremist and terrorist behaviors in important ways (Van den Bos, 2018).

### **Making Sense of Law Inside the Courtroom: Interpreting Our Own Court Hearings**

Thus far I have not distinguished between different contexts and discussed findings obtained across different settings, as if the actual settings in which the findings were obtained did not matter. This adheres to a trend that can be seen in many modern treatments of psychological science, which is heavily focused on trying to discover general laws of human thinking, feeling, and behavior (Van den Bos, McGregor, & Martin, 2015). However, part of the reason why the study of law is so exciting and impor-

tant (also for basic psychological science) is that it makes clear that differences between contexts do matter a lot and influence people's thoughts, feelings, and behaviors in important ways. Issues at stake differ across legal contexts, for instance, and so do the psychological processes involved in these different contexts. In this chapter, I distinguish between how people (with direct concerns at stake) evaluate how their own cases are being treated inside the courtroom and how people outside the courtroom (with or without direct concerns at stake) evaluate the legal system.

Insights regarding how people interpret what happens both inside and outside the courtroom can profit from the robust social psychological notion that people are sense makers (see, e.g., Kruglanski, 1989; Van den Bos & Lind, 2013); that is, human beings are heavily interested in trying to make sense of what is going on in their environments. This is especially the case when what is happening in these environments has special importance to them. Obviously, when people with legal concerns at stake have to appear at court hearings, it is important to them which decisions will be made about their legal cases. Thus, because of outcome reasons, and because of how they are treated signals how they are valued by important figures of society (e.g., judges), people interpret what is going on in their court hearings. Therefore, I note that people are heavily interested in interpreting their own court hearings. They try to make sense of the law as enacted within their court hearings and to assess whether the trust is ascertained and justice is done.

Against this background, I note here that recent research suggests at least one basic psychological process plays an important role in how litigants make sense of their own court hearings. That is, in her PhD research Liesbeth Hulst (2017) argues that when litigants are requested to appear at court hearings, they try to make sense of what is going on at the hearings and the legitimate system in which these hearings are taking place. One of the issues people are trying to find out is whether they can trust the judges in their legal system, and whether they can assign legitimacy to those powerholders. We know from earlier research that in situations such as court hearings, procedural justice

serves an important role in people's evaluation processes. After all, when people perceive that their cases have been treated in a fair manner, this has positive effects on their evaluations whether judges can be trusted and are legitimate powerholders. In contrast, unfair treatment of cases leads to lowered trust and lowered legitimate power of the judges involved in the legal system (Tyler, 2006).

Hulst, Van den Bos, Akkermans, and Lind (2017b) integrated this observation with insights from cognitive psychology and basic social psychology that when people are trying to interpret what is going on, they are inclined to pause momentarily ongoing action to allow for the processing of potentially useful information and cues about what is going on and how to behave (Van den Bos, 2015). In cognitive psychology, these pause-and-check reactions are termed "inhibition effects," since ongoing patterns of behavior are inhibited as information is checked and attitudes and behaviors are processed and relinked (Van den Bos & Lind, 2013). Indeed, there is now a body of psychological research and theory that suggests the behavioral inhibition system (Carver & White 1994; Gray & McNaughton, 2000) is a fundamental psychological system that facilitates sense-making processes (see, e.g., Gable, Reis, & Elliot, 2000; Van den Bos & Lind, 2013). Work on regulatory modes of assessment (i.e., looking and checking) and locomotion (i.e., acting) is also relevant here (e.g., Higgins, 2012; Pierro, Giacomantonio, Pica, Kruglanski, & Higgins, 2011), with the implication that assessment interrupts locomotion.

Based on this line of reasoning, Hulst and colleagues (2017b) proposed that litigants who appear at bankruptcy or criminal court hearings try to make sense of what is going on in the courtroom and whether they can trust and find legitimacy in the system's judges. Furthermore, the behavioral inhibition system is conducive for sense-making processes and is activated when people engage in novel or potentially unsettling or otherwise confusing situations (Van den Bos & Lind, 2013). Hulst and coauthors argued that being summoned to court to have your financial or criminal history discussed is an experience that for most litigants is novel or at least potentially unsettling.

Hulst and colleagues (2017b) assumed that procedural justice serves an important role in these sense-making processes. Thus, in this presumed state of behavioral inhibition, experiences of procedural justice encountered in the courtroom are assumed to be salient and to impact litigants' impressions of how much trust and legitimate power they can assign to judges in their country. Combining all this, Hulst and coauthors proposed that the behavioral inhibition system is likely to be activated when litigants are associating their experiences of procedural justice with their evaluations of trust and evaluations of judges.

Importantly, Hulst and associates (2017b) argued that if this line of reasoning has merit, then it should be the case that weakening the state of behavioral inhibition should attenuate the association between procedural justice and litigants' evaluations of judges. Thus, when an experimental manipulation would deactivate people's behavioral inhibition system (e.g., as can be done by experimentally reminding people about having acted without behavioral inhibitions), then litigants should be less likely to engage in sense-making processes and hence less likely to rely on salient situational cues such as their perceptions of procedural justice when forming trust and legitimacy evaluations of judges. Arguably, then, such an experimental manipulation that has been shown to deactivate people's behavioral inhibition system (see Van den Bos, Müller, & Van Bussel, 2009) should attenuate the positive association between perceived procedural justice and evaluations whether judges in the system can be trusted and should be assigned legitimate power.

Hulst and colleagues (2017b) tested this line of reasoning by means of experimental manipulation in two courtroom experiments. In these experiments, real litigants were (vs. those who were not) reminded about having acted without behavioral inhibitions, a manipulation that is known to deactivate people's behavioral inhibition system without affecting other potentially relevant constructs (Van den Bos et al., 2011). As predicted, findings indicate that this disinhibition manipulation reliably weakened the positive association between procedural justice (as experienced by the litigants during the court hearings) and trust in judges and legitimate

power assigned to judges, compared to control conditions in which nothing was made salient or a control topic was made salient.

Thus, in two real-world contexts of the Dutch legal system in which courts take important decisions about bankruptcy or criminal sentences, Hulst and colleagues (2017b) provided evidence for the role of behavioral inhibition in litigants' making sense of court hearings by means of experimental manipulation. The research also suggested a new conceptual reason why there often is a link between perceived procedural justice and trust and legitimacy ratings (see also Hulst, Van den Bos, Akkermans, & Lind, 2017a).

Of course, these are pioneering experiments and much more needs to be done to understand the psychology of people interpreting court hearings in detail. One obvious suggestion for future research would be to examine the differences between people with no court experience and those with multiple experiences. In fact, most people (including the majority of Hulst's litigant participants) encounter a court hearing for the first time, and hence may be inhibited in their responses in their court hearings, but "repeat players" may not be so much inhibited by what is going on, also because of differences in background and the specific legal issues and law cases in which they are involved. Zooming in on these kinds of issues can provide important nuances, much needed for the field of social psychology, including the social psychology of law.

The behavioral inhibition system may also work in other legal contexts. For example, Fishbein and colleagues (2009) observed that many inmates do not respond favorably to standard treatments routinely offered in prison. Executive cognitive functioning and emotional regulation may play a key role in treatment responsiveness. Findings indicate that inmates exhibiting a relative lack of behavioral inhibition were less likely to progress favorably in a standard correctional treatment program, more likely to drop out early, and less likely to report improvement in aggressive reactions to provocation. Thus, relative deficits in behavioral inhibition significantly predicted treatment outcomes, more so than background, psychological or behavioral variables, and other neurocognitive and emotional regulatory measures.

Of course, the behavioral inhibition system is certainly not the only factor that affects people's judgments and attributions in the court or of the legal system. Issues such as motivated cognition, need for closure, and need for cognition are important as well. How people attribute causes and responsibilities also plays an important role in court hearings (Borgida & Fiske, 2008). Indeed, "the study of psychology and law is characterized by a bewildering diversity of topics and approaches" (Ellsworth & Mauro, 1998, p. 720), and I can discuss here only some of these topics and approaches. In the next section I examine how people perceive the law outside the courtroom.

### **Making Sense of Law Outside the Courtroom: Perceiving the Legal System**

In the domain of law, often a distinction is made between those who have direct interests at stake in a certain law case versus those who do not have direct interests at stake. From a judicial perspective, only those people with direct interests at stake are considered to be legally relevant, such that they can be involved in the handling of legal cases. This may be so, but even when people are not actively involved in legal cases themselves, they perceive the legal system and try to assess whether the system reveals the truth and serves justice. Furthermore, most people are never in their lives involved in a court case as a legal party with direct interests at stake in the case at hand. Nevertheless, even when not involved in legal cases directly, people scrutinize how the legal system is functioning.

After all, there are important material concerns associated with the working of the legal system. Furthermore, law is a crucial societal institution, and what officials affiliated with the law do has important symbolic value. And a well-functioning legal system conveys that one is living in a fair and just society where good outcomes will be delivered to good people who behave decently, and that those who do not behave in appropriate manners will be given their deserved outcomes. A primary function of law is the creation of legitimacy in society. As such, smooth and just functioning of the law increases objective (legal) and subjective (experienced

or psychological) legitimacy of the societal system. In short, there are several reasons why people outside the courtroom (parties with and without direct legal concerns at stake) perceive the legal system and interpret the functioning of legal institutions (e.g., courts), officials constructing laws (e.g., politicians), those enacting the law (e.g., police officers), and people deciding about the law (e.g., judges) in their abilities to deliver justice.

The social psychology of the legal system examines the links between courts and their constituents. Understanding how people perceive the legal system is important, in part because the interconnections of courts/judges and public opinion seems to work in two ways: Some research posits that public preferences influence the behavior of judges and courts, while other studies test the hypothesis that courts and decisions by judges shape public opinion (Gibson, 2010). The social psychology of the legal system is also important because it is related to trust in the law and legitimacy of the law (Tyler, 2006).

The literature on courts and the public is diverse and too vast to cover in detail. I therefore focus on some topics that are relevant for the understanding basic social psychological principles in legal contexts, zooming in on citizens' trust in the law and their perceived legitimacy of the law and the officials working for this societal system. In doing so, I observe that trust in the law and legitimacy of the law is often studied from a macro point of view, examining whether people trust the societal system of law, hence studying issues of institutional trust and institutional legitimacy. Social psychology teaches us, however, that people are often much better and much more oriented toward determining the level of trust they can put in other people, such as judges who are actively handling real cases (Van den Bos, 2011). Thus, studying issues of personal trust is important in understanding trust in law and legitimacy of the law. I argue here that at least two social psychological concepts are relevant for understanding personalized trust in the law: people's social psychological distance from individuals working for the law and people's political and cultural values.

Social psychological distance from officials working for the law is important for how people

perceive the legal system, in part because this is related to the amount of information people have about these officials. For example, compared to the mass public, lawyers admitted to federal appellate bars hold very high and robust levels of legitimacy in the Supreme Court, in part because they have much more information about the court and more access to relevant sources of information (Bartels, Johnston, & Mark, 2015). In contrast, only a small proportion of people come in contact with the law in a given year, meaning that most citizens gather and receive information about the law through other sources to form their impressions (Rosenbaum, Lawrence, Hartnett, McDevitt, & Posick, 2015).

In particular, when forming judgments of trust in law, citizens who have no legal education tend to rely on their judgments of trust in persons working for the law, such as judges. Social psychological distance plays an important role in forming these trust judgments. For example, extending observations indicating that the behavioral sciences tend to rely heavily on Western, Educated, Industrialized, Rich, and Democratic (WEIRD) participants (Henrich, Heine, & Norenzayan, 2010), Hulst (2017) argued that studies on trust in law and society may be missing crucial patterns of participant reactions because participants are tested by WEIRD interviewers. Field experiments designed specifically to test this assumption show that when answering questionnaires on degree of trust in law and society as given to them by interviewers presenting themselves as coming from law schools, lower-educated citizens in the Netherlands indicated that they hold high levels of trust in Dutch judges. This pattern replicates a finding that is often seen in trust surveys. Yet when the same interviewer was presented as coming from a lower-educated background, participants reported much less trust in judges.

These findings suggest that social psychological distance between the person observing the legal system and being interviewed about this system versus the perceived (legal authorities and others working for the legal system) and researchers studying trust in the system (e.g., university researchers) plays a crucial role in trust in law and society. In particular, when researchers studying trust in law and society



are perceived to come from the same high-status and WEIRD background as those who represent the legal system, this may lead non-WEIRD participants to indicate higher levels of trust in law than they tend to indicate to non-WEIRD interviewers who are lower in societal status than university researchers. This is an important observation at a time of polarization within societies and discontent among groups of lower-educated citizens against the establishment. Lower-educated people perceive social psychological distance to judges and hold low trust in the system's judges, at least under some conditions. In a time when social psychological distance is a growing concern in many societies, this insight into ingroup–outgroup identities and law and social psychology merits future investigation, focusing on underinvestigated participants such as those with lower education.

Perceptions of procedural justice may lead people to accept the law as a system (see also Tyler, 2006). Symbols of judicial authority and legitimacy, such as the robe, the gavel, and the cathedral-like court building, may also help with that. For instance, using an experimental design and a nationally representative sample, Gibson, Lodge, and Woodson (2014) showed that exposure to judicial symbols strengthens the link between institutional support and acquiescence among those with relatively low prior awareness of the Supreme Court and severs the link between disappointment with a disagreeable Court decision and willingness to challenge the ruling. Perhaps repeated presentation of judicial symbols decreases the social psychological distance between citizens and the law, leading these symbols to influence citizens in ways that reinforce the legitimacy of courts.

People's impressions about the law can be subject to biases and hence be unreliable and misleading, particularly when they do not have much information about the working of the law (Rosenbaum et al., 2015). Why, then, would researchers, scholars, and practitioners care about how ordinary people think about the law? First, people are citizens, and their opinions about the legal system need to be considered when laws are passed. Second, when societies create legal codes that deviate from citizens' moral intuitions, citizens can move toward disrespect for the credibility of the legal codes, as they do

no longer feel that the laws are a good guide to right and wrong (Darley & Gromet, 2010). The current wave of protests in Poland and other countries concerning the role of the constitutional court are an example of citizens' discontent with what the authorities are doing with the law. These and other examples indicate the importance of the study of how people perceive the legal system.

The literature on moral psychology is also important in this respect. For example, the typical response to learning about a significant moral transgression is one of moral outrage, based on information about what offenders justly deserve for the wrongs committed. In other words, by default, people tend to focus on punishing the offender when responding to crime. Empirical studies also show, however, that people are willing to make reductions in punishment inflicted on the transgressor if this is conducive to restorative goals that are designed to restore harmony within a community or society. Related to this, the target on which respondents focus—the offender, victim, or community—influences which sanctions they select to achieve justice. Thus, there seems to be reliable evidence for the hypothesis that people's need for punishment does not preclude a desire for restorative sanctions that address repairing the harm to victims and communities caused by wrongdoing. These findings suggest that people view the satisfaction of multiple justice goals as an appropriate and just response to wrongdoing (Gromet & Darley, 2009).

Experimental research also shows that opinions of judicial leniency can be changed by providing respondents with an example of the typical case that comes before the court (Stalans & Diamond, 1990). This indicates that providing relevant information may have some impact on public dissatisfaction with perceived leniency of the criminal justice system (but see St. Amand & Zamble, 2001).

These findings are important, in part because people's political and cultural values influence how they perceive the law as a legal system. For example, people's religious and demographic variables are related to their attitudes toward death penalty and sentencing of verdicts (Miller & Hayward, 2008). Furthermore, liberal participants are more likely to overturn laws that

decrease taxes than laws that increase taxes. The opposite pattern holds for conservative participants. This effect is there even when participants believe their policy preferences have no influence on their constitutional decisions (Furgeson, Babcock, & Shane, 2008).

In turn, judges tend to respond to the political and cultural values of citizens. For example, an aggregate time series analysis on a measure of opinion clarity based on multifaceted textual readability scores showed that when Supreme Court judges anticipate public opposition to their decisions, they write clearer opinions (Black, Owens, Wedeking, & Wohlfarth, 2016). Political and other preferences may also impact legal experts, at least to some extent. For example, lawyers and legal scholars tend to respond to anti-terrorist military practice of targeted killings by relying on both the facts of the case and their policy preferences (Sulitzeanu-Kenan, Krennitzer, & Alon, 2016).

### Concluding Remarks

I wrote this chapter based on my expertise as a social psychologist (specialized in experimental social psychology of fairness and justice judgments) and my experience working at a law school for some years now (focusing on empirical legal studies). Based on this expertise and this experience, my aim was to briefly review social psychology in legal contexts to a broad audience of students and teachers in law schools and psychology programs, as well as practitioners working in various legal domains and others who are interested in the bridge between social psychology and law.

Importantly, I note explicitly that in the current review of social psychology in legal contexts, I have not discussed several important topics relevant for the intersection of social psychology and law. What I have discussed is four areas of psychological research organized in two basic social psychological principles and two legal contexts. Taken together, these areas, principles, and contexts may provide a taxonomy of the social psychology of law. In this taxonomy, the principles and contexts on which I focused on are to some extent interrelated. For example, people perceiving the legal system often evaluate it in terms of whether the truth is

revealed by the system and, hence, whether justice is being done. Nevertheless, I hope to have shown that trying to systematize the social psychology of law by breaking it into four areas of research with different foci and points of interest makes sense and can help to further the science and practice of law (see also Haney, 1980).

Importantly, insight into the social psychology of law is not merely an application of basic social psychological principles in legal contexts. Rather, it is my experience that studying social psychology and the law often provides insights that may well feed into basic social psychological research. For example, we have seen that behavioral inhibition processes serve an important role in processes of interpretation and sense making, and not only in anxiety, fear, and stress (Hulst et al., 2017b). We have discussed that “WEIRDness” and social psychological distance may be more important in survey interviews than we often realize (Hulst, 2017). Law and psychology have worked together beautifully to reveal the relevance and validity of eyewitness reports in important court hearings (Loftus, 1975, 2013). And we saw how judgments of injustice feel so real and genuine to people that these judgments can impact processes of radicalization (Van den Bos, 2018).

All these issues have obvious societal relevance and can be examined in research programs with high levels of both internal and external validity, which is something modern social psychology really needs (Kruglanski et al., 2017). Furthermore, there is a tendency in current social psychology to generalize too much on the basis of too small sets of research studies that rely too much on overstudied research participants (e.g., university students or participants from online platforms such as Mechanical Turk). The result sometimes is a rather feeble basis and on occasion too abstract or overgeneralized theoretical frameworks. In contrast, the study of law tends to focus strongly on particulars of specific contexts, and to refrain from generalizations across contexts. As such, the study of law can provide contextual nuances much needed for a more precise, more robust, and more relevant social psychological science. The study of law may also stimulate social psychologists to stop their overreliance

on laboratory experimentation and start using other research methods such as archival and observation studies and qualitative in-depth interviews more actively, creating a more balanced treatment of research methodology.

With these positive notes on the integration of social psychology and law, I do not want to underestimate the important differences in assumptions, conventions, interests, and orientations of the two disciplines. For example, social psychologists are comfortable with aggregate data. In contrast, lawyers reason on a case-by-case basis, searching the record for particular cases that match the one at hand, and looking for ways to distinguish a case from apparently similar cases. Many lawyers resist having to decide a person's fate on the basis of empirical data drawn from other people, no matter how large or representative the sample. Furthermore, social psychologists are comfortable thinking in terms of probabilities and making explicit quantified probability judgments. Although most legal judgments are probabilistic, many legal scholars are uncomfortable about making the probabilities explicit. Moreover, social psychologists are comfortable thinking in terms of continuous variables. The law's task is to draw lines, to create what to a psychologist are suspect dichotomies: sane or insane, fit or unfit to be a parent, voluntary or involuntary (Ellsworth & Mauro, 1998).

Twining (2009) has argued that—for understandable reasons—a great deal of legal research with an empirical dimension has been oriented toward policy or law reform, or other kinds of immediate practical decision making. “Many such enquiries are particular rather than general, not illuminated by theory, do not claim to be explanatory or predictive, and their findings do not accumulate” (Twining, 2009, p. 50). By focusing on some basic principles of social psychology in legal contexts, I hope this chapter contributes to the conceptual and empirical development of the exciting social psychological science of law.

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