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The Social Mind-set Model potentially explains varying societies' responses to social and criminal behavior

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Abstract

Many countries face similar social issues, but adopt dramatically different solutions. This variation could be because countries have different social mind-sets (SMS), which explain why a certain policy response is adopted (e.g., emotions, attributions). The Social Mind-set Model ("SMS Model") is a modest theoretical addition to the frameworks of Blumer (1971) and Kingdon (2003), who explain how and when the policy process begins. The SMS Model proposes six factors that influence society's SMS, which in turn shapes policy processes described by Blumer and Kingdon. These include society's: 1) high-profile events and social movements, 2) economic-political-legal situation, 3) cultural beliefs and practices, 4) use of research, 5) preference for justice principles, and 6) attributions for behavior. This cross-cultural analysis uses examples from multiple countries. We conclude with a challenge for researchers to continue this line of research, test the model, find more model factors, and directly test the model's assumptions.

Key words

Social Mind-sets; community sentiment; social issues; policy response; criminal behavior

Resumen

Muchos países se enfrentan a problemas sociales similares, pero adoptan soluciones radicalmente diferentes. Esa variación podría deberse a que los países tienen diferentes mentalidades sociales (MMS), lo cual explica por qué se adopta determinada

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respuesta política (p. ej., emociones, atribuciones). El Modelo de Mentalidad Social ("Modelo MMS") es una modesta aportación teórica al marco de Blumer (1971) y Kingdon (2003), quienes explican cómo y cuándo comienza el proceso político. El Modelo MMS propone seis factores que influyen el MMS de la sociedad, la cual, a su vez, da forma a los procesos políticos descritos por Blumer y Kingdon. Refiriéndonos a la sociedad, esos procesos incluyen 1) acontecimientos y movimientos sociales de alto perfil; 2) situación económica, política y legal; 3) creencias y prácticas culturales; 4) uso de la investigación; 5) preferencia por principios de justicia; y 6) atribuciones de conducta. Este análisis transcultural usa ejemplos de varios países. Concluimos con un desafío a que otros investigadores continúen con esta línea de investigación, pongan a prueba el modelo, encuentren más factores del modelo y pongan a prueba directamente las suposiciones del modelo.

Palabras clave

Mentalidades sociales; sentimiento de comunidad; problemas sociales; respuesta política; conducta criminal

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1. Introduction

Various scholars (e.g., Blumer 1971, Kingdon 2003) have explained the processes by which a society determines that a behavior or phenomenon is a problem – and how that problem should be addressed by the legal system. Such frameworks are incredibly helpful at explaining how and when a law or policy comes into being. Even so, such frameworks are not intended to explain why some countries adopt a particular legal or social action, yet others do not adopt the legal action – or even adopt the opposite legal action. For instance, in Italy, the law provides immigrant children with many of the benefits of citizen children, even if they are in the country illegally (Library of Congress 2018). Children are placed in foster care homes and taught to speak, read, and write in Italian. In contrast, the United States sometimes forcibly removes immigrant children from their parents and holds them in detention while awaiting their fate. These vastly different approaches suggest that the two countries have different social mind-sets toward immigrants and children.

Our Social Mind-set Model (SMS Model) expands on the frameworks suggested by Blumer (1971) and Kingdon (2003) by delving much deeper into the why than these previous authors do; for instance, by providing social science theories to explain the thought processes that influence policy. Those previous authors focus on how and when the policy process comes about (e.g., the steps in the policy process) and briefly discuss how it is influenced by social events (e.g., high-profile cases and social movements), scientific data, and ideologies. These are some of the factors that comprise what we call the social mind-set (SMS). We go a step further by using social science theories to explain why these factors influence the policy process: emotions, psychological processing, attributions, preferences, etc. The expanded model can help social scientists start to study the over-arching factors that explain why the policy process starts when and how it does: because of the existing social mind-set (SMS).

The SMS of any given society influences the general community sentiment regarding social issues or events. A community is not only a literal community such as a city; it is also a group (however loosely formed) of people with relevant common interests or characteristics (Miller *et al.* 2015). A community could be parents, democrats, doctors, inmates, or citizens of a country. The study of community sentiment typically compares groups (communities) in their sentiment toward a particular topic. An SMS is a prevailing set of beliefs, values, attitudes, stereotypes, ideologies, and priorities that underlies the community's sentiment. Because communities within a society might differ (e.g., parents and their teenagers might have different sentiment regarding curfew), the SMS refers to the general mind-set popular or in effect in that society. For instance, an SMS regarding crime would reflect that society's sentiment about causes of crime (i.e., personality of the criminal or mental illness) and the preferable method to address crime (e.g., retribution or rehabilitation). This would, in turn, influence the community's sentiment toward proposed legal actions (e.g., longer prison sentences or funding of rehabilitation programs).

More broadly, the SMS can influence social actions in addition to legal actions. Data on discrimination toward minorities (e.g., race, LGBTQ) have prompted a change in the SMS, leading universities, businesses, and other entities to focus more on diversity, equity, and inclusion (e.g., hiring policies and acceptable workplace behavior). When

sentiment differs (e.g., among the 50 states in the Unites States) there might not be a single sentiment or SMS – and thus the prevailing SMS will be most influential. The model helps explain which might prevail.

SMSs vary from one country to the next; for instance, the U.S. has a punitive "tough on crime" mentality not found in some other societies (Tonry 2011). SMSs are more than just "whether a country is punitive or rehabilitative," however. An SMS is a set of stereotypes (e.g., that "super predators" are more dangerous than other criminals), assumptions (e.g., that there must be something, such as poverty, influencing criminals that needs changed), beliefs (e.g., whether prisons deter crime), and ideologies (e.g., whether domestic violence is acceptable). These concepts are the bases of the SMS of a society regarding crime; this SMS in turn shapes the community's sentiment toward proposed and actual legal and social actions.

SMSs are passed from one generation to the next through the influence of parents, peers, education, and media. Even so, the SMS of any society can change over time as a result of society's evolution. For instance, society can "mature" in ways that encourage the development of empathy, impulse control, self-regulation, and a value for human life (see generally, West and Miller 2020). SMSs can also change because of societal events (e.g., recession, social movements). For instance, the COVID-19 pandemic is shaping how some people perceive their relationship with the government. While some believe that the government has the right to tell them to stay home and wear masks, others protest, believing that their individual freedoms outweigh the public good and thus should not be regulated. Beliefs, experiences, and culture are but a few factors that play a part in the development of such attitudes and legal or social actions (i.e., protesting, adopting new laws) that constitute and communicate the community's SMS.

Because legal actors are part of the society, many adopt policies that reflect the society's SMS and community sentiment (Miller *et al.* 2015). In a representative democracy, legal actors are "representatives" of their constituents and are likely to enact laws that the members of society will support. As a result, SMSs often influence legal actions (e.g., prison building or abolition) and responses (e.g., punitive or therapeutic legal actions). Many times, however, the legal actions do not reflect the community's SMS; for instance, when U.S. laws abolished slavery in states that favored it (Miller *et al.* 2015). Such disjoint does occur – and even more so in a dictatorship.

This article addresses reasons that societies vary in their SMSs and how this variance leads to societies having at times, vastly different responses to similar social and crime issues. The SMS (e.g., stereotypes, attributions) is the contribution to existing policy models (e.g., Blumer and Kingdon).

Our Social Mind-set Model (see Figure 1) proposes six social and psychological factors that influence the SMS of a society, which in turn shapes the policy processes described by Blumer (1971) and Kingdon (2003). These six factors include the society's: 1) high-profile events and social movements, 2) socio-political-economic situation, 3) cultural beliefs and practices, 4) use of research and data, 5) preference for justice principles, and 6) attributions for behavior.

FIGURE 1

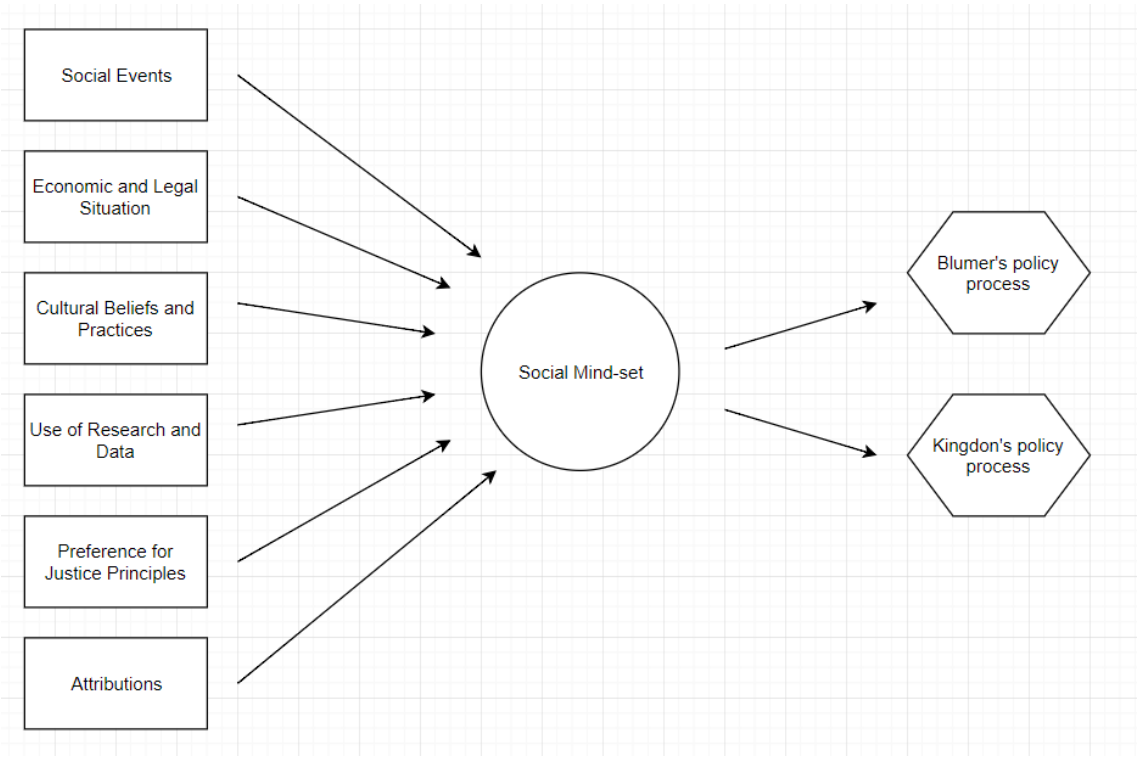

Figure 1. The Social Mind-set Model.

These explanations offer an understanding of why societies differ – often dramatically – in the legal responses they adopt. This cross-cultural analysis can help explain how social mind-sets are developed and in turn are able to influence the policy process. This article examines these possible explanations by offering supportive examples of real or potential policies from multiple societies around the world. The examples are not intended to be a complete examination of every society included in this article. Examples merely provide anecdotal evidence suggesting that each factor is a contributor to a society's SMS; they also offer anecdotal evidence that the factors could explain why multiple societies' SMSs differ from one another. The article concludes with a challenge for researchers to directly and systematically test the assumptions represented in the model developed here, comparing various societies around the world.

2. The Social Mind-set Model

The SMS Model (see Figure 1) posits that there are six factors that influence the SMS of a society: 1) high-profile events and social movements, 2) socio-political-economic situation, 3) cultural beliefs and practices, 4) use of research and data, 5) preference for justice principles, and 6) attributions for behavior. These six factors are discussed below, with examples of actual or potential legal and social actions from multiple countries.

2.1. High-profile events and social movements

The 2020 death of George Floyd in the U.S. brought renewed attention to the social issue of police brutality, especially that directed toward minorities (McLaughlin 2020). This high profile event strengthened the Black Lives Matter (BLM) movement and led to protests across the U.S. and in many other countries (Windsor 2016). These events

shaped the SMS of the U.S. – or at least some communities within the larger society. Protests encouraged many states and the federal government to introduce changes in police procedures and accountability, sparked discussions about defunding police departments, resulted in symbols of the Confederacy being removed, encouraged the Washington Redskins to change their name, and encouraged some states to declare racism a public health crisis (Associated Press 2002, McLaughlin 2002, Sadler 2020). The general SMS expressed by communities that embrace the BLM movement is that the prevalent and systemic racism within the U.S. needs to be addressed through social and legal reform.

As mentioned above, SMSs are dynamic and vary among societies. Often communities that are the biggest and most active will see large-scale change in favor of their sentiment. The BLM protests highlight how this sizable and growing community of BLM movement supporters is very active in promoting laws and social actions that reflect their SMS – thus, they are likely to encourage large-scale (potential) changes in policing practices. Timing also affects whether an event or movement is effective; In 2016, Colin Kaepernick made headlines as a professional football player who knelt during the national anthem to protest racism. His action divided the nation into communities that either supported or rejected the SMS he promoted. The controversy ultimately quieted down without much large-scale change – until George Floyd's death sparked a national controversy. In summer 2020, Major League Baseball and the National Basketball Association both held demonstrations during games – and nearly every player knelt (McLaughlin 2020, Murphy 2020, Ries and Marin 2020). Kaepernick is again in the spotlight because of the Floyd murder. He received an apology from the NFL, who admitted they "should have listened earlier" (Selbe 2020). He has secured a docuseries with Disney (ESPN News Services 2020); and his alma mater (University of Nevada, Reno) is considering erecting a monument in his honor (Murray 2020). The contrast between the 2016 and 2020 community responses indicates how important timing is to the effectiveness of a movement in shaping SMSs and attaining legal and social responses.

While not every American supports the SMS that is represented by the BLM movement, it has succeeded in shaping (actual and potential) police policies in a variety of jurisdictions. For instance, Berkeley California cut nearly $10 million from their budget in response to the George Floyd murder and BLM movement (Arreguín 2020). This "defunding" will restructure police officers' duties; for instance, other people with more specific training will respond to social issues and situations such as homelessness and mental illness that require specialization. Defunding indicates that this community (or at least its mayor) has beliefs and values consistent with the SMS that supports the BLM movement and changes in police duties. In other societies (outside the U.S. or even other jurisdictions within the U.S.), the SMS does not support these beliefs and values – and no changes are being made. In contrast, other societies had already banned dangerous police procedures prior to the Floyd murder – not prompted by the BLM movement, but prompted by other movements or other factors that produced an SMS favorable to reworking the structure and funding of police departments. For instance, Camden New Jersey successfully implemented many major changes to their police force in 2012 (Holder 2020).

Other countries have experienced social movements that the U.S. has not. For instance, Furedi (2003) notes that adult bullying is more highly recognized as a social issue in some European countries than in the U.S. The author details how a journalist prompted a social movement that brought a great deal of recognition to the issue in the early 1990s. Researchers started studying the topic, and unions and employers started taking steps to address bullying as a social issue. All these actions shaped the SMS to support the belief that bullying is a safety and health concern that costs employers money and negatively affects health of workers. It is thus a social issue deserving of attention. Ultimately, countless anti-bullying policies were adopted in both the public and private sector across the U.K. Workers in the U.S. also experienced workplace bullying in the 1990s, yet there was no social movement. The U.S. did not adopt an SMS that would support legal actions or protections specifically addressing workplace bullying (Furedi 2003), until 2020 when Puerto Rico adopted the first anti-bullying law in the U.S. – decades after the U.K. did so.

As these examples illustrate, societies that have experienced high-profile events or movements are likely to have different SMSs than those with different experiences. These SMSs then shape the policy process. These are mere assumptions, however, which must be tested in future studies. Social events and movements are but one factor that influences the SMS; the society's socio-political-economic situation is another factor – as discussed next.

2.2. Socio-political-economic situation

A society's social, political, and economic situation is the second factor that can affect the SMS. For instance, the COVID-19 pandemic has left many societies in a dire situation. Many societies are experiencing unemployment and an economy in turmoil; their hospitals are over capacity and they do not have enough personal protective equipment; in some countries, BLM protests have co-occurred with the pandemic. These situations not only shape the SMS about those issues (i.e., the pandemic and BLM movement), but affect attention given to other issues. When leaders spend a large amount of time addressing highly-pressing issues, they are less able to address other social issues. For instance, Brazil spent years on the UN map of hunger, but managed to decrease poverty and was removed from the list in 2014 (Castillo 2020). Brazil, and many other Latin American countries, are now experiencing an epidemic of hunger because of the COVID-19 pandemic. Thus, the pandemic has forced the country to focus on hunger and not other issues.

While the pandemic is an extreme example, more common struggles (e.g., widespread famine, war) also affect societies' ability to address other issues. Millions of people die each decade in various countries due to famine brought about by conflict, natural disasters (e.g., droughts) or a combination of both (de Waal 2018). Notable locations where historical famines have occurred include India, Ireland, North Korea, Russia, and many African countries. Current famines exist in Yemen, South Sudan, and Nigeria. Countries' leaders might spend time and efforts addressing these urgent society-wide problems and become unable to acknowledge and address other less-pressing individual-level issues such as providing for the needs of those criminals who commit crimes due to addiction. The priorities reflected in the SMS are thus affected by the society's social situation.

Political situations such as corruption can also shape a society's SMS. Although Ghana is one of Africa's least corrupt nations, it has substantial corruption in its political, business, and legal systems (Rahman 2018). Bribery, fraud, mismanagement, misappropriation, and bias are common complaints. Despite advances in curbing corruption, there is still little regulation, accountability, and transparency in many areas of business and politics in Ghana. In 2015, a scandal erupted when over 200 legal officials were accused of accepting bribes in return for favorable judicial rulings. As a result of corruption, citizens might experience a lack of trust in their leaders and might even resist engagement in the policy process. Political situations and corruption shape the norms (e.g., people expect injustice in the system), stereotypes (e.g., all government officials are corrupt), and beliefs (e.g., that the world is a fair place) of the society's SMS.

Societies such as Columbia struggle with social situations such as drug cartels, arms conflicts, and human rights violations; these major issues restrict the legal system's ability to address other issues (Miller 2019). Such countries are occupied addressing citizens' basic needs such as food and shelter; they do not have time to address less immediate or life-threatening issues such as the environment or illegal gambling. This could indirectly influence the society's SMS toward a more punitive mentality rather than rehabilitative mentality if their resources are more focused on punishing than rehabilitating.

Societies struggling with such socio-political-economic situations are likely to have different SMSs than those societies with less urgent or serious social issues. In countries where people are struggling to survive, the values, attributions, and priorities might be different than in countries without such struggles. Their values might be more simple: things that assist in survival. Thus, prostitution could be viewed as a necessity to survive in countries where money and/or food are more difficult to come by. Meanwhile, people in more affluent societies will likely find prostitution unacceptable. People who live in struggling societies might be more willing to believe that people commit crimes out of necessity (i.e., to survive). In another example, leaders of corrupt countries might have different priorities, values, and attitudes (components of SMS) than those in less corrupt countries. Perhaps such leaders put less value on helping people in poverty, as demonstrated by their efforts to embezzle money or otherwise divert money. Citizens of struggling countries might have different priorities than those in other countries, perhaps they would prioritize policies that secure resources that will ensure survival (e.g., clean water), whereas citizens of other countries have the luxury to prioritize things like road improvement because they already have clean water. These examples illustrate how differences related to socio-political-economic situations could affect the country's SMS (e.g., priorities, values, attitudes). Future research should directly test these and other assumptions of the SMS Model.

2.3. Cultural beliefs and practices

Culture-based beliefs and practices are rooted in the history and traditions of a society; occasionally, the practices of one sub-culture clash with the laws of another (Miller *et al.* 2020). For instance, in Fall 2019, the U.S. Congress discussed several versions of a law that would make female genital mutilation illegal (Burke 2019). This interest arose from a Michigan case in which two doctors and six other people were charged for harming young females using practices that are largely seen as barbaric in mainstream U.S.

culture, but are normal in the Indian religious sect of which these defendants belonged. This case represents the clash of sub-cultures within a country.

Such cultural beliefs and practices comprise a factor that can shape the society's SMS. While there are many cultural beliefs and practices, we will limit our discussion to two that could relate to SMS: honor violence and individualism/collectivism.

2.3.1. Honor violence

Honor violence is carried out against another person – commonly a male against a female relative – because of a perceived slight to the family name. The violence restores the family's honor by demonstrating that the behavior is rejected by the family. In Jordan in July 2020, a video surfaced of a woman being killed by her father and brothers (Roberts 2020). Her offense? She had divorced her husband and had complained about being a victim of domestic violence. Her complaints had led to her incarceration in a woman's detention center. As soon as she was released, her family killed her. The UN estimates that 5,000 females are victims of honor killings each year globally (Amnesty International 2012). They usually occur in the Middle East and South Asia, but have also occurred in countries like the U.S., U.K., and Canada, among many other countries. Although technically illegal in most countries, honor killings often go wither under-punished or unpunished (Amnesty International 2012). Often the reason they are under-punished relates not to the lack of laws, as murder is generally illegal world-wide, but lack of witnesses and evidence. The SMS of the victims and witnesses is that such crimes are acceptable and thus they do not cooperate with authorities; the SMS of the society makes it difficult to prosecute.

Adultery is one offense that sometimes prompts honor killings. In many cultures, it either is not a crime or it is illegal but the law is unenforced. Changing social norms have seen these laws fall out of favor in many societies. About 35,000 people were jailed (for up to two years) for adultery in South Korea between 1985 and 2015 (the year the country abolished their adultery law; Delman 2015). In the U.S., about one third of the states have adultery laws, but most are rarely enforced (Delman 2015). Adultery and fornication were more common criminal offenses at one time, but as cultural beliefs and practices changed, so did the law. In the modern day U.S., it is largely only a social scandal and not a criminal issue or an issue of honor, as it is in many other countries. The shift from this being a criminal issue to becoming social scandal is a reflection of changing SMS within the U.S.

While honor killings exist in the U.S., more common is general honor-related, less serious violence. Even within some societies in the southern U.S., there is a "culture of honor" that shapes the SMS. Research has found that: homicides in the rural South are higher than the rest of the nation; southerners are more likely to respond to insults with violence, using behaviors that are emotionally, cognitively, and physiologically different than northerners; and southerners are more approving of violence to protect property or honor and to socialize children (Nisbett and Cohen 1996).

These examples illustrate how a society's high value on honor could shape perceptions of appropriate actions and punishments, or justify violence – even murder. That ideology is part of the society's SMS.

2.3.2. Individualism, collectivism, and authoritarianism

Individualism and collectivism are cultural characteristics of a person or a society that could shape the society's SMS. Individualism is a concept that reflects a person's individual freedoms, choices, and rights (Kemmelmeier *et al.* 2003). In contrast, collectivism is a concept that reflects the collocation of the person and their community. Compared to individualists, collectivists place more value on group goals (rather than individual goals), norms, and traditional values (Kemmelmeier *et al.* 2003). Collectivists also highly value and obey and authorities and social norms, reflecting the relationship between collectivism and authoritarianism. Authoritarians are submissive to authorities, even if it requires harming others or supporting harsh punishments for those that violate norms or disobey authorities. They have little tolerance for out-group members or in-group deviants and tend to perceive wrongdoing as black and white (Kemmelmeier *et al.* 2003).

Societies that embrace individualism and societies that embrace collectivism and/or authoritarianism are likely to have different SMSs. Authoritarians and collectivists could be more willing to be punitive toward deviants (especially those who violate traditional norms and values). Due to their lower tolerance for outgroup members, they might be more likely to make assumptions (e.g., that all racial outgroup members are criminals) or stereotypes of outgroup members (e.g., that juvenile delinquents are "super predators"). Authoritarians might be less likely to give wrongdoers the benefit of the doubt or excuse wrongdoing (e.g., maybe the wrongdoer stole food in order to feed a family) because of their black and white thinking.

On the other hand, individualistic societies would embrace values such as freedoms (e.g., of speech) and personal rights to obtain services and goods that help reach personal goals. Individualism might even encourage people to prioritize personal rights over the public good (e.g., the "right" to refuse to wear a mask during the COVID-19 pandemic, even if it will protect public health; Cooper 2020). Characteristics derived from individualism, collectivism, and authoritarianism form an ideology which influences an SMS, which in turn shapes the policy process. The assumptions underlying such relationships should be tested in future studies.

2.4. Scientific research and data

Societies that have access to more scientific research and data might have different SMSs than those will less. Wealthier and more educated societies have the access and ability to conduct research, but less developed or less wealthy societies do not. As noted above, the U.K. has more bullying policies than the U.S. (Furedi 2003), in part because the social movement they experienced shaped their SMS around this issue. But, another influence on the SMS was the amount of scholarly research produced in that country in the early 1990s (Furedi 2003). By comparison, at the time, the U.S. had little scholarly research dedicated to studying workplace bullying. More recently, research on workplace incivility has highlighted similar issues in the U.S. (Cortina *et al.* 2017). This growing body of research demonstrates negative effects – similar to bullying – yet it is unclear whether this research is shaping the SMS in the U.S. in a way that will lead to nation-wide changes in policies.

In recent decades, nearly every area of the criminal justice system has begun to embrace "evidence-based practices:" procedures and policies that are guided by scientific research.

Within the U.S. criminal justice system, one of the earliest examples of evidence-based practices was the Minneapolis Domestic Violence Experiment (Sherman and Berk 1984), which revealed that arresting suspects deterred recidivism. Agencies across the country changed their policies and practices as a result (Lum and Koper 2017). This is but one example of the many changes that have been informed by researchers, many in academia, who are educated in proper methodology and statistics. Science can inform police agencies' procedures regarding, "patrol, investigations, supervision, management, crime analysis, and leadership" (Lum and Koper 2017).

The correctional system also has experienced evidence-based reforms including, "actuarial risk and need assessment instruments, motivational interviewing and counseling techniques, deterrence-based sanction programs, and incentives to probationers and parolees for successful compliance with court orders" (Klingele 2016, p. 539). The sentiment of some communities has been favorable; such practices promote justice, humane treatment of offenders, and cost-effectiveness. For instance, such practices have helped reduce the overall number of incarcerated people (Klingele 2016).

Science has also guided judicial decisions. In 2005, the United States Supreme Court (*Roper v Simmons*, 2005) determined that the juvenile death penalty is cruel and unusual punishment and is thus unconstitutional. This decision was based in part on research showing that juveniles' characters are still changing and their decision-making capabilities and ability to withstand peer pressure are diminished (Steinberg and Scott 2003). More broadly, this research could help reduce support for the stereotype of juveniles as "super predators" and instead encourage people to view juveniles as humans whose brains have not yet fully developed and therefore cannot be punished the same as adults. This is critical because the "super predator" stereotype relates to more punitive responses toward juvenile wrongdoers (Haegerich *et al.* 2013, Kaplan *et al.* 2017).

In sum, scientific research shapes the society's SMS by changing the way people think about and understand social issues and wrongdoing. As discussed above, science reveals that workplace bullying is common and creates many problems for workers, employers, and society; therefore, something should be done to address this problem. Science suggests that juveniles are not bad people, but they act impulsively in response to peer pressure and do not fully consider consequences; therefore, they deserve a lesser punishment. These examples – and many more not discussed here – illustrate how science can change people's attitudes, stereotypes, and preferences for responses to wrongdoing. Without science and data – and the scholars that produce it – societies would likely operate very differently and thus have different SMSs. This assumption should be tested in future studies.

2.5. Preference for justice principles

The fifth SMS factor – preference for justice principles – is somewhat related to the factor just discussed: scientific research. Research on justice principles such as procedural justice, legitimacy, restorative justice, and therapeutic jurisprudence has helped explain

why people follow the law and how the law can help promote positive outcomes for all involved (Lind *et al.* 1997, Wexler 2000, Tyler 2006, Törnblom and Vermunt 2013, Tyler *et al.* 2015). A society's choice whether to adhere to these principles (and indeed their knowledge of these principles and the corresponding research) affects the SMS of that society.

Procedural justice is the perception that a legal process is fair and treats people properly – irrespective of the actual legal outcome (Tyler 2006). Procedural justice research has been used as a guiding principle in many legal areas, including domestic violence cases. The use of procedurally just procedures improves outcomes and compliance with the legal decisions (Malangone 2016).

A notion related to procedural justice is that of legitimacy: the perception that an authority or institution is an appropriate and just entity that is entitled to have control over one's behaviors (Tyler 2006). This body of research indicates that people will comply with legitimate authorities (e.g., police officers) who use more consensual procedures that comply with procedural justice (Tyler *et al.* 2015).

Restorative justice focuses on recognizing and repairing the harm caused by wrongdoing (Tyler 2006). Crime is considered a disruption of relationships and community well-being (Gresson 2018). Crime causes harm, but justice should promote healing (Braithwhwaite 2004). Dispute resolution procedures often include restorative justice principles. For instance, many American schools have a procedure in which administrators ask the bully and the victim to discuss the event; the victim can express how they have been injured and the offender can express remorse (Sullivan and Tifft 2001).

Much like the principles of restorative justice, the principle of therapeutic jurisprudence focuses the ways the legal system can promote well-being (Wexler 2000). For instance, wrongdoers should receive the help and treatment that will promote their well-being and reduce the chances they will recidivate (Wexler 2000). The Canadian criminal code allows for diversion programs which have the goals of diverting offenders with mental illnesses out of the traditional court system and ensuring they receive appropriate health care services (Luther and Mela 2013). Canada also requires all courts to issue sentences for aboriginal defendants that consider their cultural views of justice and social circumstances (e.g., poverty, violence or substance abuse in the family), which promotes well-being (Luther and Mela 2013).

In sum, researchers have informed the justice system of the benefits of developing policies and practices that comply with the justice principles discussed above. Such research can assist a legal system in the creation of just policies and procedures that promote positive outcomes and reduce crime and recidivism. While the U.S. has access to such research, other societies do not and are thus less likely to have legal policies and programs that reflect these justice principles.

Even when research is available, justice principles are quickly applied to some domains, but more slowly to others. For instance, the concept of therapeutic jurisprudence was developed by Americans David Wexler and Bruce Winick, who published the premier books in 1990 (Wexler 1990) and 1991 (Wexler and Winick 1991). The principles were quickly adopted in drug courts around the U.S., and Canada, but were slower to be

adopted in parts of Europe (Nolan 2009). The concept continued to spread internationally in a variety of domains. Family Violence courts in New Zealand – largely based on the premises of therapeutic jurisprudence – were first developed in 2001 (Mills and Thom 2018). Yet therapeutic jurisprudence was not applied to the topic of mental health nursing in New Zealand until 2018 (O'Brien 2018). Such examples illustrate how the use of a justice principle spreads to other countries and domains – sometimes quickly, but sometimes quite slowly, which can be a reflection of both access to research and current SMSs in different countries.

Even if a society has access to the research on these justice principles, they might prefer not to use the principles. For instance, some societies might find a restorative justice approach to crime as being too "soft on crime" because of its reliance on mediated meetings, apologies, and focus on responsibility and reparation of the wrong. Such societies might prefer adversarialism, blame, and "just deserts" associated with punishment (Gresson 2018).

These preferences shape the goals of the justice system: deterrence, retribution, rehabilitation, and so on. As such, the knowledge and use of these justice principles could affect the society's SMS. Researchers should test the assumptions discussed above and assess the overall model.

2.6. Attributions for behavior

The sixth and final factor that shapes a society's SMS is the belief in what causes wrongdoing. These beliefs are called attributions and can vary by person and by society. Crime can be attributed to such wide-ranging sources as the criminal's choice, mental capacities (e.g., mental illness, mental deficiencies, or immaturity), demons, drug use, peer pressure, etc.

From a psychological perspective, attributions can be categorized in many ways, including internal or external (i.e., due to the person or the situation) and as stable or unstable (Moskowitz 2005). Such attributions shape a society's SMS – and can influence legal decisions. As mentioned above, the U.S. Supreme Court has ruled that juveniles cannot be sentenced to death – in part because their brains are not fully developed and they are susceptible to peer pressure (Steinberg and Scott 2003). This reasoning reflects unstable and external attributions – which could lead to less punitive responses.

Attributions can relate to other personal characteristics as well. For instance, people with fundamentalist religious beliefs tend to make internal attributions, which in turn promote more punitive responses to wrongdoing (Yelderman and Miller 2016). Similarly, conservatives (compared to liberals) tend to attribute crime to the criminal's personal responsibility and moral culpability; this relates to their increased support for the death penalty (Cochran *et al.* 2006).

Differences also exist on the societal level. For instance, there is a difference in attributions between individualistic and collectivistic cultures (described above). The former tends to make internal attributions while the later tends to make external attributions (Ji *et al.* 2000, Maddux and Yuki 2006, Lewis *et al.* 2008). This would suggest that individualistic societies would be more punitive than collectivist societies. This is difficult to reconcile with the research above that would suggest that collectivists would

be more punitive because they tend to value obedience and authority – and have little tolerance for deviance. Such analysis is beyond the scope of this paper, but does support the conclusion of Kemmelemeier *et al.* (2003) that such relationships tend to be complex.

These attributions are reflected in the legal responses the SMS within a country supports: In Argentina, the community's general assumption is that criminals have experienced problems (e.g., drugs, mental health problems) that led to their crimes (Miller 2019). These are external attributions. In contrast, in Colombia, the community's assumption is that there is something wrong with the criminals themselves that led to their crimes (Miller 2019). These are internal attributions. These differing attributions explain, in part, why Argentina favors institutions that offer rehabilitation, while Colombia prefers prisons (Miller 2019).

In conclusion, the attributions that the people in a society make about the causes of crime can influence the SMS of that society. These assumptions – for instance that a society that generally believes that crime is a result of a person's stable (criminal) personality will have an SMS that will support more punitive responses to crime (e.g., prison rather than rehabilitation) – could be assessed in future research. Attributions, along with the other 5 factors, shape the society's SMS, which in turn affects the policy process – as discussed next.

3. The SMS Model and the policy process

In the SMS Model represented in Figure 1, the far right components represent the policy process. Many authors have suggested varying ideas about how social issues become recognized as such, prompting legal action. Two of those authors are Blumer (1971) and Kingdon (2003); these scholars suggest that recognition of and reaction to a social issue requires various stages or components. They tell how and when the process happens. The SMS is a precursor to Blumer's and Kingdon's policy process theories; the SMS Model suggests that the SMS of the society will determine whether the policy processes gets started and whether it gets stalled at a particular stage. Most importantly, a society's SMS tells why the process occurs in a certain way – which can differ among societies. Thus, the SMS Model complements and adds to models suggested by Blumer and Kingdon by discussing the factors listed above (e.g., stereotypes, attributions, beliefs in justice) that are less (or not) discussed by Blumer and Kindgon.

3.1. Blumer's theory of Collective Definition

Blumer (1971) suggests that social issues are not objective or predetermined, but instead are collectively defined as problems through a five stage process. The policy process begins when the social issue first emerges and then is identified by a community or policymakers as requiring attention. After these steps, the issue is legitimized and then respected by the community, which ultimately mobilizes to create action.

These five stages collocate well with the SMS Model. The society's SMS determines whether Blumer's policy process (i.e., the five stages) even begins at all, as the issue will not emerge if the SMS does not support recognition of the issue as a problem. The SMS determines whether the issue is legitimized and respected or will go unaddressed. This would cause the policy process to stall. Certainly the community will not mobilize to

solve the social issue if the SMS does not even recognize the problem as one deserving of attention.

If the policy process does reach the phase in which policymakers are deciding how to address the issue, the SMS will inform the choice of policy options. A society which has an SMS that is driven by internal attributions and/or does not support justice principles such as therapeutic jurisprudence will likely support a punitive action such as sending a woman to prison for using drugs during pregnancy. A society with an SMS that is driven by external attributions and therapeutic jurisprudence would likely support less punitive actions such, as offering her treatment for addiction.

In sum, Blumer's stages are dependent on a society's SMS, as represented in the SMS Model. A society will experience Blumer's stages if that society has a SMS that recognizes a social issue as a problem in need of addressing. Another society will not experience Blumer's stages if its SMS does not support recognition of the issue as a problem. Thus, the SMS is a precursor to Blumer's five stage process. Similarly, the SMS is a precursor to Kingdon's theory, as discussed next.

3.2. Kingdon's Multiple Streams theory

Kindgon's (2003) "multiple streams framework" suggests that problems, policies, and politics (i.e., the three streams) come together to prompt legal action. In the problem stream, policymakers learn about the social issue, often in the form of alarming data indicating that action is needed. This relates to the SMS factors in several ways. Some societies do not have access to research on the issue, do not find the issue alarming because it does not violate their cultural beliefs (e.g., honor violence), or have more pressing issues such as famine. Thus, these issues are not priorities in the SMS and will not be recognized in the problem stream.

In the policy stream, potential solutions are offered, for instance, in reports and hearings (Kingdon 2003). Policymakers have to find a solution that is accordance with that society's values – these values are part of the SMS. Two different societies might both offer similar potential solutions but one society adopts the first and the other society chooses the second because they have different SMSs – such as the comparison between Argentina and Colombia above. In this way, the SMS affects the solutions that are considered in the policy stream.

In the politics stream, policymakers are influenced by the national mood, advocacy groups, political ideology, and other political components (Kingdon 2003). The SMS incorporates the national mood as it is essentially the general community sentiment; advocacy groups and political ideology represent the community sentiment of various communities. The policy that is adopted depends on the strength of these communities (and their SMSs). Corrupt politicians follow their own self-interest and do not consider the sentiment of the general community. Even so, the SMSs of various communities play a role by affecting the politics stream.

In sum, Blumer (1971) and Kingdon (2003) focus on when and how the policy process works, primarily focusing on the U.S. political system. The SMS complements these models by offering reasons why societies (in and outside of the U.S.) might differ in their ultimate policy outcomes – or whether the processes suggested by Blumer and Kingdon

even begin. These reasons why are outlined in the SMS model (e.g., attribution, belief in justice).

4. Conclusions and future directions

Blumer (1971) and Kingdon (2003) offer well-respected explanations of how and when (i.e., the timing and process) the policy process works; we have offered a modest expansion on their ideas by offering reasons why various societies might differ in their policy process and outcome. We focus on the direction of the policy that is adopted – or whether the policy process happens at all.

By relying on sociology and psychology principles, we have suggested six factors that might shape a society's SMS, although of course multiple interpretations of each of our conclusions is possible. The SMS Model's main premise is that societies differ in their SMS because of these six factors. Even within one country, the SMS can differ among regions. Even within a region, there might be multiple communities with different SMS; the community that is loudest will often prevail, meaning that their SMS will affect the policy process. In addition to variation among societies, SMS can change over time. A society's SMS can adapt, perhaps because of a change in power among political parties, because of developments in scientific research, or because of the evolution of the society's people or culture.

The six factors create the SMS, which in turn shapes whether Blumer's (1971) and Kindgon's (2003) policy processes begin, and whether the steps in the processes are completed. As a whole, the SMS Model can help explain why societies have (sometimes vastly) different policies for similar social issues. The SMS Model is newly developed and has yet to be thoroughly explored. Future research can better test the components of the model, as well as the model as a whole. There will be challenges to this, including establishing clear operational definitions for variables, separating out the influences of (sometimes competing) factors, recognizing the limitations of correlational effects in making causal conclusions, and determining the best methodology to test the model.

A few suggestions for future study are offered here. First, we offered six factors which shape the SMS, but fully acknowledge there are likely more and hope that future researchers will add to this model. Second, future research should test the conditions under which competing factors affect the SMS and ultimately the policy process. For instance, there is much research available on climate change, suggesting that actions should be taken to protect the climate. However, the Trump administration in the U.S. took dozens of actions that harm climate change. President Biden has promised to reverse course to protect the climate. In this instance, politics and business interests have overridden the science and research. Future studies should investigate the conditions in which the SMS factors conflict – and how these conflicts are resolved.

Third, we hope that future research will directly test the SMS Model, both in parts and as a whole. We offered supportive anecdotes of real or potential policies; these illustrated differences between a few countries, but more countries could be included that would further confirm or refute the model's claims. Further, we used anecdotes from different countries to illustrate different parts of the model. Researchers could do an in-depth study of two (or more) countries that would test the entire model using the same countries throughout the entire model. A direct and systematic test of the model would

test all its assumptions. Such tests are needed to further validate this newly developed theoretical model.

Finally, future research could change the organization of the model. For instance, the six factors might interact to affect the SMS. This possibility is not represented in the model, as the factors are currently displayed as independent factors. This bullying example above is an example of how multiple factors might interact. Research in U.K. – along with a social movement – allowed the society to develop an SMS and policy reform toward the issue of workplace bullying. Two decades later, the U.S. has produced some research on workplace incivility, and only began to adopt policies in 2020. This suggests that research was not enough, there needs to also be a co-occurring social movement (at least in U.K. in the 1990s) – that is, an interaction between research and social movement.

The model might also be adapted to convey a linear relationship between factors. That is, one factor (e.g., research) might prompt another (e.g., social movement). For instance, without economic and political stability, a society would have little money to fund research on justice principles and evidence-based practices. But, as that country stabilizes, it might be able to increase research.

The model might also be adapted to illustrate direct relationships between the six factors and the policy process. Currently, the basic SMS Model suggests that the six factors affect the SMS, which affects the policy process. This is an indirect relationship from the factors to the policy process. However, it could be conceived that the six factors directly affect the policy process. For instance, countries that adopt an honor culture would not recognize honor killings as a problem, as described above. Thus, it is unlikely that the policy processes described by Blumer (1971) or Kingdon (2003) would even begin. This would represent a direct effect from the "cultural belief and practice" factor to the policy process. As these examples illustrate, there are relationships between factors that are not currently in the model. Future research could illuminate these possible relationships.

In conclusion, the SMS model is a modest expansion on Blumer's (1971) and Kingdon's (2003) models. Using anecdotes from various countries, we offered explanations as to why societies differ in the policies they adopt (or whether they adopt a policy at all) based on social science. In essence, six psychological and sociological factors shape a society's SMS. This SMS in turn shapes the policy process. Because SMSs differ among societies – and from one time period to the next – the policy process will differ accordingly. We challenge researchers to directly test the SMS Model. It is our hope that this article will be the catalyst for future scholarship into the SMS Model and its explanations for why societies differ in their policy responses to social issues.

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