



Just World Jurors

By Alison K. Bennett

Ain't no living in a perfect world. But we'll keep on dreaming of living in a perfect world.-- Huey Lewis

In a perfectly just world, jurors motivated by perfect justice would make consistently well-reasoned judgments based on the law, the evidence and unbiased wisdom. By contrast, “Just World Jurors” motivated by a need to preserve a Belief in a Just World (BJW) may deliver judgments that normalize or minimize the very injustices criminal and civil victims call on them to address.

Just World Jurors seek to protect their perception of the world as a fundamentally fair and just place to live by psychologically distancing themselves from injustice. They may blame or derogate victims if they cannot compensate them or find a positive way to correct the injustice. In fact, this deep-seated need to protect a Belief in a Just World can cause “Just World Jurors” to distort evidence in an effort to justify the negative outcome. It is a delicious irony – the “Just World Juror” inadvertently creates injustice in an attempt to preserve the perception of a just world.

This article provides an overview of the Belief in a Just World (BJW) theory, discusses how to identify Just World Jurors and concludes with a discussion of its implications for litigation strategy.

What is a “Just World Juror”?

Over 40 years ago, Melvin Lerner (1965) created his Belief in a Just World (BJW) hypothesis to explain a tendency by some people to blame or derogate an innocent victim to protect their own belief that the world is a fair and safe place where people do not suffer undeserved misfortunes. This article explores BJW’s effects and impacts on jurors and their decisions.

Lerner’s original unidimensional construct described people whose BJW caused them to cling to the notion that “good” people are always rewarded with good fortune while “bad” people are punished as the consequence of their actions. With this distorted perception of a perfect world, BJW people reason that people get what they deserve and deserve what they get. Just world beliefs offer a sense of security in an otherwise random and chaotic world and depending on the strength of their conviction and their motivation for maintaining it, people go to great lengths to protect these beliefs depending on the strength of their conviction and their motivation for maintaining it.

Psychological Origins of Belief in a Just World

Many children are taught to delay gratification and work hard to achieve rewards and avoid punishment. They learn to expect fair treatment in exchange for adhering to societal and moral norms (Daubert, 1999; Hafer, 2002; Lerner, 2002). American culture reinforces just world beliefs through morality-based fairy tales and stories, and an emphasis on religious teachings that highlight the rewards of good character and good deeds rather than the negative consequences that occur when one commits bad deeds.

Positive Psychological Benefits and Negative Outcomes

Although early BJW research was focused on the derogation and blame of innocent victims, research in the past decade has expanded to investigate the positive psychological benefits of this belief system, including its utility as a healthy coping mechanism. People need to assume their actions will have predictable consequences in order to make long term plans or establish goals. Therefore, BJW can provide a psychological buffer against the harsh realities of living in a random world by offering believers an unshakable perception of the world as a stable and orderly environment. In fact, some characterize this attitude as being fundamental in helping people maintain psychological balance and a sense of well-being (Dalbert, 2001).

Another positive benefit of BJW results from the way it can motivate people to act to correct injustice or restore order to the world, inspiring volunteers and heroes who risk their lives for strangers. As Lerner (1981) writes, “We have persuasive evidence that people are strongly motivated by the desire to eliminate suffering of innocent victims”.

Unfortunately, the negative side of this otherwise positive psychologically adaptive process is jurors’ tendency to blame victims in an effort to “neutralize” injustice. Jurors’ actions vary depending on their motivation for maintaining their BJW, their perception of the victim’s character and their view regarding the victim’s innocence. These types of “Just World Jurors,” identified by category (in Table 2 below), can go to great lengths to maintain their beliefs, even in the face of evidence to the contrary (Rubin and Peplau, 1973). Lerner (1998) has characterized this process as a “fundamental delusion.”

Identifying Just World Jurors

Since its inception in 1965, investigation of the Just World hypothesis has produced at least two well-researched measurement scales. In 1975, Rubin and Peplau designed a 20-item “Belief in a Just World Scale” to measure

individual differences in just world beliefs. This scale has been included in many justice related studies but has received its share of criticism (Hafer & Begue, 2005), mostly on the grounds that it has low internal consistency. A more robust instrument, the Global Belief in a Just World Scale (GBJWS; Lipkus, 1991) was later developed and offers statements that can be utilized in jury selection to identify Just World Jurors:

1. I feel that the world treats me fairly.
2. I feel that I get what I deserve.
3. I feel that people treat me fairly in life.
4. I feel that I earn the rewards and punishments I get.
5. I feel that people treat me with the respect I deserve.
6. I feel that I get what I am entitled to have.
7. I feel that my efforts are noticed and rewarded.
8. I feel that when I meet with misfortune, I have brought it upon myself.

(Please note the actual questions in the study were measured by a 6 point Likert scale)

These statements could be easily incorporated into Supplemental Juror Questionnaires to identify jurors with a strong BJW. Trial consultants could also use them to examine this construct in jury research to determine if it is predictive for use in jury selection.

General Characteristics of BJW People

Research has identified the following individual characteristics of people with a strong BJW:

- Authoritarianism (e.g., Altemeyer, 1988)
- Conservatism (e.g., Skitka et al., 2002), including being more likely to admire political leaders and existing social institutions
- Endorsement of the Protestant work ethic (e.g., McDonald, 1972)
- Internal locus of control (e.g., Carroll et al., 1987), or the belief that people are responsible for the outcomes of their lives
- They reported fewer acts of personal discrimination against themselves (Lipkus and Siegler, 1993)
- They possessed a strong focus on long-term investments and a strong desire to obtain goals through socially acceptable means (Hafer 2000)
- They exhibited less anger and showed higher levels of self esteem (Daubert 2002)

Other research has identified a few gender differences related to BJW:

- Overall, males are slightly more likely to have a strong BJW (Lipkus, 1996). (See also Table 2.)
- Females level of BJW does not seem to affect their decision-making as it did with males. For example, their levels of BJW did not correlate with their response to rape victims. Also, females with both high and low BJW attributed the same level of responsibility to the plaintiff in civil suits, but –in contrast to

males – females with a strong BJW award more damages. This is an important difference to note for jury selection.

Table 1: Just World Gender Differences

Gender	Characteristic	Criminal application	Civil application
Males	More likely than females to have a strong BJW	More negative to rape victims	Strong BJW - Awarded more in damages than men with a weak BJW
Females	Less likely than males to have a strong BJW	Neutral to rape victims with respect to the strength of the BJW	Strong BJW - Awarded more damages than males

Just World Juror Categories

In recent years the BJW theory has been expanded to redefine it as a multidimensional construct. It has become apparent that not all BJW people make decisions the same way, due to different underlying cognitive processes and differing motivations for maintaining this worldview. This section explores two of the most important findings, the resulting new categories and how Just World Jurors demonstrate these findings.

BJW-Self vs. BJW-Others

In a major innovation to the BJW theory in 1996, Lipkus, Dalbert and Sigler proposed that BJW is a multidimensional construct that should be broken down into two categories:

1. BJW-Self, which describes a category of BJW people who believe the world is fairer to them personally (“self”) but may be unfair to others in different domains for different reasons (such as someone who lives in another country), and
2. BJW-Other, which describes a category of BJW people who believe that the world is fair to all “others” and justice is for all.

Interestingly, those scoring high on BJW-Self measures scored low on depression and stress inventories, had higher scores on optimism, life satisfaction and tended to embrace a belief in a greater purpose in life. In effect, these are people who use BJW as a positive coping mechanism.

Conversely, BJW-Others scored high on measures related to negative social outcomes, such as prejudice towards the elderly, the poor and the disadvantaged. They also showed a higher tendency toward penal punitiveness. These BJW people are more anxious about chaos in the world and will place an inordinate amount of blame on a victim in an attempt to justify whatever happened to him or her. By blaming or derogating the victim they attempt to justify why the bad situation occurred, somehow deriving comfort from the notion that the victim did something to deserve the outcome.

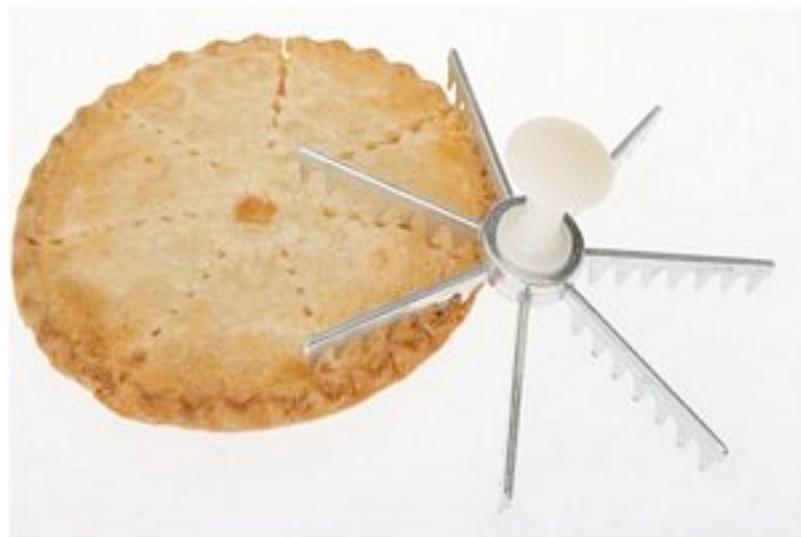
In sum, BJW-Self is associated with the positive psychological benefits noted above and BJW-Other is linked to the desire to minimize threats to just world beliefs posed by “others.” Accordingly, it is helpful to identify in

jury selection not only if a juror is a strong Just World Juror, but also if he or she has a positive BJW-Self or negative BJW-Other orientation.

Immanent vs. Ultimate Justice

In 1998, Maes proposed another multidimensional construct, further defining the theory with four categories:

1. “General belief in a just world” describes a category of BJW people who can separate their own just world from the unjust or random world of innocent suffering (like BJW-Self people). Just World Jurors in this category may hold someone to a high level of personal responsibility for any perceived carelessness or negligence that led to the outcome, but are not likely to otherwise “punish” them and deny them all justice.
2. “Belief in ultimate justice” describes a category of BJW people who believe justice will *ultimately* prevail in this life or an afterlife, so they do not have to give up their fundamental BJW when confronted with injustice. People in this category believe the injustice will be resolved in the future or that further such cases can be prevented, allowing them to preserve hope that the world is orderly and safe. Just World Jurors in this category are not likely to hold the victim responsible for the negative outcome being addressed at trial.
3. “Belief in immanent justice” describes a category of BJW people who believe justice is inherent in a given outcome, thus people not only get what they deserve but they deserve what they get. They believe strongly that what goes around *always* comes around. People in this category are motivated by fear to blame and derogate victims even if they have to contort the evidence to do so. They also possess a strong internal locus of control, believing people are personally responsible for what occurs in their personal world and are therefore more threatened by victims who are more similar to themselves.
4. “Belief in an unjust world” describes a category of people who do not view the world as a just, orderly, predictable or safe place to live. These are the people who believe “life happens,” demonstrating a strong external locus of control. This means they believe in the randomness of fate and do not define events as being inherently just or unjust. Interestingly, people in this category scored high on measures of anxiety, anger, depression, neuroticism, and displayed defensive coping mechanisms with a tendency to focus on negative events. They also exhibited lower levels of hope and optimism (Lench and Chang, 2007). Jurors in this category may not hold victims accountable for the outcome, but they may also project their negative emotions on the party with which they identify least, even if it is the victim.



Overall, research supports the conclusion that the BJW construct is cross-culturally generalizable and fairly stable (people are reluctant to change it) across the life-span (Furnham, 2003). The research into BJW theory includes over 80 peer-reviewed journal articles and more than a dozen book chapters.

Table 2: Just World Jurors Category Overview

Category Name	Overview	Characteristics	Implications for Plaintiffs/ Prosecutors	Implications for Defendants
BJW-Self (Lipkus et al.)	World is more fair to them; Positive psychological adaptative mechanism	Low depression; Low stress; High optimism, hope and life satisfaction; Believes in a life purpose	Will try to balance the scales of justice in a positive way if possible	Civil – Can award lower damages if the victim contributed in any way by action or negligence but probably won't deny them justice
BJW-Others (Lipkus et al.)	World is equally fair to everyone; Negative defense mechanism	Prejudiced towards the disadvantaged, elderly and poor; More anxiety and fear	Will try to blame the victim or hold them accountable in some way; Tendency towards penal punitiveness <i>if they find someone guilty</i>	

Category Name	Overview	Characteristics	Implications for Plaintiffs/ Prosecutors	Implications for Defendants
General Belief in a Just World (Maes)	Personal world is just, may not be just for others	Internal locus of control		Civil – Can award lower damages if the victim contributed in any way by action or negligence but probably won't deny them justice
Ultimate Justice (Maes)	Justice will ultimately prevail	Internal locus of control	Criminal & Civil - Less likely to hold the victim responsible. More likely to correct an injustice in a positive way by punishing the defendant	
Immanent Justice (Maes)	Justice is inherent in the outcome	Strong internal locus of control		Criminal and Civil – Most likely to hold victims responsible for the outcome
Belief in an Unjust World (Maes)	World is a random place where your fate is decided for you	Strong external locus of control		

Conclusion

Just World Jurors can be threatened when something terrible happens to another person, depending on the strength of their BJW and their motivation for maintaining it. When they encounter evidence suggesting that the world is not just, they may act to restore justice by either helping the victim or persuading themselves that no injustice has occurred. This may entail the use of one or more coping strategies, such as addressing the injustice directly by compensating victims to reduce their suffering, attributing a victim's suffering to reckless behavior or justifying the victim's suffering if they judge them to be "bad" or unworthy. These rationalizations allow Just World Jurors to maintain their belief that a similar misfortune will not occur to them, as long as they are careful and are of "good" character (Lerner & Miller, 1978).

The Belief in a Just World theory has proven to be a valid construct offering many useful applications for litigation strategy and jury selection. This article discusses how this theory can be applied to jurors, who can be beneficial or detrimental to a case depending on the strength of their BJW orientation and the motivation they have for maintaining those beliefs.

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