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## The Scope of Justice for Muslim Americans: Moral Exclusion in the Aftermath of 9/11

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## The Scope of Justice for Muslim Americans: Moral Exclusion in the Aftermath of 9/11

### Abstract

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### Keywords

Moral Exclusion, Scope of Justice, Group Categorization, and Muslim Americans

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## **The Scope of Justice for Muslim Americans: Moral Exclusion in the Aftermath of 9/11**

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*This paper details a social psychological study of prejudice and moral exclusion. We investigated whether participants, 47 non-Muslim U.S. citizens enrolled at a Midwestern university, considered Muslim Americans to be within their scope of justice, and whether principles of fairness, restitution, and corrective intervention would be applied to a stimulus Muslim family. Only about one-third of the sample indicated that the Muslim family fell within their scope of justice. Open-ended responses yielded three patterns: (1) threat and revenge toward the out-group; (2) concern with the rights of out-group members; and (3) disconnection from the out-group, along with ambivalence about justice issues. Although explicitly racist statements were detected, so too was a recognition of common humanity with out-group members. Key Words: Moral Exclusion, Scope of Justice, Group Categorization, and Muslim Americans*

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Very often, justice considerations are extended only to particular categories, or groups of individuals, and our personal rules about fairness apply only to those within our *scope of justice* or *moral community*. How we decide who falls within or outside of this moral community is frequently determined by the same processes by which we form into social identity categories (Tajfel & Turner, 1985): That is, those with whom we most identify constitute our moral community, while we neglect to apply similar rules regarding fairness to social out-group members.

Group membership, therefore, has serious implications for the extension of justice. Perceptions of in-group and out-group boundaries can and do influence decisions regarding who we consider worthy of fair treatment, on whose behalf we might agitate politically, and to whom our attention is drawn when obvious inequality occurs. Numerous individuals have, at one time or another, been denied human or civil rights because they have fallen outside of mainstream society's moral community: slaves; children; women; racial, religious and sexual minorities; the poor; the disabled; and the mentally ill to name but a few. Members of such groups have suffered, or continue to suffer, from the denial of social or legal justice. In short, the social and historical arrangements of power and inequality have tended to mirror decisions about inclusion in and exclusion from the moral community in the United States and elsewhere.

Deutsch (1985) defined the scope of justice as "the psychological boundary of one's moral community; a narrow conception of community that results in a constricted scope of situations in which considerations of justice govern one's conduct" (p. 62). Distributive justice, including our decisions about whether resources are allocated fairly,

the procedures by which we believe fairness is achieved, and punishments and rewards we believe others are entitled to, is defined or limited psychologically to this narrow community. Denial of membership in this moral community may result in the tyranny of the more powerful over the less powerful, and may signal the sanctioning of abuse of out-group members (Tyler, Boeckmann, Smith, & Huo, 1997).

The boundary of a *moral community* is not constant, but is subject to change based on historical and social forces. Staub (1989), through case studies of mass genocide and extreme harm doing, concluded that conditions such as economic hardship, political upheaval, war, violence, and rapid changes in culture and society lead to a restricted scope of justice, and a narrowed moral community. These conditions threaten people's sense of self, security, and well-being, and serve to justify the moral exclusion or even harm of marginalized social groups.

### **The Theory of Moral Exclusion**

Opatow's (1990b) theory of moral exclusion states that causing or allowing harm to those outside of one's moral community is justified and rationalized on the premise that they are viewed as expendable, undeserving, exploitable, and irrelevant. In this theory, she suggests that instances of moral exclusion can be described using three dimensions: severity, extent, and engagement. The severity of moral exclusion ranges from mild dimensions, such as denial of adequate resources, to severe dimensions such as violence, torture, or even death (Opatow, 1995, 2001). The extent of moral exclusion can range from the uncommon (e.g., religious inquisitions) to the common (e.g., the denial of resources to racial or ethnic minorities). Engagement in moral exclusion is the degree of exclusion, for example, from passive acts (unawareness or ignoring) to active acts (e.g., the mass genocides of World War II).

Severe instances of exclusion may include systematic violations of human rights, political oppression, religious inquisitions, slavery, and genocide (Staub, 1989). The person or group excluded from justice is perceived as a real or potential threat to the in-group, and therefore harm-doing is considered justified, even in such extreme forms as torture and murder. The physical and sexual abuse of Iraqi detainees at Abu Ghraib prison in Baghdad, by some U.S. military personnel and private contractors, may constitute an example of severe moral exclusion, as the mistreatment was rationalized by their abusers as revenge for real or perceived acts of war and terrorism. For example, U.S. Army Specialist Armin J. Cruz Jr., a reservist who pleaded guilty to abusing detainees, said "he did not see the men [who were sexually tortured] as three detainees, but rather as 'three guys who killed two soldiers, injured me, injured my boss'" (Spinner, 2004). Furthermore, Specialist Roman Krol, a member of military intelligence and an interrogator at Abu Ghraib prison, offered an explanation in an interview with CNN (2004) of why he did not report the instances of physical and sexual abuses he had witnessed: "We were on the same team, even though there were military police and military intelligence, but we work together...even though the things that they did were very disgusting" (CNN). Krol's stated reaction to the abuses that he had witnessed—"indifference"—appeared to underline the degree to which he had dehumanized the detainees, viewing them as on the opposing side of a conflict, and therefore not deserving of justice. It is possible that once the detainees had been identified by the U.S.

administration and by armed forces and intelligence officials as potential terrorists (by definition, explicit threats to the nation), they were considered by some individuals to be less deserving of the usual justice rules that govern prisoners.

Milder instances of moral exclusion occur when we simply fail to recognize and deal with suffering and deprivation, or when the rights of another group are neglected or unacknowledged. As an illustration, Buck, Toro, and Ramos (2004) recently presented the results of a content analysis showing trends in public and scholarly interest in homelessness for the past 30 years: While media attention to this problem peaked in the mid-1980s, there has since been a steady and steep decline in national news articles devoted to the homeless. Academic interest in homelessness, manifesting a similar decline in publishing trends, has also appeared to be mostly focused on the negative personal characteristics associated with homeless people. The number of published articles in the media and social science literature likely reflect the concern among the general public and scientists with this particular serious social problem, and as less attention is focused on the problem, and on those experiencing homelessness, the easier it may become to neglect the reality of homelessness itself. In such a case, harm-doing may result from unconcern with others' needs. Harm that results from unconcern or from efforts to achieve the goals of the in-group may not involve malevolent intent, but the results can be seen in instances such as the denial of health care, education, a living wage, the destruction of communities, or the exploitation of members of ethnic groups. Outwardly, severe and mild forms of exclusion are manifest differently, but they share vital underlying characteristics. In both, the perpetrators perceive the out-group as psychologically distant, lack constructive moral obligations toward the out-group, view the out-group as expendable and undeserving, and deny rights, dignity, or autonomy to the out-group (Bar-Tal, 1989; Chirot & Seligman, 2002).

This article explores the *underlying group categorization processes* involved in a contemporary example of moral exclusion: justice considerations toward Muslim Americans in the United States. As it has been widely noted (Gerstenfeld, 2002), American citizens and U.S. residents of the Muslim faith or of Arab backgrounds have been subject to unprecedented levels of scrutiny by the U.S. government and by their neighbors in the period since September 11, 2001. In addition, hate crimes toward those of the Muslim religion have increased sharply in the same period (Federal Bureau of Investigation, 1999-2002). As the Arab/Muslim world has been, in the opinion of some in the U.S., constructed as being on the "other side" in a clash of civilizations (Huntington, 1993), we desired to understand how a moral community of non-Muslim U.S. citizens has been influenced, particularly in the context of the aftermath of September 11.

### **The Aftermath of September 11, 2001**

Nearly three-thousand people died in the terrorist attacks of September 11, 2001. In lower Manhattan, on a field in Pennsylvania, and along the banks of the Potomac, the United States suffered the single largest loss of life from an enemy attack on its soil. (National Commission on Terrorist Attacks, 2004)

Within hours of the September 11, 2001 attacks, the violence was compounded by physical assaults on Americans of Arab, Muslim, Sikh, and South Asian heritage, even Hispanic Americans suffered these attacks because of perceived physical similarity to Arabs (United States Commission on Civil Rights, 2001). The Federal Bureau of Investigation (2000-2002) reported a seventeen-fold increase in hate crimes<sup>1</sup> against these groups in the 12 month period following the attacks. Murders, beatings, and attacks on mosques were directed at these people solely because they shared or were perceived as sharing the national background or religious beliefs of the hijackers responsible for attacking the World Trade Center and the Pentagon. Similar anti-Middle Eastern American hate crimes were reported during the 1st Gulf War, the 1979 Iranian hostage crisis, following the terrorist bombing in Oklahoma City, and the explosion of TWA flight 800 (American-Arab Anti-Discrimination Committee, 1992; Arab American Institute, 2002; Archival Research Catalog, 1981).

Nine murders and attempted murders, as well as nearly 250 other hate crimes against persons of Middle Eastern descent occurred in the United States in the three month period immediately following the attacks (National Asian Pacific American Legal Consortium, 2001). Unlike typically reported hate crimes, which generally involve relatively young male offenders and male victims (American Psychological Association, 1998), the post-September 11 backlash and perpetrators included women, senior citizens, shop owners, and even children. These bias-motivated incidents included a high degree of physical violence; with approximately one in five victims suffering bodily injury from physical assaults. Perpetrators used baseball bats, metal poles, and guns as weapons (Arab American Institute, 2002). One of the most widely publicized incidents was the September 15, 2001 murder of Sikh-American Balbir Singh Sodhi in Arizona.

On September 15<sup>th</sup>, Frank Silva Roque shot to death Balbir Singh Sodhi. Roque allegedly killed Sodhi as part of a multiple-incident shooting rampage that included shootings at a Lebanese-American clerk who escaped injury, at another gas station in Mesa, and at the home of an Afghan family. (Arab American Institute, 2002, p. 8)

Despite President George W. Bush's call for tolerance toward Muslims (2001), 24 percent of Americans reported unfavorable opinions of American Muslims; conservative Republicans in particular held unfavorable opinions of American Muslims at 40 percent in late 2001 (PEW Global Attitudes Project, 2002). Experimental studies have reported similar results (Coryn, Beale, & Myers, 2004). Gallup polls taken shortly after September 11 (September 17, 2001; September 25, 2001) indicated that more than half of Americans favored subjecting Arabs, including those who were United States citizens, to more intensive security checks before boarding airplanes in the United States; 49 percent also believed that Arabs and Arab Americans should carry special identification (Skitka & Mullen, 2002).

A survey conducted for the Arab American Institute (Zogby, 2001) showed that while 32 percent of Arab Americans reported being the victims of some form of discrimination during their lifetimes, 20 percent reported having experienced ethnically-

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<sup>1</sup> Hate or bias crimes, as defined by the Federal Bureau of Investigation, are crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity (Federal Bureau of Investigation, 1999).

motivated discrimination after September 11, 2001. Of greater concern was the finding from the same survey that 45 percent of young Arab American students and 37 percent of Arab Americans of the Muslim faith reported ethnic-based discrimination between October 6 and October 8, 2001. Such discrimination suggests that Arab and Muslim Americans may fall outside the moral community of other Americans.

### **Overview of this Study**

Our study applied Opatow's (1987, 1990a, 1990b, 1993, 2001) moral exclusion/scope of justice theory to a timely, local conflict incident involving Muslim Americans, allowing us to test the assumptions about moral exclusion in a real-life situation.

This study was conducted shortly following President George W. Bush's declaration of "job well done" (2003), implying that the U.S.-led war in Iraq was officially over, and as one aspect of a larger study, which also qualitatively examined participants' perceptions of their national identity. We anticipated that many of the participants would perceive the target of conflict, in this case Muslim Americans, as being outside their moral community, and therefore undeserving of justice due to the social climate created by the events of September 11, 2001 and the ongoing conflict with Iraq. Specifically, we asked, "To what extent would people apply justice principles to those outside their scope of justice in a context of national conflict?" More importantly, "What would be the underlying motivations for including or excluding others?" We speculated that participants would be influenced by the perceived similarity or dissimilarity between themselves and the out-group, as well as by participants' own political, cultural, and social values. Further, we believed that the current conflict with Iraq would be salient to the justice motivations for at least some of our participants.

A mixed-method approach was utilized to explore these questions for purposes of not only determining whether or not people would include or exclude Muslim Americans from their scope of justice, but why.

### **Method**

#### **Participants**

Our participants were forty-seven U.S. citizens over the age of 21, enrolled in psychology courses at a midsized Midwestern American university. The participants for this study were recruited via posted research announcements and announcements in introductory psychology courses. Participants reported to research laboratories to complete survey instruments and received course credit for their participation in the study. As can be seen in the participants' responses, we do not believe that receipt of course credit impacted the validity of their narratives. Participation was not mandatory, nor were there penalties for participants who opted not to participate.

This study was conducted as one of several elements of the lead author's master's thesis work and supervised by the second author, who also co-authored this paper. Neither author is of Middle Eastern descent, nor of the Muslim faith. The intent for this study was not merely to examine a hypothesis, but also for one of the authors to develop

skills as a qualitative researcher. The sampling procedure used for our study was one of convenience on the basis of constraints of time and other constraints, such as availability and accessibility. The trade-off made for ease of sampling was the representativeness of the sample. The average age of our participants was 29 years ( $SD = 7.35$ ). Twenty-nine of the participants (62%) were female and 18 (38%) were male. Seventy percent of participants identified themselves ethnically as Caucasian/White, 14 percent as African American/Black, 6 percent as Hispanic/Latino, 4 percent as American Indian/Eskimo, 2 percent as Asian, 2 percent as East Asian/Middle Eastern, and 2 percent as other. Fifty-three percent of our participants identified themselves as Protestant, 28 percent as Roman Catholic, 4 percent as Atheist, 2 percent as Hindu, 2 percent as Jehovah's Witness, 2 percent as Jewish, and 8 percent as other. Participants indicated, on average, having somewhat conservative political ideologies ( $M = 5.03$ ,  $SD = 1.15$ , on a 7-point scale), as measured by Pratto, Sidanius, Stallworth, and Malle's (1994) three-item index of liberalism-conservatism.

## Materials

Participants completed two survey instruments; one closed-ended and one open-ended. The first instrument was an eight-item sociodemographic questionnaire (e.g., gender, age, ethnicity). The second was the three-item Scope of Justice/Moral Exclusion Scale (Opatow, 1987, 1993), including a narrative utilizing a Muslim American family as a stimulus by the researchers (see Appendix A). This stimulus was not part of Opatow's (1987, 1993) original Scope of Justice/Moral Exclusion Scale and was added by the authors in order to set the context.

### *Moral exclusion and the scope of justice*

Opatow's (1987, 1993) Scope of Justice/Moral Exclusion Scale is intended to measure attitudes concerning one's beliefs about another's entitlement to justice. The Scope of Justice scale consists of three items: (1) belief that considerations of fairness apply to others, (2) willingness to make personal sacrifices to help or to foster another's well being, and (3) willingness to allocate a share of community resources to another. Responses tend to fall into three categories: (1) all affirmative, inside the scope of justice, (2) all negative, outside the scope of justice, or (3) conditional exclusion, in which fair treatment and resources are denied, but respondents would be willing to help. Dichotomous response items (yes or no) were used to determine inclusion, exclusion, or conditional exclusion. Open-ended responses of "why" or "why not" following closed-ended questions were utilized for qualitative analysis. Internal consistency analysis of the Scope of Justice Scale has yielded a Cronbach's  $\alpha$  of .87 (Opatow, 1987, 1993). Although the scale has not undergone rigorous systematic validity testing (Hafer & Olson, 2003), face validity has been demonstrated by the scale's application to "actual conflict contexts in the past" (S. Opatow, personal communication, July 6, 2006).

## Procedure

### Data Collection

Data collection took place in July and August, 2003. Participants were provided with a consent statement, which was read and signed by each participant prior to completing the survey instruments. All protocols and procedures for our study complied with and were approved by the IRB of our institution, and met all requirements for the use and protection of human subjects in research. Survey completion took 35-40 minutes, on average. A debriefing statement was provided following completion of the survey instruments, explaining the exact nature and intent of the study.

Using a local, well-publicized example (South Bend Tribune, 2003) of what some in our community claimed was harassment by federal officials based on religion and ethnicity, participants were asked to describe their thoughts on the case of Department of Homeland Security officers who entered the home of an elderly Muslim American couple in the middle of the night. The couple was questioned for nearly an hour based on reports by neighbors that the family was perceived as “suspicious foreigners.” In fact, both husband and wife were U.S.-born citizens, the husband was a veteran of the U.S. Armed Forces, and the family had lived in the community for a generation. In the stimulus story read by participants, the elderly man experienced chest pain and required medical attention subsequent to the interrogation.

After reading a summary of this incident (see Appendix A), participants were asked to write their opinions of whether the family had been treated fairly, whether the family was entitled to restitution for the husband's medical bills, and whether the participants themselves wanted to protest the treatment of this family. In addition to these classic scope of justice queries, we also provided participants with the opportunity to describe in an open-ended fashion why they would or would not choose to extend these justice considerations for the stimulus in question. Every participant thus provided a qualitative narrative about underlying motivations for their justice decisions.

### Data Analysis

The choice to qualitatively investigate moral exclusion of Muslim Americans was a pointed and conscious one. Although social psychologists have tended to neglect the study of qualitative experiences of inter-group relations over the past half-century, we strongly endorse the belief of Maracek, Fine, and Kidder (2001) that “a psychology concerned with social life should attend to people’s words and their meaning” (p. 32). So, in addition to asking participants to make moral decisions regarding fairness, restitution, and help, as is customary in moral exclusion studies, we purposely encouraged participants to tell us in an open-ended fashion the reasons for their decisions. Thus, our analysis of the data was both descriptive as well as explanatory (Coryn, 2006). According to Kvale’s (1996) typology of qualitative analysis, our work would fall under the common-sense understanding category, as well as under the theoretical/interpretive understanding category. We wanted to know what our participants thought about justice, and who they would include in and exclude from their spheres of justice. We wanted to

know how our participants identified themselves and others. We also wanted to learn why.

The analytic strategy that we used for the open-ended responses was, like many qualitative analysis strategies, not entirely standardized, but we felt the need to be methodologically explicit, both to our participants and in terms of our coding of the data. To that end, we followed an interpretive model, seeking to understand our data in the context of time, place, and person. We sought and found patterns in the data that we recognized according to the theoretical grounding in which we, as social psychological researchers, are steeped. Our personal theoretical orientation is one grounded in a constructivist epistemology and ontology; that is, a value-laden subjective construction of knowledge rather than a passive acquisition of objective features of knowing. We confronted the data in a more top-down strategy than we may have expected because of the primacy of previously-established research and theory that originally informed the research plan. That is, we were already immersed in the theoretical literature and therefore ended up analyzing our data in a more theory-driven than data-driven way.

Our strategy for analyzing the open-ended responses about moral exclusion and the scope of justice most closely matched the successive approximation approach, an iterative process in which the researcher “repeatedly move back and forth between the empirical data and the abstract concepts, theories, or models” (Neuman, 2006, p. 469), making adjustments and refinements to conclusions over a period of time. Preliminary ideas were tracked through a memo system, then confirmed or discarded as more data were introduced. Analytic concepts were developed at each stage with the relevant social psychological theories in mind, such that our concepts became more formalized in light of both further reading of the literature as well as further analysis of new data. In an effort to preserve objectivity and trustworthiness each stage in this process was conducted with the two researchers working independently. Reliabilities ranged from a low of 84 percent in the development of coding schemes, themes, and patterns, to a reliability of nearly 92 percent for the final analysis of the data using the previously developed coding system. Furthermore, the final analytic hierarchy was developed long after the initial concepts had been mapped; intervening typologies for motivation included a pages-long index that suggested dozens of categories and sub-themes (Ritchie, Spencer, & O’Connor, 2003). A special challenge was adequately capturing and representing the meanings of participants who, to our mind, appeared ambivalent toward the research process, the research question, and the topic altogether. Were they denying or hiding or pointing us elsewhere with their “I don’t care’s” and “It doesn’t concern me’s”?

The act of qualitative analysis is contingent on many factors: the questions that are asked, the types of responses, the social position of the participant, the situation under which data are collected, and, finally, the position of the researcher. Unlike traditional psychological studies, in which the investigator strives to abjure subjective positions in the hope that bias not creep into the project, qualitative researchers understand that there is no possibility for findings that are entirely free of subjectivity, regardless of the methods used. As Tappan (2001) remarked, “interpretation must take as its starting point the historical and psychological reality of the lived experience of both the subject whose expression of experience is being interpreted, and the interpreter herself” (p. 49). We began the project, therefore, with an explicit understanding of the likely disconnect between our own attitudes toward justice for racial and religious minorities and some of

the expressed attitudes in the Midwestern communities, in which we lived and collected our data. We began with an understanding of the way that the human response to the attacks of 9/11 was manifesting itself as out-group provocation and hate crimes in many communities. We were prepared, therefore, to some extent at least, to confront challenges to our beliefs about religious and racial equality and justice. We may not, however, have been fully prepared for the intensity of some of the “expressions of experience” that we did receive.

## Results

### Descriptive Findings

As displayed in Table 1, nearly two-thirds of our participants believed that the family had *not* been treated fairly, slightly less than one-half believed that they *did not* deserve restitution (allocate resources), and almost half stated that they would *not* sign a letter protesting their treatment (help).

Table 1

#### *Summary of Scope of Justice Items*

		<i>N</i>	<i>%</i>
Was the family treated <i>fairly</i> ?	Yes	17	36.17
	No	30	63.82
Would you be willing to <i>allocate resources</i> to the family?	Yes	27	57.44
	No	20	42.55
Would you be willing to <i>help</i> the family?	Yes	23	48.93
	No	24	51.06

### Essential Themes from Narrative Responses

As noted above, participants were encouraged to give open-ended explanations of their decisions involving moral inclusion or exclusion. From these narrative data, three distinct themes emerged from our participants’ motives for excluding, including, or conditionally excluding the Muslim American family from their scope of justice: (1) threat and revenge: categorizing the stimulus family into an out-group of terrorists or enemies; feeling threatened by the out-group; and desiring revenge on this particular stimulus for acts of the perceived ill-defined out-group sharing characteristics of Arab ethnicity or Muslim religion; (2) human rights: a promotion of or concern with the rights of others; a perceived similarity or shared human connection with the stimulus family; and (3) ambivalence: disinterest in the issue, either in terms of the stimulus family in particular or in an out-group in general; expressing ambivalence to whether justice or injustice was visited upon the stimulus family.

The following is an excerpt from one participant's written narrative as to whether or not the Muslim family had been treated fairly and, in part, illustrates the manner in which one of our three essential themes (threat and revenge) emerged.

If they were innocent then why were they afraid? Because they knew they were suspicious. They [Department of Homeland Security] had reasons to suspect the family. They were from the Middle East for God's sake. The more of these people we let in the country, the more we can expect acts of terrorism from so called "Americans". If we don't get them first the fucking Iraqs [sic] will get us. They should all be exterminated like fucking rats.

We specifically selected this narrative for its exemplary, albeit explicit, content related to themes of threat and revenge. As discussed previously, these data were coded at the phrase level. However, participants' phrases were often given numerous codes (Coryn, 2004). For instance, from this participant's narrative, the first phrase of the first sentence "if they were innocent" was coded as "culpability" and "blame," for example, while the second part of the same phrase "why were they afraid?" was coded simultaneously as "fear" and "suspicion," among others. These multiple codings were intended as an effort to adequately capture the inherent meaning of our participants' narratives. Furthermore, the final sentence in this narrative, "they should all be exterminated like fucking rats" was coded as "intent to harm," "[retributive] justice," "menace," and "retaliation." Coding and pattern analysis were similar with respect to themes of "human rights" and "ambivalence." From these data, and their respective coding, the three essential themes were eventually extracted and shaped by synthesizing the narratives within and between our participants.

These qualitative themes mirrored Opatow's (1987, 1993) three types of expected responses to the Scope of Justice/Moral Exclusion Scale; moral exclusion, moral inclusion, and conditional moral exclusion. For example, participants who felt threatened or desired revenge excluded the stimulus family from justice considerations, whereas participants who felt a human connection included them in their scope of justice, and those who were disconnected demonstrated conditional moral exclusion, meaning that they were prepared to extend some facet of justice to the stimulus family (e.g., belief that they had been treated unfairly), while denying other forms of justice (e.g., restitution for health care costs).

In describing their reasoning for including or not including the Muslim American family in their scope of justice, participants narrated a wide range of factors from revenge and deservingness (for September 11, for the Iraq insurgency), to outrage that the family was subjected to investigation. Participants who described the treatment of the stimulus family as appropriate referred, for example, to their belief that the family was not "real Americans," (Coryn, 2004) to convictions that all Muslims should be now scrutinized, or to suspicions that Middle Eastern Americans deserved punishment. Rights-based explanations for including the family in justice considerations focused on inter-group connections, for example, on descriptions of similarity between social groups or on explicit justice concerns for the family in question. Of those who expressed disconnection with or ambivalence towards the family's situation, narratives were infused with

personally-held religious beliefs (which were used to validate inaction or unconcern for the family's plight), conflicting loyalties, or disengagement from national issues.

### *Threat and revenge*

A common motivation for exclusion from the scope of justice was hostility toward an out-group, which was reflected by anger toward the stimulus family. Participants in some cases directed what social psychologists have termed “old-fashioned” or “blatant” racism (Dovidio, Brigham, Johnson, & Gaertner, 1996) toward Muslims or Arabs, and even toward immigrants in general. “Old-fashioned” racism describes the endorsement of virulently negative attitudes toward racial minorities along with the ready expression of openly racist beliefs, such as an expressed opposition to policies promoting equality, or a wish to live in and preserve racially segregated neighborhoods. In contrast, attitudes that have been more recently identified as “modern” or “symbolic” racism include beliefs that minority members have too much influence in public life or policy, or that equality has already been fully achieved for all racial minorities (Swim, Aikin, Hall, & Hunter, 1995). These participants’ narratives were infused with explicit aggression and opposition directed as often toward an out-group, perceived as enemies of the United States, as toward the stimulus family itself. In general, responses indicated that the Muslim American family did not deserve fair treatment, should not be compensated for their suffering, and should not expect assistance from the participants in any manner. American national identity was often invoked in such narratives, indicating that the participant was making justice decisions on an inter-group level rather than as an individual (e.g., “As Americans, sometimes we have to make decisions that benefit the greater good”).

In response to whether or not the family had been treated fairly, participants’ responses ranged from simple, “yes, they were treated fairly because we should be suspicious” to responses which had vengeful overtones. These reactions were frequently attributed to concerns for the safety, social welfare, and protection of the in-group. For example, “They don’t deserve rights...what rights did the victims in New York get?” “Their treatment was justified...after what they did to us we have every right to assure our safety and security.” “We should do whatever is necessary...if that means eliminating the potential threat so be it.”

Responses as to whether or not the family deserved compensation were similar in tone. For example, the father's health condition was attributed to his guilt rather than his fear. “They don’t deserve anything...they asked for it when they killed Americans.” “If they didn’t do anything then why were they so upset?”

Similar descriptions were provided in response to whether or not survey respondents would be willing to help the family; in this case, signing a letter protesting their treatment. “The sacrifice of the few for the welfare of the many.” “Why would I protest?...if it weren’t for Homeland Security these people would be free to do whatever they like.”

### *Human rights*

At the other end of the justice spectrum were those who viewed the family's treatment as inhumane or unjust. These participants' narratives were less likely to reflect inter-group categorization when describing their motivations for extensions of justice; their responses included more "I" than "we" statements, and were more specific to the situation of the stimulus family itself rather than referring to some larger, ill-defined out-group represented by the family. Such explanations also focused more heavily on perceived similarities with the Muslim American out-group, a shared human connection prompted, perhaps, by empathy for the family in question. These types of responses were positive on all three justice decisions, meaning participants concerned with the rights of the stimulus family expressed the belief that the family was treated unfairly, supported restitution, and were willing to do something to help them achieve justice.

Narratives coded as "rights" reflected responses ranging from outrage on behalf of the family's situation, to empathy for the health concerns of the father, and embarrassment on behalf of the U.S. government. For example, "How can they think this is OK?...they are citizens and deserve the same rights as the rest of us." "I feel sorry for them...my family was not originally from this country...none of us are really 'American.'" "Is this what my taxes are used for?...they are exactly like us...I would like to see them [Homeland Security] go through that...see how they like it." "The government has no right to take these kinds of actions...aren't they supposed to protect our rights, not violate them?"

### *Ambivalence*

Located between the narrative end-points of threat/vengeance and human rights were responses that reflected ambivalence to the issues of immigration, justice, or national group identity. Ambivalent participants tended to promote other social identities (especially their religious identity) before their national identity, which seemed to preclude them from making decisions about the out-group. Other ambivalent perspectives reflected a desire to disengage from the issue altogether. For example, "As an American I am concerned about terrorism...but my belief in God says that we should not kill others...so I really can't give an answer." "I will never meet these people so what does it matter, don't we all suffer?...it is not going to affect me if I do or don't support them." "I think that we are all just trying to survive...I just prefer to mind my own business." "I would rather not be forced to choose or make a decision for someone else...everyone has a story and everyone has problems. I rely on God to make good decisions."

Narratives reflecting ambivalence or disengagement indicated that while the Muslim American family may not have been treated fairly, these participants would not necessarily support them in seeking justice. Such patterns suggested that although one or two of the justice considerations (i.e., fairness, resource allocation, or willingness to help) might apply, these decisions were rarely entirely inclusive (all positive) or exclusive (all negative), resulting in conditional exclusion from justice. This conditional exclusion of the family from justice considerations may have occurred as a result of competing social identities, lack of political knowledge (Dolan & Holbrook, 2001), disinterest in national

or international affairs (Hofman & Rouhana, 1976), or a combination of these or other factors.

### Discussion

This study applied the theory of moral exclusion (Opotow, 1987, 1993) to a timely, real-world event. Opotow (1987, 1993, 2001) has empirically examined moral exclusion from the scope of justice in interpersonal contexts. Moral exclusion was operationalized in the current research through participants' decisions directed toward a stimulus Muslim American family in the form of the (1) belief that considerations of fairness applied to the family, (2) willingness to make sacrifices to foster the family's well being, and (3) willingness to allocate a share of community resources to the family. Our results supported the theory's flexibility and applicability under inter-group conflict conditions. We were further able to examine the underlying motivations for extensions of justice in a context of national conflict.

Participants in our sample demonstrated all possible positions on the moral inclusion continuum toward a stimulus family of Muslim Americans caught in a conflict situation with neighbors and officials. Those who excluded the stimulus family from justice considerations appeared to justify their decisions by invoking instances of current inter-group or international conflict situations such as the war in Iraq and the terrorist attacks on the United States. Those who included the Muslim American family in their moral community called upon a rights-based discourse, appealing to universal principles of human rights and protections, and at times expressing empathy for the plight of the stimulus family. These findings are consistent with previously established research on moral exclusion (Opotow, 1987, 1993, 1995; Staub, 1989) that those who fall outside one's moral community are perceived as expendable or undeserving, thus harming them or neglecting to help them appears appropriate or just.

The prevalence of threat and revenge discourse, among the narratives of participants who excluded the stimulus family from their scope of justice, supports previous findings from the inter-group relations literature, in that an ill-defined out-group was characterized in a negatively stereotypical manner that represented real or symbolic threats to the in-group (Esses, Dovidio, & Hodson, 2002). Further, some of those who exhibited moral exclusion referred to elements of national identity (e.g., the features of "real Americans") to explain why justice was undeserved in our study. As Gerstenfeld (2002) has written, "During times of war or other international unrest, nationality becomes particularly salient" (p. 62). It would appear that although our study was conducted nearly two years after the terrorist attacks on the U.S., simply presenting stimulus materials containing a Muslim family and Homeland Security officials served to create tension or defensiveness in some of our participants' social identities as American citizens. It is also clear that some of the participants in our study responded to the moral decision task with explicit racist statements against Muslim and Arab Americans, rather than exhibiting the more subtle or symbolic form of racism, in which majority group members attempt to shield their negative attitudes toward a minority group (Duckitt, 1992). Many of the narratives in our study reflected unmasked hostility of the "America: Love it or Leave it" variety towards those whom they perceived as out-group members.

On the other hand, participants who included the out-group members in their moral community appeared to be relying on different aspects of American identity, such as those concerning rights and freedoms of all U.S. residents. By invoking a rights-based discourse, these participants were focusing on the similarities between themselves and the out-group as members of a single nation. These narratives contained elements of a theme of common in-group identity (Gaertner, Dovidio, Anastasio, Bachman, & Rust, 1993) that was shared with either the stimulus family or with different out-groups (e.g., religious minorities; immigrants) that the family was taken to represent. A common in-group identity, or perception of shared humanity (Borshuk, 2004), exists when individuals belonging to different social identity groups come to perceive themselves as a single shared identity group, downplaying disparate or dissimilar aspects of their relative identities. For this subset of participants, it was evident that motivations for moral inclusion rested either with the perception of similarity of fate (or potential for a similar fate) or with empathy with the plight of dissimilar others. As Stephan and Finlay (1999) have written,

The feelings of threat engendered by concerns over differences in values, beliefs, and norms, misperceptions of realistic conflict, and anxiety over interacting with members of the out-group may all be dissolved by learning to view the world from the perspective of out-group members. (p. 735)

It is possible that cognitive empathy may moderate inter-group anxiety in some individuals, who are then more willing to include out-group members in their moral community.

The theme of disconnection, apparent in about one-third of the narratives for this study, indicated the complex nature of multiple social identities. Certain participants who articulated strong religious beliefs felt that such matters were best left to divine rather than human intervention, and thus resisted making a decision about justice for the stimulus family. Others reflected disinterest in the fate of a family who did not share their religion; rather than a feeling of shared fate, some participants saw few similarities with the out-group. Still others appeared to be disengaged from such moral questions entirely, especially ones with political (Hofman & Rouhana, 1976), national, or international (Dolan & Holbrook, 2001) undertones.

Social psychologists have often been criticized for treating the processes they study as universal, and thereby ignoring the historical contexts in which they were embedded (Tajfel, 1981). Our study has attempted to address a current social problem—hate crimes, and antecedents to hate crimes—by explicating the reasoning process underlying moral exclusion among citizens of Middle America in a time of ongoing inter-group and international conflict. Given the global changes taking place at the time of and subsequent to this study, reactions to the stimulus in our research were inevitably intense and controversial. Our results are therefore bound by both the timing and context of the research setting, limiting replicability. Nonetheless, we believe there is reason for both caution (in the narratives of threat and revenge) as well as hope (in those reflecting a discourse of rights and similarity) in the moral reasoning of this small sample of Midwestern Americans.

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## Appendix A

1. At 4:30 a.m. agents of the Department of Homeland Security (FBI) arrived at the home of an elderly couple, unannounced, and knocked on the door. The agents demand to see identification and documentation of citizenship of the couple, whom are U.S. citizens. The couple and their children were all born in the United States—in fact the father had been born at Memorial Hospital in South Bend and was a veteran—and the children had served in the U.S. Army Reserves. The agents stayed and questioned the couple for 45 minutes, and later went to the homes of the couple’s children and made the same demands. According to the Department of Homeland Security (FBI) “someone” had suggested that the family were “foreigners who should be looked into”, since the family are Muslims.

Was the couple treated fairly by the Department of Homeland Security?

- Yes
- No

Why or why not?

2. After the visit by agents of the Department of Homeland Security the couple was left disoriented and frightened. Later that morning the father experienced chest pains and was taken to the Emergency Room. The father was prescribed medication for angina induced by stress and fear.

Should the Department of Homeland Security pay for the man’s medical expenses and treatment?

- Yes
- No

Why or why not?

3. Some citizens in South Bend read about the incident in the paper, and were angered and decided to write a letter to officials, including the community’s Congressional representative and the local paper to express their dismay over the event. A letter was also written to the elderly couple expressing the citizen’s empathy and apologizing for the event.

The letter included statements such as:

“As taxpayers, we resent our tax dollars being spent intimidating a citizen and his family.”

“As American citizens we are appalled by this clear infraction of the civil liberties of our fellow Americans.”

“We expect the officers of Homeland Security to be held accountable to the highest levels of professionalism.”

Would you sign this letter?

Yes

No

Why or why not?

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