

Homogeneity of Jurors

The Majority's Influence Depends upon Their Perceived Independence*

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A dissenting juror faces considerable social pressure from the majority to accept their position. This article postulated that whether the dissenter conforms or not should be dependent, in part, on attributions made about the cause of the majority's behavior. Specifically, it was hypothesized that to the extent the majority jurors are perceived to be independent of one another, their credibility should be high and the dissenter will likely adopt their position. On the other hand, agreement among homogeneous jurors may be attributed to mutual influence or similar personalities and, therefore, discounted as a reliable source of information about the case. Two studies investigated the relationship between both attributions of independence and social influence, and the homogeneity of the jurors attempting influence. Overall, findings from the studies indicate that the manner in which jurors are initially categorized into social groups affects their perceived independence and persuasive impact.

INTRODUCTION

Ideally, one hopes that jury deliberations involve a careful weighing of all evidence before opinions are formed. An alternative view is that jurors form their opinions during the trial, and jury deliberations, therefore, are largely concerned with attempts by the jurors to influence one another (Kalven & Zeisel, 1966; Weld & Danzig, 1968). The former view has not received much empirical support. For example, Weld and Danzig (1968) conducted a study in which subjects listened to a mock trial and gave

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their opinions at several points during it. Many subjects (at least 25%) showed little change in their opinions as the trial progressed. Kalven and Zeisel (1966) also reported that jurors usually form their opinions before the process of deliberation begins. They hypothesized that the function of the jury is to bring about consensus rather than to discuss facts about the case. Indeed, they found that the majority opinion on the jury's first ballot predicted the eventual verdict in 90% of some 225 cases. Thus, the jury behaves much like a small group striving for consensus.

This article pursues the question of social influence and consensus in the jury from the perspective of attribution research. In so doing it focuses on a juror's perception of the relationship among the other jurors, how this perception affects attributions about the independence and credibility of the others, and how this in turn affects the juror's likelihood of conforming to their position. Given this orientation, let us consider one aspect of the jury deliberation process in more detail.

When faced with opposition from a unanimous majority, a dissenting juror must decide either to conform to the majority's position or to discount the opposition and remain independent. What the dissenter confronts, then, is a problem of attribution (Ross, Bierbrauer, & Hoffman, 1976). If the dissenter can attribute the majority's behavior either to some external element (aspect of the situation) that they face but he/she does not or to some internal characteristic (aspect of their personalities) that they possess but he/she does not, then the dissenter has an adequate explanation for the different positions and may confidently discount the majority's behavior. An example of a situational explanation would be the inference that the majority's unanimity is due to social pressure to agree with one another in order to remain good members of their social group. An example of a dispositional explanation would be the inference that their unanimity reflects similar beliefs and values among them. On the other hand, if the dissenter cannot find an explanation for the majority's different behavior, he/she may very likely question his/her own judgment.

In forming attributions, the dissenter may use information such as the social categories or groups to which the majority members belong. The act of categorizing others into groups generates certain assumptions about their behavior. Specifically, research has shown that members of a group are viewed as more similar to one another and less independent of one another than are persons who are not categorized into that group (Allen & Wilder, 1979; Taylor, Fiske, Etoff, & Ruderman, 1978; Wilder, 1978). For example, in one experiment (Wilder, 1978) subjects observed four persons voicing opinions about a civil dispute. The same case and opinions were presented in all conditions, and subjects were asked to make attributions about the cause of one person's behavior. Results showed that persons organized into a group were perceived as less independent of the influence of one another than were persons not categorized into a group, even though the content of their communications did not vary. Thus, when perceived as a group, the behavior of persons is regarded as less independent than when the same persons are perceived to be unrelated individuals.

Given that juries are composed of strangers who know little about one another, one would expect jurors to be categorized into social groups on the basis of fairly obvious physical cues such as sex, age, race, and occupation (Campbell, 1958; Taylor & Fiske, 1978). To the extent the jurors are homogeneous, they should be categorized into few social groups. Therefore, similar behavior among them may be explained by

reference to their membership in the same social category. One may attribute unanimous behavior to normative pressures within their social group (an external cause—"they are conforming to avoid group sanctions or to elicit one another's favor"), or to similar beliefs and values which differ from one's own (an internal cause—"they are alike in personality"). Either of these attributions is sufficient to account for the discrepancy between the majority's opinions and one's own position. On the other hand, the more heterogeneous the jurors are, the more likely they will be categorized into several distinct social groups. In this case, they should be viewed as relatively independent of one another, making it difficult to discount their behavior.

Of the variables that affect one's likelihood of accepting a persuasive communication, the perceived independence of the communicator(s) has been found to be particularly important (e.g., McGuire, 1969). Thus, one is not likely to be persuaded if a person's message can be attributed to the influence of others rather than to his/her expertise. This is also consistent with the observation that persons who resist pressure to conform explain (or, perhaps, justify) their behavior by claiming that members of the opposition are "spineless sheep" following a leader (Gerard & Greenbaum, 1962). Thus, when the independence of the opposition is in doubt, their opinions are not given much weight despite their numerical superiority.

If the independence of group members is frequently in doubt, then they should be less influential than persons not so categorized. Two experiments investigated the effects of perceiving others as a group on their persuasiveness (Wilder, 1977). Subjects in these investigations observed a videotape of persons expressing their opinions. Both the number of persons and their relationship to one another were systematically manipulated. Subjects in all conditions heard the same arguments from the same persons. Some persons were described as a group whereas others were presented as an aggregate of unrelated individuals. Thus, content of the messages was constant; the only variables were the number of persons on the tape and whether or not they were organized into groups. Social influence was found to vary positively with the number of groups attempting influence. Given a constant number of persons in opposition, subjects were more likely to conform when the communicators were members of several different groups than when they were members of a single group. For example, when faced with opposition from six persons, influence was greatest when the persons were categorized as three groups of two each; influence was moderate when they were viewed as two groups of three each; and influence was least when they were a single group of six.

In summary, the research reviewed above has clear implications for jury deliberations. In any social situation, such as a jury, persons actively structure the environment by categorizing others into groups (Bruner, 1958; Campbell, 1958), which may be based upon a variety of information including their homogeneity (similarity of physical appearance, beliefs, etc.). This categorization process is important in that it influences one's expectations of how the others will behave and, therefore, how one behaves towards them. A juror should view the majority as more independent and persuasive to the extent that he/she views them as relatively heterogeneous (members of several social groups). Conversely, a juror who in fact is influenced by the majority may view the majority as more heterogeneous (composed of more groups) than an uninfluenced juror. It is easier to dismiss the opinions of jurors who are "alike" and,

hence, may represent a limited view of the issues. Such persons should be viewed as less independent of one another and as less credible sources of information. In attributional terms, some property of homogeneous individuals may be considered the "cause" of their opinions; consequently, the facts of the case can be discounted as the critical factor in their judgments. Two studies were designed to investigate the effects of homogeneity-heterogeneity, and specifically test the proposition that the more heterogeneous the jurors are, the more likely they will be (a) categorized into several distinct groups, (b) perceived as independent of one another, and (c) successful in influencing the dissenting juror.

STUDY 1

This experiment was introduced to subjects as an investigation of jury deliberations. Subjects were randomly assigned to one of nine conditions. In all conditions they were provided with details of an ostensibly real legal case. Then they listened to a tape of a jury's deliberation. The identities of the jurors were systematically manipulated so that they would be perceived as either members of a single group, members of two groups, or members of four different groups. Thus, subjects heard the opinions of eight persons who were either all members of the same social group [four conditions: black high-status occupation (BH), black low-status occupation (BL), white high-status occupation (WH), white low-status occupation (WL)], or four members of one group and four members of another group (four conditions: BH-BL, BH-WH, BL-WL, WH-WL), or two members of each of four groups (one condition: BH-BL-WH-WL).

In this manner the experiment consisted of nine conditions. In four conditions the jury was a single, homogeneous entity; in four conditions it was composed of two groups; in one condition it was organized as four separate groups. Based on results from earlier research (Wilder, 1977), it was hypothesized that subjects in the four homogeneous (one-group) conditions would be less influenced by the arguments of the jurors than subjects in the five heterogeneous (four two-groups and one four-groups) conditions. Among the heterogeneous conditions, the four-groups condition should show more interpersonal influence than any of the two-groups conditions.

Method

Subjects

Subjects were 144 undergraduates (half males and half females) recruited in the dormitories of a large eastern university. Psychology students were excluded to minimize contamination from persons experienced with research involving deception.

Procedure

Subjects reported to a classroom where they were met by the experimenter and a well-dressed confederate. The experimenter introduced the confederate as Mr. Jenkins of the local "Legal Services Office." The experimenter added, "Mr. Jenkins

has asked us for assistance in studying the effects of a proposed change in the judicial system. I'll let him describe this more fully." Mr. Jenkins was a graduate student, dressed in a conservative business suit and carrying the ubiquitous attache case. He made the following remarks.

You may have heard that the state legislature is considering a proposal to reduce the size of juries from 12 to 8 members as an economy move in some civil suits. Unfortunately, very little is known about the effects such a change may have on the judicial process. Our office is quite concerned and has consulted several departments of the university, including psychology, to see if they can be of some help. The department chairman advised me to consult Dr. Wilder since he is a social psychologist. Dr. Wilder suggested that we explore this issue by exposing potential jurors, such as yourselves, to the deliberation process of a smaller jury. We will be asking you to listen to a tape of an eight-member jury. Afterward we will solicit your reactions to the tape. We will compare your reactions with those obtained from persons who will listen to a tape of a 12-person jury. Before playing the tape, let me give you a little background information about the jurors so that you will feel more like you are actually there. Let's see . . . these jurors come from the jury pool in Middlesex County . . . and this is tape #26. The jurors are . . .

At this point the assistant introduced the experimental manipulation. The manipulation involved the descriptions of the jurors. Each juror was identified by a brief reference to the juror's race (black, white), occupational status (white-collar, blue-collar), and sex (always male in this study). Subjects were randomly assigned to one of the following nine conditions.

Homogeneous (One-Group) Conditions

All eight members of the jury were described as either "black white-collar employees," "black blue-collar workers," "white white-collar employees," or "white blue-collar workers." (Middlesex County, where the jurors were allegedly from is sufficiently mixed racially to make it plausible that an eight-member jury might be all black.) Hence, the four homogeneous conditions were as follows:

1. Black high-status condition (BH)
2. Black low-status condition (BL)
3. White high-status condition (WH)
4. White low-status condition (WL)

Heterogeneous (Two-Groups) Conditions

Either the race or occupation factor was varied in each of four conditions while holding constant the other factor. These four conditions were as follows.

5. BHL condition: All members were black. Four were white-collar employees, and four were blue-collar workers.
6. BWH condition: All members were white-collar employees. Four were black, and four were white.
7. BWL condition: All members were blue-collar workers. Four were black, and four were white.
8. WHL condition: All members were white. Four were white-collar employees, and four were blue-collar workers.

Heterogeneous (Four-Groups) Condition

In this last condition both race and occupation were varied simultaneously to produce four groupings.

9. BWHL Condition. Two members belonged to each of four categories: black white-collar; black blue-collar; white white-collar; white blue-collar.

Subjects in all conditions heard the same audiotape with male voices being used for all members of the jury. Thus, the information subjects were exposed to was identical in all conditions with the exception of whom the jurors were described to be.

Prior to listening to the tape subjects were given a three-page brief of a civil case that the jury was allegedly considering (Hawkins, 1960). The case involved a child who had been suffering from a respiratory ailment. His mother purchased a vaporizer at the neighborhood drug store and set it next to the child's head. After she left the room to wash clothes, the vaporizer somehow ignited the child's blanket, severely burning him. The parents brought suit charging the manufacturer of the product with negligence. The story was constructed to be sympathetic to the parent's case.

All jurors on the tape expressed the same opinion. They argued that the mother was completely to blame for the accident; consequently, the child should receive nothing in damages. Each juror expressed his opinion in turn, speaking for about a minute each. After stating their initial opinions, the jurors discussed the case among themselves for a couple of minutes and then formally brought in a verdict for the defendant (manufacturer) and against the plaintiff (the parents). Although all jurors blamed the mother for the accident, each juror cited a different portion of evidence and used different arguments to support his decision. Thus, subjects were confronted with a unanimous majority in opposition to their sympathies.

After listening to the tape subjects completed a questionnaire designed to tap their reactions to the jury. Upon completing these measures, subjects were thoroughly debriefed and sworn to secrecy about the experiment.

Dependent Measures

Dependent measures were contained in the postexperimental questionnaire. All items were constructed as 12-point bipolar scales. The first item asked subjects to indicate the extent to which the mother was to blame for the accident. A second item asked subjects to indicate the extent to which the manufacturer was responsible for the accident. End points on both scales ranged from "not at all responsible" (1) to "completely responsible" (12).

Three other items assessed the adequacy of the experimental manipulations. On these items subjects were asked to make attributions about the jurors. On one item subjects judged the degree to which the jurors behaved independently of one another. End points for this measure ranged from "they were completely dependent of one another" (1) to "they were completely independent of one another" (12). Two additional items asked subjects to indicate how similar the jurors' opinions on this case were to one another, and how similar the jurors' beliefs, in general, were to one another. End points were labeled "not at all similar" (1) and "nearly identical" (12). On the next item subjects indicated whether any of the jurors were likely to associate with one another in the future. End points were labeled "very unlikely" (1) and "very

Table 1. Item Means for Experimental Conditions (Study 1)^a

Items	Homogeneous conditions				Heterogeneous conditions				
	BH	BL	WH	WL	BWH	BWL	BHL	WHL	BWHL
Mother's guilt	7.50 _{cd}	7.13 _d	7.56 _c	7.44 _d	9.06 _{ab}	8.56 _{bc}	8.69 _b	8.63 _b	9.75 _a
Attribution of independence	6.25 _{cd}	5.83 _d	6.38 _{cd}	5.94 _d	7.56 _{bc}	7.31 _{bc}	8.19 _b	7.94 _b	9.56 _a
Similarity of beliefs	9.75 _d	9.50 _d	8.88 _{cd}	9.69 _d	8.31 _b	7.69 _{ab}	8.75 _{bc}	7.44 _{ab}	6.75 _a
Future association	7.19 _b	7.50 _{bc}	8.44 _c	8.25 _c	6.13 _a	6.44 _a	7.56 _b	6.06 _a	6.13 _a

^aNote: Row means with different subscripts differ at the .05 level of significance or better (Fisher's LSD test).

likely" (12). Finally subjects stated what they thought was the purpose of the experiment. Data from each measure were analyzed in a 9 (experimental conditions) \times 2 (sex of subjects) factorial design.

Results and Discussion

Success of Manipulation

First, an examination of the manipulation checks is necessary to see if subjects perceived the jurors as intended. On one item subjects indicated the extent to which the jurors' opinions were independent of one another. This item was a measure of the extent to which jurors were perceived as a single, interdependent group. The analysis disclosed a significant effect for experimental conditions, $F(8, 126) = 6.78, p < .01$. The multiple group conditions produced stronger attributions of independence than the one-group (homogeneous) conditions. In particular, note that subjects in the four-groups (BWHL) condition made the strongest attribution of independence to the jurors (Table 1).

Turning to the similarity-of-opinion measure, the analysis of variance revealed no significant effects for either factors or the interaction. Subjects in all conditions correctly judged the jurors as expressing similar opinions. The grand mean across conditions was 9.13 on the 12-point scale.

On the second similarity item, subjects estimated the similarity among jurors of their general beliefs. The analysis disclosed a highly significant effect for experimental conditions, $F(8, 125) = 13.46, p < .01$. Comparisons among means revealed that similarity was higher in homogeneous conditions than in heterogeneous conditions (Table 1). Moreover, subjects assumed the least similarity of beliefs in the four-groups condition.

The same pattern of findings emerged in the analysis of the future-association measure, $F(8, 126) = 7.68, p < .01$. Subjects in the homogeneous conditions were most likely to expect interaction among the jurors following the trial (Table 1). Subjects in the heterogeneous conditions predicted less future association.

Overall, data indicated that the experimental manipulations were successful. Relative to the homogeneous jurors, subjects judged the heterogeneous jurors to be more independent of each other, to be more dissimilar to one another, and to be less likely to interact in the future. But subjects in all conditions accurately recalled that jurors gave similar opinions on the specific case they were adjudicating. Thus, any differences among conditions on measures of guilt must be due to the homogeneity manipulation and not to differences in recall of the verdict advocated by the jury.

Judgment of Guilt

The primary measure of interest was the attribution of guilt to the mother. Results of the 9×2 analysis of variance indicated a significant effect for experimental conditions, $F(8, 126) = 5.28, p < .01$. As illustrated in Table 1, subjects in the one-group (homogeneous) conditions blamed the mother less than subjects in the two-groups and four-groups (heterogeneous) conditions. Moreover, subjects in the condition of maximum heterogeneity (BWHL) were most influenced by the jury. In this condition the eight jurors were categorized into four distinct groups.

There were no differences among conditions on the measure assessing the manufacturer's guilt. Evidently, blame to one party does not necessarily absolve the opposing party. There was, however, a significant effect for sex in the analysis, $F(1, 126) = 5.23, p < .05$. Means for males and females were 7.00 and 6.35, respectively. Males were more harsh in their judgment of the manufacturer than were females.

In summary, results from Study 1 are generally supportive of the predictions. Although the messages heard by subjects did not vary, they were perceived as more influential (i.e., measure of mother's guilt) when the jury was heterogeneous (composed of several groupings) than when the jury was homogeneous. With greater heterogeneity the jurors were viewed as less similar, as less likely to interact again, and as more independent of one another. Note that these effects varied with the number of groups the jurors were categorized into and not with the specific groups themselves. There were few differences within the homogeneous conditions or within the heterogeneous conditions (Table 1). Nearly all significant differences occurred between the one-group, two-groups, and four-groups conditions. Thus, in searching for an explanation for the majority's opposition, subjects were more likely to conclude that they were in error and the majority was correct when the majority persons were heterogeneous and could be reasonably assumed to be independent of one another. On the other hand, when they were relatively homogeneous (categorized as a single group), they were perceived to be less independent. Their agreement could be attributed, in part, to mutual influence or a common disposition, and not necessarily to the facts of the case. In the latter situation subjects resisted conformity pressure.

STUDY 2

As a next step, it would be interesting to see if the perception of heterogeneity among jurors is a necessary condition of their being persuasive. This hypothesis is essentially the converse of the one tested in the first study. To examine this hypothesis, subjects were exposed to the opinions of a full 16-member jury in Study 2. They were then asked to indicate how they would decide the case as well as to recall what they

could about the behavior of the jurors. It was hypothesized that persons who voted against the majority of jurors would regard them as a single, homogeneous group. Persons influenced by the majority, however, should be more prone to regard them as independent individuals.

Method

Subjects

A total of 30 subjects (15 males and 15 females) participated in this study. All were recruited by telephone, and were paid \$3 each for their participation. No sex effects emerged in the data, so this factor will be ignored for the remainder of the article.

Procedure

The experimental situation and cover story were identical to those employed in Study 1. Rather than listening to an audiotape, all subjects viewed a videotape of a 16-member jury deliberating the case employed in the first study. The 16 jurors represented all combinations of the groups manipulated in Study 1. Half of the jurors were black and half were white. Moreover, half were supposedly employed in high status (white-collar) jobs and half were employed in low status (blue-collar) occupations. Finally, half of the jurors were males and half were females. (This factor was not manipulated in the first study.) Thus, there were two white jurors and two black jurors in each of the following categories: male white-collar; male blue-collar; female white-collar; female blue-collar.

The tape began with a fictitious code number ("No. 42"). Its purpose was to suggest that there were other videotapes made of different juries, so that this particular tape would not appear to be special in any way. The jurors were acquaintances of the experimenter's research assistant. They were not students at the university; they ranged in age from 19 to 35. The jurors were randomly assigned to either the white-collar or blue-collar roles. The initial five minutes of the tape contained a brief introduction by each juror (i.e., statement of a fictitious name and a brief description of his/her occupation). The white-collar jurors identified themselves as either an administrative assistant, clerk, accountant, substitute teacher, office worker, or civil servant. The blue-collar jurors identified themselves as either a steel worker, truck driver, mechanic, construction worker, electrician, or custodian. Then they began deliberating the case. As in Study 1, all blamed the mother for the mishap and absolved the manufacturer of any responsibility. Each juror gave a slightly different set of arguments to support his/her position. The expression of their initial opinions consumed approximately 12 minutes. At this point the tape was stopped. The experimenter indicated that he wanted the subjects to complete a questionnaire before continuing. After subjects finished the dependent measures, they were debriefed and dismissed.

Dependent Measures

The questionnaire contained three dependent measures. The first two measures were adapted from the postexperimental questionnaire of Study 1. Subjects were

asked to indicate whether or not the mother was to blame for the accident. Rather than using a bipolar scale, subjects were provided with a simple dichotomous choice: "Mother is guilty of negligence" versus "Mother is not guilty of negligence." The forced choice was used as a means to separate clearly those who were influenced by the jury from those who were not affected. (In addition, a dichotomous choice is more comparable to the choice faced by jurors.) On the second item subjects rated the independence of the jurors. This measure was identical to the one employed in Study 1. Finally, subjects were asked to describe the jurors and the positions they advocated.

Results and Discussion

The majority of subjects (18/30) agreed with the jurors and brought in a verdict against the mother. For comparison purposes, a group of 30 subjects were given the case to read without viewing the videotape. Of this control group, a minority (8/30) blamed the mother for the accident. A comparison between the jury condition of Study 2 and this control clearly indicated that the jury had a significant impact on the subjects, $\chi^2(1) = 5.40, p < .05$.

An internal analysis was performed on the data from the remaining two measures. Data from the 18 subjects blaming the mother (influenced subjects) were compared with data from the 12 subjects who were unaffected by the jury's opinion (uninfluenced subjects). Since subjects could not have been randomly assigned to the influenced and uninfluenced groups, this study is not an experiment. Hence, one must exercise caution in generalizing from the results.

On the second measure subjects estimated how independent the jurors appeared to be. A comparison between subjects voting with the jury (influenced subjects) and those voting against the jury (uninfluenced subjects) revealed a significant difference in attributions of independence, $t(28) = 2.34, p < .05$. Subjects who were influenced by the jury viewed the jurors as more independent of one another ($M = 7.94$) than subjects who were not affected by the jury ($M = 6.42$).

As a final measure, consider the open-ended descriptions of the jurors. Two patterns were noted in these data — (1) the accuracy with which subjects reported the arguments advanced by each juror, and (2) whether subjects referred to the jurors by noting their individual qualities (e.g., "white wearing a plaid shirt with glasses") or referred to them as a relatively undifferentiated group (e.g., "third juror from the left"). Data from this measure were coded by research assistants who had no knowledge of the design or purpose of the study. An individuated reference to a juror was defined as a reference that noted a unique characteristic of the juror (e.g., physical appearance, specific argument, nuance of voice).

On the accuracy measure a subject's score could range from 0 to 16 depending upon whether he/she recalled none or all of the positions correctly. To recall the position correctly, subjects had to report the specific arguments used by the juror as well as his/her general position on the case. The mean recall score for the influenced subject ($M = 7.28$) was significantly greater than the accuracy mean for the uninfluenced subject ($M = 6.08$), $t(28) = 1.91, p < .07$. As expected, subjects who were influenced by the jury were better able to recall the individual arguments than were the uninfluenced subjects.

The groups did not differ significantly, however, on the second measure derived

from this open-ended question. The influenced subjects made more references to the individual characteristics of the jurors (e.g., "the black guy who drove the truck said") than the uninfluenced subjects. The latter subjects tended to refer to the jurors in a less individuated manner (e.g., "the next juror said"). Mean number of specific references to the jurors by the influenced subjects was 6.78 as compared to 5.50 for the unaffected subjects; this difference was not statistically significant.

SUMMARY AND IMPLICATIONS

Conformity and Attributions

In their classic study of the jury, Kalven and Zeisel (1966) stated that the most time and effort in deliberation involves the majority's attempt to influence the minority. Along with others (e.g., Valenti & Downing, 1975), they suggested that research on conformity pressure in small groups may be directly applicable to the jury. Despite these suggestions little has been done to test directly the parallels between conformity in the laboratory group and influence in the jury.

The studies reported in this article examined the effects of categorizing jurors into groups on their ability to influence a subject. It is clear that persons tend to structure their environment, and that the categorization of others into groups is one way of ordering social situations (e.g., Campbell, 1958). One consequence of organizing persons into a common group is the attribution that they are more similar and less independent of one another than when they are viewed as members of several different groups. This attributed lack of independence among the majority provides a dissenting juror with an adequate explanation for his/her disagreement with the others, enabling the dissenter to resist conformity pressure from the majority. A homogeneous jury in which members belong to few groups should, therefore, have little persuasive impact in comparison to a heterogeneous jury. On the other hand, heterogeneous jurors should be viewed as relatively independent sources of information about the case. Results from Study 1 supported this prediction. In the second study the converse of this hypothesis was examined. It was predicted that persons who were influenced by a jury would be more likely to regard the jurors as independent than would persons who were not influenced. Again, results were generally supportive of the prediction.

One implication of these findings is that the more dissimilar jurors are, the more influential they should be. The more dissimilar they are to one another, the more difficult it is to categorize them into a single group of interdependent jurors. It would be tempting to suggest that a heterogeneous jury will produce quicker decisions with fewer deadlocks than a more homogeneous jury. This suggestion is certainly premature considering that we have only examined this variable in a fairly artificial setting for a short period of time. Future research should examine the effects of heterogeneity among jurors over an extended period of deliberation, and might also consider implications of these findings for credibility of witnesses. For example, a relatively heterogeneous collection of witnesses should be perceived as more independent and persuasive than a collection of witnesses who appear to be very similar to one another.

Jury Size and Attributions

The findings reported here bear upon the issue of jury size. For instance, the U.S. Supreme Court, in the case of *Williams versus Florida* (1970), ruled that a Florida statute authorizing 6-person juries was constitutional. This ruling was followed by several studies comparing 6-member and 12-member juries (e.g., Davis, Kerr, Atkin, Holt, & Meek, 1975, Gordon, 1968; Kerr, Atkin, Stasser, Meek, Holt, & Davis, 1976; Valenti & Downing, 1975), which failed to find significant effects for jury size with the exception of the Valenti and Downing (1975) experiment. When evidence against the defendant was strong in their study, 12-person juries were less likely to convict than were 6-person juries. Increasing the number of jurors enhanced the probability of there being at least one sympathetic juror who would create a deadlock.

An explanation for the general failure to find significant effects of jury size may be found in the manner in which subjects perceived fellow jurors in those studies. In the jury size experiments, jurors were fairly homogeneous. All were students from either introductory psychology, introductory social psychology, or political science classes. An increase in jury size, then, involved merely an increase in the same group of person. There was no increase in heterogeneity that might suggest a different, independent perspective on the case. On the other hand, based on the research reported here, larger juries might be more persuasive if the increased size results in greater heterogeneity among the jurors and if the majority is unanimous in its position.

Consensus and Attributions

The studies reported in this article are also relevant to some recent attribution research not involving juries. This research has investigated effects of consensus on attributions of behavioral causality. In his attribution model Kelley (1967) proposed that common behavior among persons (consensus) is attributed to situational causes while unique behavior is attributed to properties of the agent performing the behavior. Although this prediction appears intuitive, research has indicated that the relationship between consensus and attribution may not be a simple one. Tests of the consensus hypothesis have not yielded uniform results with several investigators reporting some support for Kelley's prediction (Feldman, Higgins, Karlovac, & Ruble, 1976; Hansen & Lowe, 1976, Harvey, Arkin, Gleason, & Johnson, 1974; Orvis, Cunningham, & Kelley, 1975; Ruble & Feldman, 1976; Wells & Harvey, 1977) and others finding little (McArthur, 1972) or no support (Nisbett & Borgida, 1975).

The Nisbett and Borgida (1975) article is most troublesome since they reported no attribution effects for consensus. In their studies subjects were given information about the behavior of others who had participated in psychological experiments. Some subjects were told that most persons in the experiments had performed a particular behavior (high consensus) while other subjects were not given any information (low consensus). Wells and Harvey (1977) have argued that Nisbett and Borgida's failure to find an effect for consensus was due, in part, to their failure to inform subjects that the persons in the experiments were randomly selected. Thus, subjects may have assumed that the persons were an atypical group and were not representative of the diversity in the general population. In a partial replication of the Nisbett & Borgida experiments, Wells and Harvey (1977) gave some subjects information in-

dicating that the persons in the experiments described to them were randomly selected from the student population; other subjects were not given information about the selection procedure. Wells and Harvey also found no effect for consensus when subjects were not told that the persons in the experiments were randomly selected from the student population. But when subjects were told that selection had been random, consensus effects were obtained in accordance with Kelley's model.

Wells and Harvey's data fit nicely with the findings reported here. When subjects in their research were told that the persons in the experiments were *randomly* chosen from the student population, they were told, in effect, that the persons were heterogeneous and did not come from a homogeneous subset of the student population. On the other hand, when no information was provided to subjects, they could have assumed that all were members of a common group or category (e.g., same course, same sex). If the persons were considered relatively heterogeneous in the "random" selection condition, then their behavior should have been judged to be independent of one another. Their identical behavior would indicate that all were responding to demands of the common situation they confronted.

Similarly, in a jury setting consensus among jurors has a greater effect on attributed independence of the persons when the jurors are relatively heterogeneous than when they are homogeneous. Common behavior by a heterogeneous jury may provide more information about the case since agreement by a collection of disparate jurors suggests the effect of powerful situational forces (e.g., merits of the case) leading all jurors to the same conclusion. But agreement among a homogeneous group of jurors may very well be attributed to a common perspective or bias that they all share rather than to the merits of the case.

As a concluding observation, social scientists appear to have rediscovered so-called subjective biases in behavior. Investigators are recognizing that a person's behavior may be better accounted for by considering the person's perception or representation of the situation rather than by simply focusing on the "objective" situation (which is what the investigator believes it to be). Thus, prediction and understanding of behavior in any social situation, including the jury, will improve to the extent that we consider how persons attend to, structure, and integrate information available to them.

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