

THE UNIVERSITY OF CALGARY

A Comparison of Judgements of Wrongdoing Seriousness:

Japanese Versus Canadian Young Adults

by

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## **ABSTRACT**

Law and legal systems are cultural products that form a structure of meaning which guides individuals in everyday interactions. This structure is passed on through legal socialization mechanisms which transmit norms of conduct and rules for decisions that influence intentional systems, including cognitive processes and individual dispositions. The latter manifests themselves as attitudes, values, beliefs and expectations.

This study investigates structural variations among cultures that influence concepts of sociolegal behaviour. It is argued that legal culture varies systematically in how individuals see their structural position in society and as a result has important consequences for how wrongdoing is judged. The secondary data analysis included multivariate analysis of variance to compare Japanese (111 males, 42 females) and Canadian (124 males, 47 females) young adults. Examined are respondents' judgements of wrongdoing between individuals occupying different positions of power and contrasting macro cultural contexts which emphasize collectivistic (Japan) and individualistic (Canada) values. Since gender relations are also socially structured categories, a comparison was made of male and female responses to explore possible separate legal cultures.

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## TABLE OF CONTENTS

Approval Page .....	ii
Abstract .....	iii
Acknowledgements .....	iv
Table of Contents .....	vi
List of Tables .....	viii
List of Figures .....	ix
 Chapter 1: Introduction .....	 1
 Chapter 2: Review of Relevant Literature.....	 10
2.0 Introduction and Overview .....	10
2.1 Literature Review of Crime Seriousness Research .....	11
2.2 Literature Review of Responsibility Attribution Research .....	16
 Chapter 3: Conceptual Framework.....	 28
3.0 Introduction and Overview .....	28
3.1 Legal Socialization Perspective.....	29
3.2 Theoretical Heritage of the Legal Socialization Perspective.....	31
3.3 Major Concepts .....	37
3.3.1 Legal Culture .....	37
3.3.2 Gender .....	46
3.3.3 Roles and Deeds .....	51
3.4 Expectations and Hypotheses .....	55
3.4.1 The Total Group .....	58
3.4.2 Culture and Gender Differences .....	62
 Chapter 4: Methodology.....	 67
4.0 Introduction and Overview .....	67
4.1 Source and Characteristics of the Respondent Data.....	67
4.2 Administration and Design of the Primary Research Survey Questionnaire.....	 69
4.2.1 Cultural Equivalency Checks .....	70
4.2.2 Structure of the Survey Questionnaire .....	71
4.2.3 The Vignette Technique .....	73
4.2.4 Seriousness Rating Scale.....	77
4.3 Methodological Issues Regarding Secondary Analysis and Cross-Cultural Comparisons .....	 81
4.4 Definitions and Operationalization of Concepts and Variables of Interest.....	 87

Chapter 4 (Con't)	
4.5 Data Analyses.....	90
4.5.1 Reliability of the Vignette Groupings .....	90
4.5.2 Student's T-Test to Compare Mean Seriousness Scores .....	92
4.5.3 Multivariate Analysis of Variance to Compare Groups by Culture and Gender.....	94
Chapter 5: Results .....	99
5.0 Introduction and Overview.....	99
5.1 Descriptive Overview of Findings .....	100
5.1.1 How Social Relationships and Social Conduct Impact Judgements of Wrongdoing Seriousness: Roles and Deeds.....	100
5.1.2 Role-Deed Interrelationship .....	109
5.2 How Culture and Gender Impact Judgements of Wrongdoing Seriousness: MANOVA Results .....	121
5.2.1 Roles and Deeds .....	121
5.2.2 Role-Deed Interrelationship .....	134
Chapter 6: Discussion and Suggestions for Further Research.....	147
6.0 Introduction and Overview.....	147
6.1 Social Relationships and Social Conduct.....	149
6.2 Culture and Gender .....	153
6.3 Suggestions for Further Research.....	160
References .....	166
Appendix 1: List of Vignettes .....	178
Appendix 2: Mapping Vignettes into Variable Values .....	179
Appendix 3: Reliability Measures for Vignette Groupings.....	180
Appendix 4: Correlations Between Vignette Groupings.....	181
Appendix 5: MANOVA Assumptions and Procedure .....	182
Appendix 6: Descriptive Statistics for Respondent Subgroups .....	186

## LIST OF TABLES

Table 5.1: Comparison of Mean Seriousness Scores by Roles and Deeds, by Respondent Subgroup.....	101
Table 5.2: Role-Deed Interrelation: Comparison of Mean Seriousness Scores by Roles, by Respondent Subgroup.....	110
Table 5.3: Role-Deed Interrelation: Impact on Mean Seriousness Scores, by Respondent Subgroup.....	112
Table 5.4: Results of Multivariate Analyses of Variance.....	122
Table 5.5: Results of Univariate Analyses of Variance .....	124
Table 5.6: Results of Simple Effects Analyses .....	125
Table 5.7: Role-Deed Interrelation: Results of Multivariate Analyses of Variance.....	136
Table 5.8: Role-Deed Interrelation: Results of Univariate Analyses of Variance .....	137
Table 5.9: Role-Deed Interrelation: Results of Simple Effects Analyses .....	138



## **LIST OF FIGURES**

Figure 4.1: Variations on Vignettes to Manipulate Victim Harm and Mental State Variables .....	76
Figure 5.1: Comparison of Mean Seriousness Scores for Roles, Deeds, and Role-Deed Interrelation .....	104
Figure 5.2: Role-Deed Interrelation: Impact of Changing Deeds, Total Respondents .....	113
Figure 5.3: Role-Deed Interrelation: Impact of Changing Deeds, Japanese Men .....	116
Figure 5.4: Role-Deed Interrelation: Impact of Changing Deeds, Japanese Women.....	117

## CHAPTER 1

### INTRODUCTION

Social life is predicated on the ability to distinguish between “normal” and “deviant” behaviour; and, to know “right” from “wrong.” This is one of the most fundamental skills of everyday life. The significance of such a mundane act is that it represents the (re-)enactment of moral judgement. According to Bull (1969, p.10), morality is the “heart of social living.” Judgement about morality is both culturally and socially structured. It is influenced by norms surrounding social relationships and social conduct. At the everyday level, all of these factors guide our perceptions of and decisions about wrongful behaviour. Our views of wrongdoing, therefore, have a socially integrating function.

The major focus of this thesis research is directed towards identifying how judgements about the seriousness of wrongful acts are affected by normative expectations regarding social relationships and social conduct. In order to more fully address these relationships this study also investigates the impact of variation across cultures and between genders, on seriousness judgements. Data analysis involved measuring the affect of varying the kind of role- and deed-related information given in vignette descriptions of different types of rule-breaking behaviour. Comparisons were made between Japanese and Canadian, male and female young adults. The nonrandom sample (n=324) analysed in this thesis research was drawn from another study which was conducted in 1996 (to be referred to as the “primary research”). Methodological issues relevant to this study, therefore, include concerns related to cross-cultural comparisons and secondary data analysis.

Research interest in wrongdoing seriousness judgement can be traced to studies conducted by both crime seriousness and responsibility attribution researchers.

The crime seriousness and responsibility attribution areas of research contribute empirical as well as conceptual information to this study of wrongdoing seriousness. If judgements about wrongdoing seriousness are normative evaluations of acts, then according to Warr, “collective judgements about the seriousness of crimes bear directly on a fundamental aspect of human cultures, that is, social norms. Indeed, the seriousness literature is perhaps the single largest body of evidence on social evaluations of human conduct” (1989, pp. 795-796). Certainly responsibility attribution literature, which encompasses the concept of seriousness, provides more depth to this evidence. Responsibility is both a social phenomenon and a central moral concept in social relationships (Hamilton & Sanders, 1992, p. 16; Kidd & Utne, 1978). As Hamilton and Sanders state, “To ask questions about responsibility is to ask questions about how we understand human action itself” (p. 19). In Durkheimian fashion, they describe that “consensus about the appropriate criteria for attributing responsibility provides a type of social glue binding society together” (Sanders & Hamilton, 1987, p. 278). The research literature, however, fails to provide for an adequate conceptualization of wrongdoing seriousness. Limitations in crime seriousness and responsibility attribution research point to the utility of the legal socialization perspective in understanding wrongdoing seriousness.

The conceptual approach adopted in this thesis research, therefore, is guided by the legal socialization perspective. Drawing on this perspective, decisions about the seriousness of wrongdoing are viewed as sociolegal judgements. Such judgements develop

from as well as reinforce a particular legal environment or legal culture; thus, sociolegal judgements can be said to describe a “legal consciousness” (Miyazawa, 1994). Wrongdoing judgements are guided by normative expectations about social relationships (roles) and social conduct (deeds). Since these judgements occur within an underlying culture and social structure, it is important to look at the impact of cultural and gender variation on how information about roles and deeds is processed in judging wrongdoing. The above discussion highlights the relevance of the following research questions and subsidiary questions:

1. In general, how do social relationships impact judgements about wrongdoing seriousness?
  - (a) Does it make a difference if the wrongdoer (actor) is in a more powerful position relative to the victim?
  - (b) Does it make a difference if the actor and victim share (in terms of closeness) some kind of relationship?
2. In general, how does social conduct impact judgements about wrongdoing seriousness?
  - (a) Does it make a difference if the consequence of the wrongdoing is more severe?
  - (b) Does it make a difference if the wrongdoing has been committed previously?
3. How does culture impact judgement of wrongdoing seriousness?
  - (a) Are views regarding general collectivistic values of social relationships and individualistic values of individual achievements consistent with relationships between roles, deeds and wrongdoing seriousness?
4. How does gender impact these judgements about wrongdoing seriousness?

The legal socialization perspective and within it, legal culture, describe a wide variety of areas and levels of social life and experience. Legal ideas come from “everywhere,” inside and outside the realm of law. As Macaulay (1987) describes, “legal culture affects everyday life in important ways.” He cites history, religion, education, entertainment, media, and sports as only some examples of sources of legal culture. Given the

complexity of the legal socialization perspective, then, a comprehensive investigation of sociolegal judgements would be very difficult to carry out.

The scope of this thesis research is restricted to the perception of seriousness of wrongdoing. The inclusion of other kinds of judgements related to decisions about wrongdoing, such as consequences (punishments and negative sanctions), are addressed in the suggestions for further research, in Chapter 6. As will be shown in Chapter 2, crime seriousness and responsibility attribution researchers have also adopted similar strategies by restricting their studies to specific aspects of the decision-making process involved in judging wrongful behaviour.

According to Miyazawa (1987), legal culture has, thus far, offered only a limited explanation of cross-cultural differences because the formal and official data, traditionally used by researchers, are unreliable. In addressing Miyazawa's criticism, the advantage offered by the type of data utilized in this thesis research is that the data are characterized as informal rather than official. Miyazawa also suggests the need to drill down to everyday experiences in order to more clearly identify the impact of legal culture on sociolegal judgements. In addressing this concern, a second advantage is offered by the data. The kinds of deeds described in the vignettes analysed in this study were not extreme or official criminal acts. The use of informal and less extreme acts, therefore, provided for a more reliable analysis of the impact of legal culture on sociolegal judgements in this study.

Cross-cultural interest in this research area has in the past been overwhelmingly represented by American researchers who hoped that by studying the Japanese experi-

ence, they could derive solutions to western problems of high crime rates and low industrial efficiency (Castberg, 1990, p. 8; Miyazawa, 1987). This western admiration of Japanese harmony and industrial power coexists with more negative views such as Japanese women being relegated to subordinate roles and men to the “salary-man” lifestyle. Both are dangerous according to Miyazawa (1987) in that they perpetuate the western characterization of eastern exoticism and mysticism. While there may be some truth to these portrayals, they ignore the wider variations and complexities of social life which characterize all cultures. As well, adopting such narrow views inhibits an understanding of forces of social change such as the current financial and economic troubles in Japan (The Economist, 1996, 1997), or the increasing development of Japanese feminism (Chizuko, 1996; The Economist, 1996), or increasing crime rates particularly among Japanese youth (Castberg, 1990, p. 16). Such “east vs. west” comparisons also need to include wider views of general western cultural characteristics which encompass more than the experiences of the United States.

At the time this thesis research was conducted, no publications of comparative studies about Japan and Canada could be found in the area of wrongdoing seriousness or even in the related research literature about crime seriousness and responsibility attribution. It appears that more interest tends to be directed towards other subjects such as economic and trade relationships (for examples, the C.D. Howe Institute’s publications on trading between Japan, the United States and Canada [Dobson, 1987; Hampson, 1988]). To this extent, this thesis research represents a timely exploration of new empirical subjects in comparative research.

Gender differences are also explored in this study. Data analysis included testing for relationships between gender and perceptions of wrongdoing as well as gender, culture and wrongdoing. As will be discussed in the literature review in Chapter 2, researchers, up to now, have yet to fully address the relationship between gender and wrongdoing judgement. Given the characteristics of the data utilized, the analytical approach adopted in this thesis research most closely aligns with that of “feminist empiricism” (as described by Menkel-Meadow and Diamond [1991]). That is, the same methodological approach is utilized in analysing both female and male responses. A more comprehensive investigation of gender differences would be outside the scope of this study; however, discussion in Chapter 6 offers suggestions as to how future research might expand on the current analysis of female perceptions regarding wrongdoing.

The above discussion about cross-cultural comparisons and gender differences in perceptions of seriousness of wrongdoing points to the timeliness and uniqueness of this thesis research. To this extent, the purpose of this thesis research is to investigate and explore the impact of cultural and gender variations on the relationships between roles and deeds and wrongdoing judgement. Given the intention of this study, the findings should be considered suggestive, and hopefully even provocative, rather than definitive. The following outline of chapters describes the organization of this thesis.

A review of the literature is presented in Chapter 2. As mentioned, the crime seriousness and responsibility attribution research areas have made important contributions to the study of wrongdoing seriousness. The chapter presents descriptions of relevant concepts and empirical findings from each research area. Discussion also includes limi-

tations of these two approaches as well as major issues involved in conceptualizing seriousness and attribution of wrongdoing. Argument is made in Chapter 2 that these two areas of research provide the rationale for adopting the legal socialization perspective in order to study wrongdoing seriousness.

The legal socialization perspective described in Chapter 3, addresses the issues identified in Chapter 2. As the conceptual framework utilized in this study, legal socialization guides the understanding of how culture and gender affects the links between social relationship (roles) and social conduct (deeds), to judgement about wrongdoing. The rich theoretical heritage of the legal socialization perspective is also briefly discussed in order to provide for a fuller description of the major concepts of interest in this research. The legal socialization perspective, as well as the crime seriousness and responsibility attribution research areas, inform the development of the expectations and hypotheses listed in the last section of Chapter 3.

Chapter 4, methodology, begins with a description of respondent characteristics and important elements in the primary research design. Particular attention is paid to the vignette technique which controls the role and deed information (the independent variables). Considerable discussion is also made about the seriousness rating scale because it measures the dependent variable, judgement of seriousness of wrongdoing. Following the descriptions of the vignette and seriousness scale techniques, Chapter 4 addresses the major methodological concerns related to secondary data analysis and cross-cultural comparison. The research concepts, presented in Chapter 3, are then operationalized and definitions are given for the variables of research interest. The final section in Chapter 4,



data analyses, presents reliability measures and statistical techniques used to test the hypotheses.

Data results are detailed in Chapter 5. The chapter is organized by the research questions identified earlier. The first part of the chapter presents a descriptive overview of findings about the impact of roles and deeds on wrongdoing judgements. In this overview, analysis is directed towards comparison of mean seriousness levels for the total respondent group; more general comparisons are made between the respondent subgroups. The second part of the discussion of data results elaborates on the findings by measuring the impact of culture and gender on respondents' judgements. Statistical differences between respondent subgroups -- Japanese men, Japanese women, Canadian men and Canadian women -- are identified in the second analysis. Presenting statistical results necessarily involves some level of fairly detailed technical information. This is particularly true of the findings from the second (multivariate) analysis of the impact of culture and gender on wrongdoing judgements. It was felt that the addition of descriptive summaries would enhance the presentation of the data findings. Throughout the discussion of the second analysis, summaries are provided along with each technical discussion of a particular finding.

The research questions are revisited in Chapter 6 in a more general way. Chapter 6 summarizes and discusses the major notable data findings from Chapter 5. Discussion includes implications of the findings and provides possible alternative explanations of the results offered by other areas of research. At the end of the chapter, suggestions to guide

further research represent a continuation and expansion of this present study. These suggestions address many of the limitations identified in this thesis research.

## **CHAPTER 2**

### **REVIEW OF RELEVANT LITERATURE**

#### **2.0 Introduction and Overview**

This thesis research approaches the study of wrongdoing seriousness by first considering how this topic has been addressed in the past. The more traditional approaches are represented by two related areas of research: crime seriousness and responsibility attribution. Crime seriousness literature informs this study in two ways. Firstly, it provides relevant information about the heuristic value of the seriousness rating scale technique utilized in this thesis research to measure perception of wrongdoing seriousness (methodological details are provided in Chapter 4). Secondly, it identifies conceptual issues concerned with attempts to describe judgements about seriousness. Responsibility attribution research, which provides a fuller conceptualization of seriousness, addresses these conceptual issues. It does so by more effectively identifying and integrating the component factors (namely, the actor, the deed, and the impact) which enter into the decision-making process of attributing responsibility. Importantly, both areas of research identify judgement as being culturally and socially structured. Thus, empirical findings from cross-cultural comparative studies in both crime seriousness and responsibility attribution research provide an informative component to this thesis research.

This chapter organizes the above discussion in two sections. The first section presents a conceptual and empirical review of crime seriousness research; a parallel review is then made in the second section for responsibility attribution research. The reviews

reveal that cross-cultural investigations of perceptions of seriousness of wrongdoing have been given relatively minor sociological attention until fairly recently. This is likely a reflection of cross-cultural studies in general. According to Hantrais (1996), the reasons can be attributed to: restrictions regarding conducting the study in another country; limited access to cross-cultural databases (including technological limitations in handling large data sets); and, challenges in translating methodologies between different cultures (Chapter 4 provides a fuller discussion of cross-cultural methodology in the present study).<sup>1</sup> This thesis research contributes empirically to cross-cultural research about perceptions of seriousness of wrongdoing. The findings are unique in that as far as can be determined, there are no published comparative studies on wrongdoing seriousness which address Japanese and Canadian cultures.

## **2.1 Literature Review of Crime Seriousness Research**

*Description of Seriousness.* While research literature in the area of crime seriousness supports the value of the seriousness rating scale, it also highlights challenges involved in conceptualizing the meaning of seriousness. The seriousness rating scale technique (while specific designs may vary) has been generally accepted as reliable and robust, and continues to be widely used (for example, Rossi & Henry, 1980, p. 492; methodology is presented in Chapter 4). More recently, attention has been drawn to the need for a clearer definition and fuller conceptualization of seriousness judgement than that provided by past research (Blum-West, 1985; Carlson & Williams, 1993; O'Connell & Whelan, 1996; Parton, Hansel, & Stratton, 1991; Rossi & Henry, 1980, p. 492; Warr,

1989). This is not a straight forward task. Traditionally, crime seriousness researchers have relied on common sense understandings of seriousness and typically paid little attention to defining this concept in their studies. Researchers now acknowledge that the notion of seriousness actually encompasses more than one single meaning; rather, there are a multitude of interrelated factors associated with judging seriousness (Roberts, 1992, p. 136; Warr, 1989). These factors are addressed in Rossi's and Henry's definition: "The seriousness of a criminal act may be viewed as normative evaluations, an overall judgement which allows comparison among criminal acts, cultural values in different societies and cultures, and individual value differences" (1974).

It can be argued that researchers of crime seriousness have also, in fact, been studying wrongdoing seriousness. Review of the crime seriousness research shows it to describe a wide range of rule-breaking and wrongful acts and that it is not restricted to official criminal offences (for examples, Carlson & Williams, 1993; Payne & Furnham, 1990; Roberts, 1992; Rossi, Waite, Bose, & Berk, 1974). The descriptions of crime seriousness, therefore, also inform our understanding of perceptions of seriousness of wrongdoing. Drawing from Rossi's and Henry's definition given above, a decision about wrongdoing seriousness can be characterized as both cognitive (perceived norms) and evaluative (personal opinions).

This integrative characteristic of seriousness judgements is also identified by Warr (1989) who offers the notion of primacy as representing how individuals weigh the relative importance of the normative (wrongfulness) and factual (harmfulness) aspects of the deed in making decisions about seriousness. The significance of the difference between

wrongfulness vs. harmfulness is an important issue of ongoing debate among crime seriousness researchers (O'Connell & Whelan, 1996; Rossi & Henry, 1980, pp. 490-493; Warr, 1989). (As will be shown later in this chapter, this issue can be more fully addressed by drawing on the responsibility attribution research.) Besides efforts to distinguish the normative from the other aspects of decision-making, attempts have also been directed toward measuring the influence of deed-related elements on seriousness scores. Such efforts are discussed in the following section which summarizes the empirical literature about crime seriousness.

***Empirical Findings.*** Crime seriousness research has pointed to a wide range of factors, all of which variously influence perceptions of wrongdoing seriousness. These factors can be as diverse as: bodily hurt; economic damage/loss; psychological/emotional damage; potential threat, intent, purpose and motive; and power relationships between actor and victim (Blum-West, 1985). Research findings are in agreement with respect to the more severe crime acts and victim harm. The overall ranking or ordering of seriousness of acts has also been widely supported in studies across cultures and over time. Findings have been less consistent regarding nonextreme acts of wrongdoing. As well, the effects of respondent sociodemographic characteristics on seriousness judgements is still largely uninvestigated.

The highest levels of seriousness tend to be attributed to the more severe crime acts and to deeds causing greater degrees of victim harm; the lowest seriousness levels tend to be attributed to wrongdoing related to deeds where administrative rules or policies were broken (Carlson & Williams, 1993; Gebotys & DasGupta, 1987; Miethe, 1982;

Rossi & Henry, 1980; Rossi, Waite, Bose, & Berk, 1974). Researchers have noted that these findings are derived mostly from studies focussing on the more violent and extreme crime acts against persons and property. There is a need, therefore, for investigators to include the less serious wrongdoing acts in their studies (Carlson & Williams, 1993; Miethe, 1984). This concern for a wider representation of levels of wrongdoing is also related to findings about the ranking of “more” vs. “less” serious acts.

General consensus on the ordering or ranking of crime acts has been found across cultures and between subcultures (controlling for class, education, age, race, ethnicity, and gender) regarding which crime acts are perceived to be the most serious and the least serious, with less consensus for acts located between the extremes (Evans & Scott, 1984; Miethe, 1982; O'Connell & Whelan, 1996; Roberts, 1992, p. 134; Rossi & Henry, 1980). Ratings attributed to “traditional” crimes (e.g. robbery) are particularly supportive of the existence of a universal ranking of crime and deviant acts (Carlson & Williams, 1993; Rossi & Berk, 1974; Sellin & Wolfgang, 1964).<sup>2</sup>

Relationships between seriousness scores and respondent characteristics, however, are as yet, largely unaddressed (Rossi & Henry, 1980, p. 501). Researchers who have attempted to measure the more conventional sociodemographic variables (including gender, social class, income, education level, race, and urban/rural residence) have had varying results.<sup>3</sup> A closer examination of studies recommended by Roberts (1992, p. 134) as addressing demographic variables as predictors of crime seriousness or sentence severity, revealed that perceptions of crime seriousness itself was, in fact, relatively unaddressed. Rather, most of these researchers looked at attitudes toward related factors such

as courts, crime injustice, prison crowding, criminal sanctions or legal sanctions (Flanagan, McGarrell, & Brown, 1985; Hagan & Albonetti, 1982; Skovron, Scott, & Cullen, 1988; Taylor, Scheppelle, Scheppelle, & Stinchcombe, 1979; Thomas & Cage, 1976).

While results from this group vary, generally most found sociodemographic variables to be weak predictors. Unfortunately, most of these studies failed to include gender in their analyses.

While findings from studies which have included gender remain largely inconsistent, a few brief comments are warranted because gender is of particular research interest in this study. Empirical findings discussed here provide for some of the descriptive comparisons made in the discussion of results presented in Chapter 5. Some studies have revealed that men tend to give lower overall seriousness ratings than women (for examples, O'Connell's & Whelan's Irish sample, 1996; and, Payne's & Furnham's Barbadian sample, 1990); other studies had opposite findings (Rauma's Detroit sample, 1991; Walker, 1978). A reason for this discrepancy may lie in the types of wrongdoing analysed. However, it is sometimes unclear just what the wrongdoings involve since researchers often do not describe the particular acts they include in their analyses. The kinds of deeds studied are important. For example, Carol Gilligan (1982) has suggested that women as compared to men tend to attribute more concern for acts with clear social moral tones. Lending support for this reasoning, Rose and Prell (1955) found that women (American undergraduates) tended to view acts such as child-beating, bigamy, forgery and drunk-driving to be more serious than assault, bribery, arson or theft. The moral tones argument



provides only a partial explanation, however. Walker (1978) found that men as compared to women, tended to attribute higher seriousness scores to the more violent acts.

It appears that empirical findings from crime seriousness research have yet to fully identify all of the factors influencing seriousness judgement; nor have attempts to describe wrongdoing seriousness achieved the fully integrated conceptualization called for by crime seriousness researchers.<sup>4</sup> It is apparent, however, that researchers hardly distinguish between seriousness and responsibility. As will be discussed below, these concerns can be more fully addressed by looking to responsibility attribution research.

## **2.2 Literature Review of Responsibility Attribution Research**

*Description of Responsibility Attribution.* Much of the responsibility attribution research, like crime seriousness, is fairly recent, having gained popularity in 1970's and 1980's.<sup>5</sup> Even within the expansive literature about attribution research, there are a multitude of responsibility attribution theories and models (see Fincham & Jaspars, 1980, p. 82; Semin & Manstead, 1983, pp. 3-7, 138-139). To present all of these variations would be beyond the scope of this thesis.<sup>6</sup> A more pragmatic approach is to focus on core aspects of the theoretical perspective of responsibility attribution which would be informative for a sociological understanding of perceptions of wrongdoing seriousness.

Responsibility attribution is concerned with both determining how individuals make decisions about responsibility, as well as how they allocate responsibility. The various factors which have been identified as being important for seriousness judgement are encompassed within the notion of responsibility judgement. While responsibility at-

tribution research is seen to provide for a better conceptualization of wrongdoing seriousness than that offered by the crime seriousness research, criticisms have also been made about how key concepts have been defined and understood in this area. As in the crime seriousness research, there has been a tendency to rely on common sense notions of the key concepts of responsibility and responsibility attribution (Fincham & Jaspars, 1980, pp. 89-94; Semin & Manstead, 1983, p. 125). Another concern relates to the lack of attention paid to the importance of the social context of responsibility attribution decisions (Fincham & Jaspars, 1980; Lloyd-Bostock, 1983, pp. 284-285; Semin & Manstead, 1983, pp. 6-7).

These concerns are addressed in the meaning of responsibility presented by Hamilton and Sanders (1992, p. 12). These researchers provide a fuller conceptualization of responsibility as well as acknowledge the importance of social context by including role obligation as a form of responsibility. Hamilton defines responsibility as a "decision about liability for sanctions based on a rule" (1978). Hamilton's and Sanders' categorization of four forms of responsibility includes the variety of different meanings of this concept which are variously located in the body of literature (Schlenker, Britt, Pennington, Murphy, & Doherty, 1994; Semin & Manstead, 1983, pp. 3-7; Shultz & Schleifer, 1983, pp. 37-42). The four general forms of responsibility are: causation, capacity, role obligation, and legal and moral liability (1992, p.12). Causation refers to the extent to which a causal relationship can be established that the act was carried-out and intended by the actor and the degree to which the actor was predisposed to commit the act (that is, was the actor in any way "forced" to commit the act). Capacity is whether the actor be-

haved in a "responsible" manner (as most people would have; as the respondent would have) and whether the actor is seen to be "able" (cognitively and physically) to behave in a responsible manner. Role obligation concerns the social expectations around the actor; that is, whether the actor's behaviour was in line with norms or rules and obligations. And finally, liability refers to the ability of the actor to "answer to his/her actions" (Hamilton & Sanders, 1992, p.16).

The notion of responsibility is in itself somewhat insufficient to fully account for decisions about the attribution of responsibility. Judgement about responsibility is essentially concerned with what the person did as well as the obligations involved with carrying-out that act (Hamilton & Sanders, 1992, p.18). Responsibility attribution, however, also involves consideration of the outcome of the deed. One important outcome concerns the severity of the deed's consequences which in most studies, is measured by victim harm. As the empirical findings below indicate, the degree to which victim harm influences seriousness judgements, is not obvious.

***Empirical Findings.*** Several general themes can be identified in the empirical literature about responsibility attribution. These themes are: (1) victim harm and consequences of the act; (2) the actor's intentionality and purposiveness; (3) the influence of social prescriptions such as the roles attributed to the actor and victim; (4) measuring multiple effects; and, (5) respondent characteristics. As with crime seriousness, responsibility attribution researchers have mostly (especially in past research) addressed only single factors of responsibility judgement. More recently, some researchers have attempted to measure the effects of multiple relationships between various aspects of responsibility

judgement. The efforts of these investigations are worth noting because they highlight the possibility that nonobvious outcomes can occur from interrelationships of different factors contributing to responsibility judgements. Findings from Hamilton's and Sanders' body of research, especially their 1992 American-Japanese comparative study,<sup>7</sup> are particularly relevant. Hamilton's and Sanders' valuable and exemplary contributions in the areas of responsibility attribution and wrongdoing judgement have been acknowledged in the literature (see Fincham & Jaspars, 1980). Particular attention will be paid to results from their cross-cultural studies through out this literature review. Empirical findings about responsibility attribution are presented below, in order of the five themes which were identified earlier.

(1) Findings about victim harm in responsibility attribution research appear to be less consensual than suggested in research findings in the crime seriousness literature. Evidence suggesting a positive correlation between responsibility and harm (Chaikin & Darley, 1973; Hamilton & Sanders, 1992; Walster, 1966), has not been well supported in other research (Fincham's & Jaspars' discussion of defensive attribution, 1980; Ross & DiTecco, 1975; Schroeder & Linder, 1976). (2) Victim harm and actor intention when combined, are more complex than early research suggested because different kinds of intentionality produce different findings. For example, respondents have been found to judge the actor as more responsible if she/he is seen to have negligently caused the harm (Shultz & Wright, 1985). Schroeder and Linder (1976) found that even when consequences were severe, a lower level of responsibility was actually assigned by respondents when an actor was seen as having caused the deed for the first-time; but for lower levels

of victim harm, respondents tended to judge the "first-time" actor more severely. This seemingly paradoxical finding perhaps suggests that there exists some kind of threshold for the positive relationship between harm and responsibility -- that when harm severity increases to a certain point, respondents will try to attribute responsibility across a wider number of factors. In this case, inchoate deeds (that is, information that a first-time act implies the deed is somehow "undeveloped" or not totally planned out) motivated respondents to be more lenient in attributing responsibility directly to the actor.

Importance of the actor's intention is shown in a study by Schroeder and Linder (1976). They found that greater responsibility was assigned when the actor was believed to possess knowledge of the negative consequences of the act; actors who were uninformed or not aware that harmful consequences could occur, were judged to be less responsible. Similar findings were discovered by Hamilton and Sanders (1992) in studying what they term, "deeds and contexts"<sup>8</sup> which can be thought of as consequences and intentionality. They found that actors seen to be more involved in conducting the deed (that is, aware of his/her action, having the will to do it, or doing it on purpose), were judged to be more responsible for the deed. Also, higher levels of responsibility were attributed when the actor had a deviant past pattern of behaviour, or when another person was involved who influenced the actor into carrying-out the deed.

(3) Researchers have also attempted to examine the influence of social prescriptions, or rules-guiding conduct, in determining responsibility (Fincham & Jaspars, 1980, p. 113). This approach is well represented by Hamilton and Sanders (1992) who address social role obligations of the actor as an important determinant in the respondent's

judgement of responsibility. In studying roles, Hamilton and Sanders measured solidarity of relationships (level of intimacy) and hierarchy (authority vs. equality). Their findings suggested that more solidary relationships (family) between the actor and victim were attributed with lower responsibility levels than less solidary relationships (work). An actor in an authority role with respect to the victim was seen to be more responsible (but only after purposiveness and avoidability were controlled for in the analysis).

(4) As described, responsibility judgement encompasses several different factors. Research interest has more recently turned to attempts to measure the multiple effects of these factors. Such effort is represented in for example, Schlenker et al.'s "triangle model of responsibility" (1994) in which the researchers measure the links between prescriptions (law, moral codes, rules), event (deed), and identity (actor's characteristics such as roles), elements which have mostly been addressed singularly by other researchers. It was found that responsibility attribution was a "direct function of the combined strengths of the three links." The highest level of responsibility was attributed to the actor(s) when all three links were strong; actor(s) were judged to be least responsible when links were weak.

Hamilton and Sanders (1992) also attempt to measure multiple effects of roles and deeds on responsibility attribution judgement. The role-deed interrelationships examined by Hamilton and Sanders included: (a) hierarchy and mental state (whether actor intended the act); (b) solidarity and mental state; (c) hierarchy and other's influence; and, (d) solidarity and other's influence. Their findings were: (a) for hierarchy and mental state: the discrepancy between authority and equality scores, with authority higher, was greater when the act was seen to be an accident or due to negligence (low mental state);

the scores were closer when the act was seen to be intended by the actor (high mental state); (b) for solidarity and mental state: greater impact was found for family (highly solidary) relationships than for work relationships (low solidarity). For family relationships, there was a greater increase in responsibility in response to a shift from low to high mental state (meant to do the deed) than was the case for nonsolidary relationships; (c) for hierarchy and other's influence, it was found that the presence of another person's influence on the actor was related to lower responsibility, but only if the actor is in an authority position with respect to the victim; and, (d) in terms of solidarity and other's influence, this influence was more effective (higher responsibility) for work than for family relationships where the intimacy of family may be seen as "having a greater potential to exert countervailing influence .... (such that) the family shares in the responsibility" (1992, p. 118).

(5) As with crime seriousness, researchers have noted a dearth of responsibility attribution research addressing respondent characteristics (Sanders & Hamilton, 1987). Culture and gender appear to have garnered only slightly more interest from researchers than other types of demographic variables. Hamilton and Sanders have made considerable contributions to responsibility attribution research by their cross-cultural findings (see for examples, Hamilton & Hagiwara, 1992; Hamilton & Sanders 1983, 1988, 1992; Sanders & Hamilton, 1992). Of particular relevance here is the researchers' 1992 comparative study of Japan and the United States. A summary of their findings regarding Japan and the United States is provided below. Findings regarding gender (and other sociodemographic variables) will be presented following this summary.

Hamilton and Sanders (1992) found that mental state information (that is, whether or not the actor meant to carry-out the deed) was more important to American respondents. On the other hand, influence from another person was more important for the Japanese respondents. No cultural differences were found for seriousness of consequences (harm) and presence of deviant past pattern of behaviour of actor (intention). Japanese respondents were also found to be more sensitive to information about roles (solidarity and hierarchy) than was the case for Americans in the sense that changing the value of solidarity or hierarchy effected a much more marked difference in responsibility scores for the Japanese group. With respect to attempts to measure effects of interrelationships between roles and deeds, it was found that: (a) for hierarchy and mental state, no cultural differences were determined; (b) for solidarity and mental state: For the Japanese respondents, varying the mental state only had significant impact when there was high solidarity in the actor-victim relationship. For the American group, mental state was important for both family and work relationships; and, (c) for hierarchy and other's influence, and, (d) solidarity and other's influence: The Japanese respondents were found to be more sensitive to cases where there was another person's influence affecting the actor. American respondents' responsibility scores were unaffected by presence of another influence.

Overall, Hamilton and Sanders found that Americans tended to attribute higher responsibility levels than did the Japanese respondents. Americans' responsibility judgments reflected more importance placed on mental state, and they were less affected by variations in role information. Japanese respondents, however, attributed more impor-



tance to roles and the presence of other's influence. "Americans appear to focus on the deed and resist the reinterpretation that can occur because of role or context; Japanese focus on the context and shift their interpretation of the deed accordingly" (1992, p. 129).

Gender remains as yet, a relatively unknown factor in relation to responsibility attribution. Mitchell (1987) found that males as compared to females, attributed higher levels of responsibility based on seeing the actor as responsible for causing (but not solving) the problems. Hamilton and Sanders (1987) have also attempted to study the effects of demographic characteristics on wrongdoing judgements and punishments. Overall, they found scarce and scattered evidence of group differences attributable to gender and education attainment, and even less effect from head of household occupation, family income, and social class on wrongdoing judgement. While they found that female mean scores on responsibility attribution were higher than men's, the effects of gender and educational attainment were very weak in the Japanese group, and, only slightly stronger gender effects were found in the American group. That few researchers have tried and those who have tried have yet to identify in any clear way, social structural differences in responsibility attribution pose a challenge for further research in this area.

Literature from crime seriousness and responsibility attribution research presented in this chapter informs both the conceptual approach and methodology in this thesis research. Definitional issues raised in the crime seriousness research are addressed by looking to the responsibility attribution literature; however, a clear distinction between responsibility attribution and other types of attribution is still needed (Fincham & Jaspars, 1980, pp. 89-94; Semin & Manstead, 1983, pp. 124-125). It has been suggested that a

conceptual framework for responsibility attribution could be improved by both adopting a legal-philosophical perspective (Hamilton, 1978; Hamilton & Sanders, 1992; Semin & Manstead, 1983, pp. 124-125) and by more fully recognizing responsibility judgement as a social phenomenon (Lloyd-Bostock, 1983, p. 261).

The discussion in this chapter points to the utility of the legal socialization perspective in guiding the conceptual approach for this thesis research. In this chapter, the concept of responsibility is understood in relation to rules-based decision-making about liability for sanctions (Hamilton, 1987), and, that responsibility includes causation, capacity, role obligation, and legal and moral liability. Judgement is described as being a normative evaluation (Rossi & Henry, 1980; Rossi, Waite, Bose, & Berk, 1974) and thus reflects both social and personal qualities. Responsibility judgements, therefore, reflect social-legal perceptions held by individuals sharing a particular legal culture. Legal socialization describes the development of these perceptions. In this sense, study of the perception of seriousness of wrongdoing is but one part of this wider legal socialization process. Chapter 3 presents a fuller discussion of this perspective and identifies major concepts of interest in this thesis research. This discussion leads to the expectations and hypotheses presented at the end of Chapter 3.

## Notes

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<sup>1</sup> Elder (1976) notes that American interest in comparative research arose after World War II. Bollen, Entwisle and Alderson (1993) found in their five-year review, that rising interest in these last two decades is in response to major political and economic changes. For examples, Finckenauer (1995) discusses the challenges of conducting research in Russia during the period of the breakdown of the Soviet Union. Hamilton and Sander's collection of data from Japan is acknowledged by the researchers as the result of a serendipitous meeting with an individual who happened to have access to a network of Japanese researchers in Japan (1992).

<sup>2</sup> A cautionary note must be made at this point, however. Miethe (1984) notes that most of the findings indicating consensus on crime seriousness have been made based on "relative global consensus." This means that less attention has been paid to seriousness ratings than to seriousness rankings; and, less attention has been paid to sub-types of similar crime acts in order to simply include "all" crime acts. It is possible that less consensus exists when we look at victimless crimes and crimes related to morality (Carlson & Williams, 1993).

<sup>3</sup> While some researchers did not find any evidence of significant differences in seriousness ratings attributable to gender, income, education level, age, race, and rural/urban residence (Cullen, Link, & Polanzi, 1982; Rossi, Waite, Bose, & Berk, 1974), others such as Walker (1978) found that higher social class tended to be correlated to higher seriousness scores for violent acts. Also, Rose and Prell (1955) suggested that people who lived in large cities tended to allocate lower seriousness ratings than those living in small cities or rural areas. (However, O'Connell and Whelan (1996) note that rural populations actually attribute higher punitive consequences and not necessarily higher seriousness scores.)

<sup>4</sup> I am not suggesting that crime seriousness researchers are the only, or indeed, even the first to identify a need to define seriousness from a more multidimensional conceptualization. The crime seriousness research literature seems, however, to more obviously and clearly identify the conceptual issues surrounding seriousness. The responsibility attribution research seems to more successfully address the issue, or at least provide a way to address it.

<sup>5</sup> Origins of the responsibility attribution approach can be attributed to Fritz Heider's attribution model published in The Psychology of Interpersonal Relations, in 1958 (see Fincham & Jaspars, p. 90). Heider's model is a response to early moral developmental approaches. Likewise, legal socialization also shares these moral developmental origins. These associations between responsibility attribution and legal socialization and moral judgement will be discussed more fully later in the legal socialization section in Chapter 3.

<sup>6</sup> It is important to specify here that focus is on responsibility attribution theory as opposed to attribution theory. Attribution theory addresses attributions of causality, responsibility, and blame. Bell (1989) notes that researchers often do not make distinctions between these terms and even use the terms synonymously. Arguing for more a serious acknowledgment of different kinds of attributions, Bell found moral responsibility to be more complex than the other types. He notes that moral responsibility attribution includes evaluation of the actor's causal role. (Unfortunately, he does not also address how this is distinct from attribution of causality.)

<sup>7</sup> Findings from Hamilton's and Sanders' study of Japan and the United States is published most recently in Everyday Justice, 1992. Earlier analyses of the same data have been published elsewhere (e.g. Hamilton & Sanders, 1983, 1987, 1988; Sanders & Hamilton, 1987, 1992). Their data were collected from Yokohama, Kanazawa, and Detroit, using probability sampling. The respondents included adult males and females.

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Citations mostly refer to Hamilton's and Sanders' 1992 publication even though some of the findings were made earlier. The 1992 study includes and extends much of this earlier work, therefore, earlier studies with similar findings are not cited. Refer to References list for other publications.

<sup>8</sup> Deed refers to both the actor's intention and the consequences of the act. Context is variously defined by Hamilton and Sanders (1992, pp. 87, 110-111). It includes: the influence of another person, the actor's mental state, consequences of the act, and past pattern of behaviour. Mental state refers to how the actor is seen to have carried-out the act: by accident, with negligence or with intention.

## **CHAPTER 3**

### **CONCEPTUAL FRAMEWORK**

#### **3.0 Introduction and Overview**

The literature review in Chapter 2 showed how the study of wrongdoing seriousness has traditionally been approached. Discussion of the crime seriousness and responsibility attribution research raised important conceptual concerns. Crime seriousness research limitations pointed to the utility of drawing from the responsibility attribution literature which presents a more comprehensive definition of responsibility judgement that encompasses wrongdoing seriousness. However, a clear distinction between responsibility attribution and the general body of attribution theories does not exist. It was proposed that framing responsibility judgement within a legalistic interpretation could provide this needed distinction. It was also proposed that responsibility judgement needs to be more fully examined as a culturally and socially structured concept. The legal socialization perspective addresses these concerns.

This chapter presents the legal socialization perspective and specifies how it is utilized in order to guide the conceptual approach in this study. Discussion begins by defining legal socialization and then identifying how decision about wrongdoing seriousness can be seen as a sociolegal judgement. This kind of judgement has been studied by various approaches, all of which have strongly influenced the development of the legal socialization perspective. These approaches are briefly addressed in order to provide a more descriptive context of the concepts relevant to this study. These concepts will then be defined with particular attention paid to how legal culture, which is key to the legal

socialization perspective, provides a way to evaluate cross-cultural variations in wrongdoing judgements. These variations can be examined through the concepts of collectivism and individualism, gender, and, roles and deeds. And finally, this chapter lists research expectations and hypotheses to be analysed in this study.

### 3.1 Legal Socialization Perspective

***Definition and Description.*** Socialization can be defined as the “complex learning process through which individuals develop selfhood and acquire the knowledge, skills, and motivations required for participation in social life (Mackie, 1987, p. 77). Within this wider process, legal socialization is directly concerned with the process of learning about and applying society's rules and laws (Cohn & White, 1986; Finckenauer, 1995, p. 1; Tapp & Levine, 1974). The present study draws on Tapp's and Levine's definition of legal socialization as the “development of values, attitudes, and behaviors toward law. It focuses on the individual's standards for making sociolegal judgements and for resolving conflicts, pressing claims, and settling disputes.” Legal culture represents the *network* of these values and attitudes. It is from within legal culture that sociolegal judgements are made, and standards for making the judgements, are set. When an individual is confronted with a wrongful deed, there is first of all the recognition that some level of wrongdoing has been committed. This recognition is then followed by a decision about what should be done. This two-step perception represents an individual's legal reasoning which can be defined as “modes of thought vis-à-vis law ... (and) involves perceiving, appraising, interpreting, evaluating, and ultimately choosing amongst ‘legal

truths” (Tapp & Levine, 1974). Legality, which is a “mode of legal reasoning” encompasses dimensions such as rights, obligations, intentions, duties, and justice principles that undergird one’s orientation toward law” (Tapp & Levine, 1974). Thus, legality may serve as one yardstick with which individuals may use to measure wrongdoing seriousness.

The description of legal reasoning is not restricted to crime-related deeds but also includes informal laws and rules. This is a particularly important point in light of empirical findings. Some research findings have shown that public knowledge of crime and the criminal justice system is very limited and often erroneous (see Roberts, 1992, surveys of North America, Great Britain and Australia). These findings suggest that public views regarding seriousness of crime acts incorporate notions of wrongdoing seriousness and that the distinction between criminal and noncriminal acts is fuzzier than researchers assumed. This fuzziness represents the formal (institutionalized) and informal character of laws and that in peoples’ minds distinctions in wrongdoing judgement are not always clearly identifiable. Edelman and Suchman (1997) offer a cultural perspective of law as a “system of moral principles, scripted roles and sacred symbols” which describes the close relationship between wrongdoing seriousness, and, legal and moral judgements.

The above definition and description of legal socialization reveal its integrative character. Before discussing the major concepts of research interest, it is worth turning to a brief review of the major theoretical influences in this approach. These earlier approaches are of particular relevance because they provide the reader with a fuller descrip-

tive context of the key legal socialization concepts of research interest in this present study. These approaches will be briefly discussed in the next section.

### **3.2 Theoretical Heritage of the Legal Socialization Perspective**

Development of the legal socialization perspective can be traced over this last century through various approaches. Early research interest was guided by moral developmentalists (Bull, 1969, pp. 9-15). The works of Piaget and later, Kohlberg were especially important in setting the early moral developmental research agenda.<sup>1</sup> However, later approaches such as the one offered by Heider, presented a different view of moral judgement. Rather than focussing on cognitive levels, Heider regarded social and environmental factors to be significant influences in decision-making. More recently, research interest can be located in attempts to advance the legal socialization perspective by integrating cognitive developmental and social learning approaches.

The goal of moral developmentalism was the confirmation of an invariant, sequential ordering of moral stages in the individual's cognitive development. Developmentalists relied heavily on use of stage and structure to identify and measure individual cognitive abilities (Bull, 1969, p. 22; Colby & Kohlberg, 1987, p. 315-319). Researchers tended to give primary significance to how individuals perceived or participated in the acts of wrongdoing. Eventually, acknowledgment was made that other factors (such as roles) were also influential to moral judgements (p. 317). The moral developmental approach was heavily influenced by the cognitive-structural stage theories of moral development. Jean Piaget's and Lawrence Kohlberg's studies are well acknowledged to be



seminal in this research area.<sup>2</sup> Piaget believed moral autonomy to be socially determined. He adopted a Durkheimian framework in describing moral society as “secular morality represented by discipline, attachment to social goals and the autonomy of self-responsibility” (Bull, 1969, p. 12; Colby & Kohlberg, 1987, p. 315). From this perspective, Piaget identified two opposing types of moral judgement: heteronomous morality and autonomous morality.<sup>3</sup> Heteronomous morality was characterized by deference to authority figures and guided individual behaviour to avoid negative consequences such as punishment. In contrast, autonomous morality was characterized by a deeper level of rationalization and mutual respect between peers and equals. Autonomous morality represented, for moral developmentalists, a higher and more complex form of judgement guiding individual behaviour in order to ensure the well-being of society (Kidder, 1983, pp. 248-249). This heteronomous-autonomous moral dichotomy was later utilized in two different ways. The moral developmentalists would incorporate these two types of morality in more complex and elaborate stage models. The responsibility attributionists would draw from the different characteristics of each stage and level of moral judgement in order to identify social and cultural variables influential to responsibility decisions.

Kohlberg started with Piaget’s dichotomous model in the 1950’s and came to formulate more elaborate stage and substage theories of moral and legal reasoning. His stage model subsumed both heteronomous and autonomous judgements (Cohn & White, 1986; Colby & Kohlberg, 1987).<sup>4</sup> Besides elaborating the stage typologies, Kohlberg directed research methodology to include adult (albeit only male) respondent samples, and, cross-cultural and longitudinal analysis. According to Finckenauer (1995, p. 24), it

is Kohlberg's expanded theoretical approach which provided the basis for the legal socialization framework.

The developmentalists, to a great extent, adopted universalistic assumptions about moral judgement. This group viewed moral judgement as a reflection of cognitive abilities. Partly in response to the limitations of the stage approach, a later group of researchers, more interested in explaining variations in the decision-making process itself, would argue for the importance of cultural and social variations (Bull, 1969, p. 22; Colby & Kohlberg, 1987, p. 317).

Social and environmental variables were utilized by Fritz Heider in his "developmental" responsibility model in 1958. Heider was concerned with conceptualizing moral judgement as a form of decision-making about responsibility attribution.<sup>5</sup> He was interested in how individuals make decisions about responsibility in the course of everyday life and attempted to describe an "underlying everyday epistemology" of moral judgement (Semin & Manstead, 1983, p. 3). Heider's levels of responsibility attribution represent increasing degrees of influence of external (social) factors associated with making judgements (Hamilton & Sanders, 1992, p. 76). In Heider's model, the lowest form of judgement views roles (relationships between actor and others involved with the deed) as most influential in deciding responsibility attribution. In the middle levels of judgement, the mental state of the actor (motivation) is more and more important in determining responsibility attribution. These lower levels of decision-making directly link the actor to responsibility for the wrongdoing. The higher levels involve more complex evaluations which take into consideration whether or not the actor could have foreseen the conse-

quences. Finally, the highest level of judgement includes evaluation of the extent to which the actor intended the act and its consequences.

As discussed in Chapter 2, later research in responsibility attribution generally continued to address the same kinds of attribution factors proposed by Heider; however, they ignored the developmental character of the model by viewing the levels separately rather than sequentially. The attribution approach addresses moral judgement as a form of decision-making about allocation of responsibility for a wrongdoing. This approach focuses on identifying which component(s) of the wrongdoing -- actor, deed, or consequence -- is/are more important in deriving moral judgement.

Using Heider's model, Vicki Lee Hamilton reformulated the levels into legal responsibility rules in order to transform moral into sociolegal judgements. Hamilton's revision offers a legalistic interpretation of Heider's responsibility attribution model by utilizing it to address legal culture. Recall Hamilton's (1978) definition of responsibility as ultimately, a "decision about liability for sanctions based on a rule." This decision refers to a judgemental process encompassing responsibility rules, deeds of the actor and expectations that others have about what the actor should do -- that is, the actor's roles (Hamilton, 1978; Semin & Manstead, 1983, pp. 135-136). Individuals draw upon different sets of rules to apply to judging different kinds of wrongdoing. The meaning of responsibility depends on which rules are adopted since variations in legal environments mean that not all individuals are subject to the same rules (Semin & Manstead, 1983, pp. 135-136).

Discussion thus far, has represented two differing views of wrongdoing judgment: as a reflection of cognitive moral development vs. a process of decision-making involving a variety of social and environmental factors. These views represent cognitive learning and social learning theories, and run through all the above approaches. Traditionally, cognitive development and social learning have been regarded as opposing ideas. More recently however, there has been increased interest within legal socialization to integrate social learning and cognitive developmental concepts in order to provide for a fuller explanation of legal reasoning. Cohn & White (1986) argue for the utility in drawing from both approaches to explaining the relationship between individual and environment. That each approach emphasizes different factors as contributing to the socialization process, a more powerful way of explaining sociolegal judgements can be achieved.

We can summarize the traditional comparison of social learning and cognitive development as follows (Cohn & White, 1986; Kohlberg, 1974, pp. 48-49; Tapp & Levine, 1974). According to social learning theorists, individuals are seen to more passively learn roles and norms, and social development reflects the influence of training, modeling and identification with primary agents. Environmental influences come from parental affective bonds, discipline, rewards and punishments in early life. Such influences for cognitive developmentalists are more general and occur throughout life (nevertheless, they occur within hierarchical and invariant stage levels). For cognitive developmental theorists, the socialization process is strongly interactional, valuing the individual's ability to differen-

tiate, integrate, generalize and conceptualize. Social learning theory draws upon situational variation (including cultural differences) to predict differences in attitudes toward rules whereas cognitive developmental theory emphasizes variation in moral/legal developmental levels to predict attitude differences. While the social learning approach focuses on the development of affective relationships, the cognitive developmental approach views individual maturation in terms of universal and age-linked, sequentially-structured stages.

Cohn and White (1986) argue that social learning is actually more flexible and represents a wider perspective than described by the traditional view (also see Mischel & Mischel, 1976, pp. 84-107). Bandura (1977) made the same point earlier. For Bandura, social learning recognizes that social development reflects more than the primary affective bond and does include other social relationships and situations through out one's lifetime (1977, pp. 43-44). Social learning concepts, therefore, strengthen the explanatory power of the legal socialization perspective. From Bandura, we can describe moral and legal socialization as taking place in the context of "real community experiences" in which the individual's moral judgements are also social decisions taking into account many factors associated with the wrongdoer, the deed, and the consequences (pp. 46-47). This response does not necessarily occur in sequentially and invariantly ordered ways as prescribed by stage models (Cohn & White, 1986). Legal socialization attributes wider social relationships and situations as being very effective influences of individual behaviour through out life and across situations (Bandura, 1977; Cohn & White, 1986).

The above points can be used to indicate how cognitive and social learning theories provide important assumptions in this thesis research. The study population of Japanese and Canadian university students share comparable age-group, socio-economic status, and demographic-residential (urban areas) characteristics. Based on cognitive developmental theory the assumption can be made that this group of young adults should possess a mature and stable reasoning ability to distinguish “right” from “wrong” and have acquired basic knowledge of social rules and laws. Social learning theory would suggest that collectivistic and individualistic values (that is, cultural differences) and gender socialization have influential roles in how wrongdoing seriousness is judged. The importance of the concepts of culture and gender are further described in the following sections.

### **3.3 Major Concepts of Research Interest**

#### **3.3.1 Legal Culture**

*Definition and Description.* As Finckenauer explains, “Legal socialization research requires an accounting of the legal environment (that is, the legal culture) since the socialization process occurs within and is shaped by that culture” (1995, p. 43). Legal socialization researchers (such as Hamilton & Sanders, and Tapp & Levine) usually refer to Lawrence Friedman’s definition of legal culture which is, “the network of values and attitudes relating to law, which determines when and why and where people turn to law or government, or turn away” (Friedman, 1969).

Hamilton and Sanders state that "Legal culture reflects a theory of responsibility for one's actions" (1992, p. 4). As discussed in Chapter 2, the meaning of responsibility is derived from a variety of social and environmental factors. Most importantly, our ability to recognize who, as well as what, is and is not responsible comes from socially defined characteristics of the "responsible actor." Fincham and Jaspars (1980) offer the term, "general rule sets" to represent the meaning of responsibility. Individuals draw from these rule sets to guide their judgements but these rule sets are shaped by the structure of social relationships. Cultural differences in judgements can thus be explained by looking to the this structure. In this sense, legal culture "reflects on the larger culture of with it is a part" (Hamilton & Sanders, 1992, p. 4).

At this point in the discussion of legal culture, it is worth bringing in a description of culture to more clearly describe how cultural variation is understood in this thesis research. We can start by drawing on the wider definition offered by Triandis, that culture is the:

shared attitudes, beliefs, categorizations, expectations, norms, roles, self-definitions, values, and other such elements of subjective cultures found among individuals whose interactions were facilitated by *shared* language, historical period, and geographic region (1993).

Then we can relate Triandis' psychological definition of culture to a sociological one given by Swidler:

culture consists of such symbolic vehicles of meaning, including beliefs, ritual practices, art forms, and ceremonies, as well as informal cultural practices such as language, gossip, stories, and rituals of daily life (1986).

Thus, perceptions and behaviours are by definition, “shared” and “social,” internal and external to the individual. Swidler offers a metaphor of culture as a “tool kit.” This tool kit holds the various symbols and elements listed above from which individuals may draw and combine to analyse and solve various problems or issues. Likewise, individuals will draw from a legal tool kit in order to identify and make decisions about rule-breaking behaviour.

Swidler (1986) argues that culture is a causal variable in the sense that culture “shapes the capacities from which such strategies of action are constructed.” Swidler criticizes the traditional view of culture as values and argues that it is not values but culture which holds explanatory power and argues that “culture’s causal significance (is) not in defining ends of action, but in providing cultural components that are used to construct strategies of action” (1986). Strategies refer to generalized ways of organizing action and thus, strategies incorporate and depend on “habits, moods, sensibilities and views of the world.” Therefore, judging wrongdoing seriousness can be thought of as one integral component of the “larger assemblages” which Swidler calls strategies of action.

***Cultural Analyses Offered by Individualism-Collectivism.*** One way in which to analyse cultural differences in wrongdoing judgement is to focus on relative individualistic and collectivistic values in each culture (Bierbrauer, 1994). Social values of individualism differ from collectivism in how they influence judgements of wrongdoing. As explained below, how the wrongdoer is perceived and how the wrongdoer should be treated are judged differently depending on which values are more highly regarded. Collectivism-individualism values have been described in a multitude of different areas in



sociology and other disciplines (for example, Triandis, 1993, lists eight different social scientific approaches). In general, the early classical approaches (for example, Durkheim's mechanical and organic solidarity<sup>6</sup>) tended to view individualism and collectivism as opposite ends of a continuum. More recently, a different conceptualization has been offered which treats the two as coexisting and "simply emphasized more or less in each culture, *depending on the situation*" (Triandis, 1993). The advantage offered by this view is that rather than excluding or ignoring, it accepts the fact that both individualism and collectivism exist in a culture and indeed, in individuals. Thus, cultural differences reflect tendencies of individuals to choose more individualistic or more collectivistic "tools" (recall the culture as a tool kit metaphor). According to Triandis,

.... a person can sample a collectivist or an individualist element to construct a social situation. If individuals in a culture sample collectivist elements most of the time and across most situations, then we call that culture collectivist (likewise if individualist elements are sampled more often, the culture would be individualist) (1993).

As mentioned, many researchers have offered descriptions of collectivism and individualism. We can draw a more general comparison from Singelis, Triandis, Bhawuk and Gelfand (1995) and Bierbrauer (1994): the collectivist defines self as member of a group; the individualist focuses on self as autonomous from groups. The collectivist's personal goals are in harmony with the group's goals, with group's goals being more important; the individualist prioritizes personal goals which may or may not be the same as the group's goals. The collectivist's social behaviour is predicted from norms, duties, and obligations; the individualist's social behaviour is predicted from attitudes and other internal processes as well as contracts (such as business transactions). For the collectivist,

relationships are most important; for the individualist, a relationship is maintained as long as “benefits” are believed to exceed “costs.” Collectivists are more concerned about the impact of consequences of behaviour on in-group interests; individualists’ concern would be for how the consequences relate to self-interests (Bierbrauer, 1994). Triandis (1993) describes the prototypical relationship for the collectivistic social relationship as the family with its strong emotional ties, long term longevity and common goals. For the individualistic social relationship it is the market where relationships are secured on exchange of money for service and individuals compete to obtain the best “deal” (even in voluntary organizations, individuals vie for status positions).

While this thesis research compares Japan and Canada, the majority of comparative “east vs. west” studies focus on Japan and the United States. Comparisons between Japanese and American cultures have been popular because of their inherent and almost opposing views of social obligation (Hamilton & Sanders, 1983, 1988, 1992). Researchers often generalize findings about the United States to represent western experience. Indeed, this study also largely draws upon American findings due to the lack of Canadian research. For these reasons, it was felt that fuller discussion is warranted regarding collectivism-individualism in Japan and in the west. In the following discussion, argument is made that general comparisons can be made between Canada and the United States; and to this extent, American research findings related to perceptions of wrongdoing seriousness can also be generalized to the Canadian context.

Japan has been typically regarded by researchers as an example of a collectivistic culture (for examples, see Wagatsuma & Rosett, 1986; comparative studies by Triandis or

Hamilton and Sanders). In reality, existence of both collectivistic and individualistic values are revealed in Japan. For example, researchers have addressed many individualistic qualities involved in conflict and conflict resolution in Japanese society (Eisenstadt & Ben-Ari, 1990). Others such as Triandis and Iwao, suggest an increasing adoption in Japan of certain individualistic values. Triandis describes Japan as an example of “a modern complex culture that used to be highly collectivistic, shifting towards individualism in *some* of the cultural patterns” (1993). One example can be found in Iwao’s (1993) description of Japanese women born in the 1960s. This cohort has shown more signs of individualism than the previous generation of women in terms of educational achievement, employment, and political involvement. At the same time, collectivistic orientation continues to play a strong part in conceptions of the self for Japanese women. Triandis draws on Lebras’ 1984 findings that compared to Americans, Japanese women tend to describe their life histories in terms of relationships rather than the self (this is also consistent with findings by Singelis, et al., 1995). Singelis, et al. note that Japanese women tend to exhibit even more collectivistic characteristics than Japanese men (that is, higher allocentrism) (1995). This brief description of Japanese culture is sufficient to show the limitations of viewing collectivism and individualism as diametrical opposites.

In elaborating the collectivism-individualism conceptualization, researchers (especially Triandis) have classified different dimensions of both values. Singelis et al. describe Japan as exhibiting qualities of being “vertical collectivistic” (1995; see also Eisenstadt’s [1990] historical outline of this kind of structure). Japanese individuals see the self as a member of a group but acknowledge that members are different from each

other, and have different statuses. “Self is interdependent and different from the self of others. Inequality is accepted in this pattern and people do not see each other as the same. Serving and sacrificing for the in-group is an important aspect of this pattern” (1995). Singelis cites as an example of vertical collectivism, the Japanese language which is predicated on knowledge of status differences. While western cultures also possess both collectivistic and individualistic values on the dimension scale, these cultures would lean towards individualistic qualities.

Hofstede suggests that high individualism is generally found in English-speaking countries (1980). In the same way that Japan is viewed as representing collectivism, the United States has traditionally been regarded by researchers as representative of a highly individualistic culture (Hofstede, 1980). However, Singelis et al. (1995) have classified the United States (and France) as examples of “vertical individualism.” While they do not identify Canada, it would presumably be included in this category, although it would be less vertically individualistic than the United States. While there are extreme similarities between the two cultures, Canada is described as relatively less individualistic and more collectivistic than the United States (Triandis, 1993; Lipset, 1990). For example, according to Hofstede’s (1980) index of the highest to lowest individualist countries, Canada is situated about in the middle of the group. (The order was: USA, Australia, England, Canada, Holland, Ireland, Israel, Spain, Mexico.)

As mentioned, the relative dearth of comparative literature addressing Canadian culture requires reliance on Japanese-American research literature to inform this thesis research. In order to draw on similarities between the United States and Canada with re-

spect to wrongdoing seriousness judgements, a description is provided below of the general commonalities in cultural and social structural characteristics between the two countries. However, it is important to keep in mind that similarity does not imply equivalence. Canada is not the United States, and therefore relationships between Canada and Japan will not be exactly the same as for Japan and the United States. Given suggestions of Japan's increasing individualistic characteristics, and that Canada is more collectivistic than the United States, there is evidence suggesting less individualism-collectivism discrepancy between Canada and Japan. Findings from this thesis, therefore, elaborate on comparative descriptions of Japanese and western cultures.

Baer, Grabb and Johnston (1990) have tested several of Lipset's popular theses regarding social value differences between Canada and the United States and have found that the two cultures are more alike than Lipset suggests with regards to perceptions about gender equality, and, discipline and social control. Other researchers have also found that Canadians share similar gender-role attitudes with Americans (Thornton, Alwin, & Camburn, 1983). And, this similarity will likely increase as both countries continue to experience increasing levels of egalitarianism (note, Lipset's discussion identifies increasing incidences of this in Canada, 1990, p. 91; Mackie, 1987, p. 87). Regarding social control, Baer et al. (1995) found that Americans actually hold higher levels of respect for authority than Lipset suggested. Taking a wider perspective, Nevitte and Gibbins (1990) suggest that Anglo-democracies share many social structural (and one can include cultural) similarities. Baer et al. describe these cultures as:

democratic, industrialized, relatively wealthy, highly literate, predominantly urban and middle class, mostly white, low in fertility rates and mainly English-speaking; ..., and, a stable open and pluralist political system (1995).

Baer et al. (1995) as well as others (Leyton-Brown, 1993) refer to the high degree of economic trade and relatively open communication flows which increase harmonization and maintain more homogeneous values across the Canada and the United States.

The above discussion argues that general comparisons can be made between the United States and Canada. However, to the extent that Canada is seen to be relatively more collectivistic than the United States, a comparison between Japan and Canada would be particularly interesting and informative. Recall from Chapter 1, that the research questions address both roles and deeds. Also recall that roles are seen to be more important when collectivism is valued and deeds are more important when individualism is valued. Given relatively less diversity between Canada and Japan (as compared to the United States and Japan), analyses in this thesis research should also reveal whether there are any differences in the relationships between collectivism-individualism and roles and deeds.

The above discussion also shows the value of a cross-cultural study in identifying the impact of variation in legal culture on sociolegal judgements. This is particularly significant given that legal culture is key to understanding legal socialization (Cohn & White, 1986; Finckenaue, 1995, p. 43). Besides cultural variation, social structural differentiation has also been suggested to be an important factor in influencing judgements of wrongdoing seriousness. This study investigates structural difference by analysing gender. Comparison of the United States and Canada reveal similarities in terms of gen-

der equality and gender-role attitudes. The following discussion focuses on research literature about gender issues and empirical studies of relevance to this thesis research.

### **3.3.2 Gender**

Previous discussion about legal culture referred to the importance of social structural factors as well as cultural factors in influencing wrongdoing judgement. Gender represents an important variable representing social structural differentiation. It was also pointed out in the literature review that literature about wrongdoing seriousness has yet to fully address the relationship between gender and wrongdoing judgement. In this regard, this thesis research represents an investigation of this relationship. Informal hypotheses are developed with evidence gathered from other areas of research which suggest possible relationships between gender and wrongdoing judgement. These other areas are briefly identified below.

Firstly, we can draw from Margrit Eichler's (1988) recommendations for non-sexist research to support the inclusion of the gender variable in the current data analysis. According to Eichler, all social data analyses should routinely include gender in order to determine if there are any differences between men's and women's responses (p. 73). This approach assumes that gender socialization<sup>7</sup> is different for men and women (Eagly, 1987, pp. 30-31, 121-122; Mackie, 1987, p. 78). Given this assumption, then, it is possible that there are differences between men's and women's wrongdoing seriousness judgements. Hypothesized directions of these differences will be listed at the end of this chapter.

Another area of research which is informative about gender and wrongdoing judgement is Carol Gilligan's research on moral development (1982). She offers a different definition of morality from the traditional impartialist conception represented in Kohlberg's cognitive developmental approach.<sup>8</sup> Gilligan argues that moral judgement can also be represented by a morality of caring. This approach adopts the view of the individual as part of a network of continuing social relationships, and within this network, morality represents the "attention, understanding, and emotional responsiveness" toward other individuals in the relationships (Blum, 1988). Gilligan found that women's moral judgements reflect this kind of morality.

Moral development research findings have in the past generally described women as exhibiting lower levels of moral judgement as compared to men (for example, this has been found in Kohlberg's studies; also see Gibbs, Arnold, & Burkhart, 1984; Noddings, 1984, p. 3; Wark & Krebs, 1996). In these studies, female respondents were typically represented by a lower stage level which was characterized by emphasis on relationships, caring, and sympathy (Kohlberg's stage three "ethic of caring"). In contrast, male respondents were found to adopt an "objective and rational" moral view which represented a higher moral stage level (Kohlberg's stage four and higher). Gilligan's interpretation of such findings was that they in fact, revealed that women adopted a different kind of morality rather than an inferior level of moral judgement.

More recently, research findings suggest gender differences occur in stage aspect or content rather than stage level (for examples, Gibbs, Arnold, & Burkhart, 1984; Wark & Krebs, 1996). These studies indicated that women adopted more empathic role-taking



justification. Female, as compared to male, respondents more readily imagined themselves in the role of the actor. Such findings reveal gender differences as being reflected in the orientation to moral judgement rather than in stage levels (Garmon, Basinger, Gregg, & Gibbs, 1996; Gibbs, et al., 1984). The above discussion indicates that women tend to place more emphasis on notions of caring in their moral decision-making. Recall from Heider's model that role variables are more prevalent in the lower stage levels, while deed variables are located in the higher levels (this is also generally the case for the developmental stage models). Given these points, we could expect that women would tend to place more importance on roles than on deeds. This is parallel to expectations for Japanese vs. Canadian respondents. Thus, Canadian men should be the most sensitive to deed information.

Cross-cultural studies of moral development have shown that Japanese respondents' moral judgements also tend to be represented by the morality of caring. Naito (1994) has made the comparison that "Japan is comparable to women" in describing how the Japanese tend to place more importance on interpersonal relationships than is the case in western cultures.<sup>9</sup> This high value placed on group membership and relationships is a collectivistic characteristic. It was suggested earlier in this chapter (collectivist-individualist discussion) that Japanese women tend to exhibit even more collectivistic characteristics than Japanese men (Singelis, et al., 1995). Given these points, we might expect greater differences between Japanese men and women in how they judge wrongdoing seriousness. This discussion about collectivistic values provides additional sup-

port for the expectations stated previously, that women as compared to men will tend to place more importance on role variables than deed variables.

Clopton and Sorell (1993) offer another explanation for findings of gender differences. They suggest it is current life situations rather than some particular stable gender characteristic which explains why women are associated with a caring morality, and men with justice reasoning. Faced with similar life situations, both men and women would apply the same kind of reasoning. While social structure may play a more important role in influencing judgements, increased gender equality may lessen the differences. Those in “dominant positions ... tend to support rules, discipline, control, and rationality, as in the justice approach, whereas those in subordinate positions often appeal to mercy, sympathy, and understanding, as in the care approach.” (Clopton & Sorell, 1993). Men and women in western cultures, as compared to the Japanese, have been described to share more gender equality (Fujimura-Fanselow & Kameda, 1995, p. xxiv).

If this is so, then we may also expect that Canadian men and women would share more similar life situations as compared to the Japanese. Thus, seriousness scores should be less discrepant in the Canadian group than is the case for the Japanese who have wider gender inequality. For the Japanese group, greater discrepancies are expected to exist between men and women.

With regards to Japanese couple relationships, gender differences do not necessarily mean that Japanese wives are subordinate to their husbands. The view that the notion of “equality of the sexes” is different in Japan as opposed to the west has been proposed by Japanese feminist researchers (for examples, Chizuko, 1997 and Iwao,

1993). Iwao describes the essential quality of equality for the Japanese woman is a concern for the achievement of “humane life” as opposed to equality to men (1993, p. 12). Iwao argues that Japanese women hold a powerful role in managing the household. She describes the Japanese wife, who is typically a full-time homemaker, as wielding significant power since she is the one responsible for controlling the household budget (even though it is usually the husband who brings in most of the income) (pp. 4, 80-87). Fujimura-Fanselow and Kameda (1995) also describe that especially in the last 20 years, Japanese women have sought increasingly equal partnerships in the marriage relationship. For these reasons, the Japanese husband-wife relationship is defined as “equal” in this thesis research. (This provides the rationale for operationalization of the hierarchy variable in Chapter 4.)

The above research provides two major expectations regarding gender differences. from which informal research hypotheses can be developed. These hypotheses are listed along with the other hypotheses, following the discussion of roles and deeds. Views of role relationships and deeds are influenced by how the actor (in this thesis, the wrongdoer) is characterized; and, this view is embedded within legal culture. As Sanders and Hamilton describe:

A legal culture includes attitudes and values about the nature of people, including people who are wrongdoers. An actor may be perceived by self and others as an individual whose identity and sense of self stand apart from the group or community: the person is a *individual* actor. On the other hand an actor may be perceived as a social participant whose identity is, in substantial part, defined by social relationships: the person is a *contextual* actor (1992).

Thus, in Japanese society, the wrongdoer would be viewed as a contextual actor while in Canadian society, the wrongdoer would be viewed as an individual wrongdoer.

### 3.3.3 Roles and Deeds

Perception of whether an act is seen to be socially acceptable or not involves consideration of both the actor and the act -- that is, of role and deed. Hamilton and Sanders (1992) developed a role-deed model which relates social responsibility and social conduct. The model is adopted in this thesis research for its heuristic value in describing the roles and deeds analysed in this study.

**Roles.** Hamilton (1978) defines roles as normative guides as to what an individual ought to do.<sup>10</sup> The concept of role is more complex than deed. Roles directly influence moral judgements and responsibility attribution in the sense that the various kinds of information taken into account by individuals in making responsibility and punishment decisions, are role-related. The information includes the kinds of relationships shared between actor and victim, and between the actor and others related to the deed. Semin and Manstead (1983) describe three kinds of responsibility when considered in relation to social roles: (a) diffuse obligation to act; (b) reliable performance in role; and, (c) blame for rule-breaking. Hamilton and Sanders add that the actor's social status in public and private spheres is also of importance. In describing these social relationships, as represented by roles, Hamilton and Sanders (1983, 1992) use a two-dimensional model with hierarchy on one axis and solidarity on the other.

Hierarchy represents power relationships -- whether the actor has responsibility or authority (and over whom). Authority has been accepted as a way to provide legitimacy and credibility such that an actor positioned high on the hierarchy axis is seen to be more responsible for his/her actions than someone with less authority (Blau, 1955; Hamilton & Sanders 1992; Kelman & Hamilton, 1989). This relationship is less clear for the Japanese, however. As discussed earlier, Japanese society has been characterized as a highly integrated hierarchically- and vertically-structured society which creates and reinforces a value of collectiveness (Iwao, 1993; Lincoln & McBride, 1987; Nakane, 1970). Compared to western cultures, status and decision-making power are not as strongly correlated in Japanese culture, nor is leadership equivalent to responsibility (Clark, 1970, pp. 106-107; Lincoln & McBride, 1987; Nakane, 1970). In Japanese culture, rank is distinguished from role in that responsibility and decision-making are dispersed throughout the group (Nakane, 1970, p. 80-81). Corporate decisions occur from the work-group level while work relationships are more influenced by statuses which are more paternalistic in character (Lincoln & McBride, 1987). Hierarchy is related to solidarity, however. For example, the manager in a high authority position in Japan is seen to be much more responsible for (his) subordinates both within and outside the working relationship; in the west, work relationships are more clearly distinguished from nonwork relationships (Iwao, 1993). There are close parallels between work relationships and family relationships as described by Nakane (1970, pp. 4-5). The most important feature of both is the boundedness of the group and its distinction from other groups (Nakane uses the term "frame"). This rela-

tionship overrides even kinship ties which are less important for the Japanese than for western societies in terms of obligations, loyalties and responsibilities (pp. 6-8).

Solidarity represents the "collective spirit" of a society and by definition is essential to the existence of any society. Between individuals, responsibilities are seen to be more shared in highly solidary, or intimate, relationships. According to Hamilton and Sanders (1992, p. 81-82), there is a history and complexity characterizing the intimate relationship. Thus, in judging wrongdoing, solidary bonds imply that both the victim and the actor possess more active roles in the occurrence of the deed. This means that individuals tend to allocate responsibility to both the victim and the actor much more than would be the case if the relationship was not intimate. Judgement of the wrongdoing is made based on views that: mutual caring between the actor and victim means that the actor would not purposely or maliciously harm the victim; and, the deed was a reaction to the victim rather than an action towards the victim.

According to Iwao (1993, p. 6), Japan's value of collectiveness represents a high level of solidarity as compared to American society. As well, Japanese social relationships are seen to have a higher level of solidarity in that they are more closely bonded and expected to be longer lasting as compared to American relationships. Given these differences, Japanese sensitivity towards roles is likely to be greater than in western cultures.

According to Hamilton and Sanders (p. 12), responsibility judgement is influenced by views about obligations related to social roles. Social roles are largely defined by hierarchical and solidary relationships within legal cultures. Hierarchy and solidarity, which represent dimensions of social life (p. 12) are thus important for the way in which

they contribute to how we judge social conduct. In Weiner's terms, "The rules of social conduct reflect an interplay of legal writings and everyday rules lived by" (1995, p. 269). Social conduct is viewed as deeds, as discussed in the following section.

**Deeds.** Deed is related to role. Because roles are internalized, judgement about the deed, such as the harmful consequences, or the actor's mental state, is influenced by the roles seen to be attributed to that actor. The act, or deed, represents both the consequences of the act and the actor's intention. Deed can be understood as a continuum with the concepts of consequence effect and mental state at opposing ends.

Consequence effect describes the impact of the act upon the victim. In particular, victim harm, one kind of consequence effect, is of interest in this thesis research. Victim harm has been determined to be an important factor in how decisions about wrongdoing are made (Burger, 1981; Hamilton & Sanders, 1992; Schlenker et al., 1994; Semin & Manstead, 1983; Walster, 1966), but findings regarding victim harm have been controversial (see discussion of empirical findings in Chapter 2). Hamilton and Sanders (1992, p. 78) acknowledge the lack of consensus about the effect of consequence severity on responsibility judgements, but include this variable in their analysis for research interest. As discussed earlier in the literature review (Chapter 2), they found that increasing consequences of the deed was positively correlated with higher levels of actor responsibility.

Mental state<sup>11</sup> refers to the actor's frame of mind or predisposition toward carrying-out the act. Essentially, this is the actor's intention. In judgements of seriousness, individuals see actor's intention to be highly related to the actor's past behaviour. Thus information about whether the actor has carried-out the same act on a previous occasion

is important in deciding responsibility. Kelley (1973) suggests this information is relevant in order to provide the assumption that the actor responds in this certain way given the same kind of stimulus. Past patterns of behaviour can suggest whether or not an actor is predisposed to carrying-out a certain deed (Ajzen & Fishbein, 1973; Monson, 1983; Nisbett & Ross, 1980; Ross, 1977).<sup>12</sup>

Judgements about wrongdoing seriousness, in this thesis research, are viewed as sociolegal judgements about social relationships and social conduct, influenced by legal culture and by gender. The above section has provided a full description of the key concepts of legal culture (collectivism-individualism), gender, roles, and deeds. The remaining chapter presents the expectations and hypotheses which specify the relationships between wrongdoing judgement, and these concepts.

### **3.4 Expectations and Hypotheses**

The hypotheses listed below address the more general research questions presented in Chapter 1. Development of the expectations and hypotheses of research interest is informed by the crime seriousness and responsibility attribution literature presented in Chapter 2 as well as the legal socialization perspective discussed in some detail in this current chapter.

Recall that the first research question was concerned with how social relationships impact wrongdoing seriousness judgements. As discussed, social relationships are largely influenced by roles. The responsibility attribution literature, in describing the meaning of



responsibility, includes role obligation as an important component. Relationships are measured in this study by hierarchy and solidarity variables.

The second research question was concerned with how social conduct impacts wrongdoing seriousness judgements. Deeds are measured by victim harm and mental state variables. Empirical findings from crime seriousness research points to the significance of victim harm information in decisions about wrongdoing. Also recall from Chapter 2 that in responsibility attribution research, victim harm is acknowledged to be an important variable, but its effect varies depending on the presence of other variables such as actor's intention. Rather, responsibility attribution research has pointed to the importance of actor's mental state, or intention, in influencing decisions. More recently, research literature in this area suggests that the combination of roles and deeds can have varying results in wrongdoing judgements.

Hypotheses were also developed to analyse the interrelationship between roles and deeds in order to investigate multiple effects of factors influencing wrongdoing judgement. These hypotheses were designed to further examine the research questions related to roles and deeds. In particular, expectations about role-mental state interrelationships are largely informed by Hamilton's and Sanders' 1992 study (they did not look at role-harm).

The second set of hypotheses addresses research questions related to culture and gender. The third research question was concerned with whether culture impacted wrongdoing judgement in a way that is consistent with expectations about general collectivistic vs. individualistic values. It is important to note that overall difference findings

between the Japanese and Canadian groups do not necessarily indicate cultural differences. As Przeworski and Teune (1970) note:

Cross-cultural researchers, however, warn that it is important not to read too much into variation in overall average scores or percentage from one culture to another. These may be due to different ways of using or conceptualizing the scales of measurement rather than to substantive differences. It is safer to look for cultural differences in patterns of response or patterns of relationships among more than one variable, such as our predictions about the effects of different factors on responsibility allocation.

To address this issue, hypotheses were designed to measure direction of relationships between variable values and variational changes in respondents' judgements of wrongdoing seriousness.

The fourth research question was concerned with the impact of gender on wrongdoing judgement. Crime seriousness and responsibility attribution literature has not fully addressed the relationship between gender and wrongdoing judgement. Therefore, informal hypotheses regarding gender and wrongdoing seriousness are guided by research literature outside the seriousness and responsibility areas for reasons detailed above in the "gender" section.

Expectations and hypotheses are organized in two sections below. One set of hypotheses has been developed for the total group of respondents, and, another set to further test for differences in culture and gender on wrongdoing judgement.

### 3.4.1 The Total Group

#### (1) Expectations regarding role-related social obligations of the actor:

(a) The hierarchical relationship between actor and victim is expected to affect the judgement of wrongdoing. An actor who is in an authoritative position in relation to the victim is seen to carry a higher level of social obligation. This actor is held accountable to stricter moral codes of conduct and therefore, his/her deviant act (that is, engaging in rule-breaking behaviour) is judged to be more serious than if he/she was in a less authoritative position.

H<sub>0</sub>: Wrongdoing seriousness for authority is no higher than for equality relationships.

H<sub>1</sub>: Wrongdoing seriousness for actors in authority positions to victims is greater than if equal to victims.

(b) Solidarity of relationships between actor and victim affects judgement of wrongdoing. In intimate relationships, the actor and victim are seen to share a more complex and long term relationship. Responsibility is seen to be shared to a higher degree than in a nonintimate relationship where wrongdoing is judged less severely (See discussion of solidarity above.)

H<sub>0</sub>: Wrongdoing seriousness in nonintimate relationships between actor and victim is no higher than for intimate relationships.

H<sub>1</sub>: Wrongdoing seriousness is greater in nonintimate relations than in intimate relations between actor and victim.

#### (2) Expectations regarding impact of deed on the victim:

(a) The extent or degree of victim harm should be related to judgement of wrongdoing such that the more harm caused to the victim, the more seriousness the wrongdoing.

H<sub>0</sub>: Wrongdoing seriousness for high victim harm is no greater than for low victim harm.

H<sub>1</sub>: Wrongdoing seriousness for actors whose deeds are more harmful to the victims, will be greater than if the deeds were less harmful.

(b) Mental state is related to judgement of wrongdoing such that an actor who has conducted the deed on a previous occasion, or, is repeating the deviant act, is perceived to be predisposed toward such a deed. In essence, the actor's intention is increased.

H<sub>0</sub>: Wrongdoing seriousness for repeated deeds (high mental state) is no higher than for first-time deeds (low mental state).

H<sub>1</sub>: Wrongdoing seriousness for actors who are repeating deeds (high mental state) is greater than for actors who have never committed the deed before (low mental state).

### **(3) Expectations regarding role-deed interrelationship:**

(a) Hierarchy and victim harm are interrelated. As mentioned, victim harm effect is still largely unknown in the responsibility judgement literature. The hypothesis examined is formulated from implications of research findings about multiple effects of factors (recall multiple effects, Chapter 2). It is expected that the original seriousness relationship direction, that of authority being judged more severely than equality, will be maintained (see [1a] above). However, increasing victim harm would impose a wider discrepancy such that seriousness levels will rise even more for authority as compared to equality. In essence, increasing victim harm has an "inflationary" effect on authority.

H<sub>0</sub>: Wrongdoing seriousness for high victim harm and authority vs. equality relationships is no greater than for low victim harm and authority vs. equality relationships.

H<sub>1</sub>: Victim harm information has a greater impact in authority relationships than in equality ones such that the increase in wrongdoing seriousness for authority relations is even higher (from low to high victim harm) than is the case for equality relationships where seriousness will rise but not as much.

(b) For solidarity and victim harm, the original hypothesis regarding solidarity of relationships is expected to hold (see [1b] above); however, increasing victim harm is ex-

pected to increase the discrepancy in seriousness levels of nonintimate vs. intimate relationships. Victim harm information would have a greater impact on nonintimate than on intimate relationships such that seriousness levels would rise even higher for nonintimate than intimate relationships. Essentially, increasing victim harm has an “inflationary” effect on nonintimate relationships.

$H_0$ : The variations in wrongdoing seriousness for high victim harm and intimate vs. nonintimate relationships are no greater than for low victim harm and intimate vs. nonintimate relationships.

$H_1$ : Victim harm information has a greater impact in nonintimate relationships than in intimate ones such that the increase in wrongdoing seriousness for nonintimate relations is even higher (from low to high victim harm) than is the case for intimate relationships where judgement will rise but not as much.

(c) Hierarchy and mental state are interrelated in that information about whether or not the deed has occurred before will impact judgements in the following ways. Wrongdoing seriousness level will be higher for repeated deeds than for nonrepeated deeds, regardless of hierarchy. But for values of hierarchy and repeat-deeds, wrongdoing seriousness will tend to be attributed more equally between authority and equality relations. Thus information that the deed is intended tends to override the authority-equality difference. Contrary to the earlier hypothesis that authority would be more serious than equality, the direction of relationship is expected to equalize. The variation in seriousness level for equality relationships, therefore, should be greater than the change for authority relationships. Increasing mental state can thus be seen to have an “inflationary” effect on equality.

$H_0$ : The variations in wrongdoing seriousness for high mental state and authority vs. equality relationships are no greater than for low mental state and authority vs. equality.

H<sub>1</sub>: Mental state information has a greater impact on equality relationships than in authority ones such that the increase in wrongdoing seriousness for equality relations is even higher (from low to high mental state) than is the case for authority relationships where judgement will rise but not as much. The end result will be that authority and equality relationships will be seen as equally serious.

(d) Solidarity and mental state are interrelated. As described, intimate relationships represent a higher level of familiarity between actor and victim, and a greater degree of mutual concern with the relationship's future (that is, in ensuring its continuation). The actor who has carried-out the deed before is seen to be more likely to intend the harm. Mental state information is more important when judging intimate relationships than nonintimate relationships, thus, the seriousness level should rise even higher for intimate than for nonintimate relationships between actor and victim. It is important to note that this expected direction is opposite to the earlier hypothesis that intimate would be less serious than nonintimate. The two hypotheses were developed from Hamilton's and Sanders' 1992 study. The researchers explain that actor's intention is more seriously regarded in judging wrongdoing in highly solidary relationships than is the case when actor and victim are nonintimately related (pp. 85, 117, 130-131). The "inflationary" effect will occur for intimate relationships.

H<sub>0</sub>: The variations in wrongdoing seriousness for high mental state and intimate vs. non-intimate relationships are no greater than for low mental state and intimate vs. nonintimate relationships.

H<sub>1</sub>: Mental state information has a greater impact on intimate relationships than on non-intimate ones such that the increase in wrongdoing seriousness for intimate relations is even higher (from low to high mental state) than is the case for nonintimate relations where judgement will rise but not as much.

### 3.4.2 Culture and Gender Differences

#### (1) Expectations regarding role-related social obligations of the actor:

Japanese respondents are expected to place more importance on relationships between actor and victim as compared to Canadians who are more likely to focus on the deed. Likewise, women are expected to emphasize role variables as compared to men who are more likely to focus on the deeds.

##### (a) hierarchy

H<sub>0</sub>: The variation in wrongdoing seriousness will be no greater for Japanese than for Canadians when the hierarchical role of the actor increases from equality to authority.

H<sub>1</sub>: The variation in wrongdoing seriousness from equality to authority will be greater for Japanese than for Canadians.

H<sub>0</sub>: The variation in wrongdoing seriousness will be no greater for women than for men when the hierarchical role of the actor increases from equality to authority.

H<sub>1</sub>: The variation in wrongdoing seriousness from equality to authority will be greater for women than for men.

##### (b) solidarity

H<sub>0</sub>: The variation in wrongdoing seriousness will be no greater for Japanese than for Canadians when the solidary relationship between actor and victim increases from nonintimate to intimate.

H<sub>1</sub>: The variation in wrongdoing seriousness will be greater for Japanese than for Canadians when the solidary relationship between actor and victim increases from nonintimate to intimate.

H<sub>0</sub>: The variation in wrongdoing seriousness will be no greater for women than for men when the solidary relationship between actor and victim increases from nonintimate to intimate.

H<sub>1</sub>: The variation in wrongdoing seriousness will be greater for women than for men when the solidary relationship between actor and victim increases from nonintimate to intimate.

**(2) Expectations regarding impact of deed on the victim:**

(a) The Canadian respondents are expected to make more use of information about victim harm than the Japanese who focus more importance on role variables. Likewise, men are expected to place more emphasis on deed variables as compared to women.

H<sub>0</sub>: Variation in wrongdoing seriousness will be no greater in Canadians than in Japanese when the level of victim harm increases from low to high.

H<sub>1</sub>: The variation in wrongdoing seriousness will be greater in Canadians than in Japanese when victim harm increases such that Canadian judgements will be even higher than before when harm was at a lower level; Japanese respondents will not show as wide a difference in seriousness score.

H<sub>0</sub>: Variation in wrongdoing seriousness will be no greater in men than in women when the level of victim harm increases from low to high.

H<sub>1</sub>: The variation in wrongdoing seriousness will be greater in men than in women when victim harm increases such that mens' judgements will be even higher than before when harm was at a lower level; women will not show as wide a difference in seriousness score.

(b) Canadian respondents are expected to make more use of information about mental state than the Japanese who place more importance on role variables. Likewise, men will place more emphasis on mental state as compared to women.

H<sub>0</sub>: Variation in wrongdoing seriousness will be no greater in Canadians than in Japanese when the level of mental state increases from low to high.

H<sub>1</sub>: The variation in wrongdoing seriousness will be greater in Canadians than in Japanese when mental state increases such that Canadian judgements will be even higher than before; Japanese respondents will not show as wide a difference in judgement score.

H<sub>0</sub>: Variation in wrongdoing seriousness will be no greater in men than in women when the level of mental state increases from low to high.

H<sub>1</sub>: The variation in wrongdoing seriousness will be greater in men than in women when mental state increases such that mens' judgements will be even higher than before; women will not show as wide a difference in judgement score.



### **(3) Expectations regarding role-deed interrelationship:**

Earlier in this section, hypotheses were formulated regarding role-deed interrelations. How cultural differences will impact the relationships is less clear because of the complexities of simultaneously including role and deed variables with cultural differences (see discussion by Hamilton and Sanders, 1992, pp. 88, 124). The change in the deed variable (raising victim harm, and raising mental state) should have greater impact on the Canadian group than on the Japanese group; however, the variations in the role variables are more important for the Japanese group. Hamilton and Sanders looked at role-deed interrelations (see Chapter 2, "responsibility attribution" section) and found that all the respondents tended to judge responsibility equally for authority and equality relationships when the wrongdoing was more purposive. For solidarity, Americans' responsibility levels increased for both family and work relationships; for the Japanese, family relationships were more affected than work. (Hamilton and Sanders did not include victim harm in their analysis.)

As with culture, it is not apparent from the research literature what kind of impact gender will have on wrongdoing seriousness. It was felt, however, that it would be valuable and interesting to include gender in the analysis of role-deed interrelations. Analysis of the role-deed interrelation includes culture and gender variables and results will be discussed in Chapter 5.

### **(4) Expectations regarding gender differences between Canadians and Japanese:**

Earlier discussion about gender presented evidence suggesting higher gender equality in Canada relative to Japan. It is expected, therefore, that there will be less dis-

crepancy between Canadian mens' and womens' mean seriousness scores as compared to Japanese mens' and womens' scores.

H<sub>0</sub>: There are no gender differences in wrongdoing seriousness.

H<sub>1</sub>: Differences in wrongdoing seriousness will be greater between Japanese men and Japanese women as compared to Canadian men and Canadian women.

This chapter has presented the conceptual framework in this thesis research. Operationalization of the concepts presented in this chapter will be provided in the next chapter. Methodological discussion in Chapter 4 will also address the vignette design and seriousness rating scale in more depth. Statistical techniques for testing the expectations and hypotheses are addressed in Chapter 4 with results discussed in Chapter 5.

## Notes

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<sup>1</sup> Only Piaget and Kohlberg are discussed here because of the importance of their contributions. It should be noted, however, that there are other researchers who adopted the cognitive developmental approach. For examples, see Kohlberg, 1976, p. 48.

<sup>2</sup> Piaget began in the late 1920's, to study moral socialization in children (Bull, 1969, p.15; Kidder 1983, p. 248). His monograph The Moral Judgement of the Child published in 1932, was highly influential in guiding the research agenda in the developmental-psychological research on cognitive development in children.

<sup>3</sup> Piaget adopted Kantian notions of heteronomy (morality as an external force and imposed on the individual) and autonomy (morality as an internal condition and the result of individual freewill) (Bull, 1969, p.12; Colby & Kohlberg, 1987, p. 315).

<sup>4</sup> By the late 1980's this substage approach was dropped and Kohlberg's research team currently utilize an ideal-typical approach to studying moral development (Colby & Kohlberg, 1987, pp. 317-326).

<sup>5</sup> While Heider did not intend this to be a developmental model, it has been loosely considered as such because it assumes individuals experience some kind of age-related progression to higher levels of responsibility judgement (Fincham & Jaspers, 1980; Semin & Manstead, 1983). As well, the levels correspond to Piaget's moral autonomy and heteronomy, a comparison made by Heider himself in describing the levels (Hamilton & Sanders, 1992).

<sup>6</sup> Mechanical solidarity is represented by closeness and similarity. In such a homogeneous culture, people uphold their society's norms, roles, rules and values. In organic solidarity, the heterogeneity and complexity of the culture provides for a plurality of norms, roles, rules and values. Norms surrounding market ex-

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change transactions represent the major element reinforcing social bonds in organic solidarity, according to Triandis (1993).

<sup>7</sup> Gender socialization can be understood as “the processes through which individuals learn to become feminine and masculine according to the expectations current in their society” (Mackie, 1987, p. 78).

<sup>8</sup> Blum (1987) describes this as encompassing “impartiality, impersonality, justice, formal rationality, and universal principle.”

<sup>9</sup> Such characterization has been criticized by Edward Said who uses the term “Orientalism” to describe western conceptualizations of the east. Both western and eastern scholars have been cited as perpetuating such views. The comparison of Eastern culture to “woman’s emotional nature” (and Western culture to “man’s rational nature”) is one example.

<sup>10</sup> Most attribution theorists define roles as external influences on actions (Semin & Manstead, 1983, p. 137). Hamilton’s definition is more consistent with sociological descriptions of role as being both internally and externally located, encompassing varying ranges and degrees of expectations about and related to certain social positions.

<sup>11</sup> Hamilton’s and Sanders’ role-deed model is more elaborate than the one utilized in this thesis research. In their study, mental state was defined as the actor’s potential state of mind and referred to distinctions between accident, negligence, and intention (1992, p. 108). They used a separate term, context, to describe past pattern of behaviour in order to distinguish it from deeds (mental state). Context included “past pattern of behaviour” and “influence of another person.” Analysis in the current thesis research had to be considerably narrower and therefore, a simpler version of the role-deed model was derived.

<sup>12</sup> In discussing context, Hamilton and Sanders (1992) note that influence from another person (e.g. peer pressure) could also contribute to the actor’s deed and likelihood of doing the deed again. Unfortunately, this variable was not available in the secondary data used for this thesis research.

## **CHAPTER 4**

### **METHODOLOGY**

#### **4.0 Introduction and Overview**

As described in Chapter 1, this thesis research utilizes comparative data collected from another study (to be referred to as the primary research).<sup>1</sup> Research which adopts a secondary data analysis approach is affected by the design and data characteristics of the primary research. Therefore, this chapter begins with a description of the respondent data and relevant design elements in the primary study. Of particular importance are the vignette technique used to control the role and deed independent variables and the seriousness rating scale which provides the wrongdoing seriousness dependent variable in this thesis research. Following the description of the primary research, discussion will turn to methodological issues regarding comparative and secondary data analysis. Definition and operationalization of relevant variables will then be presented. The final section of this chapter describes the statistical techniques utilized in the data analysis, including Student's t-test and multivariate analysis of variance to conduct parametric tests of significance.

#### **4.1 Source and Characteristics of the Respondent Data**

The responses were collected from self-administered questionnaires completed by university students from Japan and Canada in 1996.<sup>2</sup> The Japanese version of the questionnaire was administered to 198 students at Japan's Kinki University, in Osaka. The

Canadian group comprised of 227 students from the University of Calgary in Calgary, Alberta.

Kinki University is a post-secondary educational institution built in 1949 in Osaka, a city of about 2.5 million people, located in southern Japan.<sup>3</sup> The University of Calgary gained autonomy in 1967 and is located in Calgary, a western Canadian prairie city with a population of less than 1 million. The layout of Kinki University is quite dispersed with 40 study centres spread out over several campuses located in different areas. This makes reliable enrolment statistics difficult to obtain. General comparability can be identified between the Japanese and Canadian groups, however. Students in each of the universities are largely drawn from the local urban population. Undergraduate enrolment sizes are comparable between the two institutions. Kinki University primarily offers undergraduate programs to about 14,000 students. This enrolment is comparable to The University of Calgary's approximately 17,500 full-time undergraduates (Office of Institutional Analysis [OIA], 1996-97).

In this thesis, the terms "Japanese" and "Canadian" will be used to refer to the Kinki University and University of Calgary samples. It is assumed that the respondents' views reflect their cultural realities. Thus, the Kinki students' views towards role responsibilities and wrongdoing are consistent with a general Japanese collectivistic orientation. Likewise, the Calgary students' views are consistent with a general Canadian individualistic orientation.

The secondary data samples analysed were comprised of 153 Japanese respondents (111 males and 42 females), and 171 Canadian respondents (124 males and 47 females).<sup>4</sup> Since participation was voluntary, the respondent samples are not strictly representative of the university populations. The traditional Japanese university student tends to start post-secondary education right out of high school and continue to completion of the degree. Western universities enrol more undergraduate mature students than is the case in Japanese schools. This likely explains the older mean age of the Canadian students (22.6 yrs.) as compared to the Japanese group (20.1 yrs.). Demographic characteristics of the Japanese and Canadian respondents are representative of the sample of survey participants only.<sup>5</sup>

#### **4.2 Administration and Design of the Primary Research Survey Questionnaire**

How the survey instrument was administered to respondents in each country as well as the actual design of the instrument and its translation into a Japanese version, are important considerations in evaluating the quality of the outcome data for secondary research. These issues are addressed firstly. More detail is then provided regarding the content of the questionnaire itself, focussing on the vignette technique and seriousness rating scale which provide most of the variables analysed.

The questionnaires were administered by research associates at each university who assumed responsibility of overseeing the survey implementation. The questionnaire itself was filled out by the respondent (that is, self-administered) but the respondent had access to researchers if needed during the time period he/she was answering the ques-

tions. According to Elder (1976) the “presence in the country of a scholar interested in the research topic and competent to oversee its administrative details ... (has) substantial pragmatic relevance.” The same set of questions were administered to respondents in each country. This utilization of one standardized set of measures across all countries is common in cross-cultural surveys (Bollen et al., 1993).

#### **4.2.1 Cultural Equivalency Checks**

While one would assume efforts are routinely made in cross-cultural survey questionnaires to maximize comparability across cultures, this is apparently not the case. Bollen et al. (1993) reviewed 294 sociologically-related macrocomparative research books and articles published from 1985 to 1990, and found that less than a quarter of the literature they surveyed actually addressed the issue of equal validity. Fortunately, the primary research included considerable efforts to maximize cross-cultural validity in the development of the survey instrument. The instrument was initially created in English and then translated into Japanese.

Two validity tests typically used in cross-cultural research were performed on the Japanese version of the questionnaire in order to evaluate its comparability and equivalence to the English version. The first test involved back-translation in which the Japanese version was read by someone not already familiar with the survey questions. This is a standard technique utilized to check for question-wording accuracy (Elder, 1976; Hulin, Dragow, & Parsons, 1983, p. 190; Przeworski & Teune, 1970). The reader’s mother tongue was Japanese and was also fluent in English. After each question was read, the

reader verbally repeated the question in English to a researcher in order to verify that the Japanese interpretation and meaning of the question was equivalent to the English meaning. A final comparison of the two questionnaires was conducted by researchers in order to make necessary wording edits. While necessary, the back-translation technique is not sufficient in itself to guarantee equality in cross-cultural questionnaires. Hulin, Drasgow and Parsons (1983, p. 190) note that translators may impute more meaning or desired meanings into poorly worded questions, and in some cases, can even “produce acceptable back translations from badly garbled translations by a series of inferences and insightful guesses.” As well, a back-translation is still a translation. This means that the original meaning of the question (that is, in the native language) is not really known. The primary research design included another check, however.

The second and subsequent validity test involved a pilot-test. The Japanese version of the questionnaire was administered to a group of Japanese adults visiting Calgary. While the questionnaire was not pretested on university students, the principal investigator determined that the Japanese and English versions of the questionnaires were equivalent. These two equivalence checks to ensure that respondents from each culture interpreted a question the same way were particularly important given language differences between Japanese and Canadian respondents because of structural differences between different languages (Elder, 1976).

#### **4.2.2 Structure of the Survey Questionnaire**



While only one section of the questionnaire provided data for this thesis research, the complete survey questionnaire design is described here. This has been done because in Chapter 6, recommendations for further research will refer to respondent data collected from these other sections in the survey. The questionnaire was comprised of three main parts. The first part of the survey instrument collected a variety of demographic data including spousal and family background characteristics and a few questions about aspirations and expectations with regard to education and income. The second part asked the respondent, through a series of closed-ended questions, to indicate whether s/he ever engaged in a deviant act, and then asked to what extent the respondent felt certain specified acts were wrong. The third section included a series of hypothetical stories (vignettes) describing an actor committing a deviant act and the impact of that deed upon a victim. Different versions of each story were created such that specific variables were changed in each version in order to produce two variations -- in the first, the actor had committed the act previously; in the second, the harm caused to the victim was increased. The respondent was asked to respond to each version. (This is called variable manipulation and is described in the next section.) Respondents had to rate the seriousness of the wrongdoing, select consequences/punishments, and then indicate appropriate ways the actor should be perceived and treated. The seriousness rating was made on a six-point numerical Likert-type scale from least (1) to most serious (6). The seriousness scores provided the measures for the dependent variable in this thesis research; fuller discussion of this variable is made later in the chapter, under operationalization of variables. At the end of the questionnaire, an open-ended question was included in order to ask respondents to

comment on any problems they might have had in filling out the questionnaire. In order to address the “quality” of the seriousness data, discussion of the limitations and advantages of the vignette technique and seriousness scoring technique is provided in the sections below.

#### **4.2.3 The Vignette Technique**

The use of vignettes is a popular technique in studies about seriousness (Miller, 1994). Vignettes have also often been selected by moral judgement researchers. For example, in his early clinical studies, Kohlberg developed a way to measure moral judgement and identify moral stages by having research subjects score sentences and rate stories (Colby & Kohlberg, 1987, pp. 37-38). Vignettes are “short descriptions of a person or a social situation which contain precise references to what are thought to be the most important factors in the decision-making or judgement-making processes of respondents” (Alexander & Becker, 1978). Miller (1994) equates the vignette study with the true factorial survey (a method attributed to Peter H. Rossi). According to Miller, in the true factorial survey “factorial objects and sets of factorial objects are uniquely created for each respondent. Each factorial object is a computer generated combination of randomly selected values for the different variables that are rotated in the application of the design.” The primary survey providing data for this thesis research used a modified vignette design which Miller calls a “short-cut” to the factorial design method by employing a smaller number of select vignettes and administering this same set to all respondents.

Alexander and Becker (1978) list three advantages of the vignette technique over

a direct question format: responses are less likely to be biased towards socially favourable views; respondents do not have to consider factors in making judgements which they may not be conscious of; and, the researchers can measure the effect of single and combined variables. Finch's (1987) support of the vignette technique relates to the first two advantages -- that normative-type data are more valid and reliable under this technique than use of attitude statements. Hamilton and Sanders elaborate on this last (third) advantage when they suggest that the vignette method can address problems of multicollinearity (1992, pp. 89-90). For example, the intention of the actor and the severity of the deed are two factors so closely interrelated it is difficult to separate them in determining how each one impacts attitude toward the wrongdoing. The vignette technique allows the researcher to vary one of these stimuli and hold the other stimulus constant thereby allowing an analysis of the effects of each stimulus.

Respondents are typically asked to read a specific version of the story, and then answer a series of questions related to that story. Each story and variations on the story can be more or less elaborate and complex, and, the responses may be more open-ended or closed-ended depending on the researcher's objective. The primary questionnaire included nine simple vignette stories; each story had two variations. Responses were more closed-ended in which respondents were asked to select from certain lists of possible answers. The number of stories and variations in this questionnaire address limitations associated with vignette design. Finch (1987) suggests three is about the most that can be introduced before the respondent begins to lose track of the story line. This will depend on the complexity of the original story, however. About four complex stories in one

questionnaire represent the limit; after that the respondent begins to experience response fatigue. While these restrictions limit the extent to which all the interrelationships between variables can be systematically explored, the advantage offered to the researcher is that s/he does have considerable control over the variations which can be studied.

Essentially, the researcher has control over the degree to which the respondent defines the situation for him/herself (if the researcher has largely an explanatory objective) as opposed to the response situation being controlled (because the researcher is more interested in causality) (Finch, 1987). More specificity is provided to researchers for responses to attitudinal questions since the context is given to the respondent by the researcher (de Vaus, 1991). Thus, the researcher has more control over variables by being able to change different features in the story, thus allowing the researcher to measure the affect or effect of each change on the responses made. In this sense, use of vignettes provides for the same kind of control the researcher would have under experimental conditions (Alexander & Becker, 1978; Hamilton & Sanders, 1992, p. 90).

The degree to which the researcher can control the definition of the situation is affected by two factors. Finch cautions that the researcher can never entirely determine how much detail, which is not supplied in the story, the respondent is "filling in" (1987). For example, the respondent could be assuming a certain ethnicity for the actor and this characteristic might be influential in the respondent's judgement of the actor. Filling-in is to a certain extent inversely related to complexity of the story; the more details provided, the less "need" there is for the respondent to assume information. In order to design simpler stories, the researcher is required to give up the degree of coverage s/he has over

various details related to each story. With regards to the primary survey, the advantage in having relatively more, but simpler, stories is that more comparisons can be made between questions. For example, three vignettes (not counting variations) were provided for one deed. Different stories had different actor-victim relationships but the deed was held constant. In this way, the vignettes act as checks on each other (Finch, 1987). The variations referred to is called variable manipulation. The primary questionnaire, as mentioned, included two variations. These are described below.

**Variable Manipulations.** In the questionnaire administered to Japanese and Canadian respondents, two variations were made to each vignette. In each variation, an element was changed in order to vary the deed -- that is, victim harm was made more severe, or, the actor was described to have carried-out the deed previously. In each case, the rest of the story was kept the same so that other variables were held constant. The chart below shows the dichotomous manipulations made to each vignette.

**Figure 4.1: Variations on Vignettes to Manipulate Victim Harm and Mental State Variables**

Original Story	Variation One: victim harm	Variation Two: mental state
hierarchy (actor's position with respect to the victim, e.g. father)	(unchanged)	(unchanged)
solidarity (relationship between actor and victim, e.g. family)	(unchanged)	(unchanged)
description of the actor	(unchanged)	deed is repeated so that actor's mental state shows intention to act (unchanged)
description of the wrongdoing (deed)	severity of the deed is increased so that victim harm is increased	

While vignettes do provide for a way to obtain data about cultural norms, one is cautioned that findings cannot be used to predict or represent how respondents in reality, behave in their daily lives (Finch, 1987). That is, knowing how people make wrongdoing judgements is not the same thing as describing whether or not people behave “normally” in society. As described in Chapter 1, the focus of this thesis research is to describe comparatively, perceptions of wrongdoing seriousness. Findings from the data analysis are not meant in any way to suggest the behavior -- “normal” or “deviant” -- of the respondents. Judgements about the wrongdoing described in the vignettes, is measured by respondents’ seriousness score. A description of the method is presented in the following section.

#### **4.2.4 Seriousness Rating Scale**

T. Sellin’s and M. Wolfgang’s The Measurement of Delinquency, published in 1964, has been acknowledged as seminal in developing the rating scale methodology to measure perceptions of seriousness of crime acts (O’Connell & Whelan, 1996; Parton, Hansel, & Stratton, 1991; Rauma, 1991; Rossi & Henry, 1980, pp. 489-505). Seriousness scoring as an outcome measure has been determined to be a robust and reliable technique in measuring seriousness of various types and levels of wrongdoing (Rossi & Henry, 1980). As mentioned in Chapter 2, this technique has been popularly employed in crime seriousness research. In particular, researchers interested in comparing acts of wrongdoing in relation to each other (especially in rank ordering of crime acts) have found a high level of agreement across and within cultures as well as subgroups charac-

terized by demographic variables including class, education and age groups, ethnicity and gender. However, since the technique has in the past been relatively less used for measuring degree or level of seriousness, a cautionary note must be made.

Rossi and Henry (1980) point out that some evidence has been found showing differences in the mean level of seriousness attributed to criminal acts by gender, education, and geographical residence. For example, men as compared to women, generally regard wrongdoing as less serious. Rossi and Henry (1980) also caution that achieving consensus on the relative ordering of crime acts does not mean that everyone agrees on the level of seriousness of a crime, nor on how serious criminal transgressions are in general. Differences between rank ordering of seriousness and mean level of seriousness has also been addressed by Roberts (1992). Ranking measures are described by Roberts as ordinal magnitudes of seriousness; mean levels (utilized in this thesis research) are cardinal magnitudes which attempt to measure absolute seriousness. According to Roberts, cardinal measures tell us whether different populations regard a wrongdoing as being equally serious (1992). Roberts suggests that differences in cardinal measures are important in how they can help explain differences in views about appropriate consequences or punitiveness (between the public and the police for example). While analysis in this thesis did not address sanctions and punishments, Roberts' comments are relevant to discussion of implications of the results. This will be discussed in Chapter 6.

The operational definition of seriousness of wrongdoing reflects two components. One part involves the respondent's task of assigning a seriousness score; the other part involves the respondent's judgement of the vignettes describing wrongdoing (Parton,

Hansel, & Stratton, 1991). Assignment of seriousness scores represents the match between perception of seriousness of the wrongdoing and the measure on the Likert-type scale which best represents this perception; judgement of the vignettes is influenced by roles and deeds, and respondent characteristics (culture and gender). Both components represent attitudes toward wrongdoing seriousness.

The Likert-type seriousness rating scale is a commonly utilized technique of attitude measurement (Kidder & Judd, 1986, p. 210). Attitude measurements have been well studied in a variety of areas (particularly in psychology and psychometrics) and it is beyond the scope of this thesis to discuss the underlying theoretical and methodological concerns of the attitude researchers. This thesis research assumes the value of the Likert-type scale without addressing its deeper measurement issues.

In this thesis research, the assumption made in employing the seriousness rating scale technique was that the probability of an individual's seriousness level is a function of an hypothesized relationship between culture and gender on normative views of roles and deeds (derived from Hulin's, Drasgow's, & Parsons' discussion of item response theory concepts, 1983, p. 14). (Hypotheses regarding the relationships are identified at the end of Chapter 3). Epistemological concerns over differences in the meaning of seriousness (already discussed in previous chapters) have not been found to affect the efficacy of the rating scale. Rossi and Henry (1980), in addressing the suggested cognitive vs. evaluative distinctions in the meaning, argue, "If the norms consist of the aggregated opinions of others, on which respondents are reporting, then the aggregated opinions of respondents would be identical with the norms that respondents were reporting on." Be-



sides the “norms vs. personal opinion” criticism, Rossi and Henry note that critics of the technique claim the process of applying a rating or score allows for too much variation in respondents’ interpretations of seriousness. This means that different respondents will focus on different aspects of the act (for example, some will only consider the consequences, others will rate only the harm and some will focus on the immorality of the act) and researchers will not know what the seriousness score is actually measuring. Again, Rossi and Henry counter this criticism by arguing that research findings reveal comparable results on seriousness scoring regardless of whether or not more specificity in the rating procedure is provided; as well, subgroup comparability suggests there is no apparent difference due to any respondents’ discrepant meanings of seriousness (1980). It is worth noting here that the specificity provided by the vignette technique, as described earlier, addresses this criticism of ambiguity.

A final point with regards to the Likert-type scale is the requirement of unidimensionality; that is, that all the statements used tap into the same concept. This topic has been dealt with by the above discussion about meaning of seriousness. Also related to unidimensionality, is the grouping of the vignette stories to represent variable values. This will be discussed in more depth in a later section on Cronbach’s alphas which measure the “closeness” of groupings of stories to represent one concept.

The above descriptions of the vignette technique and seriousness rating scale provide information needed to evaluate the quality of the data analysed in this study. This evaluation is furthered by consideration of major concerns related to secondary and comparative analyses.

### **4.3 Methodological Issues Regarding Secondary Analysis and Cross-Cultural Comparisons**

The value of cross-cultural data to understanding wrongdoing seriousness from a legal socialization perspective has been fully addressed in Chapter 3 (in particular, recall section on legal culture). Since this study incorporates both secondary and comparative analysis, methodological issues of relevance to both approaches are considered in this discussion. First, a brief description will be made of the kind of cross-cultural approach used in this thesis research. Then, utilizing Stewart's (1984, pp. 23-33) six criteria for evaluating secondary information both secondary analysis and cross-cultural concerns will be addressed.

***Cross-Cultural Description.*** Definitions and terminology regarding cross-cultural research can vary widely among researchers depending on their perceptions of social reality and the role of methodology in relation to those perceptions (Elder 1976). This thesis research adopts a broader definition offered by Elder who takes an epistemological view of methodology and defines comparative-cross-cultural research as:

An approach to knowing social reality through the examination for similarities and differences between data gathered from more than one nation (i.e. a people organized under a common government, that government having a monopoly of legitimate physical coercive force within a given territory) (1976).

Given the similarities and differences expected in this study, the kind of cross-cultural focus taken can be described as being centred on what Elder describes as "cross-national subsets and limited cross-national comparability" (1976). The countries were chosen for their differences: Japan, for its general cultural value of collectivity, and Canada for its

general western cultural value of individuality (recall Chapter 3, collectivism-individualism discussion). Measures of certain sociological variables (roles and deeds) studied were expected to reveal some universalistic characteristics -- for example, increased harm would be seen to be more serious regardless of culture. But cultural differences were also expected -- that roles would be more important for the Japanese respondents, and, deeds would be more important for the Canadians. Analysis of Japan and Canada are particularly important given Tuene's (1990, p. 45) recommendation that each country selected for cross-cultural study must be theoretically justified. The "quality" of the cross-cultural data utilized in this study can also be evaluated by considering issues related to secondary analysis.

***Evaluation of Secondary Information.*** Researchers utilize secondary data for many reasons including advantages related to the economics of time and budget as compared to the collection of primary data which usually requires more time and is considerably more costly (Babbie, 1998, p. 275; Stewart, 1984, p.14). Stewart offers six criteria for evaluating the appropriateness and credibility of secondary information (1984, pp. 23-33). All six criteria are judged to be met in this thesis project.

(1) Purpose. Stewart's first criteria, the purpose of the study, refers to the research intentions of the primary study, and its compatibility to secondary studies utilizing the original data. This thesis research about wrongdoing seriousness is one particular approach to studying a dimension of peoples' sociomoral judgements, the more general interest of the primary research. Thus the purpose of this study is compatible with that of the primary research.

(2) Researchers. The second criteria concerns the collection technique(s) of the primary data which affects the quality of the data. As described earlier, the secondary data employed were originally collected by sociologists and skilled research personnel in each country. As well, the primary research adopted guidelines set out by the Social Sciences and Humanities Research Council (including ethical considerations) and therefore, meets certain prescribed national research standards (see endnote 2).

(3) Data. Knowing just what data have actually been obtained allows the researcher to more fully identify definitional and measurement issues as well as any external factors which could have affected what was actually counted and recorded. Thus researchers conducting secondary data analyses are made aware of data limitations or data problems inherent in the primary data. Definitions and measurement information and the operationalization of terms used were available from the original study proposal and so that consistency of measures could be maximized between the primary methodology and the methodology in this thesis research. The availability of the actual survey questionnaire also provided a higher level of information about the data obtained. Information about external factors such as the environmental settings for the questionnaire implementation, was limited; however, since appropriate individuals were chosen to supervise the survey settings, it is reasonable to assume there were no obvious external factors significantly affecting data collection.

Cross-cultural equivalence and comparability issues were considered to be adequately addressed in the primary research design. As described earlier in this chapter, the survey instrument was tested using back translation and pilot testing to meet requirements

of equivalency in meaning (the question-wording). As well, the robust nature of the seriousness rating scale (as described earlier) provides some reassurance as to the equivalency in meaning of the concept, wrongdoing seriousness. And finally, the two respondent groups studied were comparable on certain demographic characteristics, as described earlier in this chapter (also recall discussion in Chapter 3, social learning and cognitive developmental approaches).

(4) Timeliness. The primary data were collected in 1996 and so are considered to be quite recent. That the data for each country were obtained about the same time increases the comparability of the data samples. Another factor to consider is timing of the research -- that is, was 1996 “special” in any way that could be a factor in respondent perceptions to certain questions? An example may be popular news events related to moral issues which may sway respondents’ thinking on certain vignettes. Utilizing the Canadian Periodical Index, a review of major social, economic and political events in both Japan and Osaka, and in Canada and Calgary was conducted utilizing major newspapers and magazines and no event was determined to be a significant enough to bias responses.

(5) Methodology. In his discussion about methodology in evaluating quality of secondary data, Stewart notes that essentially, we are looking for factors which can bias the data (1984, p. 30). As described above (in [3] Data) documentation regarding the primary research methodology was available and so provided for a fuller description of the original data characteristics. The kind of data collected and types of data elements created, impact my thesis research in various ways.

Generalizability concerns arise from the nonrandomness of the data. The primary research proposal states that university students were chosen for reasons of accessibility, one major reason why researchers so often draw from this population. Besides accessibility, selection of this population was also noted in the primary research to be meaningful because university students possess “age and educational characteristics useful for investigating societies whose moral and legal value compliance (authority) systems are being challenged.”<sup>6</sup> Actually, the university sample turned out to be an advantage since response data provided only limited socio-economic status indicators (for example, parental occupation and income data were mostly unknown). University enrolment can be assumed to reflect respondents’ relatively higher level of socio-economic background (albeit to varying degrees for each country). And finally, as mentioned in Chapter 3, young adults represent an age group we can expect to possess mature and stable reasoning ability to distinguish right from wrong and to possess basic knowledge of social rules and laws.

While the area of research interest is common to both the primary research and this thesis, there are certain decisions which were taken in the original collection and recording of the data which impact the current methodological design. These “inherited” characteristics include the selection and operationalization of variables for this thesis research, including category definitions, particular measurements, and certain units of aggregations. These all impact the kind of secondary analysis which can be performed (Steward, 1984, p. 14). The concepts and variables, and rationale for selection of the sta-

tistical techniques applied in this thesis research are discussed in detail later in this chapter (under analytical techniques).

(6) Other sources. Stewart suggests that the more unrelated sources one can obtain in order to gather the particular kind of information, the better. In order to evaluate this criterion in the present study, we can look to other studies which have adopted similar methodological techniques as well as to consider the different countries researchers have grouped to represent a common cultural characteristic. As mentioned earlier in this chapter, both the vignette technique and the seriousness rating scale have been popularly employed by other researchers. Of particular importance is Hamilton's and Sanders' 1992 study of Japanese and Americans, who employ vignettes and responsibility scales in their methodology. While numerous "east-west" type comparative studies have been conducted no published literature in the area of wrongdoing seriousness or moral judgement could be found which addressed Japan and Canada. Fortunately, there are a variety of studies comparing Japan and the United States from which this thesis research can draw.

These six criteria offered by Stewart (1984) to evaluate secondary information provide a way to describe the advantages and limitations of utilizing the secondary comparative data analysed in this study. As mentioned, one major advantage is that the operationalization of concepts and variables is consistent with the primary research design.

#### 4.4 Definitions and Operationalization of Concepts and Variables of Interest

Chapter 3 described the concepts of research interest in this study. In this earlier discussion, the concepts were presented within a fuller theoretical description of their relevance in the legal socialization perspective. The description also drew from both crime seriousness and responsibility attribution research in order to provide fuller definitions and to identify how the concepts have been generally used by other researchers. The hypotheses listed at the end of Chapter 3 specify the relationships between the concepts to be analysed. In the outline below, these concepts are briefly reintroduced in order to lead into the operationalization and measures of the variables which were identified in the hypotheses.

***Gender and Culture.*** As discussed in more detail earlier in Chapter 3, gender (respondent's sex) and culture (Japan, Canada) are included in order to measure differences in social structural and cultural affects on perceptions of wrongdoing seriousness.

***Role and Deed.*** Appendices 1 and 2 provide the description and classification of vignettes into role, deed, and role-deed interrelation independent variables. The mapping of the vignettes into role and deed variables is comparable to Hamilton's and Sanders' methodology in coding their vignettes (1992). These independent variables can be treated as multiple indicators. That is, each variable (hierarchy, solidarity of relationships, mental state and victim harm) was created out of the combination of two or more indicators (vignettes). While relatively unusual in macrocomparative research (Bollen et al., 1993), such scale variables are not uncommon in cross-cultural research related to moral judgement (see Elders' discussion of instrument construction and validation, 1976; Fincken-



auer, 1995; and, Hamilton's & Sanders' body of research). An important advantage of using multiple indicators is that validity is increased when more than one item is used simultaneously in order to measure a single variable (Bollen et al., 1993; Elders, 1976; Spector, 1992).

***Seriousness of Wrongdoing.*** The dependent variable is represented by the mean seriousness score derived from respondent ratings of vignettes grouped on the independent variable. The level of seriousness was indicated on a six-point numerical Likert-type scale (1 as least serious to 6 as most serious). While data from Likert scales are defined as ordinal, they are often used as interval measures in social science data analysis. Treatment of this type of ordinal measure as an interval variable is legitimate (Labovitz, 1967). The mean average seriousness score was calculated from the scores attributed by the respondents to each vignette in the particular group. As described in the earlier discussion about the seriousness rating technique, researchers employing this scale commonly use the mean score in their analyses.

The following section defines and provides the values for the relevant variables in this thesis research.

## I. Independent Variables

### A. Demographic variables

1. respondent gender: Dichotomous, nominal variable: male/female.
2. respondent culture: Dichotomous, nominal variable: Japan/Canada.

### B. Role variables

1. hierarchy: describes the relationship between actor and victim. Hierarchy is a dichotomous nominal variable with values of *authority/subordinate to equality*.  
Coding of data:  
authority = father/son;

equality = strangers; businessman/client; husband/wife.

2. solidarity of relationship: describes the closeness of the relationship as *intimate* (actor and victim bonded and engaged in intrinsic exchange), or *nonintimate* (relationship is temporary, interchangeable, and extrinsic). Solidarity is a dichotomous nominal variable. Coding of data:

intimate = husband/wife, father/son;

nonintimate = victim is a client or stranger to the actor.

### C. Deed variables

1. mental state: actor's disposition toward the behaviour (that is, toward carrying-out the wrongdoing). An actor with a past history of committing the deed reflects a higher-level mental state towards the deed. Mental state is a dichotomous ordinal variable. Coding of data:

high mental state = actor has committed the deed in the past;

low mental state = first time the actor has committed the deed.

2. victim harm: the seriousness of consequence. Victim harm is a dichotomous ordinal variable measuring whether the victim was less or more harmed by the actor's deed. Coding of data:

high victim harm = impact of deed on victim more severe as compared to original vignette;

low victim harm = impact of deed is as described in original vignette version.

II. Dependent Variable: level of seriousness of the wrongdoing: values range from 1.0 (least serious) to 6.0 (most serious). Level of seriousness is treated as an interval measure in the data analysis. The mean average seriousness score was calculated and compared for the following variables:

A. Role variables: hierarchy: authority vs. equality;  
solidarity: intimate vs. nonintimate.

B. Deed variables: victim harm: low vs. high;  
mental state: low vs. high.

C. Role-Deed interrelationships:  
hierarchy: authority vs. equality (low to high victim harm);  
solidarity: intimate vs. nonintimate (low to high victim harm);  
hierarchy: authority vs. equality (low to high mental state);  
solidarity: intimate vs. nonintimate (low to high mental state).

## **4.5 Data Analyses**

This study utilized a secondary data analysis. The structure of the data file obtained from the primary research was already organized such that case-level data represented the individual respondent. The unit of analysis in this study is, therefore, the individual. Considerations including: the structure of the data file and nature of the data elements; availability of variables for analysis; levels of measurements; sample sizes; and, available resources, all guided the selection of the statistical tests. The various statistical techniques utilized are discussed below. The Statistical Package for the Social Sciences (SPSS) was the primary statistical tool used to conduct the data analysis.

### **4.5.1 Reliability of the Vignette Groupings**

The underlying model developed to analyse the data involved comparisons of mean average respondent seriousness scores. A mean average score was calculated for each group of vignettes categorized on a value of the independent variable. So for example, for hierarchy, the authority value represented one group of scores and equality represented another. The mean seriousness scores were calculated for each group. The grouping of vignettes to represent various independent variables is similar to the technique of grouping measures for scale variables (for example, Finckenaue, 1995) in that multiple vignettes represent one variable value. It was therefore, important to calculate reliability measures (or, reliability coefficients) for the groupings used here (for example, Finckenaue's utilization of reliability coefficients [1995]). Reliability measures were calculated for the total respondent group as well as for the subgroups of Canadian men,

Canadian women, Japanese men, and Japanese women. This technique is recommended as a way to check for validity in multiple measurement items in cross-national data (Elder, 1976; Przeworski & Tuene, 1970). Cronbach's alpha<sup>7</sup> is a popular measure of the internal consistency reliability of a scale (Carmines & Zeller, 1979, p. 44; Finckenaue, 1995, pp. 209-216; and, Spector, 1992, pp. 31-32). The value of Cronbach's alpha ranges from  $-1.0 < 0.0$  to  $< +1.0$  (with negative values indicating negative correlations). Larger absolute values of alpha indicate greater internal consistency. Cronbach's alpha is considered to be a conservative estimation of reliability and as a rule of thumb, alpha should be greater than or equal to .70 for a scale to be considered reliable (Spector, 1992, p.32); however, even lower reliability coefficients are accepted by some researchers (for example, some of the alphas are .59 in Finckenaue's study, 1995).

Appendix 3 shows the reliability measures for the role, deed and role-deed variables for the total respondent group and the four subgroups. The value of alpha was close to or greater than .70 for all variable values but authority. When calculated for each subgroup, the alpha values for authority were considerably lower for the Japanese groups. In particular, the Japanese men had an alpha of .1818, and Japanese women had .3845 for authority-high victim harm. The three vignettes grouped to represent authority all described father-son relationships. Since the number of elements in one group will affect the alpha score such that increasing the number of elements can increase the score in certain instances, it was possible that the low alpha score was simply due to there only being three vignettes measuring authority. However, this explanation alone is insufficient since

nonintimate also only had three vignettes and the alphas for all respondent subgroups were quite high.

The decision taken was to continue with the present operationalization of hierarchy for the reason that other researchers, including Hamilton and Sanders, have grouped parent-child relationships as authority. This relationship has been shown in the other research to be a reliable indicator of the authority relationship. Data utilized to represent the authority value did not include any relationships outside the family (e.g. manager-worker). This limitation weakens the hierarchy variable in that the authority value is relevant only in a family context while the equality value is more widely representative. The low alphas for the Japanese group does however, warrant further investigation. For example, further analysis of the Japanese translation should be made including translations of the open-ended comments.

#### **4.5.2 Student's T-Test to Compare Mean Seriousness Scores**

The type of statistical tests performed involved two-tailed tests. Even though almost all the hypotheses specify directional relationships, one-tailed significance tests were not conducted. Rather, two-tailed tests were performed because of the largely investigative and exploratory nature of this study. One-tailed tests are more appropriate when the researcher has definite reason to expect one variable to be higher than another. The hypotheses in this study are considered informal and therefore, the two-tailed test offers the advantage of accounting for more possible outcomes in significance testing (Norris, 1987).

Seriousness scores were categorized on each independent variable and group means were compared using t-tests to test for differences between mean seriousness scores on values of each dichotomous variable. Analyses were conducted for the aggregated responses (that is, pooled culture and gender variables) and for the respondent sub-groups (Canadian men, Canadian women, Japanese men and Japanese women). Each dichotomous independent variable (e.g. hierarchy with values of authority and equality) produced two groups and therefore, t-testing for pairs was selected as more appropriate.<sup>8</sup>

Levene's test for equality of variances was utilized in the selection of t-scores. In the t-test for equality of means, SPSS conducts Levene's test and reports an indicator which aids in the selection of the t-values. Levene's indicator is based on the equality of variances between the groups.<sup>9</sup>

Student's t-test is suitable for small samples ( $n \leq 30$ ) and assumes random sampling from a population with a normal distribution. The two female groups were considered to be small samples. The data analysed were not random; however, this was not considered a major limitation since the t-test is considered to be very robust (Elifson, Runyon, & Haber, 1990, pp. 360-361). The seriousness scores were plotted and a visual inspection confirmed that overall, the respondent scores tended to follow a bell-shaped distribution around the mean. Given the above reasons, it was determined that the t-test was still an appropriate way to compare mean scores.

### **4.5.3 Multivariate Analysis of Variance to Compare Respondent Groups by Culture and Gender<sup>10</sup>**

Miethe (1982) identified in his review of the crime seriousness literature, a need for more researchers to examine variances in statistical analyses of crime seriousness data; the same can be said for wrongdoing seriousness. In particular, Miethe recommends analysis of variance as an effective way to measure consensus among different subgroups. Multivariate analysis of variance (MANOVA), a continuation or a multivariate generalization of analysis of variance (ANOVA), offers a relatively powerful test of differences between respondent subgroups' mean seriousness scores. Recall from the above operationalization that the four variable groupings were: for hierarchy, authority vs. equality; for solidarity, intimate vs. nonintimate; low vs. high victim harm; and, low vs. high mental state. In addition, the role-deed interrelationship produced these four groupings: for high victim harm, authority vs. equality; for high victim harm, intimate vs. nonintimate; for high mental state, authority vs. equality; for high mental state, intimate vs. nonintimate. Analysis was focussed on making comparisons between different mean seriousness scores, therefore, these groups were treated as different "dependent variables" in the statistical procedures. Since MANOVA allows simultaneous analyses of more than one dependent variable (Bray & Maxwell, 1985, p. 5; Pedhazur, 1982, p. 710; Spector, 1977), the different mean seriousness scores could be easily compared.

The two latent respondent characteristics, culture and gender, were found to be interactional. By definition, two variables "interact when their association is not uniform across all categories of a third variable" (Elifson, Runyon, & Haber, 1990). Thus, for ex-

ample, the relationship between gender and mean seriousness score for authority relationships, is not the same for Canada as compared to Japan. MANOVA provided a way to test for the effects -- individually and interactively -- of culture and gender on the groups of seriousness scores. Using this procedure, evaluation could be made of the mean differences on all of the above groups simultaneously while controlling for the intercorrelations among them, as well as the interactive effect between culture and gender (Bray & Maxwell, 1982, 1985). In the analysis, the impact of culture and of gender was measured both individually and simultaneously on wrongdoing seriousness for all the roles, deeds and role-deed groups.

MANOVA was also determined to be more suitable than conducting separate ANOVAs. The ANOVAs would have provided less powerful tests because they would not have been able to take into account any associations (interaction effects) between country and gender. According to Bray and Maxwell (1985, p.11), MANOVA can identify any significant differences in groups which would not be found by ANOVA. A related advantage is that MANOVA takes into account correlations between variables which are important in judging the magnitude of group differences (Bray & Maxwell, 1985, p. 32; Van de Geer, 1971). The variable groupings were in fact found to be correlated with most being highly correlated. Appendix 4 presents the correlations between variable values.

As is often the case when confronted with social sciences data, not all statistical assumptions can be ideally met. Labovitz (1967) argues that valuable information can



still be derived even if certain statistical assumptions are violated. His advice is that data analysis must always include an evaluation of whether it is possible to use:

more powerful statistical techniques in situations where the data do not meet the assumptions of the model. In these situations, less powerful (e.g., nonparametric) techniques are closer to the dictates of the data, but are less sensitive and often less interpretable than parametric statistics (1967).

Labovitz also recommends that researchers with “smaller” sample sizes should be even more encouraged to adopt this strategy of choosing more powerful tests.

The underlying assumptions of MANOVA, discussed in some detail by Cramer and Bock (1966, pp. 32-34), are listed in Appendix 5. While the technical details are not presented in this thesis, it is necessary to identify what assumptions were not met and possible analytical limitations. Cramer and Bock note that MANOVA is robust to violations of all assumptions except randomness and statistically independent observations. In practice, however, researchers employ the MANOVA technique to analyse data which violate one or both of these two assumptions. For examples, analyses conducted by Mitchell (1987), and, Thomsen, Basu, and Reinitz (1995) all relied on college students who volunteered to participate in their studies.

Discussion thus far has presented the rationale for selection of MANOVA. The statistical procedures involved in conducting the analysis are detailed in Appendix 5. Bray and Maxwell note that MANOVA is becoming more popular in educational and psychological research (1982). However, it is as yet relatively less utilized in sociology. For this reason, it was felt that a fuller discussion of the procedure as well as how to interpret the results, was warranted. MANOVA can be described as a two-step process

(Bray & Maxwell, 1982; Spector, 1977). As discussed in Appendix 5, significant MANOVA findings (step 1: omnibus test) indicated the need to conduct a follow-up analysis (step 2: univariate F tests). Since the selected technique for this second part involved univariate F tests, interpretation of F ratios is also described in the appendix in order to assist the reader. Discussion in Chapter 5 involves a reporting of results of the F tests.

This chapter has presented the methodology utilized in the thesis research. Relevant design elements from the primary research and methodological issues regarding comparative and secondary analysis were discussed. Definitions and operationalization of relevant concepts and variables were then provided. Given the kind of data available, and considering the research questions and hypotheses to be examined, selection of the t-test and MANOVA statistical techniques were determined to be the most appropriate way to conduct the data analyses. Results are presented in Chapter 5.

## Notes

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<sup>1</sup> Appreciation is extended to Dr. Bruce Arnold, Director, Research Unit for Socio-Legal Studies, The University of Calgary, Calgary, Alberta, for access to the survey data. Dr. Arnold was the principal investigator in the primary research project. Readers should contact Dr. Arnold for further information regarding elements of the primary research design or for details regarding the survey questionnaire.

<sup>2</sup> Ethical guidelines set out the by Social Sciences and Humanities Research Council of Canada and the University of Calgary were followed in the original research. Survey respondents were assured of confidentiality and anonymity. Those who voluntarily chose to participate in the survey, signed a consent form. The survey instrument was designed so that comments regarding confidentiality, as well as respondent freedom with respect to skipping any questions s/he was not comfortable answering, were displayed clearly and repeated through-out the questionnaire's three sections. Implementation of the survey was conducted in the home country and supervised by researchers from within each university, observing ethical guidelines and research etiquette.

<sup>3</sup> Information about Kinki University and Osaka obtained from Kinki University website, see References.

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<sup>4</sup> There were originally 174 Canadians. Three were excluded because they did not answer the gender question.

<sup>5</sup> Available demographic information about the respondents was limited. The primary research collected data about respondent's background (such as religion and parental occupation and income) but at the time of analysis, most of these data were not available for research. For example, reports on income levels for the Japanese sample were problematic with respect to accuracy of the incomes reported. Possibly, this reflects the generally low importance, as compared to the west, the Japanese place on job classification systems and their relationships to wage and status (Lincoln & McBride, 1987). Many of the demographic variables require further testing for reliability and validity, as discussed in Chapter 6, suggestions for future research. That respondents were university students does indicate a certain relatively higher level of socioeconomic status, however.

<sup>6</sup> From Project Description, "Legal Socialization of Young Adults in Disparate Structural and Cultural Contexts (Stage I)." Dr. Bruce L. Arnold, The University of Calgary.

<sup>7</sup> Spector refers to this measure as the coefficient alpha, however, this measure appears to be more popularly referred to as Cronbach's Alpha (e.g., Finckenaue, 1995), after the statistician attributed with discovering the measure. In my thesis, the measure will be referred to as Cronbach's Alpha.

<sup>8</sup> One-way Analysis of Variance could have been used to test for differences between two groups, however, the probabilities for this would be the same as for t-ratios.

<sup>9</sup> For  $p < .5$ , use statistics for equal variances; for  $p > .5$ , use unequal variances scores provided in SPSS.

<sup>10</sup> I am grateful to Dr. Tak Fung, Dept. of Mathematics and Statistics, the University of Calgary, for his consultation in the data analysis.

## **CHAPTER 5**

### **RESULTS**

#### **5.0 Introduction and Overview**

This chapter is organized by the research questions identified in Chapter 1. The discussion of the findings addresses the expectations and hypotheses detailed at the end of Chapter 3. Findings are presented in two parts. Within each part, discussion first addresses the individual effects of roles and deeds on seriousness judgements and then addresses the effects of combining roles and deeds (role-deed interrelation). Numerous data tables have been included to summarize results of the analyses. The graphics are presented in order to more effectively highlight discussion of certain results.

The first part of this chapter presents a descriptive overview of findings about the impact of roles and deeds on wrongdoing judgements. In the overview, analysis is directed towards comparisons of mean seriousness levels attributed to the different role and deed values for the total respondent group. The mean seriousness scores are compared using t-tests (as described in Chapter 4). Only general comparisons are made between the respondent subgroups in the overview since this analysis is dealt with more fully later on in the chapter.

The second part of the chapter elaborates on the findings by more fully examining the relationship between culture, gender and wrongdoing seriousness. Differences between respondent subgroups -- Japanese men, Japanese women, Canadian men and Canadian women -- are identified in this second analysis. Presentation of the multivariate analysis of variance (MANOVA) findings are ordered according to the two-step proce-

ture described in Appendix 5. Main effects results are presented first, followed by findings from the univariate F tests and the simple effects analysis.

Presentation of statistical results requires detailed technical information. This is particularly true of the findings from the second (multivariate) analysis of the impact of culture and gender on wrongdoing judgements (see below section 5.2 MANOVA results). In order to enhance presentation of the results of the multivariate analysis, descriptive summaries are provided following the technical discussion of each notable finding. This format allows readers the option of reading the summaries, and then only referring to the statistical detail if desired.

## **5.1 Descriptive Overview of Findings**

### **5.1.1 How Social Relationships and Social Conduct Impact Judgements of Wrongdoing Seriousness: Roles and Deeds**

*Total Group.* Table 5.1 shows the mean seriousness scores for Canadian males, Canadian females, Japanese males and Japanese females, and for total respondents. The variability of scores in all groups was comparable at close to one unit (see Appendix 6 for descriptive details, including standard deviations). Referring to the “grand total” column in Table 5.1 (that is, pooling respondent gender and culture), all the mean seriousness scores were higher than the median score of 3.500 (on the Likert scale of 1 to 6) showing that the respondents on average, tended to view the wrongdoings as being on the serious

**Table 5.1: Comparison of Mean Seriousness Scores by Roles and Deeds, by Respondent Subgroup**

<b>Independent Variables</b>	<b>Canadian Men (n=124)</b>	<b>T-value for Difference</b>	<b>Canadian Women (n=47)</b>	<b>T-value for Difference</b>	<b>Japanese Men (n=111)</b>	<b>T-value for Difference</b>	<b>Japanese Women (n=42)</b>	<b>T-value for Difference</b>	<b>Grand Total (n=324)</b>	<b>T-value for Difference</b>
<b>Hierarchy</b>										
Authority	4.040		4.128		3.483		3.071		3.737	
Equality	3.912		4.138		3.739		3.325		3.809	
difference	0.128	2.47 **	-0.010	-.14	-0.256	-3.54***	-0.254	-1.89	-0.072	-1.87
<b>Solidarity</b>										
Intimate	3.981		4.122		3.413		3.075		3.690	
Nonintimate	3.890		4.160		4.132		3.571		3.971	
difference	0.091	1.22	-0.038	-.41	-0.719	-7.41****	-0.496	-3.44***	-0.281	-5.28****
<b>Victim Harm</b>										
Low Harm	3.952		4.132		3.655		3.241		3.785	
High Harm	5.148		5.427		4.787		4.588		4.992	
difference	-1.195	-17.86****	-1.295	-14.11****	-1.132	-10.47****	-1.347	-6.06****	-1.207	-21.97****
<b>Mental State</b>										
Low Mental	3.952		4.134		3.655		3.241		3.785	
High Mental	4.642		4.905		4.374		4.070		4.515	
difference	-0.690	-16.46****	-0.771	-12.73****	-0.719	-11.63****	-0.829	-7.47****	-0.730	-23.22****

T-values are statistically significant at: \* $p \leq .05$ ; \*\* $p \leq .01$ ; \*\*\* $p \leq .005$ ; \*\*\*\* $p \leq .001$

side. Respondents tended to view situations with high victim harm as being the most serious ( $X=4.992$ ). The next most serious was high mental state ( $X=4.515$ ) followed by nonintimate relations ( $X=3.971$ ) and lastly, equality relations ( $X=3.809$ ).

In general, results supported the roles and deeds hypotheses presented in Chapter 3. Significant differences between variable values were found at the  $p \leq .001$  level. The one exception was for **hierarchy** where authority relationships were actually judged less, not more, seriously than equality relationships ( $X_{\text{authority}}=3.737$  vs.  $X_{\text{equality}}=3.809$ ); however, this was not a significant difference. Regarding **solidarity**, nonintimate relationships were related to higher mean seriousness scores ( $X_{\text{intimate}}=3.690$  vs.  $X_{\text{nonintimate}}=3.971$ ). For the deed variables, wrongdoing involving high **victim harm** ( $X=4.992$ ) and high **mental state** ( $X=4.515$ ) were seen to be more serious than low harm ( $X=3.785$ ) or first-time deeds ( $X=3.785$ ). In subsequent analysis (discussed later in this chapter) total group comparisons were made controlling for culture and gender. But first, some general descriptions about the different respondent subgroups are provided below.

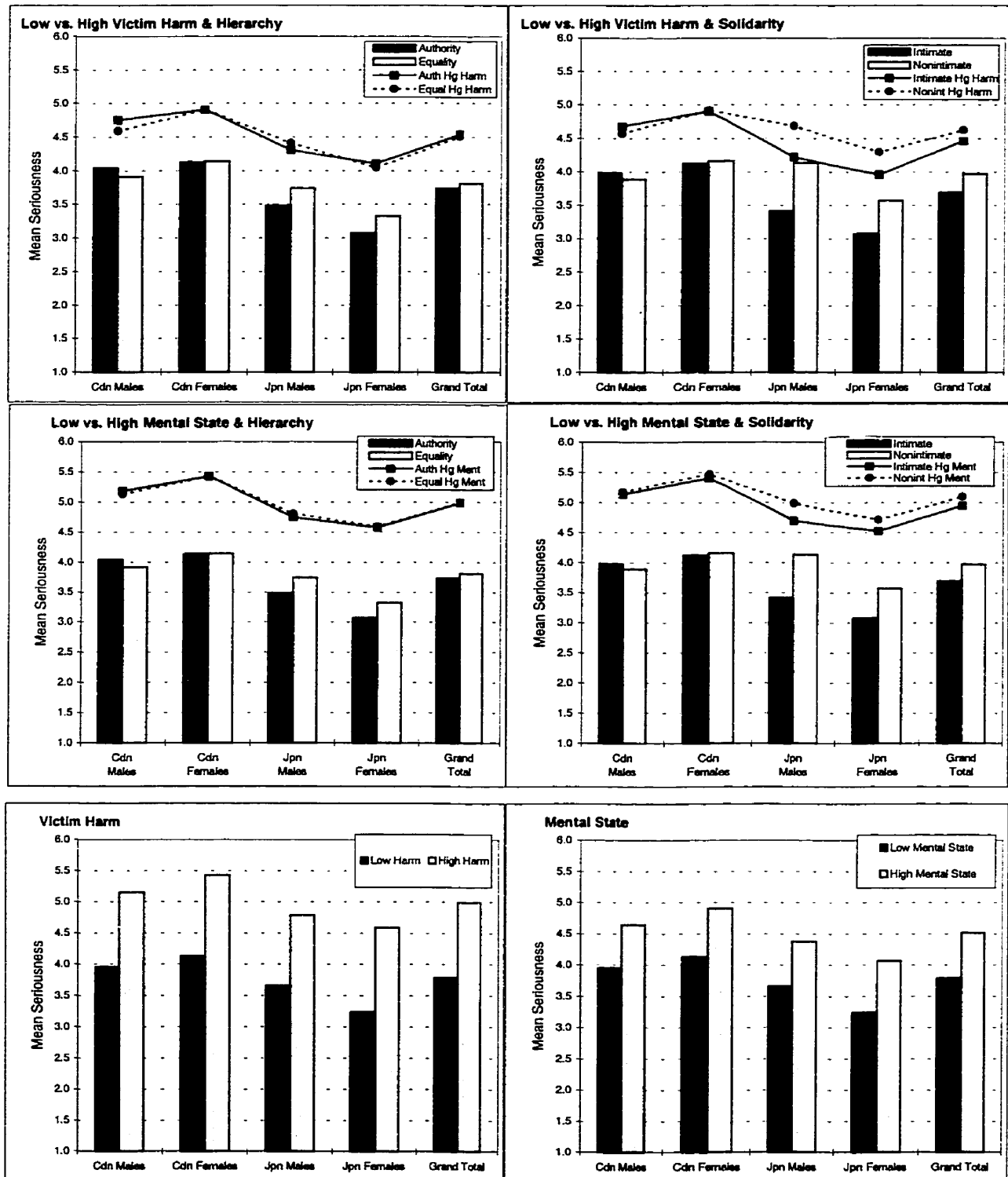
**Subgroups.** As expected, it appeared that overall, Canadian males and females were more alike in their perceptions of wrongdoing seriousness as compared to the Japanese males and females. By comparing the differences between variable values (refer to the “difference” rows in Table 5.1), we can see that for Canadians, the differences between values in the hierarchy and solidarity variables are clearly lower compared to the Japanese; and, the differences between values for victim harm and mental state are generally lower for Canadians as compared to the Japanese. Another way to view this com-

parison is by using the bar charts shown in Figure 5.1 (the line graphs represent role-deed interrelations discussed later). For all variable values, average seriousness scores attributed by Canadian men and women are more equal than is the case between Japanese men and Japanese women. As well, for the Canadian men and the Canadian women, the mean seriousness scores appear more equal between values for each variable (less so for deeds) than is the case for the Japanese men and Japanese women. This finding seems to support the description of greater gender equality in western cultures as opposed to Japanese society (Fujimura-Fanselow & Kameda, 1995, p. xxiv). As mentioned in Chapter 4, more similar life situations between men and women may be translated into more similarities in judging wrongdoing seriousness (Clopton & Sorell, 1993).

Canadian mean seriousness scores also generally tended to be higher than those of the Japanese men and women; Japanese women had the lowest mean scores (see Table 5.1, or, Figure 5.1). The Japanese data are not consistent with other cross-cultural research findings that men tend to attribute lower seriousness levels than women (O'Connell & Whelan, 1996; Payne & Furnham, 1990; Rossi & Henry, 1980). But as noted findings in the research literature have been largely inconsistent. Given this Japanese gender difference and the lack of a difference in the Canadian sample then, results highlight the nonobvious relationship between gender and seriousness. However, these findings are partly consistent with results in Hamilton's and Sanders' (1992) study of American and Japanese perceptions of wrongdoing where they found that Americans



**Figure 5.1: Comparison of Mean Seriousness Scores for Roles, Deeds, and Role-Deed Interrelation**



Source: Tables 5.1 and 5.2.

attributed higher levels of wrongdoing responsibility as compared to the Japanese group (their analysis did not control for gender, however). Given that the Japanese mean scores were lower overall, it is necessary to look to comparisons of relationships between values and variations rather than focussing only on mean scores between cultures.

With regards to expectations about roles (hierarchy and solidarity) and deeds (victim harm and mental state), recall that two kinds of hypotheses were generated: hypotheses about the direction of relationship; and, hypotheses about respondents' sensitivity to role-related information vs. deed information. Regarding **direction of relationship** in the **hierarchy** variable, only the Canadian male group indicated support for the hypothesis that authority relationships would be judged more seriously than equality relationships ( $X_{\text{authority}}=4.040$  vs.  $X_{\text{equality}}=3.912$  in Table 5.1). Canadian females and both Japanese groups had higher mean seriousness scores for wrongdoing related to equality relationships (opposite to the expected direction). Differences were not significant for the females, however. A possible explanation for the Japanese groups' scores is more conjectural given the lack of empirical literature. Recall from Chapter 3's discussion of hierarchy, that in the Japanese culture authoritative positions and decision-making power are not as highly correlated as in western cultures. Responsibility is more widely dispersed such that even if an actor was in an authority position in relation to the victim, the Japanese may not necessarily perceive the actor to be more responsible. The data findings may actually indicate that the Japanese judged wrongdoing involving equality relationships to be more serious since there were more individuals (both actor as well as victim) involved who were viewed as being responsible. Another explanation may lie in the op-

eralization of authority.<sup>1</sup> As discussed in Chapter 4, only father-son relationships were included in authority while equality also represented nonfamily relationships. Given the more traditionally dominant role of mothers over all aspects of child-rearing as compared to mostly absent fathers (Iwao, 1993), it is possible that Japanese respondents were less likely to attribute a greater seriousness level to a father's wrongdoing.

The direction of relationship in the **solidarity** variable was also analysed. The hypothesized relationship was that seriousness would be higher for nonintimate relationships than intimate ones between actor and victim. The Canadian male group was the only one that did not support the hypothesized relationship. While  $X_{\text{intimate}}=3.981$  was higher than  $X_{\text{nonintimate}}=3.890$ , this was not a significant difference. The difference in mean scores for the Canadian women was also too small to be significant. For Japanese men and women, nonintimate relationship was quite clearly different from intimate, and on average, rated a higher seriousness level. The results are considered to be generally consistent with other research findings indicating that individuals tend to attribute a lower level of responsibility to the actor when the actor and victim are related intimately (Hamilton and Sanders, 1992; see Chapter 3, "solidarity").

In both of the **deed** variables, expected directions of relationships were confirmed by all four subgroups: wrongdoing was judged more seriously for high victim harm and for high mental state. These results are consistent with empirical findings from crime seriousness regarding victim harm as well as with responsibility attribution studies about actor's intention (see Chapter 2). For all the subgroups, wrongdoing involving high harm was perceived to be even more serious than wrongdoing where the deed was repeated

(high mental state). Table 5.1 shows (by comparing the “difference” scores) that the increases in mean seriousness scores were greater from low to high level victim harm than was the case for mental state.<sup>2</sup> Since analysis could not include an interrelationship between harm and actor’s intention (i.e., these were separate vignettes), the suggestion is offered that, within the boundaries of this study, respondents tended on average to perceive wrongdoing as more serious if victim harm increased than if the deed had occurred previously. It is important to note, however, that the responsibility attribution literature suggests a more complex relationship between harm and actor’s intention than was possible to test in this present analysis.

Expectations about **variational changes** were partially supported. While the Japanese did show more sensitivity to role variation, they regarded equality more seriously than authority (opposite to the hypothesized direction). The Japanese groups had greater variation in seriousness judgements when **hierarchy** varied between equality and authority relationships as shown from the higher “difference” scores for the Japanese as compared to the Canadian groups in Table 5.1. Interpretation of this finding must be qualified since equality mean scores were more serious (not less, as hypothesized) than authority. For **solidarity**, results confirmed that greater variation occurred in the Japanese groups as compared to the Canadian groups when solidarity of relationship varied between intimate and nonintimate. The results for both hierarchy and solidarity are seen to be consistent with collectivistic values related to roles in Japanese culture (given the earlier explanation for why hierarchy results did not totally support the hypotheses).

Concerning variations in **deeds**, as noted, there was no apparent difference between the Canadian groups and the Japanese groups. The variations in mean scores when harm or when mental state varied, increased for the Canadian men and women. But these increases were no greater than variations found in the Japanese group. Again the comparisons can be made in Table 5.1 by looking at the “difference” rows and how the difference scores are fairly comparable across the four respondent subgroups. The expectation was that the Canadian groups, as compared to the Japanese, would more clearly reflect general western individualistic cultural values regarding autonomy, attitudes and internal processes, and so, would be more affected by deed information. That the findings did not reveal clear differences between the Japanese groups and Canadian groups may actually suggest some level of support for greater collectivistic tendencies described in the Canadian culture relative to the American culture (recall “individualism-collectivism” discussion in Chapter 3).

While references have been made about gender in the above discussion, it is important to note that the expectations regarding gender differences were not clearly supported. Women did not reveal greater variation between role variable values as compared to men. Canadian women in many cases had the least amount of variation between mean scores; Japanese women in contrast mostly had significant differences between values. On the deed variables, all four respondent groups showed significant differences between mean seriousness scores. These findings point to cultural differences between genders in the responses. Later, in the MANOVA findings, discussion will more clearly identify how gender and culture affects the seriousness judgements.

In addressing the research questions about the impact of roles and deeds on judgements about wrongdoing, the analysis carried out in this study included an investigation of the impact of combining information about roles and deeds. This is referred to as role-deed interrelationship. Results of this analysis are presented below.

### 5.1.2 Role-Deed Interrelationship

**Total Group.** Table 5.2 shows the resulting mean scores for role variables after increasing the impact of the deed variables. Overall, an increased level of victim harm and mental state was associated with increased mean seriousness levels. Relationships remained consistent. Authority and equality were not significantly different before or after the deed impact. Significant differences found between intimate and nonintimate relationships continued to be significant after increasing the deed variable. Interestingly, increasing the mental state had a greater impact on judgements about seriousness overall, as compared to increasing victim harm. (Recall that in the earlier analysis of single factors, an increase in victim harm produced higher mean seriousness levels compared to high mental state.) In Figure 5.1, this is shown by the relatively higher placement of the line graphs over the bar charts for roles-mental state than for roles-victim harm.

Expectations regarding **roles and victim harm** were generally supported in that the original hypothesized direction of relationships held. In Table 5.2, mean seriousness for authority was greater than equality ( $X_{\text{authority}} = 4.540$  vs.  $X_{\text{equality}} = 4.504$ ). But this was

**Table 5.2: Role-Deed Interrelation: Comparison of Mean Seriousness Scores by Roles, by Respondent Subgroup**

<b>Independent Variables</b>	<b>Canadian Men (n=124)</b>	<b>T-value for Difference</b>	<b>Canadian Women (n=47)</b>	<b>T-value for Difference</b>	<b>Japanese Men (n=111)</b>	<b>T-value for Difference</b>	<b>Japanese Women (n=42)</b>	<b>T-value for Difference</b>	<b>Grand Total (n=324)</b>	<b>T-value for Difference</b>
<b>High Victim Harm &amp; Hierarchy</b>										
Authority	4.757		4.908		4.305		4.107		4.540	
Equality	4.590		4.906		4.410		4.048		4.504	
difference	0.167	3.55***	0.002	.02	-0.105	-1.72	0.059	.55	0.036	1.10
<b>High Victim Harm &amp; Solidarity</b>										
Intimate	4.679		4.900		4.218		3.958		4.460	
Nonintimate	4.571		4.918		4.682		4.294		4.623	
difference	0.108	1.61	-0.018	-.22	-0.464	-6.12****	-0.336	-3.15***	-0.163	-3.79****
<b>High Mental State &amp; Hierarchy</b>										
Authority	5.185		5.426		4.746		4.575		4.991	
Equality	5.132		5.428		4.805		4.595		4.993	
difference	0.053	1.32	-0.002	-.08	-0.059	-.92	-0.020	-.25	-0.002	-.09
<b>High Mental State &amp; Solidarity</b>										
Intimate	5.134		5.405		4.694		4.525		4.991	
Nonintimate	5.179		5.468		4.980		4.714		5.093	
difference	-0.045	-.77	-0.063	-1.18	-0.286	-3.67****	-0.189	-2.05*	-0.149	-3.92****

T-values are statistically significant at: \* $p \leq .05$ ; \*\* $p \leq .01$ ; \*\*\* $p \leq .005$ ; \*\*\*\* $p \leq .001$

not a significant difference. Nonintimate, however, was significantly greater than intimate ( $X_{\text{nonintimate}} = 4.623$  vs.  $X_{\text{intimate}} = 4.460$ ) (see Table 5.2).

The role-deed hypotheses also described rates of change of one value as compared to the other value within the role variable. Recall that the role-victim harm hypotheses stated that the increase in mean scores for authority would be greater than for equality when harm increased; and, the increase in mean scores for nonintimate would be greater than for intimate relationships when harm increased. The first hypothesis was supported. In Table 5.3, under “high victim harm minus low victim harm” in the “grand total” column, .803 for authority indicates that the mean seriousness score for wrongdoing related to an authority actor rose by .803 when victim harm was increased; in comparison, equality only rose by .695. The second hypothesis was not supported since intimate rose slightly more than nonintimate. While it is possible to compare the scores in Table 5.3, a more effective way to see the impact is by graphical comparisons.<sup>3</sup> In Figure 5.2, data for total respondents are line-graphed. The slopes of the lines represent the degree of impact on the role variable, attributed to the change in the deed variable. As shown in the chart for low-to-high victim harm, the authority line is noticeably steeper than equality indicating that the increase in mean seriousness level in authority was greater relative to the increase in equality. As well, note that the slope of the intimate line is slightly steeper than for the nonintimate line when victim harm increased.

In combining **roles and mental state**, it was expected that mean seriousness for hierarchy values would tend to equalize; and, it was expected that intimacy would be-

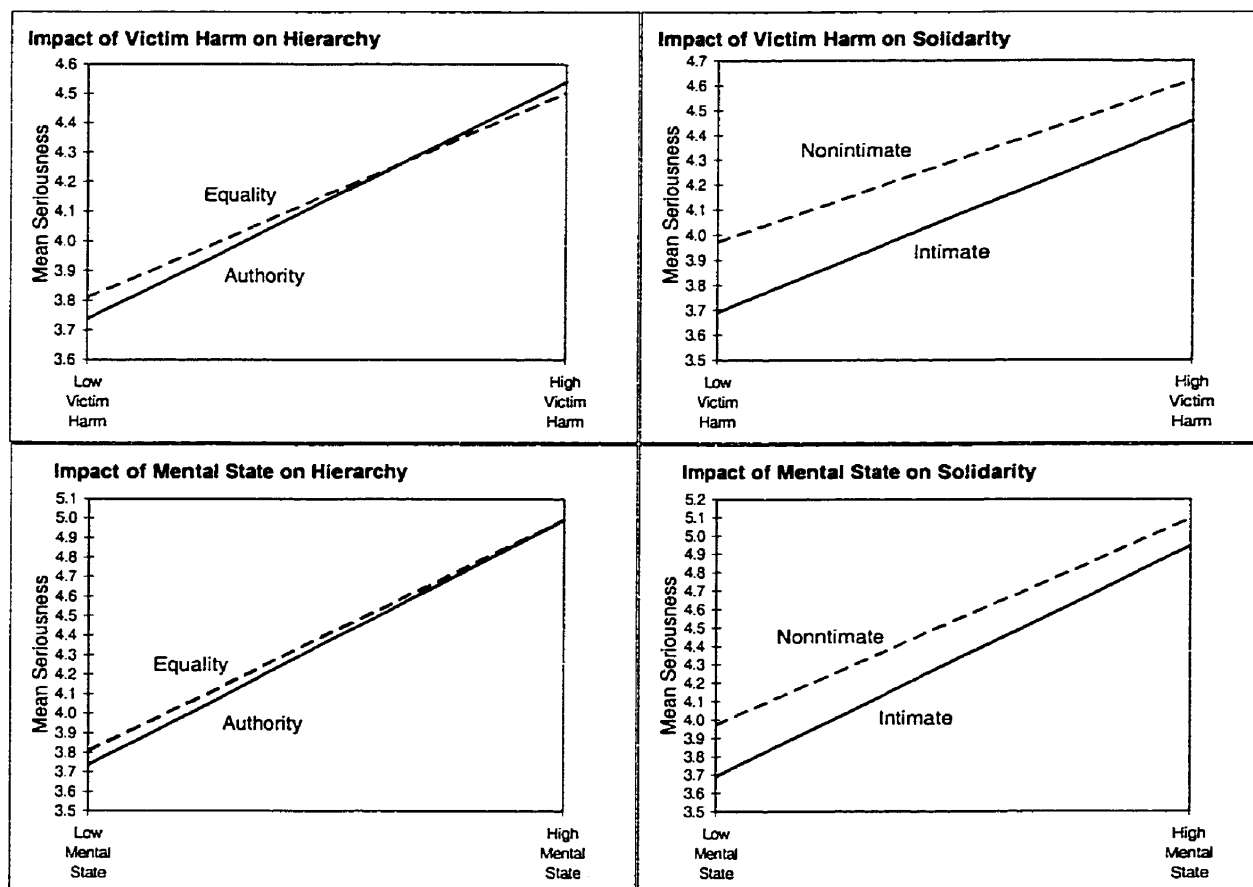


**Table 5.3: Role-Deed Interrelation: Impact on Mean Seriousness Scores, by Respondent Subgroup**

<b>Independent Variables</b>	<b>Canadian Men</b>	<b>Canadian Women</b>	<b>Japanese Men</b>	<b>Japanese Women</b>	<b>Grand Total</b>
High Victim Harm Minus Low Victim Harm					
Hierarchy					
Authority	0.717	0.780	0.822	1.036	0.803
Equality	0.678	0.768	0.671	0.723	0.695
Solidarity					
Intimate	0.698	0.778	0.805	0.883	0.770
Nonintimate	0.681	0.758	0.550	0.723	0.652
High Mental State Minus Low Mental State					
Hierarchy					
Authority	1.145	1.298	1.263	1.504	1.254
Equality	1.220	1.290	1.066	1.270	1.184
Solidarity					
Intimate	1.153	1.283	1.281	1.450	1.254
Nonintimate	1.289	1.308	0.848	1.143	1.122

Source: Tables 5.1 and 5.2.

**Figure 5.2: Role-Deed Interrelation: Impact of Changing Deeds, Total Respondents**



Source: Tables 5.1 and 5.2.

come more serious than nonintimacy. Data are shown in Table 5.2 (see “grand total” column). Results indicated support for the hierarchy-mental state expectation in that differences in mean scores between authority and equality were very close and not significantly different ( $X_{\text{authority}} = 4.991$  vs.  $X_{\text{equality}} = 4.993$ ). Results did not confirm the solidarity-mental state hypothesis. In fact, mean seriousness for nonintimate continued to be significantly higher than intimate mean scores ( $X_{\text{intimate}} = 4.991$  vs.  $X_{\text{nonintimate}} = 5.093$ ).

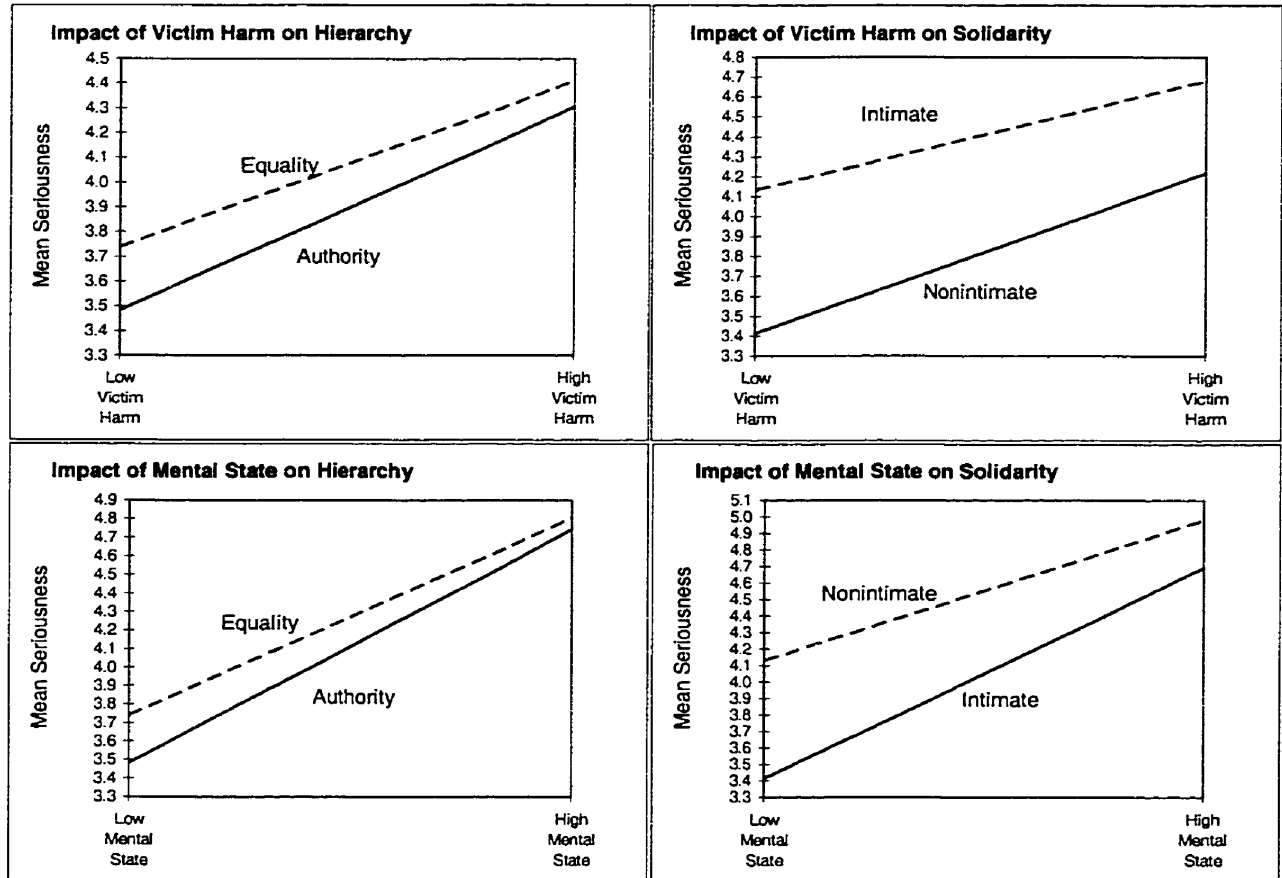
With regards to hypotheses about variations in mean scores after increasing the mental state, support again varied. While it was expected that equality would show a greater increase in seriousness than authority, authority in fact rose more than equality. The rise in mean score for authority was 1.254 when mental state was increased as compared to 1.184 for equality (see Table 5.3). Again, this can be seen graphically in Figure 5.2 where the impact of mental state on hierarchy shows a steeper line for authority than for equality. It was also expected that intimacy would show a greater increase than nonintimacy due to increased mental state. This was supported in the findings. While mean seriousness for intimate relations remained significantly lower than for nonintimate relations, the increase in intimate mean score was greater ( $X_{\text{intimate}} = 1.254$  vs.  $X_{\text{nonintimate}} = 1.122$  in Table 5.3). Figure 5.2 shows the line graphs for impact of mental state on solidarity where intimate is slightly steeper than nonintimate.

The roles-mental state results are consistent with Hamilton's and Sanders' 1992 study. They also found less discrepancy between authority and equality when the act was intentional. Also consistent was the finding that intimacy was more affected than nonin-

timacy by information about mental state. The next section discusses whether general findings held for each subgroup.

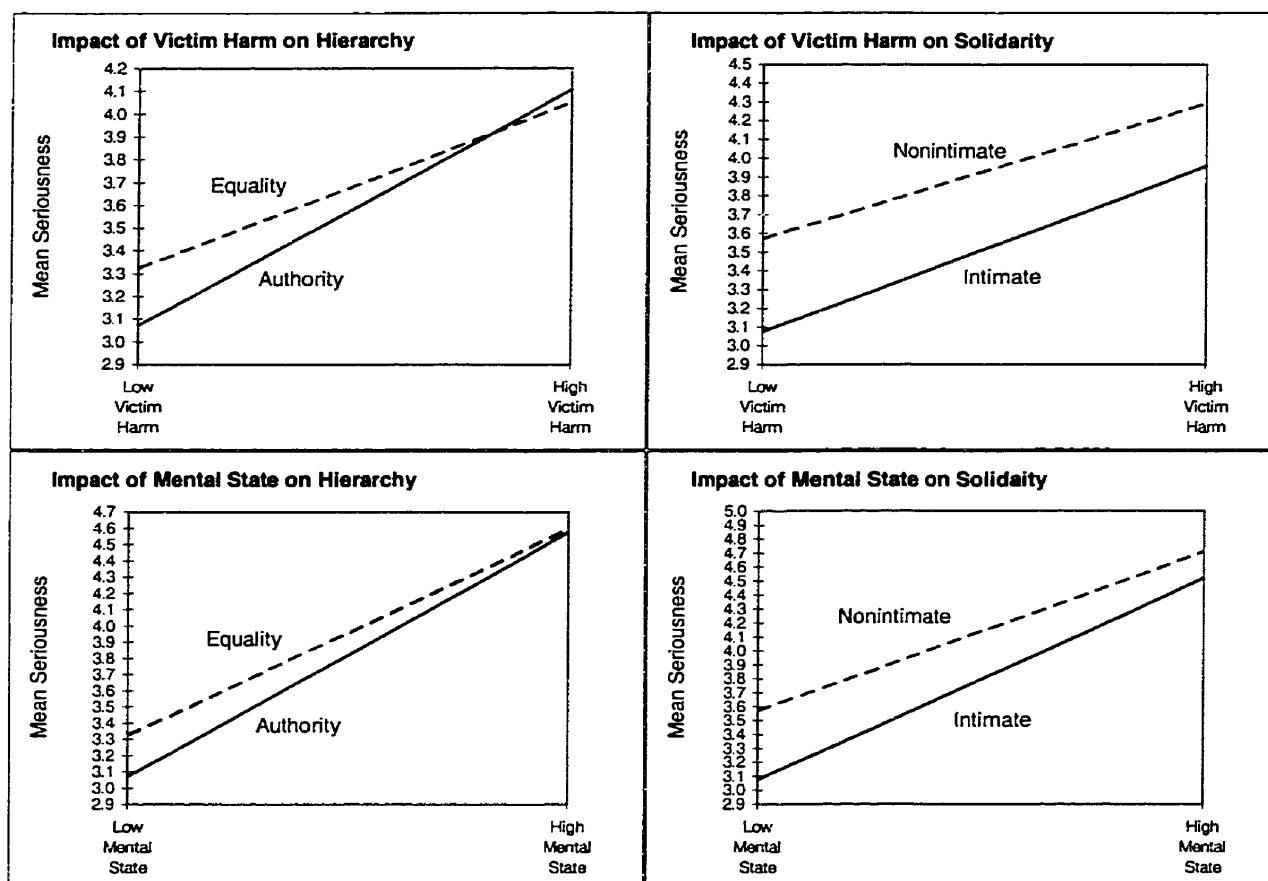
**Subgroups.** Respondent subgroups revealed varying support for expectations about the roles-victim harm interrelationship. Recall that the **hierarchy-victim harm** hypotheses were that authority would be greater than equality, and, that authority would rise more than equality when harm increased. Support from the subgroups varied in that the Canadian men and Japanese women viewed authority to be more serious at high victim harm (see Table 5.2). For Japanese women, it is noteworthy that originally they viewed equality more seriously; but the differences were not significant in either case. Also interesting is that for Japanese men, this impact was such that the original significant difference between higher mean equality vs. lower mean authority, was now not significant. It appears that at high victim harm, the Japanese groups tended to view authority more severely than before. As Table 5.3 shows, for all four subgroups, increasing victim harm on hierarchical relationships had greater impact on mean seriousness scores for authority than for equality relationships. In particular, the increases were more obvious for the Japanese groups as shown in Figures 5.3 and 5.4 where impact of victim harm on hierarchy is represented by steeper slopes for authority (variations were much slighter for the Canadian groups, therefore, graphics are not included here). Thus the variational expectation was more strongly confirmed by the Japanese data.

**Figure 5.3: Role-Deed Interrelation: Impact of Changing Deeds, Japanese Men**



Source: Tables 5.1 and 5.2.

**Figure 5.4: Role-Deed Interrelation: Impact of Changing Deeds, Japanese Women**



Source: Tables 5.1 and 5.2.

For the **solidarity-victim harm** hypotheses that nonintimate relationships would be regarded more seriously than intimate, and that nonintimate mean seriousness would increase even more than intimate, findings varied. The Canadian groups' mean intimate vs. nonintimate mean scores continued to be very close (see Table 5.2). However, both Japanese groups continued to judge nonintimate more seriously than intimate. Interestingly, for all subgroups the increases in mean intimate scores were greater than for nonintimate (see Table 5.3), opposite to what was expected. This pattern was stronger for the Japanese than Canadians. The impact on solidarity can be seen in Figure 5.3 for the Japanese men, and in Figure 5.4 for the Japanese women where the impact of victim harm on solidarity shows a slightly steeper line graph for intimate than nonintimate. (Differences in mean scores for the Canadian groups were slight and so graphs are not included here).

Roles-mental state findings appeared to be better supported on the hierarchy than solidarity variable. For **hierarchy-mental state**, recall that the hypotheses were that mean seriousness for authority and equality relationships would equalize, and that mean seriousness for equality relationships would increase even more than for authority. As shown in Table 5.2 ("high mental state and hierarchy"), differences between authority and equality were not significant across all four respondent subgroups. This could be interpreted as indicative of support for the first hypothesis of "equal" means. However, for relative increases in mean seriousness, only the Canadian men had a greater increase in mean seriousness for equality as compared to authority relationships (see Table 5.3, "high mental state minus low mental state"). Hamilton and Sanders (1992) also found in their

hierarchy-mental state data that for both Americans and Japanese, authority was judged similarly to equality relationships when the act was done on purpose.

For **solidarity-mental state**, recall that the hypotheses were that intimate relationships would be judged more seriously than nonintimate, and that mean seriousness would increase even more for intimate than for nonintimate relationships. Little support was found for the hypotheses; however, the Japanese groups both indicated greater increases in mean seriousness for intimate over nonintimate relationships (see Figures 5.3 and 5.4, impact of mental state on solidarity where line for intimate is steeper than nonintimate). As shown in Table 5.3, when mental state was increased for the Canadian groups the increases in mean scores for nonintimate were actually greater than for intimate relationships. For Canadian men, this represented a reversal of the group's original relationship, but neither cases were significant. Japanese groups were more consistent. Even though increases in mean scores for intimate were greater than nonintimate relationships, the nonintimate relationships continued to be significantly judged more seriously. In their findings about solidarity-mental state, Hamilton and Sanders (1992) found Japanese to be more sensitive to mental state information for intimate relationships while Americans were sensitive for both intimate and nonintimate relationships.

The complexity of the harm and intention relationship discussed earlier in the literature review about responsibility attribution, is highlighted in this study's findings. In comparing role-deed results, it is interesting to note the different impact of victim harm as compared to mental state. Recall the earlier finding that high victim harm was judged more seriously than high mental state. The impact on roles of increasing mental state was



greater than increasing victim harm such that mean scores for role-mental state were greater than for role-victim harm (compare the upper and lower halves in Table 5.3; also compare heights of line graphs in Figure 5.1).

The above descriptive findings indicated varying support for the hypotheses. With regards to the directional hypotheses, the roles-related expectations were partly met; however, expectations related to deeds were clearly supported. Canadian men appeared to hold opposing views to the other respondents in that they regarded both authority and intimate relationships more seriously. With regards to the variational hypotheses, the Japanese groups did reveal greater variations between role variable values. However, all groups, not only the Canadians, had significant differences between deed variable values.

Results of role-deed interrelationships were also interesting. While most respondents (except Canadian men) tended to judge authority less seriously than equality, the impact of increasing victim harm was such that the increased seriousness for authority over equality resulted in findings that supported expectations. Seriousness of nonintimate over intimate relationships held even at high mental state. This finding did not support the expectation that if individuals received information that the act was intended (as implied by being a repeated deed), then intimate relationships would be seen to be more serious. While the Japanese respondents appeared to move towards this view (that is, their intimacy mean score rose higher than nonintimacy), the results were that all respondent groups continued to judge nonintimacy more seriously. Variations between the sub-groups were considerable and warrant further investigation. The next section provides

further analyses of the relationships between culture, gender and respondents' perceptions of wrongdoing seriousness.

## **5.2 How Culture and Gender Impact Judgements about Wrongdoing Seriousness: MANOVA Results**

### **5.2.1 Roles and Deeds**

Two-way, 2 (culture)  $\times$  2 (gender) ANOVAs were run for each variable grouping of seriousness scores (see Appendix 2). As before, roles and deeds are discussed first, followed by role-deed interrelation. MANOVA findings will be presented in the following order: main effects, univariate F test results, and, analysis of simple effects. Results are organized by the following four comparisons of mean seriousness scores:

- (a) mean scores for authority groups vs. equality groups;
- (b) mean scores for intimate relationship groups vs. nonintimate relationship groups;
- (c) mean scores for low victim harm groups vs. high victim harm groups; and,
- (d) mean scores for low mental state groups vs. high mental state groups.

As shown in Table 5.4, MANOVA results revealed significant **culture-by-gender** interaction effects at the .05 level for all the variables (**hierarchy, solidarity, victim harm and mental state**). This means that the effect of culture on seriousness judgements was not the same between male and female respondents; and vice versa, that the effect of gender was not the same for Canada as for Japan (see "interaction effects" column). The

**Table 5.4: Results of Multivariate Analyses of Variance**

	Interaction Effects	Main Effects	
	H <sub>0</sub> : no culture-gender interaction	H <sub>0</sub> : no culture differential effects	H <sub>0</sub> : no gender differential effects
<b>HIERARCHY</b>			
	Hotellings = .020 F(2, 319) = 3.129 $\rho = .045$ * <i>can reject H<sub>0</sub></i>	Hotellings = .135 F(2, 319) = 21.561 $\rho = .000$ **** <i>can reject H<sub>0</sub></i>	Hotellings = .006 F(2, 319) = .900 $\rho = .407$
<b>SOLIDARITY</b>			
	Hotellings = .027 F(2, 319) = 4.282 $\rho = .015$ * <i>can reject H<sub>0</sub></i>	Hotellings = .177 F(2, 319) = 28.242 $\rho = .000$ **** <i>can reject H<sub>0</sub></i>	Hotellings = .003 F(2, 319) = .533 $\rho = .587$
<b>VICTIM HARM</b>			
	Hotellings = .020 F(2, 319) = 3.194 $\rho = .042$ * <i>can reject H<sub>0</sub></i>	Hotellings = .092 F(2, 319) = 14.684 $\rho = .000$ **** <i>can reject H<sub>0</sub></i>	Hotellings = .006 F(2, 319) = .914 $\rho = .402$
<b>MENTAL STATE</b>			
	Hotellings = .021 F(2, 319) = 3.373 $\rho = .036$ * <i>can reject H<sub>0</sub></i>	Hotellings = .082 F(2, 319) = 13.100 $\rho = .000$ **** <i>can reject H<sub>0</sub></i>	Hotellings = .064 F(2, 319) = 1.020 $\rho = .362$

\* $\rho \leq .05$ ; \*\* $\rho \leq .01$ ; \*\*\* $\rho \leq .005$ ; \*\*\*\* $\rho \leq .001$

effect of each independent variable (culture and gender) separate from the other independent variable, was then measured. These main effects are also shown in Table 5.4.

There were no significant **gender** differential effects. However, **culture** had, on average, a significant (.001 level) main effect on all four groups of seriousness scores.

**Follow-Up Analyses.** The significant MANOVA findings pointed to the necessity to continue with the follow-up analyses in order to more accurately examine the effects of culture and gender on differences found between groups of seriousness scores. Univariate F tests (ANOVAs) were conducted on each of the variables (culture and gender) in order to analyse between-group differences on seriousness of wrongdoing. Results are shown in Table 5.5. Following the univariate analysis, simple effects analysis was conducted in order to elaborate on the results of culture and gender effects on wrongdoing seriousness. Findings from the simple effects analysis are shown in Table 5.6.

**(a) mean scores for authority groups vs. equality groups**

Earlier in the descriptive overview section, results suggested that the Japanese mens' and Japanese womens' mean scores were more discrepant than in the Canadian groups. Canadian women and both Japanese groups, on average, rated equality relationships more seriously than authority relationships (differences were not significant for the women). Also, Canadian men viewed authority more seriously than equality. These findings must be qualified since there was a significant culture-gender interaction effect.

As shown in Table 5.5, under "hierarchy," **gender** was not found to directly influence judgement of wrongdoing; however, univariately, there was a significant (at  $p=.05$

**Table 5.5: Results of Univariate Analyses of Variance****HIERARCHY**

Source of Variation	Authority					Equality				
	Sum of squares	df	Mean square	F	p value	Sum of squares	df	Mean square	F	p value
culture	41.860	1	41.860	40.288	.000 ****	15.630	1	15.630	14.884	.000 ****
gender	1.696	1	1.696	1.633	.202	.564	1	.564	.537	.464
culture x gender	4.012	1	4.012	3.862	.050 *	6.592	1	6.592	6.277	.013 *
residual	332.482	320	1.039			336.045	320	1.050		
total	380.050	323	48.607			358.831	323	23.836		

**SOLIDARITY**

Source of Variation	Intimate					Nonintimate				
	Sum of squares	df	Mean square	F	p value	Sum of squares	df	Mean square	F	p value
culture	41.923	1	41.923	40.571	.000 ****	1.924	1	1.924	1.489	.223
gender	.623	1	.623	.603	.438	1.362	1	1.362	1.053	.305
culture x gender	3.689	1	3.689	3.570	.060	11.096	1	11.096	8.586	.004 ***
residual	330.662	320	1.033			413.561	320	1.292		
total	376.897	323	47.268			427.943	323	15.674		

**VICTIM HARM**

Source of Variation	Low Victim Harm <sup>1</sup>					High Victim Harm				
	Sum of squares	df	Mean square	F	p value	Sum of squares	df	Mean square	F	p value
culture	22.804	1	22.804	24.094	.000 ****	23.160	1	23.160	20.718	.000 ****
gender	.870	1	.870	.920	.338	.107	1	.107	.095	.758
culture x gender	5.708	1	5.708	6.031	.015 *	3.679	1	3.679	3.291	.071
residual	302.868	320	.946			357.715	320	1.118		
total	332.250	323	30.328			384.661	323	28.064		

**MENTAL STATE**

Source of Variation	Low Mental State <sup>1</sup>					High Mental State				
	Sum of squares	df	Mean square	F	p value	Sum of squares	df	Mean square	F	p value
culture	22.804	1	22.804	24.094	.000 ****	19.570	1	19.570	23.752	.000 ****
gender	.870	1	.870	.920	.338	.027	1	.027	.032	.857
culture x gender	5.708	1	5.708	6.031	.015 *	5.173	1	5.173	6.278	.013 *
residual	302.868	320	.946			263.667	320	.824		
total	332.250	323	30.328			288.437	323	25.594		

\* $p \leq .05$ ; \*\* $p \leq .01$ ; \*\*\* $p \leq .005$ ; \*\*\*\* $p \leq .001$

<sup>1</sup>Data for Low Victim Harm and Low Mental State are equivalent as they are represented by the same group of vignettes. (See Appendix 2 for vignette mapping.)

**Table 5.6: Results of Simple Effects Analyses**

**HIERARCHY**

Mean Seriousness Scores for Authority Relationships				Mean Seriousness Scores for Equality Relationships			
	Male	Female	row statistics		Male	Female	row statistics
Canada	4.040	4.128	→ F(1,320)=.250, $\rho$ =.617	Canada	3.912	4.138	→ F(1,320)=1.665, $\rho$ =.198
Japan	3.483	3.071	→ F(1,320)=4.979, $\rho$ =.026*	Japan	3.739	3.325	→ F(1,320)=4.965, $\rho$ =.027*
column statistics	↓ F(1,320)=17.479, $\rho$ =.000 ****	↓ F(1,320)=23.815, $\rho$ =.000 ****	Total Mean=3.737 (n=324); s.d.=1.080	column statistics	↓ F(1,320)=1.665, $\rho$ =.198	↓ F(1,320)=13.957, $\rho$ =.000 ****	Total Mean=3.809 (n=324); s.d.=1.045

**SOLIDARITY**

Mean Seriousness Scores for Intimate Relationships				Mean Seriousness Scores for Nonintimate Relationships			
	Male	Female	row statistics		Male	Female	row statistics
Canada	3.981	4.122	→ F(1,320)=.656, $\rho$ =.418	Canada	3.890	4.160	→ F(1,320)=1.919, $\rho$ =.167
Japan	3.413	3.075	→ F(1,320)=3.365, $\rho$ =.068	Japan	4.132	3.571	→ F(1,320)=7.412, $\rho$ =.007**
column statistics	↓ F(1,320)=18.268, $\rho$ =.000 ****	↓ F(1,320)=23.511, $\rho$ =.000 ****	Total Mean=3.690 (n=324); s.d.=1.076	column statistics	↓ F(1,320)=2.662, $\rho$ =.104	↓ F(1,320)=5.937, $\rho$ =.015 *	Total Mean=3.971 (n=324); s.d.=1.148

**VICTIM HARM**

Mean Seriousness Scores for Low Level of Victim Harm				Mean Seriousness Scores for High Level of Victim Harm			
	Male	Female	row statistics		Male	Female	row statistics
Canada	3.952	4.134	→ F(1,320)=1.187, $\rho$ =.277	Canada	5.148	5.427	→ F(1,320)=2.386, $\rho$ =.123
Japan	3.655	3.241	→ F(1,320)=5.521, $\rho$ =.019*	Japan	4.787	4.588	→ F(1,320)=1.073, $\rho$ =.301
column statistics	↓ F(1,320)=5.476, $\rho$ =.020 *	↓ F(1,320)=18.693, $\rho$ =.000 ****	Total Mean=3.785 (n=324); s.d.=1.005	column statistics	↓ F(1,320)=6.822, $\rho$ =.009 **	↓ F(1,320)=13.967, $\rho$ =.000 ****	Total Mean=4.992 (n=324); s.d.=1.086

**MENTAL STATE**

Mean Seriousness Scores for Low Level of Mental State				Mean Seriousness Scores for High Level of Mental State			
	Male	Female	row statistics		Male	Female	row statistics
Canada	3.952	4.134	→ F(1,320)=1.187, $\rho$ =.277	Canada	4.642	4.905	→ F(1,320)=2.864, $\rho$ =.092
Japan	3.655	3.241	→ F(1,320)=5.521, $\rho$ =.019*	Japan	4.374	4.070	→ F(1,320)=3.415, $\rho$ =.066
column statistics	↓ F(1,320)=5.476, $\rho$ =.020 *	↓ F(1,320)=18.693, $\rho$ =.000 ****	Total Mean=3.785 (n=324); s.d.=1.005	column statistics	↓ F(1,320)=5.103, $\rho$ =.025 *	↓ F(1,320)=18.768, $\rho$ =.000 ****	Total Mean=4.515 (n=324); s.d.=.937

\* $\rho \leq .05$ ; \*\*  $\rho \leq .01$ ; \*\*\*  $\rho \leq .005$ ; \*\*\*\*  $\rho \leq .001$

level) **culture-by-gender** interaction effect on perception of seriousness when the actor was in an authority position over the victim [ $F(1,320)=3.862$ ,  $p=.050$ ]. This interaction effect also significantly occurred for seriousness scores for equal actor-victim relationships at the .05 level [ $F(1,320)=6.277$ ,  $p=.013$ ]. **Culture** was found to have a significant effect (.001 level) on seriousness scores for authority relationships [ $F(1,320)=40.288$ ,  $p=.000$ ] as well as for equality relationships [ $F(1,320)=14.884$ ,  $p=.000$ ]. The size of the F ratio was greater for culture than for gender meaning that culture explained a greater proportion of the variation in seriousness scores between authority and equality than did gender.

Since the culture-by-gender interaction effect was found to be significant for judgements regarding hierarchical relationships a **simple effects analysis** was performed in order to study the variation in the culture effect between males and females and vice versa (that is, how the culture effect changed from gender-to-gender as well as how the gender effect changed from culture-to-culture). Results of the simple effects analysis are provided in Table 5.6 (under “hierarchy”) which shows the strength of the culture effect on seriousness for hierarchical relationships.

Univariately, there was a significant **culture** effect for females’ mean seriousness scores ( $X_{\text{Canada}}=4.128$  vs.  $X_{\text{Japan}}=3.071$ ) on authority relations at the .001 level [ $F(1,320)=23.815$ ,  $p=.000$ ]. As well, there was a significant (.001 level) culture effect on females’ mean scores for equality relations ( $X_{\text{Canada}}=4.138$  vs.  $X_{\text{Japan}}=3.325$ ; [ $F(1,320)=13.957$ ,  $p=.000$ ]). This means that the perception of seriousness of wrongdoing was significantly

different between Canadian females and Japanese females for both authority and equality, with significantly higher mean scores attributed by Canadian women. Weaker cultural effects were found for men. There was no significant difference between Canadian men's and Japanese men's perception of seriousness for equality, however, there was a significant difference for authority [ $F(1,320)=17.479$ ,  $p=.000$ ]. Canadian men ( $X=4.040$ ) had on average, higher seriousness scores than Japanese men ( $X=3.483$ ).

The **gender** effect on its own was found to be nonsignificant in the Canadian group; however, univariately, there was a significant gender effect for Japanese respondents. The Japanese males' and females' mean seriousness scores on authority [ $F(1,320)=4.979$ ,  $p=.026$ ], and on equality relationships [ $F(1,320)=4.965$ ,  $p=.027$ ] were significantly different from each other at the .05 level (see Table 5.6, under "hierarchy"). Japanese men on average, tended to view wrongdoing more seriously than did Japanese women for both authority ( $X_{\text{men}}=3.483$  vs.  $X_{\text{women}}=3.071$ ) and equality ( $X_{\text{men}}=3.739$  vs.  $X_{\text{women}}=3.325$ ) relationships.

In summary, views about wrongdoing seriousness were affected by cultural as well as gender differences. Canadian women tended, on average, to view wrongdoing involving authority or equality relationships more seriously than Japanese women. Canadian men as compared to Japanese men, had a higher mean seriousness score for deeds where actor and victim shared authority relationships. With regards to gender differences, Japanese men tended on average to attribute higher seriousness levels than Japa-



nese women. Fewer significant univariate culture and gender effects were found for solidarity. These findings are presented in the following section.

**(b) mean scores for intimate vs. nonintimate relationships**

The general overview of findings described greater variation in Japanese mean scores for solidarity values, as expected. Japanese men and women tended to rate nonintimate relationships between actor and victim more seriously than for intimate relationships. The Canadian differences were not significant. For the Japanese, the discrepancy in mean scores between intimate and nonintimate relationships was even wider than that found between authority and equality. As with hierarchy, main and interaction effects of culture and gender were significant and needed to be taken into account in analysing the mean seriousness scores.

Consistent with findings for hierarchy, the **gender** effect in itself was mostly not statistically significant. The impact of culture as compared to gender was, however, found to be different for intimate relationships than for nonintimate ones. The following statistics are presented in Table 5.5 (under “solidarity”). While the culture-by-gender interaction effect was not significant for intimate relationships, there was a significant (at .005 level) univariate **culture-by-gender** interaction effect on perception of seriousness when the actor and victim were related nonintimately [ $F(1,320)=8.586, p=.004$ ]. On average, there was a significant (at .001 level) **culture** effect on seriousness scores for intimate relationships [ $F(1,320)=40.571, p=.000$ ] but not nonintimate relationships. The sizes of the F ratios were higher for culture than for gender indicating that culture ex-

plained a greater proportion of the variation in seriousness scores between intimate and nonintimate than did gender.

Since the culture-by-gender interaction effect was significant for nonintimate relationship, a **simple effects analysis** was carried-out. As shown in Table 5.6 (under “solidarity”), for females the **culture** effect on seriousness for both intimate [ $F(1,320)=23.511, p=.000$ ] and nonintimate relationships [ $F(1,320)=5.937, p=.015$ ] was significant (at the .001 and .05 level respectively). Canadian females’ mean seriousness scores were higher than for the Japanese women ( $X_{\text{Canada}}=4.122$  vs.  $X_{\text{Japan}}=3.075$  for intimate; and  $X_{\text{Canada}}=4.160$  vs.  $X_{\text{Japan}}=3.571$  for nonintimate). In other words, the perception of seriousness of wrongdoing was significantly different between Canadian and Japanese females for both groupings -- when the actor-victim shared an intimate relationship as well as when it was nonintimate. For males, the culture effect was significant at the .001 level for intimate relationships only. Canadian and Japanese males’ mean seriousness scores were  $X_{\text{Canada}}=3.981$  vs.  $X_{\text{Japan}}=3.413$ .

There was no significant **gender** effect found for the Canadian group. Thus, Canadian mens’ and womens’ mean seriousness scores were not statistically different from each other. Univariately, the gender effect was found to be significant at the .05 level for the Japanese on nonintimate relationships [ $F(1,320)=7.412, p=.007$ ] where men tended to have higher mean scores than the women ( $X_{\text{male}}=4.132$  vs.  $X_{\text{female}}=3.571$ ). Thus, generally for both hierarchy and solidarity role variables, gender differences were found in the Japanese group (but not significant for intimate relationships).

In summary, cultural differences impacted seriousness views such that Canadian women on average attributed higher seriousness scores than Japanese women. Japanese men also had higher mean scores than Japanese women, but only for wrongdoing in which actor and victim shared nonintimate relationships. The next two sections present findings associated with the deed variables. As will be discussed, more significant cultural differences were found for men than was the case with analysis of the roles. The gender differences found in analyses of the impact of deed on respondents' view of seriousness were found to occur only in the Japanese group.

**(c) mean scores for low vs. high victim harm**

It was expected that Canadians tend to place more importance on deeds than the Japanese in judging wrongdoing. As discussed in the overview section, this expectation did not appear to be supported by the data. The differences in mean scores between low and high victim harm were significant for both the Japanese groups as well as Canadian groups. As with the role variables, main and interaction effects of culture and gender were significant and needed to be taken into account in analysing the seriousness scores.

There was no significant **gender** effect found for either level of victim harm. The **culture-by-gender** interaction effect was significant (at .05 level) for low harm [ $F(1,320) = 6.031, p = .015$ ]. On average, there was a significant **culture** effect for both low and high levels of victim harm [ $F(1,320) = 24.094, p = .000$ ; and  $F(1,320) = 20.718, p = .000$ ] at the .001 level. Culture, as compared to gender, explained a greater proportion of the variation in seriousness scores between low and high victim harm. The statistics are presented in Table 5.5, under "victim harm."

Since the culture-by-gender interaction effect was significant, **simple effects analysis** was conducted. Simple effects analysis, presented in Table 5.6 (under “victim harm”), shows that univariately, there was a significant **culture** effect for females’ seriousness scores at the .001 level for both low victim harm [ $F(1,320)=18.693, p=.000$ ] and for high victim harm [ $F(1,320)=13.967, p=.000$ ]. For low victim harm, Canadian women had a higher average seriousness score ( $X=4.134$ ) than did Japanese women ( $X=3.241$ ). Likewise, for high victim harm Canadian women’s mean seriousness score was higher at  $X=5.427$  vs. Japanese women’s mean score of  $X=4.588$ . The culture effect was also significant for men (at the .05 level) for low victim harm [ $F(1,320)=5.476, p=.022$ ] and for high victim harm [ $F(1,320)=6.822, p=.009$ ]. Again, Canadians had higher seriousness scores, on average, as compared to the Japanese male respondents ( $X_{\text{Canada}}=3.952$  vs.  $X_{\text{Japan}}=3.655$  for low victim harm; and  $X_{\text{Canada}}=5.148$  vs.  $X_{\text{Japan}}=4.787$  for high victim harm). Thus, the perception of seriousness of wrongdoing was significantly different between Canadian and Japanese women, and between Canadian and Japanese men, for both low and high victim harm.

While there was no significant gender effect found for high victim harm, there was a significant univariate **gender** effect for Japan on low victim harm at the .05 level [ $F(1, 320)=5.521, p=.019$ ] where men’s average scores were higher than women’s ( $X_{\text{men}}=3.655$  vs.  $X_{\text{women}}=3.241$ ). As with the role variables, univariate gender effect was not significant for the Canadian respondents.

In summary, results of analysis of victim harm indicated that cultural effects were stronger than gender effects. Canadian women viewed wrongdoing more seriously than Japanese women. The same pattern was found for Canadian vs. Japanese men. Japanese men had a higher mean seriousness score than Japanese women, but this was only for deeds causing low victim harm. Mental state, the other deed variable analysed, is also posited to be an important factor in influencing decisions about wrongdoing. As for victim harm, cultural differences were found to be stronger than gender effects. The following section presents findings for mental state.

**(d) mean scores for low vs. high mental state**

As with victim harm, it was expected that Canadians would place more importance than Japanese on mental state. The hypothesis was that the variation in wrongdoing seriousness will be greater in Canadians than in Japanese when mental state increases such that Canadian judgements will be even higher than before; Japanese respondents will not show as wide a difference in judgement scores. As described in the overview, this expectation did not appear to be supported by the data. The difference in mean scores between low and high mental state seemed to be as great in the Japanese group as in the Canadian group. As with the other variables, main and interaction effects of culture and gender were significant and needed to be taken into account in analysing the seriousness scores.

Univariately, there was a significant **culture-by-gender** interaction effect on perception of seriousness for both low and high mental state [ $F(1,320)=6.031$ ,  $p=.015$  and  $F(1,320)=6.278$ ,  $p=.013$ ] (see Table 5.5). There was no significant **gender** effect; how-

ever, on average, there was a significant **culture** effect at the .001 level for both low and high mental state [ $F(1,320)=24.094$ ,  $p=.000$  and  $F(1,320)=23.752$ ,  $p=.000$ ]. Thus, culture explained a greater proportion of the variation in seriousness scores between low and high mental state than did gender.

**Simple effects analysis** (Table 5.6, under “mental state”) shows the strength of the **culture** effect for both high and low levels of mental state. Univariately, there was a significant culture effect for females’ mean seriousness scores where Canadian women tended to view wrongdoing more seriously than Japanese women on both levels of mental state ( $X_{\text{Canada}}=4.134$  vs.  $X_{\text{Japan}}=3.241$  on low mental state; and  $X_{\text{Canada}}=4.905$  vs.  $X_{\text{Japan}}=4.070$  on high mental state). The same relationship held true for culture effect on men’s mean seriousness score [ $F(1,320)=5.476$ ,  $p=.020$  for low state; and  $F(1,320)=5.103$ ,  $p=.025$  for high state] at the .05 significance level. As was the case for women, Canadian men tended to view the wrongdoing more seriously than the Japanese men ( $X_{\text{Canada}}=3.952$  vs.  $X_{\text{Japan}}=3.655$  on low mental state; and  $X_{\text{Canada}}=4.642$  vs.  $X_{\text{Japan}}=4.374$  for high mental state). Thus, for both men and women, Canadians had on average, significantly higher mean seriousness scores than did the Japanese regardless of whether the deed was carried-out for the first time, or repeated.

In summary, results were similar to findings for victim harm in that there was no significant gender effect for the Canadian respondents. However, there was a significant (.05 level) univariate **gender** effect for the Japanese at low mental state [ $F(1,320)=5.521$ ,  $p=.019$ ] where Japanese men had higher average seriousness scores than did Japanese

women ( $X_{\text{men}}=3.655$  vs.  $X_{\text{women}}=3.241$ ). Findings regarding the gender effect for the two deed variables were significant for the Japanese group at low levels.<sup>4</sup> In contrast, a univariate gender effect was found to be significant for the Japanese respondents when analysing the role variables (authority and equality relationships as well as nonintimate relationships). These findings further indicated that the expected variations in Canadian vs. Japanese respondents were not well supported for the deed variables. That is, both Japanese and Canadians revealed significant variations in their mean seriousness scores between low and high levels of harm and of mental state.

Another way to examine the variation in mean seriousness scores was to re-analyse the impact of roles after controlling for victim harm and mental state. Thus, focus was on what would happen if role information varied when the level of victim harm was high. As well, what would be the impact when mental state was high? This exploration (in the sense that no formal hypotheses were developed) involved making similar comparisons of the groupings of seriousness scores as conducted previously but the mean scores would represent those roles when victim harm was high; and, when mental state was high. The following section presents the findings from this further investigation.

### **5.2.2 Role-Deed Interrelationship**

Analysis of roles and mean seriousness scores were made controlling for deeds. Results below report on hierarchy and solidarity for high levels of victim harm, and high levels of mental state. References are made to earlier findings for the role variables with-

out the deed impact (this is referred to as the “low levels” of victim harm and mental state). Results below are organized by the four comparisons of mean scores:

- (a) for low to high victim harm: mean scores for authority groups vs. equality groups;
- (b) for low to high victim harm: mean scores for intimate relationships groups vs. non-intimate relationships groups;
- (c) for low to high mental state: mean scores for authority groups vs. equality groups; and,
- (d) for low to high mental state: mean scores for intimate relationships groups vs. nonintimate relationships groups.

**(a) low to high victim harm: mean scores for authority vs. equality**

MANOVA results are shown in Table 5.7 (under “high victim harm and hierarchy”). Consistent with previous main effects findings, the main effect of **gender** was not significant; the **culture** effect, however, was very strong (being significant at the .001 level). The **culture-by-gender** interaction effect was significant at the .05 level. Univariate analysis, however, revealed this interaction effect to be significant only for equality relationships and not authority (see Table 5.8, under “high victim harm and hierarchy”). Univariate analysis of variance also revealed that there was, on average, a significant culture effect at the .001 level for both authority and equality [ $F(1,320)=28.985, p=.000$ ; and  $F(1,320)=19.111, p=.000$ ].

**Simple effects analysis** (Table 5.9, under “high victim harm and hierarchy”) shows the strength of the **culture** effect for both authority and equality. Univariately,



**Table 5.7: Role-Deed Interrelation: Results of Multivariate Analyses of Variance**

	Interaction Effects	Main Effects	
	H <sub>0</sub> : no culture-gender interaction	H <sub>0</sub> : no culture differential effects	H <sub>0</sub> : no gender differential effects
<b>HIGH VICTIM HARM</b>			
<b>&amp; HIERARCHY</b>			
	Hotellings = .031 F(2, 319) = 5.055 $\rho = .007^{**}$ <i>can reject H<sub>0</sub></i>	Hotellings = .091 F(2, 319) = 14.447 $\rho = .000^{****}$ <i>can reject H<sub>0</sub></i>	Hotellings = .000 F(2, 319) = .021 $\rho = .979$
<b>&amp; SOLIDARITY</b>			
	Hotellings = .025 F(2, 319) = 4.058 $\rho = .018^{*}$ <i>can reject H<sub>0</sub></i>	Hotellings = .149 F(2, 319) = 23.691 $\rho = .000^{****}$ <i>can reject H<sub>0</sub></i>	Hotellings = .000 F(2, 319) = .015 $\rho = .985$
<b>HIGH MENTAL STATE</b>			
<b>&amp; HIERARCHY</b>			
	Hotellings = .011 F(2, 319) = 1.850 $\rho = .159$	Hotellings = .069 F(2, 319) = 10.987 $\rho = .000^{****}$ <i>can reject H<sub>0</sub></i>	Hotellings = .000 F(2, 319) = .055 $\rho = .946$
<b>&amp; SOLIDARITY</b>			
	Hotellings = .012 F(2, 319) = 1.979 $\rho = .140$	Hotellings = .085 F(2, 319) = 12.038 $\rho = .000^{****}$ <i>can reject H<sub>0</sub></i>	Hotellings = .001 F(2, 319) = .139 $\rho = .870$

\* $\rho \leq .05$ ; \*\* $\rho \leq .01$ ; \*\*\* $\rho \leq .005$ ; \*\*\*\* $\rho \leq .001$

**Table 5.8: Role-Deed Interrelation: Results of Univariate Analyses of Variance**

<b>HIGH VICTIM HARM &amp; HIERARCHY</b>										
Source of Variation	Authority					Equality				
	Sum of squares	df	Mean square	F	$\rho$ value	Sum of squares	df	Mean square	F	$\rho$ value
culture	25.241	1	25.241	28.985	.000 ****	17.356	1	17.356	19.111	.000 ****
gender	.035	1	.035	.040	.841	.033	1	.033	.036	.849
culture×gender	1.957	1	1.957	2.247	.135	7.414	1	7.414	8.164	.005 ***
residual	278.661	320	.871			290.617	320	.908		
total	305.894	323	28.104			315.42	323	25.711		

<b>HIGH VICTIM HARM &amp; SOLIDARITY</b>										
Source of Variation	Intimate					Nonintimate				
	Sum of squares	df	Mean square	F	$\rho$ value	Sum of squares	df	Mean square	F	$\rho$ value
culture	31.657	1	31.657	35.921	.000 ****	4.256	1	4.256	3.985	.047 *
gender	.025	1	.025	.028	.866	.027	1	.027	.025	.874
culture×gender	3.727	1	3.727	4.230	.041 *	8.696	1	8.696	8.142	.005 ***
residual	282.012	320	.881			341.800	320	1.068		
total	317.421	323	36.29			354.779	323	14.047		

<b>HIGH MENTAL STATE &amp; HIERARCHY</b>										
Source of Variation	Authority					Equality				
	Sum of squares	df	Mean square	F	$\rho$ value	Sum of squares	df	Mean square	F	$\rho$ value
culture	26.745	1	26.745	21.870	.000 ****	21.675	1	21.675	18.783	.000 ****
gender	.077	1	.077	.063	.802	.121	1	.121	.105	.746
culture×gender	2.716	1	2.716	2.221	.132	4.111	1	4.111	3.563	.060
residual	391.337	320	1.223			369.276	320	1.154		
total	420.875	323	30.761			395.183	323	27.061		

<b>HIGH MENTAL STATE &amp; SOLIDARITY</b>										
Source of Variation	Intimate					Nonintimate				
	Sum of squares	df	Mean square	F	$\rho$ value	Sum of squares	df	Mean square	F	$\rho$ value
culture	28.028	1	28.028	23.379	.000 ****	14.583	1	14.583	11.665	.001 ****
gender	.165	1	.165	.138	.711	.009	1	.009	.007	.934
culture×gender	3.126	1	3.126	2.607	.107	4.965	1	4.965	3.971	.047 *
residual	383.633	320	1.199			400.046	320	1.250		
total	414.952	323	32.518			419.603	323	20.807		

\* $p \leq .05$ ; \*\* $p \leq .01$ ; \*\*\* $p \leq .005$ ; \*\*\*\* $p \leq .001$

**Table 5.9: Role-Deed Interrelation: Results of Simple Effects Analyses**

**HIGH VICTIM HARM & HIERARCHY**

Mean Seriousness Scores for Authority Relationships				Mean Seriousness Scores for Equality Relationships			
	Male	Female	row statistics		Male	Female	row statistics
Canada	4.757	4.908	→ F(1,320)=1.367, $\rho=.243$	Canada	4.590	4.906	→ F(1,320)=4.396, $\rho=.037$ *
Japan	4.305	4.107	→ F(1,320)=.893, $\rho=.345$	Japan	4.410	4.048	→ F(1,320)=3.768, $\rho=.053$
column statistics	↓ F(1,320)=13.736, $\rho=.000$ ****	↓ F(1,320)=16.328, $\rho=.000$ ****	Total Mean=4.540 (n= 324); s.d.=.972	column statistics	↓ F(1,320)=2.087, $\rho=.149$	↓ F(1,320)=18.011, $\rho=.000$ ****	Total Mean=4.504 (n= 324); s.d.=.978

**HIGH VICTIM HARM & SOLIDARITY**

Mean Seriousness Scores for Intimate Relationships				Mean Seriousness Scores for Nonintimate Relationships			
	Male	Female	row statistics		Male	Female	row statistics
Canada	4.679	4.900	→ F(1,320)=1.888, $\rho=.170$	Canada	4.571	4.918	→ F(1,320)=3.847, $\rho=.051$
Japan	4.218	3.958	→ F(1,320)=2.344, $\rho=.127$	Japan	4.682	4.294	→ F(1,320)=4.295, $\rho=.039$ *
column statistics	↓ F(1,320)=14.107, $\rho=.000$ ****	↓ F(1,320)=22.336, $\rho=.000$ ****	Total Mean=4.460 (n= 324); s.d.=.986	column statistics	↓ F(1,320)=.669, $\rho=.414$	↓ F(1,320)=8.106, $\rho=.005$ ***	Total Mean=4.623 (n= 324); s.d.=1.043

**HIGH MENTAL STATE & HIERARCHY**

Mean Seriousness Scores for Authority Relationships				Mean Seriousness Scores for Equality Relationships			
	Male	Female	row statistics		Male	Female	row statistics
Canada	5.185	5.426	→ F(1,320)=1.606, $\rho=.206$	Canada	5.132	5.428	→ F(1,320)=2.590, $\rho=.109$
Japan	4.746	4.575	→ F(1,320)=.727, $\rho=.394$	Japan	4.805	4.595	→ F(1,320)=1.158, $\rho=.283$
column statistics	↓ F(1,320)=9.240, $\rho=.003$ ***	↓ F(1,320)=13.108, $\rho=.000$ ****	Total Mean =4.991 (n= 324); s.d.=1.139	column statistics	↓ F(1,320)=5.447, $\rho=.020$ *	↓ F(1,320)=13.341, $\rho=.000$ ****	Total Mean=4.993 (n= 324); s.d.=1.100

**HIGH MENTAL STATE & SOLIDARITY**

Mean Seriousness Scores for Intimate Relationships				Mean Seriousness Scores for Nonintimate Relationships			
	Male	Female	row statistics		Male	Female	row statistics
Canada	5.134	5.405	→ F(1,320)=2.089, $\rho=.149$	Canada	5.179	5.468	→ F(1,320)=2.282, $\rho=.132$
Japan	4.694	4.525	→ F(1,320)=.732, $\rho=.393$	Japan	4.980	4.714	→ F(1,320)=1.727, $\rho=.190$
column statistics	↓ F(1,320)=9.440, $\rho=.002$ ***	↓ F(1,320)=14.339, $\rho=.000$ ****	Total Mean=4.944 (n= 324); s.d.=1.130	column statistics	↓ F(1,320)=1.842, $\rho=.176$	↓ F(1,320)=10.081, $\rho=.002$ ***	Total Mean=5.093 (n= 324); s.d.=1.134

\* $\rho \leq .05$ ; \*\* $\rho \leq .01$ ; \*\*\* $\rho \leq .005$ ; \*\*\*\* $\rho \leq .001$

there was a significant (at .001 level) culture effect for females' seriousness scores, where Canadian women tended on average to view wrongdoing more seriously than Japanese women for both authority and equality relationships ( $X_{\text{Canada}}=4.908$  vs.  $X_{\text{Japan}}=4.107$  on authority; and  $X_{\text{Canada}}=4.906$  vs.  $X_{\text{Japan}}=4.048$  on equality). The culture effect was also significant at the .001 level for mens' average seriousness scores for authority but not equality relationships [ $F(1,320)=13.736$ ,  $p=.000$  for authority]. As was the case for women, Canadian men tended view the wrongdoing more seriously than Japanese men when the actor was in an authority position and when victim harm was high ( $X_{\text{Canada}}=4.757$  vs.  $X_{\text{Japan}}=4.305$ ). Canadians had on average, higher seriousness scores than did the Japanese regardless of the hierarchical relationship between actor and victim (but equality was not significant). These findings were consistent with earlier hierarchical relationships analysed at low victim harm.

Recall that at low victim harm and hierarchy a significant univariate **gender** effect was found for Japan (Table 5.6, under "hierarchy"). At high victim, the univariate gender effect for Japan was not significant.<sup>5</sup> Interestingly, though, it was significant (at the .05 level) on equality for the Canadians and was close to being significant (with a  $p=.053$ ) for the Japanese (see Table 5.9). Note that in the simple effects analysis, this was the only case when there was a significant univariate gender effect for the Canadian group. Thus, Canadian women tended to have higher mean seriousness scores than Canadian men ( $X_{\text{women}}=4.906$  vs.  $X_{\text{men}}=4.590$ ). Japanese women tended to have lower mean seriousness scores than Japanese men ( $X=4.048_{\text{women}}$  vs.  $X=4.410_{\text{men}}$ ), but this was not significant.

In summary, results pointed to the stronger impact of culture on the hierarchy variable at high victim harm while gender only appeared to make a difference when actor and victim had an equality relationship. Canadian women attributed higher seriousness levels, on average, as compared to Japanese women. Canadian men had higher mean scores than Japanese men on authority. And, on equality, Canadian women's mean scores were higher than Canadian men's. Similar cultural effects were found for high victim harm and solidarity, but simple effects analysis showed gender differences occurred only for the Japanese. Results are discussed below.

**(b) low to high victim harm: mean scores for intimate vs. nonintimate relationships**

Consistent with previous findings, the main effect of **gender** was not significant. As for low victim harm, the **culture** effect was very strong with main effects for culture found to be significant at the .001 level. The interaction effect of **culture-by-gender** was significant at the .05 level. MANOVA results are presented in Table 5.7, under "high victim harm and solidarity."

Findings from the univariate analyses, presented in Table 5.8 (under "high victim harm and solidarity") revealed that there was, on average, a significant **culture** effect at the .001 level for both intimate [ $F(1,320)=35.921, p=.000$ ], and at the .05 level for nonintimate [ $F(1,320)=3.985, p=.047$ ] relationships. Note that findings for solidarity at low victim harm levels did not reveal any significant culture effect for nonintimate relationships (see Table 5.5).<sup>6</sup> There was a significant (at .05 level) interaction effect of **culture-by-gender** for both intimate [ $F(1,320)=4.230, p=.041$ ] and nonintimate relationships

[ $F(1,320)=8.142, p=.005$ ]. Again this finding was not consistent with earlier findings about solidarity where the culture-by-gender interaction effect was not significant for intimate relationships.

**Simple effects analysis** (Table 5.9, under “high victim harm and solidarity”)

shows the strength of the culture effect for intimate relationships and (a weaker effect) for nonintimate relationships. Univariately, there was a significant (at .001 level) **culture** effect for females’ seriousness scores, where Canadian women tended to view wrongdoing more seriously than Japanese women for intimate and nonintimate relationships ( $X_{\text{Canada}}=4.900$  vs.  $X_{\text{Japan}}=3.958$  on intimate; and,  $X_{\text{Canada}}=4.918$  vs.  $X_{\text{Japan}}=4.294$  on nonintimate). The culture effect was also significant at the .001 level for mens’ mean seriousness score for intimate relationships [ $F(1,320)=14.107, p=.000$ ]. As was the case for women, Canadian men tended to have higher average scores than the Japanese men ( $X_{\text{Canada}}=4.679$  vs.  $X_{\text{Japan}}=4.218$ ) on intimate relationships.

There was, univariately, a significant **gender** effect for Japan at high victim harm, just as there was for low harm and solidarity. An earlier finding pointed to a significant (.05 level) univariate gender effect for Japanese respondents when considering low victim harm and nonintimate relationships. Similarly, at high victim harm and nonintimate relationships, the gender effect was significant at the .05 level for the Japanese [ $F(1,320)=4.295, p=.039$ ]. Japanese men tended to have higher mean seriousness scores than did Japanese women ( $X=4.682$  vs.  $X=4.294$ ).

In summary, results again pointed to the stronger impact of culture on the solidarity variable while gender only made a difference for nonintimate relationships. Canadian women attributed higher seriousness levels, on average, as compared to Japanese women. Canadian men had higher mean scores than Japanese men on intimate relationships. And, on nonintimate relationships, Japanese mens' mean scores were higher than Japanese womens'. Cultural effects were also found to be strong for role relationships and high mental state. However, no gender effects were found in the simple effects analysis. The next section discusses findings when high mental state and roles were combined.

**(c) low to high mental state: mean scores for authority vs. equality**

Table 5.7 presents the results of MANOVA for high mental state and hierarchy. Interestingly, the culture-by-gender interaction effect was not significant. In all other analyses, this interaction effect had been found to be significant. As with previous analysis, the main effects for culture, but not gender, were significant (at the .001 level).

Univariately, no **culture-by-gender** interaction nor **gender** effect was found. There was, on average, a significant **culture** effect at the .001 level for both authority and equality [ $F(1,320)=21.870$ ; and  $F(1,320)=18.783$ ]. Results of the univariate analysis of variance are presented in Table 5.8 (under "high mental state and hierarchy").

**Simple effects** analysis (see Table 5.9, under "high mental state and hierarchy") shows the strength of the culture effect for both authority and equality. It was found that univariately, there was a significant (at .001 level) **culture** effect for females' mean seriousness scores, where Canadian women tended to view wrongdoing more seriously than Japanese women for authority and equality relationships ( $X_{\text{Canada}}=5.426$  vs.  $X_{\text{Japan}}=4.575$

on authority; and  $X_{\text{Canada}}=5.428$  vs.  $X_{\text{Japan}}=4.595$  on equality). The culture effect was also significant at the .005 level for men's average seriousness score for authority [ $F(1,320)=9.240, p=.003$ ]; and, at .05 level for equality [ $F(1,320)=5.447, p=.020$ ]. Interestingly, the earlier finding for culture effect was significant at the .001 level for authority but not for equality. As was the case for women, Canadian men tended to have higher average scores than the Japanese male respondents ( $X_{\text{Canada}}=5.185$  vs.  $X_{\text{Japan}}=4.746$  for authority;  $X_{\text{Canada}}=5.132$  vs.  $X_{\text{Japan}}=4.805$  for equality). Thus, for both men and women, Canadians had on average, higher seriousness scores than did the Japanese regardless of the hierarchical relationship between actor and victim.

Previous findings revealed that for low mental state and hierarchy, there was a significant (.05 level) univariate **gender** effect for Japan on equality relationships where men had higher average seriousness scores than did women; however, the gender effect was not significant for high mental state and hierarchy.<sup>7</sup> It appears that when the deed was described as having been carried-out before by the actor, Japanese male and female respondents' views on seriousness became more alike.

In summary, results again pointed to significant cultural differences. For both authority and equality, Canadian women attributed higher seriousness levels, on average, as compared to Japanese women; and, Canadian men had higher mean scores than Japanese men. The next section discusses findings when high mental state and solidarity were combined.



**(d) low to high mental state: mean scores for intimate vs. nonintimate relationships**

Results of MANOVA were that the **culture-by-gender** interaction effect and the main effect of **gender** were not found to be significant. While main effect of gender was not significant for most of the cases, it was interesting to find that there was no culture-gender interaction. Consistent with previous findings, the **culture** effect was significant (at the .001 level). Statistics are presented in Table 5.7, under “high mental state and solidarity.”

The univariate analysis, shown in Table 5.8 (under “high mental state and solidarity”) revealed that there was, on average, a significant culture effect at the .001 level for both intimate and nonintimate relationships [ $F(1,320)=23.379$ ,  $p=.000$  and,  $F(1,320)=11.665$ ,  $p=.001$ ]. In earlier analysis, this did not occur for nonintimate relationship in low mental state and solidarity.<sup>8</sup>

**Simple effects analysis** (Table 5.9, “high mental state and solidarity”) shows the strength of the culture effect for both intimate and nonintimate relationships. Univariate, there was a significant (at the .001 and .005 levels respectively) **culture** effect for females’ seriousness scores, where Canadian women tended to view wrongdoing more seriously than Japanese women for intimate and nonintimate relationships ( $X_{\text{Canada}}=5.405$  vs.  $X_{\text{Japan}}=4.525$  on intimate;  $X_{\text{Canada}}=5.468$  vs.  $X_{\text{Japan}}=4.717$  on nonintimate). The culture effect was significant at the .005 level for men’s average seriousness score for intimate relationships [ $F(1,320)=9.440$ ,  $p=.002$ ] but not for nonintimate relationships. As

was the case for women, Canadian men tended to have higher average scores than did Japanese men ( $X_{\text{Canada}}=5.134$  vs.  $X_{\text{Japan}}=4.694$ ) on intimate relationships.

There was no univariate significant **gender** effect for Japan as there was for low mental state and nonintimate relationships (see Table 5.6). Earlier, it was described that Japanese men had higher mean seriousness scores than Japanese women. The findings suggest that when the deed was described as having been carried-out before, Japanese males' and females' seriousness judgements became more equal.

In summary, no gender differences were found for the solidarity variable. Recall this was also the case with high mental state and hierarchy. Consistent with the other analyses, significant cultural differences were found. Canadian women attributed higher seriousness levels, on average, as compared to Japanese women. Canadian men had higher mean scores than Japanese men, but this was only for wrongdoing related to intimate relationships.

This chapter has presented the results of various comparative analyses of the mean seriousness scores. The descriptive findings, including t-tests, were qualified by MAN-OVA. The strength of the culture variable in explaining variance in seriousness judgements was consistent through out the analyses. Gender effects were more specifically located in the Japanese group, and for certain values (authority, equality, nonintimate, low harm, low mental state). The only Canadian gender difference occurred for equality-high victim harm where women had a higher mean seriousness level. The presence of a culture-gender interaction effect, and, that simple effects analysis generally did not identify any gender differences in the Canadian group, may contribute to an explanation of why

past research has found little or no consistent evidence of significant gender effects. The next chapter will summarize the empirical findings which have been discussed in some detail above. Chapter 6 will also offer alternative explanations of the findings presented, discuss implications of the results and provide suggestions for further research.

## Notes

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<sup>1</sup> Also recall that the alpha level was found to be very low for the measure of authority.

<sup>2</sup> Low victim harm and low mental state share the same mean scores since these were both represented by the same vignette groupings. See Appendix 2.

<sup>3</sup> Acknowledgment is made to Hamilton and Sanders (1992) who use this graphical technique to display similar analysis of role-deed interrelations in their study.

<sup>4</sup> Recall low victim harm and low mental state are equivalent since they are represented by the same group of vignettes.

<sup>5</sup> Refer to Tables 5.4, 5.5, and 5.6. Data shown for hierarchy can also be considered as low victim harm and hierarchy. The deeds were low victim harm in all the vignettes and only role varied.

<sup>6</sup> Refer to Tables 5.4, 5.5, and 5.6 for low victim harm and solidarity. As with hierarchy, data shown for solidarity can also be considered as low victim harm and solidarity. The deeds were low victim harm in all the vignettes and only role varied.

<sup>7</sup> Refer to Tables 5.4, 5.5, and 5.6 for low mental state and hierarchy. Data shown for hierarchy can also be considered as low mental state and hierarchy. The deeds were low mental state in all the vignettes and only role varied.

<sup>8</sup> Refer to Tables 5.4, 5.5, and 5.6 for low mental state and solidarity. Data shown for solidarity can also be considered as low mental state and solidarity. The deeds were low mental state in all the vignettes and only role varied.

## **CHAPTER 6**

### **DISCUSSION OF RESULTS AND SUGGESTIONS FOR FURTHER RESEARCH**

#### **6.0 Introduction and Overview**

Our ability to make decisions about a wrongdoing depends to a large extent, on the kind of information we are given about that wrongdoing. The research literature points to the influence of descriptions about the actor, the victim, and the deed in guiding our judgements about the seriousness of wrongful acts. We want to know about the actor -- who he/she is and what his/her relationship is to the victim; we question what the actor did and his/her motivation for the deed; as well, we want to know about the impact of this action. These questions attempt to determine the social positions, or roles, held by the actor and therefore, the kinds of obligations this individual has to the victim as well as to the larger society. Related to these concerns are also questions about the deed. The appropriateness of the actor's behaviour is evaluated by for example, the degree of harm which was done to the victim, and whether the actor intended that harm. In essence, our judgements are guided by normative expectations surrounding social relationships and social conduct.

The central interest of this study, as described in Chapter 1, is to more clearly identify these links. That is, to identify how judgements about the seriousness of wrongful acts are affected by information about social relationships and social conduct. This study more fully examines wrongdoing judgements by investigating cultural and gender differences in these links. To the extent that no published studies in this area of research have been identified which compare Japan and Canada; and, that most studies about

wrongdoing judgement fail to address gender differences, results from this thesis research make an important contribution to the research area.

In Chapter 2, it was shown that past approaches to studying judgement of wrongdoing can be traced to the areas of crime seriousness and responsibility attribution. These two research areas provide important empirical and conceptual contributions to this thesis research. In past, researchers have tended to adopt a common sensical description of the notion of seriousness. Judgement of the seriousness of wrongdoing, however, has been found to involve a more complex decision-making process. Limitations and issues, raised by both crime seriousness and responsibility attribution researchers, suggest the need adopt a sociolegal interpretation of responsibility judgement. Such an approach is offered by the legal socialization perspective.

Chapter 3 presented the legal socialization perspective and described the ways in which this perspective guided the conceptual approach adopted in this thesis research. The perception and evaluation of seriousness of wrongdoing, analysed in this study, represents one kind of sociolegal judgement taking place within a much wider legal culture. By looking at the impact of cultural and gender differences on wrongdoing judgements, this study provided an exploration (albeit in a limited way) of how sociolegal judgements are contextualized in a legal culture. Normative expectations about social roles and deeds are informed by culture and social life. However, these are not separate entities with separate effects in how they guide expectations. Rather, they are interrelated and mutually reinforcing. Such a relationship is described, for example, by the interaction of gender and culture found in this study.

Methodological issues and the analytical approach taken to examine the relationships between wrongdoing judgement, roles and deeds, and, culture and gender, were described in Chapter 4. The results of the analyses were presented in some detail in Chapter 5. These results, as they address the research questions presented in Chapter 1, are revisited in the present chapter.

This chapter revisits the results of the analyses in a more general way, continuing the necessarily brief discussion of results made in Chapter 5. The findings from this study have implications for other research areas; in turn these other areas offer some alternative underlying explanations of the findings. At the end of this chapter, suggestions for further research are presented. These suggestions address the major limitations of the current study. As well, they elaborate on the current model by including multiple measures of wrongdoing judgement. Additional respondent characteristics variables would provide for a fuller understanding of the relationships analysed in this thesis research: the impact of information about roles and deeds on judgement of seriousness; the impact of role-deed interrelationship; and, the impact of culture and gender.

## **6.1 Social Relationships and Social Conduct**

Recall from Chapter 1, Research Question 1: how social relationships impact judgements about wrongdoing seriousness, and, Research Question 2: how social conduct impacts judgements about wrongdoing seriousness. Judgements about wrongdoing are affected by information about social relationships and social conduct. However, it is important to note that different kinds of relationships as well as different kinds of conduct

vary in how they influence decisions about the wrongdoing. Social relationships were measured by hierarchy and solidarity in this study. Hierarchy represents a power relationship in the sense that the actor is in an authority position over the victim. In a father-son relationship, it is expected that roles associated with fatherhood and parenting, would clearly describe an underlying power relationship. Wrongdoing carried out by an actor who is more powerful than the victim, therefore, should be judged more seriously than if the actor is equal to the victim. The findings did not support this expectation. Rather, respondents tended, on average, to judge wrongdoings slightly more seriously if the actor was in an equal relationship with the victim. It is possible this finding may simply be a reflection of the low reliability of the authority measure; however, this finding may also highlight the significance in how power is perceived. Since the data analysed included father-son relationships, respondents' judgements might also reflect norms associated with familial obligations. Therefore, further explanation might be found by looking to the solidarity of relationship variable.

Solidarity, the other social role variable analysed, reflects this kind of intimate relationship in families. The findings confirmed that wrongdoing is judged more seriously when the actor and victim are not intimately related. Intimate relationships are characterised by closeness and sharing of history. The relationship is seen to be long lasting and valued by individuals. For these reasons, a wrongdoing by the actor who shares an intimate relationship with the victim is not judged to be as serious as nonintimate relationships. The actor is in a sense, given "the benefit of the doubt" as to whether

he/she purposefully intended the harm. As well, the victim is attributed with having a part to play in the actor's behaviour, and thus is seen to share some of the blame.

While social roles held by the actor have been shown to be important, judgements of seriousness of wrongdoing are also affected by deeds. Two deed variables were analysed in this study -- victim harm and mental state. Results confirmed expectations in that respondents tended to view wrongdoings more seriously if the level of victim harm was high. Likewise, average seriousness levels rose if the deed was described as having been carried-out previously (suggesting actor's intention was more purposive). Findings from crime seriousness studies point to the significance of level of victim harm in perception of the seriousness of crime acts. Results in this study confirmed the importance of the victim harm variable. Indeed, victim harm was found in this study to be regarded by respondents as an even more important variable than mental state, in judging higher seriousness levels.

Responsibility attribution research suggests the relationships between victim harm, actor's intention and judgement about responsibility are complex. For example, when the severity of victim harm is high, individuals may look to other variables such as the actor's intention in order to redistribute responsibility. In particular, first-time deeds can be seen as less serious even if the consequences of the deed are more severe (Schroeder & Linder, 1976). While the data did not provide for an analysis of the combined effects of harm and mental state, this study did include an analysis of multiple effects of roles and deeds.



In order to further examine the first two research questions, analysis was also made of role-deed interrelationships. That is, what would happen to the relationship between roles and seriousness judgements if the level of harm increased, or if the deed had been carried out before? Increasing victim harm was expected to reinforce the hypothesized relationships about roles and judgements. The findings were supportive in that average seriousness levels for wrongdoings for authority actors vs. equality relationships, and for nonintimate vs. intimate relationships, were higher after victim harm rose.

Of particular interest is the impact of increasing the level of victim harm on respondents' perception of wrongdoing involving an authority actor. Recall that the vignettes measuring authority all described father-son relationships and that analysis indicated these wrongdoings were not judged to be more serious than equality relationships. It was suggested earlier that the close intimacy of family relationship could have influenced the judgements -- that wrongdoing in which actor and victim share intimate relationships tend to be judged less seriously. The role-deed finding provides a further qualification. The increased harm to the son tended to raise respondents' mean seriousness scores to a greater extent than was the case for seriousness of wrongdoing when actor and victim were equal. The same pattern occurred when the deed was described to have been repeated.

A deed which has been repeated suggests the actor's intention in carrying out the wrongdoing; that is, it is more likely that the actor meant to behave this way and that he/she knew what the consequences would be to the victim. Under these circumstances, individuals tend to transfer their attention away from the actor's social role obligations

and toward the degree of actor's purposiveness. The findings generally confirmed this expectation in that the discrepancies between seriousness of authority vs. equality decreased when the deed was described to have been a repeat deed. Discrepancies also decreased for nonintimate vs. intimate relationships. In other words, respondents were less sensitive to differences in role information when victim harm was more severe or when the deed was repeated. Interestingly, for the role-deed interrelationship, the added impact of mental state was related to even higher mean seriousness scores than was the case for victim harm.

All individuals, regardless of culture or gender, will draw upon information about social roles and deeds in their perceptions and evaluations of wrongful acts. The above discussion addresses the more universalistic character of judgements about seriousness of wrongdoing. However, the social nature of judgements means that culture and gender are important influences which need to be taken into account. The following discussion of results addresses cultural and gender differences found in the data regarding wrongdoing judgements.

## **6.2 Culture and Gender**

The first two research questions, discussed above, deal with whether or not individuals use different kinds of information about roles and deeds in making wrongdoing judgements. The other two research questions, of interest to this study, are concerned with the value individuals attribute to information about roles as compared to deeds. Recall from Chapter 1, Research Question 3: how culture impacts judgements about

wrongdoing seriousness, and, Research Question 4: how gender impacts judgements about wrongdoing seriousness. The approach taken in the analysis was to describe cultural differences in terms of general collectivistic-individualistic value orientations. Such a description was also utilized, to some extent, for explaining gender differences. Results in this study pointed to consistently strong cultural differences in judgements. Analyses also revealed a significant culture-gender interaction effect. This means that gender did not have the same impact on the Canadian groups as it did for the Japanese (and vice versa, that culture did not have the same impact for the female respondents as it did for the males). The interaction found between culture and gender supports Emirbayer's and Goodwin's (1994) description of culture as being "embedded in social networks," and, that culture and structure are "mutually constitutive" (also see Eisenstadt, 1990). Since the results in this study point to the significance of culture as having both a main effect and a combined effect with gender on wrongdoing judgement, the following discussion will begin with findings about culture and then turn towards gender-culture findings.

Generally, findings were consistent with what the research literature describes about collectivistic values regarding social role relationships. However, individualistic values, which prioritize information about deeds over roles, were not clearly indicated in the findings. This was an interesting, albeit unexpected, result. While Japanese respondents were found to be more sensitive to role information as compared to Canadians, both Japanese and Canadians were sensitive to deed information. One possible explanation lies in the identification of increasing individualistic qualities in Japanese culture (Iwao,

1993; Triandis, 1993), and, the existence of collectivistic qualities in Canadian culture (Hofstede, 1980; Lipset, 1990; Triandis, 1993).

The findings also have wider implications in terms of the traditional conceptualization of individualism and collectivism. While other models of social organization exist, the consensus model of Japanese culture utilized in this study has also been popularly adopted by both eastern and western researchers to describe the strong collectivistic orientation of the Japanese (Befu, 1990). Befu notes that other approaches represented by stratification, social exchange or conflict models would certainly provide alternative views. That the results show some degree of “crossing-over” of individualistic and collectivistic values within the collectivism-individualism dimension, findings in this study challenge the traditional understanding of these concepts.

Hui and Triandis (1986) found that cross-cultural researchers share similar meanings of collectivism and individualism; however, this does not necessarily represent general views of the population. S. Roberts (1979) criticizes the overwhelmingly western conceptualization of nonwestern cultures. He points out that the utilization of a western legal perspective to explain and describe other systems have led to a “strong legal-evolutionary bias” (p. 13). Rosenberger (1994) makes the point that western researchers have been guilty of adopting a western-style individualism. She suggests that the Japanese have their own definition of individualism which has always existed; therefore, “the question is not whether or not Japanese are becoming individualistic in an American sense ... the more appropriate question is, what shifts occur as Japanese people make Western lifestyles and concepts of individuality part of their own processes of self and

social relationship” (p.13). In an approach recommended by Castberg (1990, pp. 124-125), researchers would identify a Japanese-individualism rather than the Japanese adoption of western-individualism as described above by Rosenberger. Conceptualization of Japanese-individualism would require researchers to more seriously acknowledge inherent differences as compared to the more extreme form of individualism existing in the United States. As Castberg states, “Japanese individualism rarely seeks expression in antisocial acts, whereas American individualism frequently does” (1990, p. 124).

We can also look to other sources of legal culture to shed more light on the research findings. In particular, religious belief which has been suggested by Macaulay (1987) as a source of legal culture may provide one explanation of a general cultural difference which was found in this study. The lower average seriousness levels attributed by the Japanese as compared to the Canadians may be partially due to religious-philosophical distinctions between perceptions of right and wrong. According to Shillony (1990), western dogmatic religions make much sharper distinctions while Japanese Shintoism, Confucianism and Buddhism are more tolerant.

This finding of lower seriousness in Japanese respondents is also consistent with Sanders’ and Hamilton’s description of the style of dispute settlement favoured by the Japanese as compared to western cultures (1992). As well, the researchers’ description also helps to further explain the finding of greater sensitivity to role information among the Japanese as compared to the Canadian respondents. Sanders and Hamilton, in discussing how disputes are settled in a society, suggest we look to law courts as well as the nature of role relationships (1992).<sup>1</sup> Essentially, they state that social role relationships

can tell you about how people will use the law. High solidarity means “enduring, multi-faceted, and status-based” relationships. Since legal solutions often conflict with solidary relationships, the Japanese tend to look to nonformal legal solutions in their sanctioning decisions. High solidarity is characterised by individuals looking to re-build the relationship and so are less likely to choose punishments which destroy relationships. This explains why restitutive consequences are considered more suitable while for low solidary societies, punitive and isolative measures tend to be more popular.<sup>2</sup>

This nonlitigious nature of the Japanese is one characteristic of Japanese legal consciousness as described by Miyazawa (1994). Japan is a civil law nation with a western legal system which includes a USA-styled constitution (Castberg, 1990, pp. 5-8; Shillony, 1990). In emphasizing morality over law, the justice system is not vulnerable to legal technicalities as is the case in the west (particularly in the United States) where due process and legal technicalities over-rule morality (p. 124). Miyazawa (1994) argues that it is the Japanese legal consciousness which contributes to the country’s nonlitigiousness relative to western legal consciousness which tends to be more supportive of litigious behaviour. In comparing conflict resolution in Japan vs. western societies, Befu (1990) notes that the Japanese generally seek informal and personal means while westerners are more likely to look to legal contracts and judgements by higher authorities.<sup>3</sup>

Discussion of the results and research implications has, thus far, concentrated on findings about cultural differences. Recall that the analysis identified culture-gender interaction effects. To this extent the following discussion about gender also includes cul-

ture. Even given the strong culture effects, investigation of the gender variable revealed some interesting differences between respondent subgroups.

Canadian women tended, on average, to view all wrongdoing more seriously than Japanese women, regardless of role or deed variable analysed. Canadian men, on the other hand, perceived wrongdoing to be more serious as compared to Japanese men for the deed variables -- that is, for both low and high victim harm and for low and high mental state. Overall, the findings did not support expectations in that the women did not reveal greater sensitivity to role information as compared to men; and, men did not show more sensitivity to deed information as compared to women.

Respondent data did confirm, however, that there were wider differences in mean seriousness scores between Japanese men and women as compared to Canadian men and women. Japanese men, on average, attributed higher seriousness levels than did Japanese women. While their views of wrongdoing remained more serious than the women's, the amount of difference decreased in the role-deed interrelation when the deed was repeated. Thus, repeating the deed or increasing the harm to the victim appeared to lessen differences in opinion for the Japanese. Canadian men and women only differed in their views of wrongdoing seriousness when the actor and victim were equal and victim harm was high. The women, on average, viewed this kind of wrongdoing more seriously than the men. That this was the only case in which a significant Canadian gender difference occurred indicates the findings support the view of higher gender equality in western societies. Gender equality promotes more similarities in life situations experienced by men and women, and thus, men and women tend to share general concerns and values about

social life (Clopton & Sorell, 1993). Collectivistic societies tend to be characterised as generally having greater gender discrepancies (Fujimura-Fanselow & Kameda, 1995, although they also identify certain areas moving towards greater equality). This would offer one explanation for the wider mean seriousness differences found between Japanese mens' and womens' views on wrongdoing as compared to the Canadians.

Closely related to the above discussion of gender equality are social values promoted by the women's movement in western culture. This study's findings of gender differences in the Japanese respondents as compared to gender differences in the Canadian group may reflect wider differences in views about equality, rights, obligations and justice. Whether the Japanese womens' movement is distinctively different from the western experience as suggested by some researchers (for examples, Chizuko, 1997; Iwao, 1993), or whether it is more a delay and expansion of the western movement, continues to be debated. It is beyond the scope of this discussion to address this issue in any detail; however, it is worth noting that the potentially influential force of the women's movement in guiding judgements about social life and social conduct is worth further investigation.

Existence of epistemological differences in comparative analysis is also an important concern in this discussion of results. Cross-cultural researchers are cautious in their interpretations of comparative analyses since differences may be more reflective of different ways of using a measurement scale than of different views supposedly measured by that scale. In earlier chapters, the robustness of the seriousness scale and the analytical approach utilized in this study were argued to address this concern. To this extent, the



findings in this study identify some real cultural and gender differences in seriousness judgements among the respondent groups. It is important to keep in mind, however, that researchers have as yet, to fully investigate the relationship between genders and judgements about wrongdoing. Menkel-Meadow and Diamond (1991) posed the question, "Is there a male legal culture and a female legal culture?" This study's findings suggest that the distinction between a male and female legal culture would be different in Canada than it is in Japan.

The above discussion of results indicates that normative obligations surrounding social relationships and social conduct vary in their impact across cultures and between genders in how wrongdoing is judged. Analysis of the interaction of culture and gender, and the interrelation of roles and deeds, highlight that nonobvious results can occur. Judgements can change given the addition of more, or different, information. The findings, importantly, point to the need to investigate these relationships in more complex ways. The suggestions for further research, offered below, identify the ways in which the current analysis can be continued in such a way as to provide for a fuller description and explanation of the judgement of wrongdoing. While various suggestions have already been offered through out this chapter, the below discussion provides a way to more fully and directly utilize findings from the current study.

### **6.3 Suggestions for Further Research**

This study has drawn from both the responsibility attribution and the crime seriousness approaches in how it relates roles and deeds to explaining wrongdoing judge-

ments and in measuring this relationship by using the seriousness scale popularized by crime seriousness researchers. The focus of this study was directed towards a single factor, judgement of seriousness of wrongdoing. There appears, however, to be a high correlation between seriousness and punishment (Hamilton & Rytina, 1980). The research literature suggests that judgements about seriousness also involve decisions about appropriate consequences including punishment and sanctions. In the discussion below, suggestions for further research include recommendation of additional measures of wrongdoing consequences as well as additional variables describing respondent characteristics.

Most importantly, responsibility and seriousness of wrongdoing could be more fully understood by including additional measures of wrongdoing judgement. These variables, collected in the primary research, include: consequences related to punishments and sanctions (that is, retribution and restitution); and, consequences related to appropriate treatment and attitude toward the actor. The different scales and measures of wrongdoing judgement would provide the advantage offered by within-method triangulation (Denzin, 1989, pp. 243-244).

Researchers such as Eagly (1987, p. 30) suggest the "attitude toward a behaviour is a major determinant of engaging in the behaviour and is itself a function of the perceived consequences of the behaviour." Recall that the findings revealed that respondents judged repeated acts more seriously than first-time deeds. One reason this was the expected response was that individuals tend to attribute more purposive intention to an actor who has committed the wrongdoing previously. Thus, if someone has behaved in a cer-

tain way in the past, we believe his/her attitude is more likely to lead to this kind of behaviour again (Ajzen & Fishbein, 1973; Kelley, 1973; Monson, 1983; Nisbett & Ross, 1980; Ross, 1977). The relationship between attitude and behaviour is very complex: what people say and what people do are not the same things. It is worth repeating here that wrongdoing judgement attributed by the respondents is not a reflection of their own behaviour -- thus, even though the Japanese women had the lowest mean seriousness scores, this does not mean that this group of women engage in more rule-breaking behaviour as compared to the other respondents. Having stated this, however, one of the recommendations (made below) is to include the respondent's self-reported level of past deviant behaviour and attitude toward deviant behaviour. Inclusion of these two variables would allow an exploration of the relationships between respondent attitude, behaviour and sociolegal judgement -- an area which is as yet, largely unaddressed.

Besides additional dependent variables, the primary survey instrument collected various respondent characteristics. Two in particular, self-reported past deviant behaviour, and attitude towards deviant behaviour, would provide controls which have hardly been discussed in the literature. These two variables would provide historical information and current state of mind of the respondent. Self-report data has been well utilized in moral judgement and in delinquency research (Colby & Kohlberg, 1987, pp. 37-38; Hirschi, Hindelang, & Weis, 1980, pp. 473-488). The self-report technique has also been found to be reliable and valid (Datesman & Scarpitti, 1980; Gibbons, Morrison, & West, 1970; Hardt & Peterson-Hardt, 1977).

The above variables have been recommended because of their direct relevance in contributing to an understanding of wrongdoing decision-making. Various other respondent-characteristic data were also collected in the primary research which would contribute to a more comprehensive description of legal culture (and legal consciousness). These include for example, parental background, religion, economic background, current economic status, marital status, and a variety of aspiration-type indicators. At the time this study was conducted, some of above variables were unavailable for analysis; others required additional resources not available to this study, to test.

This final chapter of the thesis has presented highlights of the data results. The discussion of the findings included research implications and identified alternative explanations of the results where possible. The suggestions proposed for further research are practical and essentially, continue and expand the current research.

Within the scope of this study, the findings contribute to the research area in the following ways. The data findings lend confirmation to general expectations regarding the impact of role- and deed-related information on judgements about the seriousness of wrongdoing. The complexity of the relationships between roles and deeds was measured by analysing the combined effect of role and deed information (role-deed interrelationship). In doing so, the combination of different role and deed variables were shown to be able to raise or lower original seriousness levels -- sometimes in unexpected ways. Thus, the findings underline the importance of recent research efforts in accounting for multiple effects on decisions about wrongdoing. Cultural and gender differences found in respondent judgements reveal that the ways in which individuals use information about roles

and deeds are not entirely equal across cultures and between genders. Interaction of culture and gender in the analysis points to the need to more seriously investigate the inter-relatedness of legal cultural and social structural factors in influencing sociolegal judgements. Finally, this study is unique in that it is a comparative analysis of Japanese and Canadian data -- a comparison which has yet to be published in the relevant research literature; and, in that it includes an investigation of gender differences -- a variable which has been largely ignored by researchers studying wrongdoing seriousness.

## Notes

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<sup>1</sup> This discussion is particularly relevant to tort law. Tort law can be generally described as the legal study of wrongdoing as a civil wrong rather than a breach of contract (Altschuler & Sgroi, 1992, p. 264-266). According to Altschuler and Sgroi, tort law involves efforts to derive formal legal definitions of wrongdoing and consequence by identifying the wrongs, liability, compensation, and the physical and emotional harm. They note that tort law has been driven by western conceptualizations of liberty and individualism, and in turn, this has driven concern towards setting boundaries on what a person is held responsible for and establishing limitations on liability. Altschuler and Sgroi state that the principal objective of tort law is to "compensate people for harm they have suffered as a result of other people's wrongful conduct and to place the burden of the cost of injuries on the wrongdoer rather than on the victim" (p. 265). From this description, there is clearly a social dimension to tort law in the relationship between obligation and tort obligation (p. 265). The value placed on social relationships, thus, is a very important consideration.

<sup>2</sup> There is evidence suggesting otherwise, however. Miyazawa (1987), in reviewing survey findings about Japanese legal consciousness draws attention to a finding which suggested Japanese avoided litigation because they could not afford the costs, not because of concern for keeping relationships intact.

<sup>3</sup> Of course, informal means also exist in the west just as formal methods exist in Japan. Befu describes some areas (he uses examples of marriage and inheritance) in which the Japanese are increasingly utilizing formal legal means of resolution. Likewise, J. V. Roberts (1992) describes Americans and Canadians as taking a more comprehensive approach towards crime control by favouring measures to improve the socio-economic situation such as decreasing unemployment, and to increase investment in nonpunitive and non-repressive methods.

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### **Other Resources Utilized:**

#### **Kinki University Website:**

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## Appendix 1: List of Vignettes

Vignette	Data Code
Joe got into an argument with his son. He punched his son once in the face which bruised his son's cheek. He had never hit his son before.	A.S
variation 1: Joe's son had required medical attention.	A1.S
variation 2: Joe has hit his son a number of time in the past.	A2.S
Matt and Jill are married. They argued one day and Matt punched Jill in the face and bruised his wife's cheek. He had never hit her before.	B.S
variation 1: Jill had required medical attention.	B1.S
variation 2: Matt had hit his wife a number of times in the past.	B2.S
Paul was on a bus and got into an argument with a stranger and bruised his cheek. He had never done this before.	C.S
variation 1: The stranger had required medical attention.	C1.S
variation 2: Paul had hit other people a number of times in the past.	C2.S
Mike needed some money and knew that his son had \$100 saved. He went into his son's room and stole the money. Mike had never stolen before.	D.S
variation 1: Mike had stolen \$1000 from his son.	D1.S
variation 2: Mike had stolen from his son several times before.	D2.S
Cory needed some money and knew that his wife had \$100 saved. He went into his wife's wallet and stole the money. Cory had never stolen before.	E.S
variation 1: Cory had stolen \$1000 from his wife.	E1.S
variation 2: Cory had stolen from his wife several times before.	E2.S
Dan, for the first time, stole a stranger's watch which he knew was worth \$100	F.S
variation 1: Dan stole a camera which he knew was worth \$1000.	F1.S
variation 2: Dan had done this several times before.	F2.S
Alan is a stockbroker. He sold his son worthless stocks and told his son that they were valuable. He had never done this before. His son lost a small amount of money.	G.S
variation 1: Alan's son had lost a large amount of money which was his entire savings.	G1.S
variation 2: Alan had done this several times before.	G2.S
Ted is a stockbroker. He sold his wife worthless stocks and told her that they were valuable. He had never done this before. His wife lost a small amount of money.	H.S
variation 1: Ted's wife had lost a large amount of money which was her entire savings.	H1.S
variation 2: Ted had done this several times before.	H2.S
Phil is a stockbroker. He sold his client worthless stocks and told him that they were valuable. He had never done this before. His client lost a small amount of money.	I.S
variation 1: Phil's client had lost a large amount of money, which was his entire savings.	I1.S
variation 2: Phil had done this several times before.	I2.S

## Appendix 2: Mapping Vignettes into Variable Values

### Role Variables

#### Hierarchy:

authority = A.S, D.S, G.S

equality = B.S, C.S, E.S, F.S, H.S, I.S

#### Solidarity:

intimate = A.S, B.S, D.S, E.S, G.S, H.S

nonintimate = C.S, F.S, I.S

### Deed Variables

#### Victim Harm:

high = A1.S, B1.S, C1.S, D1.S, E1.S, F1.S, G1.S, H1.S, I1.S

low = A.S, B.S, C.S, D.S, E.S, F.S, G.S, H.S, I.S

#### Mental State:

high = A2.S, B2.S, C2.S, D2.S, E2.S, F2.S, G2.S, H2.S, I2.S

low = A.S, B.S, C.S, D.S, E.S, F.S, G.S, H.S, I.S

### Role-Deed Interrelations

#### High Victim Harm & Hierarchy:

authority = A1.S, D1.S, G1.S

equality = B1.S, C1.S, E1.S, F1.S, H1.S, I1.S

#### High Victim Harm & Solidarity:

intimate = A1.S, B1.S, D1.S, E1.S, G1.S, H1.S

nonintimate = C1.S, F1.S, I1.S

#### High Mental State & Hierarchy:

authority = A2.S, D2.S, G2.S

equality = B2.S, C2.S, E2.S, F2.S, H2.S, I2.S

#### High Mental State & Solidarity:

intimate = A2.S, B2.S, D2.S, E2.S, G2.S, H2.S

nonintimate = C2.S, F2.S, I2.S

### Appendix 3: Reliability Measures for Vignette Groupings

Variable Grouping	No. of Items	Reliability Measure: Cronbach's Alpha				
		Canadian Males	Canadian Females	Japanese Males	Japanese Females	Grand Total
Hierarchy						
authority	3	.6965	.6395	.1818	.5735	.5356
equality	6	.8577	.8257	.7935	.8843	.8364
Solidarity						
intimate	6	.8837	.8321	.6942	.8431	.8263
nonintimate	3	.7321	.7220	.7486	.7926	.7585
Victim Harm						
high	9	.8829	.7850	.8647	.8810	.8766
low	9	.9012	.8783	.8118	.8907	.8693
Mental State						
high	9	.8987	.8768	.9291	.9652	.9299
low	9	.9012	.8783	.8118	.8907	.8693
High Victim Harm & Hierarchy						
authority	3	.6262	.6469	.5268	.3845	.5517
equality	6	.8375	.8019	.8214	.8813	.8397
High Victim Harm & Solidarity						
intimate	6	.8549	.8469	.7909	.7884	.8266
nonintimate	3	.7067	.6732	.7223	.7863	.7340
High Mental State & Hierarchy						
authority	3	.7022	.6565	.7581	.8785	.7508
equality	6	.8492	.8033	.8984	.9557	.9039
High Mental State & Solidarity						
intimate	6	.8674	.8097	.8885	.9518	.8952
nonintimate	3	.7696	.7649	.8437	.9000	.8422

**Note:** Reliability coefficients for low victim harm and low mental state represent the same grouping of vignettes. This is the original version of each story.

#### Appendix 4: Correlations Between Vignette Groupings

High correlations between variable values (shown below) mean it is inappropriate to perform a separate analysis of variance for each group. For example, if culture has an effect on judgment of wrongdoing with an authority relationship between actor and victim, and judgment on authority relationships is highly correlated with equality relationships, then the culture effect would be carried-over to equality. The effect of culture on equality would come out significant because of the first correlation, even if there was in fact no correlation between culture and equality. This significant result is merely duplicated and not actually a new result. Thus, separate analyses of variance do not identify the extent to which this kind of duplication is or is not occurring (Van de Geer, 1971, p. 271).

Mean seriousness scores for ...	Zero-Order Correlations
hierarchy: authority group vs. equality group	.785
solidarity: intimate group vs. nonintimate group	.637
victim harm: low level group vs. high level group	.552
mental state: low level group vs. high level group	.835
high victim harm & hierarchy: authority vs. equality	.820
high victim harm & solidarity: status vs. contract	.711
high mental state & hierarchy: authority vs. equality	.891
high mental state & solidarity: status vs. contract	.818

## Appendix 5: MANOVA Assumptions and Procedure

**MANOVA Assumptions.** Basic statistical assumptions for using this procedure are listed by Cramer and Bock (1966, pp. 32-34). These are listed below.

- (1) units are randomly sampled from the population of interest;
- (2) observations are statistically independent of one another;
- (3) dependent variables have a multivariate normal distribution within each group. In practice, each separate variable follows a normal distribution. (Cramer and Bock [1966] noted that not many statistical packages are capable of measuring degree of violation of normality.) In theory, univariate normality is necessary but not sufficient for multivariate normality; and,
- (4)  $k$  groups have a common within-group population covariance matrix: ANOVA homogeneity of variance assumption must be met for each dependent variable, and, the correlation between any two dependent variables must be the same in all  $k$  groups.

Cramer and Bock (1966) have described MANOVA to be robust for all assumptions except for violations of randomness and statistically independent observations. According to Ito (1980), however, there is still insufficient theoretical and empirical evidence about MANOVAs robustness properties. Generally, MANOVA tests share similar robustness properties to ANOVA F tests (Ito, 1980).

**Two-Step Procedure.** MANOVA statistics were computed using the SPSS MANOVA procedure (see “Testing Simple Effects in MANOVA,” Keywords, 1993).

The first step is called an “overall or omnibus test” since it is to test the overall hypothesis of no differences in the means for the different groups. (The omnibus test is like the overall F test in ANOVA.) The multivariate null hypothesis is: the population means of the  $k$  groups are equal to one another for all  $p$  variables. The alternative hypothesis is: at least one of the groups has a population mean different from the others. There are a variety of multivariate test statistics: Wilks’ lambda, Pillai-Bartlett trace, Roy’s greatest characteristic root, and the Hotelling-Lawley trace. Each represents a different way of combining the information in the eigenvalues (ratio of between sum of square to within sum of squares [ $SS_B$  to  $SS_W$ ]). The Hotelling statistic was selected because in the thesis research, two groups were always being compared (e.g. authority mean seriousness vs. equality mean seriousness), representing what Ito identifies as a special case (1980). According to Ito, the Hotelling’s generalized Student  $T^2$ -test is shown to be “uniformly most powerful which is invariant with respect to affine transformations” (1980). The Hotelling’s test generalizes t-test of means and controls for the relationship between culture and gender (it tests the hypothesis that all item means are equal). A significant MANOVA result (i.e., can reject the null hypothesis) requires a follow-up analysis.

The second step, or follow-up analysis, is conducted in order to explain group differences. This allows the researcher to “determine the precise nature of the differences among means implied by an omnibus test” (Bray & Maxwell, 1985, p. 5). In order to identify which groups are responsible for the significant result found, the researcher must evaluate which variables are important for group separation. Different techniques can be employed to do this (for examples, univariate F test, discriminant analysis, and, step-



down analysis). Unfortunately, relatively few guidelines are available to assist in selection of the techniques (Bray & Maxwell, 1982; Spector, 1977). The univariate F test was selected. Hummel and Sligo recommended this procedure because it “adequately controls the experiment-wise error rate near the nominal alpha level” (1971). Cramer and Bock (1966) recommended this technique as well in order to investigate group differences. Spector also points out that this ANOVA technique is suitable for hypothesis testing. He notes that discriminant analysis is more suited to prediction and classification in applied psychology research, and, step-down analysis can only be used when the dependent variables are in some kind of theoretical rank order of importance (1977). Univariate F test involves conducting ANOVAs on each of the  $p$  variables to analyse group differences (Cramer & Bock, 1966, p. 40). According to Hummel and Sligo:

The overall multivariate test (conducted in step 1) provides protection from an inflated alpha level on the  $p$  univariate tests .... Each F test is exactly the test that would have been obtained if it were the only dependent variable under study.... Univariate tests are insensitive to the correlations among the variables, but the F tests are not statistically independent, because of the correlation (1971).

It is important that these ANOVAs are independent because of the correlations found between variable values (recall from Appendix 4). The largest F ratio occurs for the variable that has the largest between-group difference relative to within-group variation; and, the smallest F ratio occurs for the variable with the smallest group differences (Cramer & Bock, 1966, p. 40).

The second step also involve a simple effects analysis which was conducted following the univariate analyses of variance (univariate F test). Simple effects analysis

elaborates on the results of the univariate F test, comparing the mean seriousness scores between each of the groups on culture and on gender.

## Appendix 6: Descriptive Statistics for Respondent Subgroups

Independent Variables	Canadian Males (n=124)					Canadian Females (n=47)					Japanese Males (n=111)					Japanese Females (n=42)					Grand Total (n=324)				
	mean score	SD	SE of mean	df	CI for diff. 95%	mean score	SD	SE of mean	df	CI for diff. 95%	mean score	SD	SE of mean	df	CI for diff. 95%	mean score	SD	SE of mean	df	CI for diff. 95%	mean score	SD	SE of mean	df	CI for diff. 95%
Hierarchy																									
Authority	4.040	1.071	.096			4.128	.872	.127			3.483	.977	.093			3.071	1.120	.173			3.737	1.080	.060		
Equality	3.912	.974	.087			4.138	.838	.122			3.739	1.057	.100			3.325	1.249	.193			3.809	1.045	.058		
difference	0.128	.578	.052	123	(.026, .231)	-0.010	.514	.075	46	(-.161, .140)	-0.256	.761	.072	110	(-.399, -.112)	-0.254	.872	.135	41	(-.526, .018)	-0.072	.701	.039	325	(-.149, .004)
Solidarity																									
Intimate	3.981	1.061	.095			4.122	.833	.121			3.413	.988	.094			3.075	1.136	.175			3.690	1.076	.060		
Nonintimate	3.890	1.015	.091			4.160	.931	.136			4.132	1.244	.118			3.571	1.368	.211			3.971	1.148	.064		
difference	0.091	.830	.075	123	(-.056, .239)	-0.038	.632	.092	46	(-.223, .148)	-0.719	1.022	.097	110	(-.911, -.527)	-0.496	.934	.144	41	(-.787, -.205)	-0.281	.959	.053	323	(-.386, -.176)
Victim Harm																									
Low Harm	3.952	.973	.087			4.132	.814	.119			3.655	.968	.092			3.241	1.136	.175			3.785	1.005	.056		
High Harm	5.148	.775	.070			5.427	.542	.079			4.787	1.266	.120			4.588	1.514	.234			4.992	1.086	.060		
difference	-1.196	.656	.067	123	(-1.328, -1.063)	-1.295	.628	.092	46	(-1.478, -1.109)	-1.132	1.139	.108	110	(-1.346, -.918)	-1.347	1.442	.222	41	(-1.797, -.898)	-1.207	.989	.055	323	(-1.316, -1.099)
Mental State																									
Low Mental	3.952	.973	.087			4.134	.814	.119			3.655	.968	.092			3.241	1.136	.175			3.785	1.005	.056		
High Mental	4.642	.826	.074			4.905	.660	.096			4.374	1.012	.096			4.070	1.071	.165			4.515	.937	.052		
difference	-0.690	.467	.042	123	(-.737, -.607)	-0.771	.416	.061	46	(-.894, -.650)	-0.719	.652	.062	110	(-.842, -.597)	-0.829	.720	.111	41	(-1.054, -.605)	-0.730	.566	.031	323	(-.792, -.668)
High Victim Harm & Hierarchy																									
Authority	4.757	.853	.077			4.908	.721	.105			4.305	1.074	.102			4.107	.968	.149			4.540	.972	.054		
Equality	4.590	.862	.077			4.906	.670	.098			4.410	1.049	.100			4.048	1.185	.183			4.504	.978	.054		
difference	0.167	.525	.047	123	(.074, .261)	0.002	.401	.058	46	(-.116, .119)	-0.105	.642	.061	110	(-.226, .016)	0.059	.706	.109	41	(-.160, .280)	0.036	.588	.033	323	(-.028, .100)
& Solidarity																									
Intimate	4.679	.892	.080			4.900	.695	.101			4.218	1.045	.099			3.958	1.012	.156			4.460	.986	.055		
Nonintimate	4.571	.902	.081			4.918	.759	.111			4.682	1.150	.109			4.294	1.305	.201			4.623	1.043	.058		
difference	0.108	.746	.067	123	(-.025, .240)	-0.018	.587	.086	46	(-.191, .154)	-0.464	.797	.076	110	(-.613, -.313)	-0.336	.690	.107	41	(-.551, -.121)	-0.163	.777	.043	323	(-.249, -.079)
High Mental State & Hierarchy																									
Authority	5.185	.831	.075			5.426	.568	.083			4.746	1.351	.126			4.575	1.488	.230			4.991	1.139	.063		
Equality	5.132	.784	.070			5.428	.546	.080			4.805	1.283	.122			4.595	1.554	.240			4.993	1.100	.061		
difference	0.053	.447	.040	123	(-.026, .133)	-0.002	.238	.035	46	(-.073, .067)	-0.059	.671	.064	110	(-.185, .068)	-0.020	.510	.079	41	(-.179, .139)	-0.002	.523	.029	323	(-.060, .055)
& Solidarity																									
Intimate	5.134	.839	.075			5.405	.556	.081			4.694	1.305	.124			4.525	1.525	.235			4.944	1.130	.063		
Nonintimate	5.179	.813	.073			5.468	.591	.086			4.980	1.352	.128			4.714	1.573	.243			5.093	1.134	.063		
difference	-0.045	.651	.058	123	(-.161, .071)	-0.063	.367	.054	46	(-.171, .045)	-0.286	.821	.078	110	(-.441, -.132)	-0.189	.601	.093	41	(-.377, -.003)	-0.149	.614	.038	323	(-.224, -.074)