Abstract

The United States has a jury system that allows people to be judged criminally or civilly by their peers. This system is supposed to promote fairness and allow truth to prevail. Jury persuasion has been extensively researched as attorneys make a career presenting their cases in a more persuading manner. This current research examined if cognitive and affective matching could be a useful jury persuasion technique. Students from Ball State University participated in research about the effectiveness of cognitive or affective persuasion in a criminal case. First, the participants were assessed on their orientation as either relatively cognitive or relatively affective. Then, participants were randomly assigned to read case briefs with either cognitive or affective messaging. Finally, participants were assessed on how persuaded they were by the argument. The hypothesis that emotion-based arguments will be more influential than fact-based ones for more affectively oriented jurors and that fact-based arguments will be more influential than emotion-based ones for more cognitively oriented jurors was not supported by the results of this research. Limitations of small sample size and the hypothetical set up of the research may have contributed to the lack of significant interactions found, so further research is necessary.

*Keywords: jury persuasion, cognitive and affective matching effect, personalize matching effect*

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