

Theories of false memories and confessions



Introduction

Essentially, the memorization procedure is a compound formula, into which the human mind feeds general knowledge, contextual data—both present and past, and alternate memories (Hyman and Loftus, 2008). It is through the manipulation of such alternatives that criminologists have found that mental frailties and internal collapses allow for coercion and extraction of false memories and confessions. Ultimately, the expansive nature of this field governs the application of misrepresentation and misguidance within clinical participants, thereby affecting children through elders, each attuning different mental perspectives to the acceptance of false memories. Yet the motivations behind such influence are what continue to influence the scope of investigation, challenging researchers and professionals to interpret their data sets according to the prescription of theory and study guidelines. The mistake in this approach, as evidenced in the following analyses is directly aligned with the diverse nature of the mind itself.

Ultimately, mental frailties and personal differences affect the capacity for false memory acquisition, thereby altering the translatability of such a broad range of clinical trials. The reality of memory is that it is a function of lifestyle variables, influenced by emotion, participation, and repression, and oftentimes an overwhelming need to misdirect. Therefore, as researchers pursue the truths behind coercion and acceptance of false occurrences, alternative variable including environment, social and emotional affectation, and experiential bias must be considered. The foundation of criminology is a factual evisceration within a guarded and oftentimes obscured meandering of inconsequential details and coincidences. In order to functionally apply

these theories to the study of false memories and confessions, criminologists must identify those variables which are irrelevant and those which directly alter the capacity for appropriate source monitoring and coding.

Analysis

The following sections identify the relevant theories within the field of false memories and confessions, thereby highlighting the idiosyncrasies which differentiate theory from field results. Given that the study of memory error and falsification has evolved across a broad spectrum of participants and studies, conflicting results do arise requiring researchers to further extrapolate those foundations which can provide a much more derisive prescriptions and analyses. Ultimately, the foundation for false memories derives from situational, contextual, emotional, and suggestible phenomena, each contributing to the failure of internal memory control mechanisms such as codification and source monitoring.

Photographs and Events

From a clinical perspective, research on false memories is most often conducted through the use of a broad range of participants and photographic or event based suggestions. As researchers note that false memories evolve from varied institutions and scenarios, the internment of such representations within a patient's mind is directly related to acceptance, context, and ascription (Wade, et al., 2002). To access these variables within the respondent's mind, researchers will offer them a suggestive false memory, one which when appropriately directed can become a legacy memory, vivid and real in every detail. While these steps remain the

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foundation of false memory research, the reality is that variables internalized within the participant's cognitive capabilities are actually responsible for the assumptive application. Attribution to a personal experience, or in other words, personal implantation evolves from the coercive factors including context, social, and emotional influences.

Hyman and Loftus (1998) highlight an internal assumptive nature within humanity in which photographs are ascribed a credibility, one which is unequivocally reliable and deemed a perpetual representation of emotional encapsulation. Yet this expectation is unreliable unless the participant is both open to suggestion and primed by internal mechanisms, including experiential relevance. A study exploring the affect of doctored images and their reliability in memory coercion conducted by Wade et al. (2002) determined that from a criminology standpoint, the potential for misrepresentation through image doctoring is both real and applicable. Coercion of defendants in a controlled setting through photographic manipulation is an effective mode of generating acceptance of placement, criminal activity, and actions. What must be further exploited, however, is the fact that simply placing a person's face or figure into a crime scene and then attempting to convince them of its validity is not an effective, nor internally translatable process. In fact, the photographic qualities themselves are not typically the determining factor in a confession. Situational relevance, environmental variables, and the scope of punishment will oftentimes result in false memory generation under the constraint of suggestive photographs or other evidence. However, in particular studies, where suggestion of validity is enhanced by familiar figures, the capacity to

accept its reliability become substantially enhanced (Wade, 2002). In fact, researchers have highlighted that when coupled with vivid memories of childhood events, images can couple with imagination to produce effective pseudomemories (Lindsay et al., 2004). Remarkably, the infusion of both imagination and belief enhance the acceptance of the photograph, thereby evoking a memory which is directly aligned with perceived experience. In truth, experience is then created through mental approbation, enhancing the respondent's recognition of reality and falsifying a lasting memory.

Historically, studies have represented the nature of false memory as both contextually and temporally derived, exploiting both age and socio-economic background to attempt to identify those variables which most encourage falsified representation (Bruck et al., 2002; McFarlane et al., 2002; Jones and Powell, 2005). Unfortunately, the explanation for the enhanced falsification at later temporal dates is limited by the scope of experimental constructs, evading those intricacies which most influence childhood interpretation, including environment, experience, and emotional affectation. Regardless of enhanced detail offered by children in relation to false scenarios, the underlying implications demonstrate that internalisation of imagery and detail from prior interviews is directly related to the deviance from actual events. Therefore, future studies must exploit the aforementioned variables to determine how situational memory and influence directs the internalisation of false memories. In scenarios where sexual abuse is purported, the emotional ties and suggestive influence of the psychologist will oftentimes evoke a false memory which leads to a criminal conviction. Accusers have been known to manufacture their charges through

internalised responses to suggestive event or photographs, thereby combining emotion and coercion into a false singular incidence.

Encoding and Imagination

Much of the research surrounding false memories and false confessions evolves from controlled clinical scenarios through which respondents are subjected to either a suggestive memory or control memory. Researchers note that regardless of age, the reflective process through which subjects engage in encoding suggestions or artificially induced memories influences the depth of misattribution and internment (Zargoza and Lane, 1994). These background motivations remain obscured, thereby limiting the clinical professional's ability to appropriately interpret results on a deeper and more prescriptive level. One affectation within this realm of study evolves from a Freudian concept of childhood amnesia, through which memories prior to age eight are likely to be lacking in depth and clarity. From this assumption, studies have determined that children are similarly susceptible to acquisition of false memories and imposition of misinformation as a perceived reality within the amnesic period as they are after its inception (Strange et al., 2008). Therefore, the nature of false memory association is both temporally and contextually relevant, enhanced by ineffective source monitoring as well as improper codification of misinformation. The ability to correctly identify the source of particular information, whether through memory or suggestion, and interpret it into a memory or external data is oftentimes limited by a cognitive or mental failure or frailty (Johnson et al., 1993). Specificity in questioning when interviewing children or adults will oftentimes dictate the direction of the response. Exemplary of such behaviour, studies relating to <https://assignbuster.com/theories-of-false-memories-and-confessions/>

children and their memory of physical examination or improper groping have demonstrated that sensitivity to interviewer demands, including the formality of the setting and length of the interview, can lead to inaccurate responses (Bruck et al., 2000).

Given that methods of encoding alter on a temporal level, one which evolves throughout maturation, false memories and confessions evolve out of a situational relevance, one which is both contextually and personally linked to the participant. Over longer periods of time, Huffman et al. (1997) determined that the efficacy of an instilled false memory can become altered, oftentimes diminishing or erasing the memory altogether. Helpful in recognising the frailty of false memories, imagination studies, specifically those in which respondents are proposed a false memory and asked to internalize its occurrence, have determined that through suggestion and personal codification that participants could come to believe that they had experienced a particular occurrence (Hyman and Pentland, 1996; Mazzoni and Memon, 2003). Yet in both of these clinical instances, the depth and substance of the memory is temporally altered when participants are removed from the clinical setting. Therefore, the encoding process, an internalisation of both environment and suggestion, is directly related to the influence of the studies themselves, reducing their reliability of findings. Ultimately, the mental failures which result in false memories evolve as a collusion of personal susceptibility, relevance, and environment. Laney et al. (2008) demonstrated that there can remain a long term persistence of false memories, continuing to affect the participant. The reality is that external from the clinical setting, the impetus to maintain such falsification becomes

reduced and the overall affects of the false memories are thereby minimized. Under normal circumstances, the mind will retrace, realigning false memories with more appropriate legacy, yet these studies do not evaluate longer term implications of such imagery and understanding. Similarly, as emotionally charged influences will oftentimes linger at a much more deep seeded level, researchers must pursue appropriate analysis which is directly aligned with such memory impetus.

Emotional Influence

Perhaps the strongest mental affectation of false memories and their long term implantation evolves from the level of emotional connection which participants encounter during a particular study. Emotional influence in memory can substantially alter the representation of a witnessed scene, oftentimes directed through a misinformation filter by interviewers to prescribe altered data to a witness testimony (Porter et al, 2003). The capability to control such emotional connections is increasingly strong the more relevant to the participant the scenario becomes. Had a witness been sexually abused as a child, the coercive capabilities of an investigator in an abuse case would become substantially magnified, enabling direction and suggestion to overwhelm fact and visual memory. The overwhelming affect of misleading questions on eyewitness testimony and remembrance has been demonstrated through clinical evidence to encourage participants to acclimate towards the distinctions of the questioning process as opposed to those realities of the actual scene (Porter et al, 2003). Such manipulation relies on the emotional influence of memory and the internal components which link a witness or defendant to a particular incidence.

Testimony or discussions involving false memories will oftentimes assume similar levels of emotionality as those which actually occurred. The emotional response, triggered experientially and representing composite cognition over a lifetime of emotional interactions, will oftentimes become evoked through the processes of remembrance, leading to the installation of false memories, regardless of actual occurrence (Laney and Loftus, 2008). Witnesses will assume the same victimisation of the actual victims, thereby imposing their emotional responses on the factual nature of their memory. In cases of criminal activity, emotional connections to a particular incidence, when coupled with the gruelling interview process will oftentimes lead defendants to falsify their testimony, accepting suggestion as fact, rather than adhering to the situational truth. Loftus (1995) recognized that in clinical or trial settings, that frailties within the examination process themselves will oftentimes influence the outcome of a participant's response. Exemplary of this belief, the nature of coercion, and oftentimes, the semantic limitations of suggestive variables can oftentimes influence the respondent to agree with interviewers or alter their personal beliefs to match those which must be right by basis of subtractive analysis. If a child were to claim that they had been abused and the investigator then asked leading questions regarding location, method, and culpability, the child will oftentimes pursue an emotionally charged affirmative approach, thereby aligning with the investigator rather than the factuality of the event (Bruck et al., 2000). It is this form of false memory which is most damaging within the criminal justice system, thereby undermining validity measures and institutional protection mechanisms. Criminals who are emotionally coerced

through threat of loss or overwhelming pressure will oftentimes confess under duress as a direct result of the interrogation.

A form of constructivist ideology, as outlined by Hyman et al. (1995) exploits the nature of experiential influences over false childhood memories, thereby linking the breadth of supportive detail to the adult's more subverted knowledge of abuse and emotionality linked to negative stimuli.

Unfortunately, the depth of this study does little to substantiate credible interpretation to this cause, redressing the innate social reactivity which respondents concurrently integrated into their memory responses.

Therefore, the coincidental nature of general experience and its supposed influence over false memories must be expanded to include qualifications of social and personal bias, each which when coupled with false memories would contribute to the detailed exploration of falsified events. Alternate studies have explored this theory more in depth, highlighting the semantic nature of pre-existing concepts or objects when explored through presupposed personal experiences (Koutstaal, et al., 2001; Koutstaal et al, 2003). Such studies determined that semantics influence older participants to a much greater level, thereby exacerbating the incidence of false memories when considered at a more colloquial level. Were such results coupled with those of Hyman et al. (1995), a more distinctive conclusion could be drawn from which researchers could pursue the underlying social composites which influence and activate both positive and negative memories. What would most likely be found is that a heightened emotional response, specifically one captured within a false memory, is indicative of regressed personal affectation by the incidental actions within a particular

scenario. Therefore, researchers might uncover the personally generated codification which internally activates improper sensory processing and ascribes validity to erroneous memories.

Coercion and False Confessions

Perhaps one of the most widely debated applications of false memory protocol evolves from the need to prosecute, and thereby, coerce a powerful confession from accused defendants. Interrogation and deception are often methods of acquisition, and in certain cases, the pressure of such applications results in false or coerced confessions from which a jury and judge may prosecute (Wakefield and Underwager, 1998). Yet the nature of analysis for such falsifications is oftentimes flawed, actively pursuing the environmental variables which most overwhelm the defendant and their incidental memory as opposed to those underlying personal memory failures and sentiments which most directly influence the need to admit guilt. Researchers Kassin and Kiechel (1996) highlight that similar to those false memories exhibited by misinformed children, defendants under the pressures of interrogation are more likely to confess, internalize, and construct personal detail directly related to a crime they may not have committed. Emotional commitment such as guilt, fear, pride, and frustration will play varied roles within the coercion process, oftentimes encouraging the unwanted effect of false testimony.

Researchers have also determined that in scenarios where heightened social pressure, i. e. the interviewer/psychologist expectations, can influence both confessor and retractor, thereby directing their memories into a falsely

coerced state (Ost, et al., 2001). The nature of the interrogation room, a blank slate with little stimulus is one such factor in overwhelming the defendant's nerve and capacity for subterfuge. Similarly, the investigator's temperament, the temporal burdens, and the nature of the crime itself will also contribute to extracting a confession. False confessions are oftentimes the product of improper source monitoring, as the interrogators and data stream can evoke a deeply seeded confusion through which event sequences evolve as though in a hazy dream (Wakefield and Underwager, 1998). False memories arise as an inaccurate coding of the information source, an internalisation of the incident as opposed to relinquishing the data stream as an externally founded scenario (Hyman and Loftus, 1998). Over time and pressure, defendants will interpret the misinformation within a revised codification, one in which they believe that they actually perpetrated the crime, regardless of guilt. It is this mental block and source alteration which ascribes personal qualities to the criminal activity, thereby coercing a confession. Essential to the functioning of the legal system, those who are wrongly convicted and later released based upon such coercion or malignant testimony will oftentimes find adjustment within normal social limits an impossibility (Shore, 2001).

Coercion tactics are designed to evoke a form of control bias, one which places the defendant at a significant disadvantage, and in oftentimes frightening and overwhelming circumstances (Perskey, 2000). Although researchers have considered intelligence and alternative social modifiers as significant influences within an interrogative setting, there is limited support for differentiation of false testifiers on the basis of IQ differences and results

are instead linked to internal suggestibility indicators (Gudjonsson, 1991). One question which has not been adequately answered by such research, however, is whether or not intelligence coupled with experiential preparation might undermine the coercive effects of the investigation room. The ability to withstand the pressure and suggestive messaging of the investigative authority figure is a function of several constructs including innocence, experience, fear, authoritative rejection, and many others. All of these variables are directly linked to the cognitive control measures which reject the false memories or false confession.

Influence within the interrogation room can often evolve from stimuli outside of the interrogator's locus of control, including predefined experience as well as the withdrawal and detoxification from alcohol and illicit substances. One study determined that withdrawal characteristics substantially impair the cognitive abilities of a defendant and enhance suggestibility, oftentimes leading to misleading statements or false confessions due to the possibility of short term gains (Gudjonsson, 1993; Gudjonsson et al., 2002). The need to escape the constrictive confines of the interrogation room, coupled with a need to acquire addictive elements will oftentimes allow the defendant to reduce their internal protective mechanisms and through an expectation of gain, acquiesce to the coercion. On the other hand, long term experience within the criminal field will negatively influence the coercion practices utilized in standard interrogation. Therefore, criminologists will oftentimes employ alternative methodology specifically designed to access the regressed emotional block associated previous incarceration experiences, as well as present an expectation of leniency or freedom given the acceptance

of confession or presentation of alternatives. Again, as with substance abuse, the emotional commitment to goal acquisition will enhance the internalisation of investigative presentation, oftentimes coercing a confession by nature of the expected benefit.

Conclusion

As recanting has become a principle mode of overturning a confession in the modern court system, the investigative approach assumed by criminal professionals has evolved to assume a much more Freudian zeal. Given the depth of mental deviance between participants within this vast field, the potential for coerced confessions and false memories is blatantly obvious, unfortunately, the numerous investigations and clinical trials have yet to yield a worthy prescription of authority on this issue. While assumptive reasoning can discern those cases in which convicts were coerced and forced into a premature confession, the numerous recants and overturned cases have led the industry to remain wary and protective of any form of premature adjudication. Ultimately, the internal mechanisms which drive false memories into a believable reality are expansive and oftentimes linked to variables within a criminal mind that cannot be appropriately analyzed without deep psychological evaluation.

The nature of false memory is one which can be manipulated both for virtuous and derogatory efforts, a weapon in the arsenal of the criminal investigator. Unfortunately, identifying when a codified suggestion has errantly become a mode of confession for an innocent defendant is a difficult and painstaking task. As theorists attempt to derive methods for applying

such falsifications to their patients, they are rejecting the need for recognition protocol. It is through the identification of discrepancies and storyline vagrancies that criminologists can actively pursue the appropriate perpetrators and reject a coerced confession from those who are overwhelmed by interrogation and suggestion. Source monitoring and the nature of authority in the criminal justice system are conflicting mechanisms of memory alteration, each influencing the participant's internalisation while investigators actively pursue their results. Too often does the system become enamoured with the conviction, thereby rejecting the truth in favour of exploitative techniques. It is through the investigation of factually founded memories and the application of appropriate research that criminal experts will eventually retain their culprits.

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