

Exclusion from Fairness Concerns in the Wake of Terror

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Basis for Study

In an editorial about the U.S. Government's policies toward Guantanamo Bay, Blumner (2003) noted:

"It appears that the kind of tribunal you will have to face depends on the country you're from. . . . So this is what we are saying to the world: For those nations seen as with us, detained nationals can expect more due process and no possibility of execution."

Justice and Exclusion

- There is a distinction between what we believe is important for ourselves and what is important for others (cf., Opatow, 1990)
 - Do people alter their beliefs about the importance of justice for terrorists of different cultural origins?
 - Does our belief about the importance of justice depend on whether the terrorist is accused of the crime or if the terrorist admits to the crime?
 - Does our belief about the importance of justice depend on what was lost (i.e., property or life) in the terrorist attack?

Overview of Justice Concerns

When participants respond to the *importance* of fairness criteria, the traditional justice distinctions need to be extended (Wendorf, Alexander, & Firestone, 2002)

	Procedural Criteria	Distributive Criteria
Normative Criteria	Decision-Maker Procedural Fairness (DMPF)	Equity/Normative Concerns (ENC)
Instrumental Criteria	Participation and Appeals Procedures (PAPS)	Specialized Distributive Concerns (SDC)

Participants

- Study 1
 - 104 Undergraduates enrolled in Introductory Psychology participating for research credit
 - Demographics: Age ($M = 19.69$, $SD = 2.306$) and Gender (Female = 67.9%, Male = 32.1%)
- Study 2
 - 72 Undergraduates enrolled in Introductory Psychology participating for research credit
 - Demographics: Age ($M = 19.41$, $SD = 3.366$) and Gender (Female = 70.8%, Male = 27.8%)

Study 1: Method

Participants read one of four false newspaper clippings, presented in an Internet-based survey. The four versions of the story were based on the following manipulations regarding a story about a terrorist bombing of a federal building.

	Accused	Admits
Foreign-born	"Ali Ahmed Reshami, an Afghan national, maintained his innocence . . ."	"Ali Ahmed Reshami, an Afghan national, proudly admitted to the bombing . . ."
American	"Robert John Bremidge, a native of Little Rock, maintained his innocence . . ."	"Robert John Bremidge, a native of Little Rock, proudly admitted to the bombing . . ."

Study 1: Sample Article

Foreign-Born Terrorist Admits to Bombing

**By Henry Upton
Associated Gazette**

WASHINGTON - An Afghan man admitted today that he spearheaded the heinous bombing of a Virginia federal building in April 2000. Ali Ahmed Reshami, an Afghan national, proudly admitted to the bombing that killed five American citizens.

Reshami, 29, was arrested just two days after the bombing as he was loading a rental truck with explosives, supposedly intended for another embassy.

According to the lead FBI agent speaking on condition of anonymity, "we are particularly pleased that we've been able to thwart this conspiracy before another tragedy could occur."

National intelligence officials have tracked Reshami to the same overseas terrorist training camp that is believed to have trained the individuals responsible for the bombing of an American embassy in 1995.

Studies 1 and 2: Measurement Instrument

"In your personal opinion, how important is it that . . ."

Not at all important	Mildly important	Somewhat important	Very important	Extremely important
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- The government use trial procedures that all people would consider appropriate? (*DMPF*)
- The defendant be allowed to participate in the legal proceedings? (*PAPS*)
- The defendant's outcome be similar to what any others would receive for similar situations? (*ENC*)
- The government give special consideration to this defendant's unique circumstances in deciding the outcome? (*SDC*)

Study 1: Multivariate Results

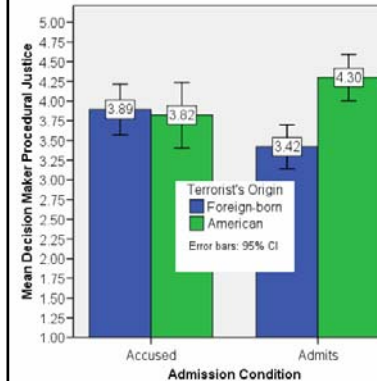
Multivariate Tests ^a						
Effect		Value	F	Hypothesis df	Error df	Sig.
Intercept	Pillai's Trace	.971	831.692 ^a	4.000	99.000	.000
	Wilks' Lambda	.029	831.692 ^a	4.000	99.000	.000
	Hotelling's Trace	33.604	831.692 ^a	4.000	99.000	.000
	Roy's Largest Root	33.604	831.692 ^a	4.000	99.000	.000
admit	Pillai's Trace	.021	.535 ^a	4.000	99.000	.710
	Wilks' Lambda	.979	.535 ^a	4.000	99.000	.710
	Hotelling's Trace	.022	.535 ^a	4.000	99.000	.710
	Roy's Largest Root	.022	.535 ^a	4.000	99.000	.710
terrorst	Pillai's Trace	.108	3.007 ^a	4.000	99.000	.022
	Wilks' Lambda	.892	3.007 ^a	4.000	99.000	.022
	Hotelling's Trace	.121	3.007 ^a	4.000	99.000	.022
	Roy's Largest Root	.121	3.007 ^a	4.000	99.000	.022
admit * terrorst	Pillai's Trace	.130	3.696 ^a	4.000	99.000	.008
	Wilks' Lambda	.870	3.696 ^a	4.000	99.000	.008
	Hotelling's Trace	.149	3.696 ^a	4.000	99.000	.008
	Roy's Largest Root	.149	3.696 ^a	4.000	99.000	.008

a. Exact statistic

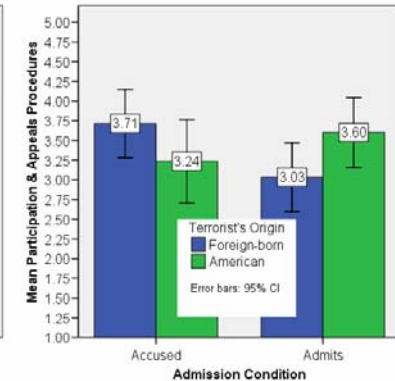
b. Design: Intercept+admit+terrorst+admit * terrorst

Study 1: Results for Procedural Concerns

Interaction Significant:
 $F(1,105)=8.884, p=.004$



Interaction Significant:
 $F(1,105)=5.172, p=.025$

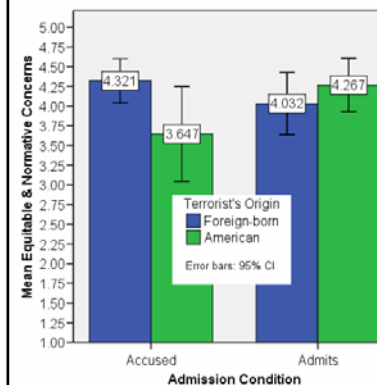


Study 1: Results and Discussion

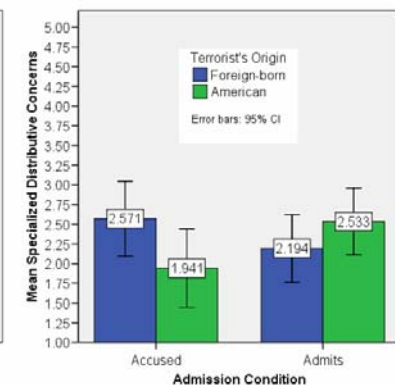
- Decision-Maker Procedural Fairness
 - When guilt is admitted, significant higher for American (versus foreign-born)
 - For foreign-born, significantly lower when he admitted in comparison to only accused
- Participation and Appeals Procedures
 - For foreign-born, significantly lower when he admitted in comparison to only accused

Study 1: Results for Distributive Concerns

Interaction Significant:
 $F(1,105)=5.548, p=.020$



Interaction Significant:
 $F(1,105)=4.470, p=.037$



Study 1: Results and Discussion

- Equitable and Normative Concerns
 - When accused, significantly higher for foreign-born (versus American)
 - For Americans, significantly higher when he admitted in comparison to only accused
- Specialized Distributive Concerns
 - When accused, trend toward significantly higher for foreign-born (versus American)
 - For Americans, trend toward significantly higher when he admitted in comparison to only accused

Study 2: Method

Participants read one of four false newspaper clippings, presented in an Internet-based survey. The four versions of the story were based on the following manipulations regarding a story about a terrorist bombing of a federal building.

	Proud Admission	Shameful Admission
Loss of Life	"... smirked as he proudly admitted to the crime ... killing 26 people and injuring 34 more."	"... bowed his head as he shamefully admitted to the crime ... killing 26 people and injuring 34 more."
Loss of Property	"... smirked as he proudly admitted to the crime ... that damaged a wing of the building."	"... bowed his head as he shamefully admitted to the crime ... that damaged a wing of the building."

Study 2: Sample Article

Arizona Man Pleads Guilty in Federal Bombing Trial

By Anthony Hamilton
Arizona Associated Gazette

TEMPE - An Arizona man pleaded guilty today to charges in connection with the bombing of a federal building on October 14, 1999.

Jason Tailor, an American citizen, bowed his head as he shamefully admitted to the crime. "I'm sorry. I was very angry at the time. If I could take it back, I would," Tailor said.

Tailor, 29, was arrested two months ago in connection with the terrorist bombing that damaged the north wing of the Tempe federal building, killing 26 people and injuring 34 more.

According to an unidentified FBI agent, "we are particularly pleased that we've been able to make progress in this case before any more attacks occur." However, the agent noted that the physical evidence tying Tailor to the crime is inconclusive. "It's in the jury's hands now," he noted.

National intelligence officials are continuing to investigate the October attack and any connection it may have to any known terrorist organizations.

Study 2: Multivariate Results

Multivariate Tests ^a						
Effect		Value	F	Hypothesis df	Error df	Sig.
Intercept	Pillai's Trace	.985	1051.306 ^a	4,000	64,000	.000
	Wilks' Lambda	.015	1051.306 ^a	4,000	64,000	.000
	Hotelling's Trace	65.707	1051.306 ^a	4,000	64,000	.000
	Roy's Largest Root	65.707	1051.306 ^a	4,000	64,000	.000
admit	Pillai's Trace	.130	2.387 ^a	4,000	64,000	.060
	Wilks' Lambda	.870	2.387 ^a	4,000	64,000	.060
	Hotelling's Trace	.149	2.387 ^a	4,000	64,000	.060
	Roy's Largest Root	.149	2.387 ^a	4,000	64,000	.060
loss	Pillai's Trace	.094	1.656 ^a	4,000	64,000	.171
	Wilks' Lambda	.906	1.656 ^a	4,000	64,000	.171
	Hotelling's Trace	.103	1.656 ^a	4,000	64,000	.171
	Roy's Largest Root	.103	1.656 ^a	4,000	64,000	.171
admit * loss	Pillai's Trace	.042	.696 ^a	4,000	64,000	.598
	Wilks' Lambda	.958	.696 ^a	4,000	64,000	.598
	Hotelling's Trace	.043	.696 ^a	4,000	64,000	.598
	Roy's Largest Root	.043	.696 ^a	4,000	64,000	.598

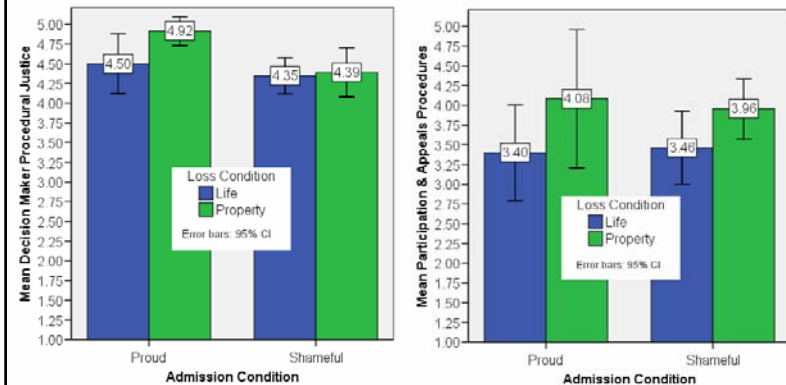
a. Exact statistic

b. Design: Intercept+admit+loss+admit * loss

Study 2: Results for Procedural Concerns

Admission Effect:
 $F(1,70)=5.115, p=.027$

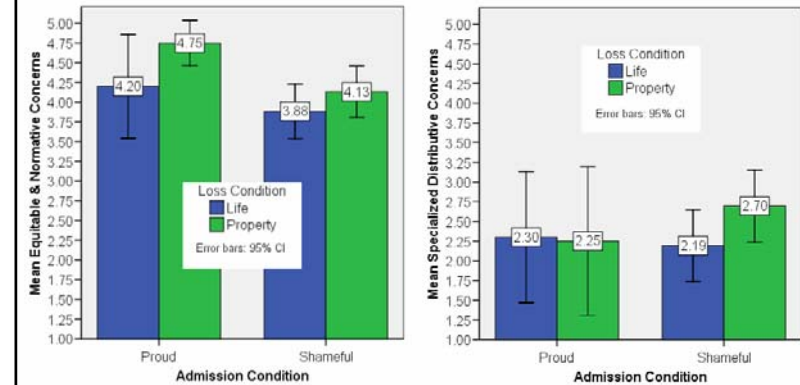
Loss Effect:
 $F(1,70)=4.570, p=.036$



Study 2: Results for Distributive Concerns

Admission Effect:
 $F(1,70)=5.370, p=.024$

No Significant Interaction or Main Effects: $ps > .05$



Study 2: Results and Discussion

- Decision-Maker Procedural Fairness
 - Significantly higher for proud admission than shameful admission
- Participation and Appeals Procedures
 - Significantly higher for loss of property than loss of life
- Equitable and Normative Concerns
 - Significantly higher for proud admission than shameful admission
- Specialized Distributive Concerns
 - No significant effects

General Discussion

- Judgments about the importance of procedures and jury decisions are influenced by the nature of the crime
 - Procedural concerns can decline when the terrorist is foreign-born, admits to the crime, or when there has been a loss of life
 - There maybe relative leniency in normative distributive outcomes for American suspects
- These may reflect a combination of moral exclusion (Opatow, 1990) and moral mandate processes (Skitka & Houston, 2002)

References

- Blumner, R. E. (2003, August 3). Unjust, unwise, and unAmerican. *Sf. Petersburg Times*. Retrieved April 24, 2006 from http://www.sptimes.com/2003/08/03/news_pf/Columns/_Unjust_unwise_and_u.shtml
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