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# Understanding Judgments of Fairness in a Real-World Political Context: A Test of the Value Protection Model of Justice Reasoning

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*Current theories of justice emphasize social identity reasons for why people care about justice to the relative neglect of personal identity concerns, that is, people's need to express, defend, and live up to personal moral standards. The authors present a value protection model that predicts that self-expressive moral positions or stands ("moral mandates") are important determinants of how people reason about fairness. Hypotheses were tested and supported in the context of a natural experiment: reactions of a national random sample of adults to the Elián González case pre-raid, post-raid, and then post-resolution of the case. Models that included strength of moral mandates, but not pre-raid judgments of procedural fairness, best predicted reactions to the raid and post-resolution judgments of both procedural and outcome fairness and were associated with expressions of moral outrage and attempts to morally cleanse.*

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I regard the deportation of Elián as a slap in the face of the Founding Fathers and their principles. It is totalitarianism versus freedom that has to be considered and that is why this is an American issue, not just a Cuban one. This country was founded on the basis of each individual's right to life, liberty, and the pursuit of happiness.

—Leonard Peikoff

It is not our place to punish a father for his political beliefs or where he wants to raise his child. Indeed, if we were to start judging parents on the basis of their political beliefs, we would change the concept of the family for the rest of time.

—Janet Reno

Five-year-old Elián González became the center of a widely publicized custody battle after he was rescued off the Florida coast on November 25, 1999. Elián had been floating on an inner tube for 50 hours after his mother and 10 others died when their small boat sank as they

tried to travel from Cuba to the United States. Although Elián's Cuban father petitioned the United States to return Elián to his custody, Elián was put in the temporary care of Miami relatives, who filed a petition to grant him political asylum in the United States. After months of court decisions, appeals, and fruitless negotiations, federal agents took Elián by force from his Miami relatives' home. Elián finally returned to Cuba with his father on June 28, 2000.

The Elián case aroused incredible public interest and attention. At least two fundamental questions dominated the public discussion of the case: What is the right thing to do, and how are we to decide? Similarly, current theories in social psychology make different predictions about which of these—perceptions of the "right thing to do" versus perceptions of "how we decide what to do"—will dominate how people reason about whether the case was ultimately fairly or unfairly resolved. The Elián González case therefore provided a unique opportunity to put these different theories of how people reason about fairness to a critical test.

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## MORAL MANDATES

The Elián case tugged at many people's core moral convictions. Some people felt that it would be fundamentally wrong or immoral to deprive a father of his son, whereas others felt a moral imperative that Elián should be given a chance to grow up in a free country. Moral conviction refers to a strong and absolute belief that something is right or wrong, moral or immoral. Moral convictions are also closely connected to people's sense of themselves as fundamentally decent and good people who are sometimes prepared to "take a stand" (Taylor, 1989). Although some moral convictions may be the result of deliberate reasoning and a subsequent acceptance of a specific moral precept (e.g., it is immoral to eat meat), moral convictions do not always or perhaps even often require reason or evidence. People at times judge moral and immoral, right and wrong, on the basis of visceral and intuitive rather than deliberative cognitive processes (Haidt, 2001). Regardless of whether a given moral conviction is the result of a deliberate or intuitive process, any moral conviction is hypothesized to be experienced as psychologically nonnegotiable and as a fundamental truth about right and wrong.

Moral mandates are defined as the attitude positions or stands that people develop out of a moral conviction that something is right or wrong, moral or immoral (Skitka, 2002). For example, a reasoned or intuitive judgment that it is simply wrong to deny a father the right to be with his son would be a moral conviction. This moral conviction would form the foundation of a moral mandate if it were translated into a strong and morally vested attitude about the Elián González case (e.g., that U.S. authorities should return Elián to Cuba).

People are not expected to have moral mandates to guide their thoughts, feelings, and behaviors in every context. A moral mandate is hypothesized to be a selective self-expressive stand on a specific issue, not a generalized orientation toward the world. Moral mandates are conceived of as representing a special class of strong attitudes, where strong attitudes are defined in terms of extremity and importance (e.g., Boninger, Krosnick, Berent, & Fabrigar, 1995; Krosnick, 1988) and/or attitude extremity and certainty (e.g., Gross, Holtz, & Miller, 1995). Moral mandates are also characterized by attitude strength, importance, and certainty but include the additional layer of moral conviction. Although all moral mandates are examples of strong attitudes, not all strong attitudes are moral mandates. Recent research supports the notion that moral conviction has unique explanatory power above and beyond traditional indices of attitude strength. For example, the degree that people reported that their preference for president in the 2000 election was connected to their core moral values and convictions was a strong predictor of who voted in that election, even

after other indices of attitude strength were statistically controlled (e.g., strength of candidate preference and strength of party identification; Skitka, 2001).

In addition, even though moral mandates are rooted in core moral values, moral mandates are not values *per se*. Moral mandates are the selective expression of a core moral value or values. The emphasis on selective expression is important. For example, even though there are many policy positions that people should theoretically endorse if they have a strong commitment to the value of life, we know that people are cognitive misers (Fiske & Taylor, 1996) who rarely have perfectly constrained ideological belief systems (Converse, 1964). Most people, therefore, are predicted to choose a finite number of strong moral positions to represent their commitment to a given value. For example, if someone deeply values the sanctity of life and sees their commitment to this value as a reflection of themselves as a decent and moral person, they may selectively express this commitment through a pro-life position on abortion. Having a moral position could well be psychologically sufficient for people to persuade themselves that they are authentic moral beings, so they may not then feel any need to also develop a consistent position, for example, on the death penalty.

Skitka's (2002) value protection model (VPM) predicts that personal identity needs lead people to selectively express moral convictions by committing to moral mandates either publicly, privately, or both. Besides serving an expressive function, a commitment to a moral mandate allows perceivers to classify the actions of institutions, authorities, ingroup or outgroup members, and even themselves into the mutually exclusive categories of legitimate thought or deed versus fundamental transgression. According to the VPM, outcomes and procedures will be perceived as legitimate and fair if they are consistent with perceivers' moral mandates and will be perceived as illegitimate and unfair if they are inconsistent with perceivers' moral mandates. Concerns with procedural fairness, that is, whether institutions and authorities act in trustworthy, unbiased ways that respect people's social identity needs (see Lind & Tyler, 1988), will become more important only when people do not have moral mandates about outcomes.

Part of the logic underlying the VPM is this: Thinking about, experiencing, witnessing, or behaving in a way that violates a moral mandate should be threatening to people's sense of both private and public personal identity. If it is important for people to believe that they are authentically moral, how could they not object to anything that threatens that sense of moral identity or authenticity? People are predicted to therefore be motivated to express and protect their moral mandates and will do so by making a number of cognitive, affective, and behavioral adjustments, all of which have implications

for whether they will feel events are fair or unfair. Defense and expression strategies will primarily include moral outrage and moral cleansing (Tetlock, Kirstel, Elson, Green, & Lerner, 2000). When people think about or experience a transgression of a moral mandate by others, moral outrage will typically involve negative attributions about the transgressor(s) that in turn lead to a perception of injustice, anger and contempt, negative sanctions, and/or protest. Moreover, simply thinking about, much less experiencing, the violation of a moral mandate on the part of self or others should lead people to experience moral outrage and to engage in moral cleansing, that is, behaviors and thoughts directed toward reaffirming one's sense of self as a good person (Steele, 1988).

In sum, the VPM predicts that how people decided whether justice was served in the Elián case would be shaped by whether they had a moral mandate about how the case should be resolved. In addition, people with moral mandates should have been more likely to express moral outrage (e.g., criticize the government) and engage in moral cleansing (e.g., reaffirm their commitments to parental rights or freedom) than those who did not have a moral mandate about the case.

#### PROCEDURAL FAIRNESS

According to theories of procedural fairness (e.g., the group value model: Lind & Tyler, 1988; the relational model of justice: Tyler & Lind, 1992), prior beliefs about procedural fairness, and those developed early in the case, should be the strongest predictors of whether people would feel justice was done in the Elián case. More specifically, the group-value and relational models of procedural justice posit that people care more about how decisions are made than they do about what decisions are made because procedural treatment, more than outcomes, provides them important information about their standing and status within social groups or vis-à-vis authorities. Consistent with this premise, positive characteristics of authorities (e.g., neutrality, trust, and status recognition) are associated with voluntary acceptance of decisions, obeying rules, and even self-esteem (see Tyler & Smith, 1999, for a review). Especially germane to the concerns of this study, procedural fairness also has been found to be a determinant of perceived political legitimacy (Tyler, Casper, & Fisher, 1989), obedience to the law (Tyler, 1990), and predicts how people reason about fairness regardless of whether they are the direct recipient or a third party perceiver of procedural treatment (Van den Bos & Lind, 2001).

Similarly, one of the most widely replicated findings in the justice literature is the fair process effect, that is, that people accept even negative, unfavorable, and non-preferred outcomes as fair when they are arrived at by

fair institutional procedures (e.g., Folger, 1977; Tyler, 1990; Van den Bos, Wilke, Lind, & Vermunt, 1998). For example, a longitudinal panel study of criminal defendants pre- and post-trial found that the majority of the variance in post-trial attitudes toward defense attorneys, prosecutors, plea bargaining, the law, and government was accounted for by pre-trial and trial-based assessments of procedural fairness. Time sentenced to serve and relative assessments of outcome favorability explained little, if any, unique variance across dependent measures (Tyler et al., 1989). Whether defendants were acquitted or convicted, or received longer or shorter sentences, had no bearing on defendants' reactions to the fairness of their own criminal proceedings and trial outcomes.

Although the social identity premise of the group value and relational models of justice provide one strong account for results such as these, other recent experimental evidence indicates that the fair process effect could be the result of the possibility that people usually learn about procedures before they learn about outcomes (a guiding premise of fairness heuristic theory, e.g., Lind, 2001; Van den Bos et al., 1998). According to this view, people form fairness judgments quickly and rapidly based on whatever information they have available at the beginning of a justice judgment process. Procedures are posited to be the dominant predictor of perceptions of outcome fairness and acceptance because people generally learn about procedures before outcomes.

Regardless of whether the fair process effect is the result of primacy effects or people's heightened concern that institutions and authorities act in ways to validate group members' social standing, it is not clear whether moral mandates about outcomes would similarly have little to no effect on how people reason about justice. For example, one reason that Tyler et al. (1989) may not have observed effects for trial verdict or sentence on perceptions of legal authorities is that prosecutors probably only brought their strongest cases to trial. In other words, the majority of the criminal defendants surveyed may well have been guilty. They therefore may not have had any moral foundation to motivate a justice-based objection to the procedures or outcome. According to the VPM, people's outcome preferences will shape how they reason about fairness when they are rooted in moral conviction but will have a relatively weak influence on judgments of fairness when they are based on morally shallow preferences or self-interests.

The VPM and theories of procedural justice therefore make very different predictions about what will be the primary determinant of how people will decide whether justice was done in the Elián González case. According to the VPM, core moral values selectively expressed as

moral mandates should emerge as the primary predictor of how people reacted to Elián's case over time. Even if people with a moral mandate that Elián should stay in the United States thought that the U.S. government and legal authorities were acting with all the auspices of procedural fairness before the raid, their judgments of procedural fairness both post-raid and post-resolution should have been shaped more by the strength of their mandate than by their pre-raid judgments of procedural fairness. Similarly, people who had a moral mandate that Elián be returned to his father should have perceived the raid and the outcome of the case to be procedurally fair even if they thought the government and legal authorities were acting without appropriate attention to procedural fairness before the raid. Strength of moral mandate is predicted to have similarly stronger effects than pre-raid judgments of procedural fairness on post-resolution judgments of outcome fairness and decision acceptance. Finally, people with moral mandates about the outcome of the Elián case should demonstrate more spontaneous expressions of moral outrage and attempts to morally cleanse than their nonmandated peers.

Theories of procedural fairness, in contrast, predict that pre-raid judgments of procedural fairness should emerge as the stronger predictor of reactions to the raid, post-resolution assessments of procedural fairness, outcome fairness, and decision acceptance and that moral mandates would play little or no role in how people would decide whether the case was fairly or unfairly resolved.

#### METHOD

The study sample was drawn from a panel of respondents maintained by Knowledge Networks of Menlo Park, California. Knowledge Networks recruits panel participants using random-digit-dialing telephone selection methods. Once a panel member agrees to participate, they are given a free interactive device to access the World Wide Web (a Web TV) and free Internet access in exchange for participation in occasional surveys. Characteristics of the panel closely match those of the U.S. Census (see <http://www.knowledge.networks.com> for more detail). Panel members receive an e-mail to alert them when they have a survey to complete, with a "clickable" start button to initiate the survey. Participants can access each survey only once, and the survey is protected from non-panel member access.

Data was collected at three different junctures: A couple of weeks before federal agents retrieved Elián by force from the home of his Miami relatives, immediately following the raid, and when Elián returned to Cuba with his father.

*Pre-raid survey.* A random sample of 1,000 adult Knowledge Networks panel members was contacted by e-mail on April 6, 2000; 903 panel members responded to the survey by April 13, 2000, when the survey was closed.

This survey began by introducing the study and assessing participants' familiarity with the case. Participants were then presented with a brief factual newspaper clip to ensure that they would have the same baseline of information about procedures used in the case to date. Participants were then asked their assessments of procedural fairness (e.g., representativeness, opportunities for voice, trust, bias; see Table 1) and the extent that they had an outcome-based moral mandate (i.e., a mandate that Elián should either stay in the United States or be returned to Cuba). Participants were asked what should happen to Elián (measured on a bipolar scale with the anchors *very sure Elián should stay in the United States* and *very sure Elián should return to Cuba*) and reactions to two attitude items with moral frames (e.g., the only moral solution in this case is for Elián to stay in the United States or for Elián to return to Cuba. These items were scored on 7-point scales that ranged from -3 to +3). Average scores on these three items (after reverse-coding one item) yielded a moral mandate measure with extreme scores indicating either a moral mandate that Elián should stay in the United States or that Elián should be returned to Cuba, and scores at the midpoint of the scale reflecting no mandate. Other pre-raid items tapped attitudinal flexibility or inflexibility, attitude importance, and the relative value attached to freedom as compared to parental rights.

*Post-raid survey.* The post-raid survey was fielded on April 26, 2000 (4 days after federal officials seized Elián from the home of his Miami relatives). An e-mail announcing the survey was sent to all panelists who responded to the pre-raid survey ( $N = 903$ ); 765 panel members (85%) responded to the post-raid survey by May 4, 2000, when the survey was closed. Similar to the pre-raid survey, participants were given a brief news update. The post-raid survey included the same measures of procedural fairness as the pre-raid survey.

*Post-resolution survey.* The post-resolution survey was fielded on June 28, 2000, the day the Supreme Court announced that it would not hear the case or reinstate an injunction restricting Elián from leaving the country with his father, and when Elián returned to Cuba. The survey was fielded to all respondents who completed the first two surveys and was closed July 5, 2000; 626 people responded to the third survey, representing an 81% retention of the sample from post-raid to post-resolution and an overall sample retention rate of 69%.<sup>1</sup> Participants who responded to all three surveys were not significantly different in demographic or psychological profile



**TABLE 1: The Elián González Survey****Measures included in all three surveys (pre-raid, post-raid, and post-resolution)**

- Procedural fairness*,  $\alpha_1 = .83$ ,  $\alpha_2 = .88$ ,  $\alpha_3 = .90$
- Are the legal procedures being used to decide if Elián stays in the United States biased or unbiased?
- How fair or unfair have the legal procedures been for Elián's U.S. relatives, who want to have their side of the case heard?
- How fair or unfair have the legal procedures been for Elián's Cuban relatives, who want to have their side of the case heard?
- Compared to what most Americans think, how representative or unrepresentative are the views of the authorities who are deciding whether Elián stays in the United States or returns to Cuba?
- Do you trust or distrust the legal procedures being used to decide whether Elián stays in the United States or returns to Cuba?
- Overall, do you think the decision-making procedures being used in this case are fair or unfair?
- Overall, do you think the decision-making authorities in this case are acting fairly or unfairly?

**Measures included only in the pre-raid survey**

- Familiarity*
- How familiar are you with the case of Elián González?
- Moral mandate*  $\alpha_1 = .86$
- What do you think should happen in the case of Elián González?<sup>a</sup>
- Regardless of what the law has to say about it, the only moral choice is to return Elián to Cuba.
- Regardless of what the law has to say about it, the only moral choice is to keep Elián in the United States.
- Construct validity items*
- There is only one moral solution to the question of whether Elián should stay in the United States or return to Cuba.
- I can see how either option—deciding to let Elián stay or deciding Elián should be returned—could be the right choice in this case.
- Some people would argue that this case is about a choice between two important values: being able to live in a free country versus the rights of parents. Which value is more important to you?<sup>b</sup>
- The appropriate resolution of the Elián González case is very important to me.

**Measures included in the post-resolution survey only**

- Outcome fairness*  $\alpha_3 = .91$
- Do you think it was fair or unfair for Elián to return to Cuba?
- Do you think it was fair or unfair to deny Elián an asylum hearing?
- Acceptance*  $\alpha_3 = .82$
- Do you accept or reject the decision to return Elián to Cuba as the final word on this issue?
- Are you for or against further attempts to overturn this decision?

NOTE: Only measures relevant to the current investigation are included in this table. The symbol  $\alpha$  refers to Cronbach's reliability coefficients, with subscripts indicating whether they reference wave 1, 2, or 3 of data collection.

a. This was a 7-point bipolar scale that ranged from very sure that Elián should stay in the United States to very sure that Elián should be returned to Cuba, with a scale midpoint of *don't know/can't decide*.

b. This was a 7-point bipolar scale, with parental rights and freedom as opposing anchors.

(e.g., whether they had a particular view on the case) from participants who did not complete all three surveys. Again, after providing an update on the case, the post-resolution survey assessed post-resolution judgments of procedural fairness, judgments of outcome fairness, and decision acceptance.

**RESULTS**

At the descriptive level, virtually all respondents reported having at least some familiarity with the Elián González case, and on average, they were well above the scale midpoint in familiarity ( $M = 5.17$ ,  $SD = 1.55$ ). Moreover, 17.3% of the sample could be classified as having a moral mandate that Elián should stay in the United States (i.e., scored  $-2$  or below on the moral mandate measure), 45.3% had weaker or no moral mandate (i.e., scored between  $-2$  and  $+2$  on the moral mandate measure), and 37.5% had a moral mandate that Elián should be returned to Cuba (i.e., scored at  $2$  or greater on the moral mandate measure). Men and women, parents and nonparents, and liberals and conservatives were equally likely to be represented in each moral mandate category,  $\chi^2(2, N = 626) = 4.14$ , *ns*,  $\chi^2(2, N = 626) = 2.94$ , *ns*, and  $\chi^2(4, N = 626) = 3.19$ , *ns*, respectively. Familiarity with the case was not meaningfully correlated with strength or direction of moral mandate or assessments of procedural fairness (all  $r$ s  $< .12$ ).

*Convergent and Discriminant Validity*

The construct validity of moral mandates was tested a number of ways. As predicted, the degree that participants agreed or disagreed with the following notions varied as a function of moral mandate: (a) there was only one moral solution to the question of whether Elián should stay in the United States or return to Cuba,  $F(1, 535) = 34.39$ ,  $p < .001$ ; (b) whether they could see how either option—deciding to let Elián stay or that he should be returned—could be the right answer in this case,  $F(2, 535) = 50.60$ ,  $p < .001$ ; and (c) whether they saw the case as more about the value of freedom or parental rights,  $F(2, 535) = 421.45$ ,  $p < .001$ .

Planned comparisons indicated that participants with a stay-in-the-United States or a return-to-Cuba moral mandate were equally likely to agree with the idea that there would be only one moral solution for this case,  $F(1, 534) = 5.62$ , *ns*. Moreover, those with moral mandates were more likely to believe that there was only one moral solution ( $M = 1.38$ ) than were those without a moral mandate ( $M = -0.22$ ),  $F(1, 535) = 76.91$ ,  $p < .001$ . Similarly, people with a moral mandate were equally,  $F(1, 535) = 2.62$ , *ns*, and less likely to agree with the idea that they could see how either option—deciding to let Elián stay in the United States or that he should be returned to Cuba—would be the right choice in this case ( $M = -1.15$ ).

**TABLE 2: Pearson Correlations, Means, and Standard Deviations for Major Constructs (*N* = 626)**

	<i>Pre-Raid Measures</i>		<i>Post-Raid Measure</i>	<i>Post-Resolution Measures</i>		
	<i>Moral Mandate</i>	<i>Procedural Fairness</i>	<i>Procedural Fairness</i>	<i>Procedural Fairness</i>	<i>Outcome Fairness</i>	<i>Decision Acceptance</i>
Means	0.74	0.27	0.63	0.87	1.79	1.07
Standard deviations	1.98	1.28	1.46	1.42	1.65	1.87
Moral mandate	1.00	.32* (.28*)	.55* (.52*)	.49* (.46*)	.54* (.50*)	.61* (.58*)
Pre-raid procedural fairness		1.00	.45*	.47*	.27*	.33*
Post-raid procedural fairness			1.00	.74*	.59*	.65*
Post-resolution procedural fairness				1.00	.70*	.73*
Post-resolution outcome fairness					1.00	.75*
Acceptance						1.00

NOTE: All measures ranged from  $-3$  to  $+3$ . Parenthesized numbers in the moral mandate row report the partial correlation of moral mandate with each other variable controlling for self-rated importance of the issue (an index of attitude strength). Moral mandates therefore had strong relationships with other variables, even when controlling for attitude importance.

\* $p < .001$ .

than were those with no mandate ( $M = 0.51$ ),  $F(1, 535) = 84.09$ ,  $p < .001$ .

Moral mandates also were clearly rooted in strong commitments to moral values. People with a stay-in-the-United States moral mandate rated freedom as a more important value than parental rights ( $M = -2.40$ ). People with no mandate saw the case as being equally about freedom and parental rights ( $M = 0.59$ , a value that was not significantly different from 0, the midpoint of the scale). Finally, people with a return-to-Cuba moral mandate rated parental rights as a more important value than freedom ( $M = 2.62$ ) (all pairwise comparisons were significant at  $p < .001$ ).

Finally, it was important to demonstrate that moral mandates in fact have some explanatory power beyond indices of attitude strength. Strong attitudes are often defined as those that are rated as important to the perceiver (e.g., Boninger et al., 1995; Krosnick, 1988). The first row of Table 2 reports the correlation of moral mandate and the partial correlation of moral mandate controlling for attitude importance (see parenthesized coefficients) with other study variables. Although controlling for attitude importance did reduce the correlation between moral mandate and other study variables, in each case the reduction was negligible. These results provide some discriminant validity, then, that our index of moral mandate is not the same thing as attitude strength.

In sum, moral mandates had the expected ability to predict people's willingness to consider alternative outcomes and were associated with clear and unwavering commitment to one dominant value. People without a moral mandate were more flexible about the possibility of there being more than one right outcome and had equal levels of commitment (and therefore potential conflict) between competing values. Finally, our mea-

sure of moral mandate reflected something more than attitude importance.

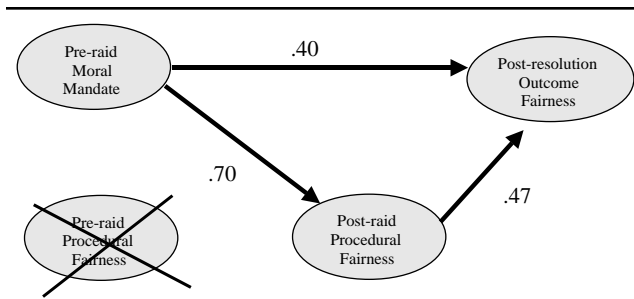
#### *What Predicted People's Judgments of Fairness Over Time?*

Strength of moral mandate and pre-raid judgments of procedural fairness revealed different patterns of association with post-resolution measures (see Table 2). Of interest, moral mandate and pre-raid judgments of procedural fairness were correlated equally strongly with post-resolution judgments of procedural fairness, a result that was consistent with the notion that moral mandates, in addition to features of procedures, may have an important influence on how people reason about procedural fairness. In addition, moral mandate was more strongly correlated than pre-raid judgments of procedural fairness with post-resolution judgments of outcome fairness and acceptance, results also consistent with the predictions of the VPM.

The pattern of correlations in Table 2 further indicated that people's judgments increasingly converged into a global assessment of "it was fair" or "it was unfair" by the end of the case. Despite having different patterns of relationships with pre-raid judgments of procedural fairness and moral mandate, post-resolution judgments of procedural fairness, outcome fairness, and decision acceptance were highly intercorrelated ( $r$ s ranging from .70 to .75).<sup>2</sup> Although these results provide some initial support for the role that moral mandates may play in how people reason about fairness, because pre-raid judgments of procedural fairness and moral mandate were correlated to some degree even at our first data collection, more stringent tests of hypotheses were needed.

#### *Structural Equation Analyses*

Hypotheses were therefore tested using structural equation modeling with maximum likelihood estima-



**Figure 1** The best-fitting model explaining post-resolution judgments of outcome fairness.

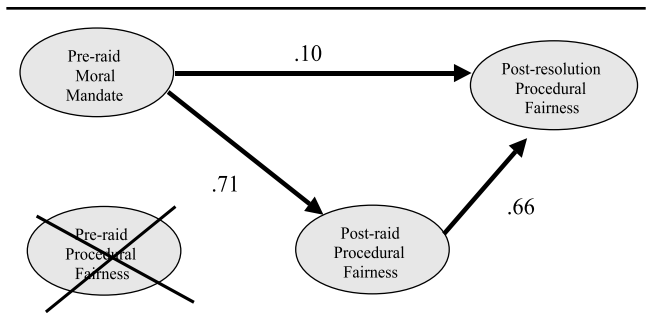
NOTE:  $\chi^2(64) = 201.78, p < .01$ , normed fit index (NFI) = .97. Path coefficients are standardized regression weights; all paths were significant at  $p < .01$ .

tion with AMOS 4.0 (Arbuckle, 1997), a method that by design helps tease apart the relative effects of correlated predictors.

*Predicting post-resolution judgments of outcome fairness, procedural fairness, and decision acceptance.* If theories of procedural fairness are correct and judgments of procedural fairness are the most important determinants of post-resolution judgments, then one would expect that the direct effect of pre-raid procedural fairness on post-resolution reactions of procedural fairness, outcome fairness, and decision acceptance and the path that reflects the indirect effect of pre-raid judgments of procedural fairness on post-resolution reactions, mediated by post-raid judgments of procedural fairness, to be significant and large. Finally, theories of procedural fairness would predict that pre-raid moral mandate would have neither a direct or indirect effect on post-resolution judgments.

Alternatively, if the VPM prediction that people's moral mandates will be the most important determinant of how people decided whether the case was fairly or unfairly resolved is correct, then the direct effect of pre-raid moral mandates on post-resolution reactions and the indirect effect of moral mandates on post-resolution reactions, mediated by post-raid procedural fairness, should be significant and large and the direct and indirect effects of pre-raid procedural fairness should be small or nonsignificant.

To test these competing hypotheses, models were compared that tested all possible paths from pre-raid judgments to post-raid and then post-resolution judgments and then increasingly parsimonious nested models (i.e., models that eliminated one or more paths). A chi-square of zero indicates a perfect fit of a given model to the data. However, the chi-square statistic is biased when sample sizes are large. The normed fit index (NFI, Bentler & Bonett, 1980) provides an unbiased index of model fit, with values that range from 0 to 1 (where 1 = a perfect fit). Models with an NFI greater than .90 have



**Figure 2** The best-fitting model explaining post-resolution judgments of procedural fairness.

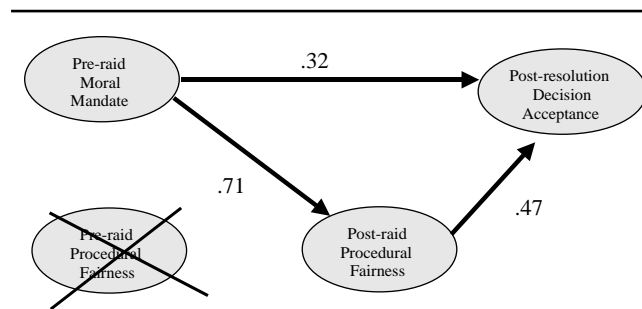
NOTE:  $\chi^2(128) = 452.17, p < .01$ , normed fit index (NFI) = .95. Path coefficients are standardized regression weights; all paths were significant at  $p < .01$ .

good fit, and models that fit greater than .95 have excellent fit to the data (Bentler & Bonett, 1980). Moreover, because the difference between two chi-squares is also distributed as a chi-square, hierarchically nested subsets of models can be compared to test whether deleting parameters from the full model significantly improves or weakens the fit of the model to the data (Bentler & Bonett, 1980).

Models that included only the direct and indirect effects of moral mandates on post-resolution judgments of outcome fairness emerged as having significantly better fits to the data than all other competing models when predicting post-resolution judgments of outcome fairness,  $\chi^2(64) = 201.78, p < .01$ , NFI = .97 (see Figure 1), post-resolution judgments of procedural fairness,  $\chi^2(128) = 452.17, p < .01$ , NFI = .95 (see Figure 2), and decision acceptance,  $\chi^2(64) = 199.03, p < .01$ , NFI = .95 (see Figure 3). Outcome fairness judgments, post-resolution judgments of procedural fairness, and decision acceptance were each best predicted by the direct effects of moral mandate and the effect of moral mandate mediated through perceptions of post-raid procedural fairness. Including the direct and indirect effects of pre-raid judgments of procedural fairness significantly diminished the models' fit to the data. In short, results strongly supported the predictions of the VPM.

#### *Evidence of Moral Outrage and Moral Cleansing Following the Raid*

Another way to test the VPM was to explore participants' open-ended reactions to the raid. Of the respondents, 62% provided open-ended reactions to the question "Do you have any other thoughts and feelings you would like to share?" at the end of the post-raid survey (response rates to this question did not vary as a function of moral mandate). Every  $n$ th participant per moral mandate group who responded to this open-ended question was selected for detailed content analysis ( $n$  = sample size per classification/30). This strategy generated



**Figure 3** The best-fitting model explaining post-resolution decision acceptance.

NOTE:  $\chi^2(64) = 199.03$ ,  $p < .01$ , normed fit index (NFI) = .95. Path coefficients are standardized regression weights; all paths are significant at  $p < .01$ .

32 respondents from the return-to-Cuba group, 31 from the no mandate group, and 30 from the stay-in-the-United States group, whose comments were content-analyzed.

Each separate idea mentioned by a respondent was coded as an independent response (e.g., if two separate ideas were connected by an “and” it was coded as two separate responses). Three coders blind to participants’ moral mandate classification and to hypotheses coded all responses, with 85% agreement of at least two coders. When all three coders disagreed on the appropriate code, two additional coders evaluated the contested statements.

**Coding categories.** Major coding categories were created based on theoretical expectations. Because the VPM predicts that people are likely to respond to threats to their moral mandates by criticizing or disparaging people or institutions (components of moral outrage), one major coding category was “criticism” (e.g., criticism of the Miami relatives, the government, or the raid). The VPM also predicts that when moral mandates are threatened, people will be likely to reaffirm their moral convictions (i.e., engage in moral cleansing). Therefore, another category of responses was “beliefs and convictions” (e.g., statements that referred to paternal or maternal rights, freedom, or justifying the raid).

Only one additional category of responses occurred with sufficient frequency to justify an additional coding category. A substantial number of respondents referred to being tired of hearing about the case, so a coding category we called “Elián fatigue” was created. Therefore, there were three major coding categories: criticism, beliefs and convictions, and Elián fatigue. Statements also were classified within criticism and beliefs and convictions for a specific type of criticism or belief (e.g., criticism of government, criticism of the Miami relatives).

To explore whether people with moral mandates were more likely to engage in spontaneous criticism or belief affirmation than those without a moral mandate about

**TABLE 3:** Percentage of Participants Who Spontaneously Offered Comments That Were Critical, Belief Affirming, or That Reflected “Elián Fatigue” as a Function of Their Pre-Raid Moral Mandates

	Return-to-Cuba Mandate	No Mandate	Stay-in-the-United States Mandate	$\chi^2(2, N = 93)$
Criticism of the . . .				
Miami relatives	69	31	0	12.88**
U.S. government	46	12	37	6.56*
Raid	27	27	45	1.00
Belief affirmation				
Parental rights (both maternal and paternal)	32	41	27	0.77
Freedom	0	0	100	11.10**
Support Miami relatives	0	43	57	4.26*
Raid justified	83	17	0	7.06*
Elián fatigue	12	88	0	11.75**

\* $p < .05$ . \*\* $p < .01$ .

the case, chi-square analyses tested how many people mentioned various categories as a function of moral mandate classification. Results of these analyses are presented in Table 3 and are described below.

**Criticism.** People with moral mandates were more likely to use this open-ended question as an opportunity to criticize than were people without a moral mandate. For example, criticism of the Miami relatives varied as a function of moral mandate. Of people with a return-to-Cuba moral mandate, 69% made at least one critical comment about the Miami relatives; 31% of those with no moral mandate did likewise. People with a stay-in-the-United States moral mandate made no critical comments about the relatives.

Criticism of the U.S. government also varied as a function of moral mandate classification. Of people with a moral mandate, 83% made at least one critical comment about the U.S. government, compared with only 12% of those without a moral mandate. About equal numbers of those with a return-to-Cuba (46%) or a stay-in-the-United States (37%) mandate criticized the government. The return-to-Cuba group tended to complain that the authorities had taken too long to take action, whereas the stay-in-the-United States group either criticized specific authorities (e.g., the INS or Janet Reno) or the decision to use force. Although there was a trend for people with a stay-in-the-United States moral mandate to criticize the raid more (45%) than the return-to-Cuba (27%) or no mandate groups (27%), this effect was not statistically reliable.

**Moral cleansing: Affirmations of beliefs and convictions.** People with moral mandates also used the open-ended



question as an opportunity to reaffirm their moral convictions and position on the case. Although participants in all moral mandate categories were equally likely to make affirming comments about parental rights, they were differentially likely to make references to freedom. Those with a stay-in-the-United States moral mandate made 100% of the references about freedom. In a similar vein, the return-to-Cuba group made no comments in support of the Miami relatives, whereas 43% of those without a moral mandate and 57% of those with a stay-in-the-United States moral mandate made at least one comment in support of the Miami relatives. Finally, people in the return-to-Cuba group made 83% of the comments that justified the raid. Not one justification for the raid came from someone with a stay-in-the-United States moral mandate.

*Elián fatigue.* References to Elián fatigue also varied across moral mandate classifications. Of references to being tired of hearing about the case, 88% were made by people in the no mandate group. People with a return-to-Cuba moral mandate made the remaining 12% of the Elián fatigue mentions.

In sum, despite being equally likely to respond with open-ended comments, people with moral mandates made the vast majority of the disparaging or critical comments, as well as affirmations of either their commitment to freedom (on the part of those with a stay-in-the-United States moral mandate) or to justifying the legitimacy of the raid (on the part of those with a return-to-Cuba moral mandate). People in the no mandate group were the most likely to mention that they were tired of hearing about the case.

## DISCUSSION

Results supported the VPM's premise that perceptions of both outcome and procedural fairness are shaped and understood in relation to core moral beliefs and convictions. As predicted, many people used the Elián González situation as an opportunity to express their commitment to specific values by taking a moral stand in the case. Moral mandates were associated with clear and unambiguous attachments to specific values (e.g., parental rights or freedom), higher levels of situationally specific moral rigidity, and emerged as the strongest causal predictors of whether people felt both the raid and the ultimate resolution of the case was fair. Pre-raid judgments of procedural fairness did not influence how people decided whether the Elián case was fairly or unfairly resolved.

The VPM prediction that people with moral mandates would be more likely than those without one to respond with moral outrage and attempts at moral cleansing when their positions were under threat also

was supported. People with moral mandates were more likely than those without one to both criticize the government and other parties involved in the case and to reaffirm their commitments to their moral convictions when given an open-ended opportunity to do so. In contrast, people without moral mandates were much more likely to use this open-ended opportunity to say they were tired of hearing about Elián than to either express moral outrage or to morally cleanse.

These results have several important implications. First, how people reason about fairness is clearly shaped by more than whether institutions and authorities are unbiased, trustworthy, or provide involved parties with opportunities for voice. Second, moral mandates about outcomes not only influenced whether people thought the outcome of the Elián case was fair but also had a strong impact on whether people thought the raid and resolution of the case were procedurally fair. This means that judgments of procedural fairness were not exclusively determined by whether authorities and institutions respected the involved parties' social identity needs (as theories of procedural justice would predict) but were also—and in this case primarily—influenced by whether authorities and institutions upheld and validated perceivers' core moral values. Pre-raid judgments of procedural fairness, despite being measured the same exact way at each subsequent assessment, were not the best (or even an important) predictor of post-raid or post-resolution judgments of procedural fairness. Whether authorities and institutions upheld and validated perceivers' moral values was clearly the most important determinant of whether both outcomes and procedures were perceived to be fair. These results therefore suggest that current theories of procedural justice need to be revised to take into account the fact that it is not just procedural treatment or what people learn first that shapes how they decide whether procedures are fair but also whether authorities and institutions conform to perceivers' sense of right and wrong, moral and immoral.

Third, these findings address the concern that authorities could use the appearance of fair procedures to placate the masses without addressing legitimate claims (e.g., Haney, 1991). Our results indicated that moral mandates provide a check against potential systematic exploitation in the form of artful but empty gestures of procedural fairness. In other words, the appearance of procedural fairness will not increase the probability of acceptance of and compliance with institutional or authorities' decisions if acquiescence requires people to violate their fundamental sense of identity as a moral agent.

Finally, although these results suggest that moral mandates provide a check and balance that helps people

to avoid potential exploitation by nonbenevolent authorities or political structures, these results also suggest that moral mandates may well go beyond being a guide or standard that allows people to evaluate the fairness of outcomes and the procedures that yield them. Although moral convictions are certainly likely to have strong connections to prosocial phenomena such as fighting for human rights, working to protect the environment, or donating blood, these results also suggest that moral conviction could have a “dark side” (Skitka & Mullen, 2002). In short, moral mandates about just ends may form the psychological foundation and justification for any number of actions outside the rule of law or other institutional safeguards, including violent protest, vigilantism, or even terrorism, as people seek to achieve a mandated objective.

Although this study, like all field studies, cannot conclusively rule out every alternative explanation for the observed effects, our confidence in our interpretation of these results is bolstered by the following observations: (a) having a moral mandate about the resolution of the Elián case was independent of parental status, gender, political orientation, and familiarity with the case, which limits these as plausible alternative explanations for the observed results; (b) the use of a longitudinal panel design allowed us to meet two of the three criteria for establishing a causal argument (i.e., covariation and that the theorized cause occurred prior to the theorized effect). Our results would have looked very different, and our hypotheses would have been nearly impossible to test, if we had taken a cross-sectional approach; (c) hypotheses were tested in the context of a highly vivid and psychologically involving real-world event; and (d) the results were consistent with other recent research using very different methods.

For example, Skitka and Houston (2001, Study 2) found that when research participants had a moral mandate that a given defendant be punished, they did not care how that punishment was achieved. Only people without a moral mandate about the moral necessity of punishment saw vigilantism as less procedurally fair than being convicted and sentenced in a fair trial. Similarly, Skitka (2002) found that under no threat to moral mandates, people’s strength of moral mandates on various political issues (e.g., abortion, civil rights, or immigration) were uncorrelated with perceptions of the procedural fairness of the Supreme Court or state referenda. However, simply imagining a possible threat to one’s moral mandate on an issue led to significant and meaningful devaluations of the perceived procedural fairness of these political and legal institutions. The results of the present study represent an important extension of these earlier studies by establishing that moral mandates have a similar effect on people’s reactions to public policy

decisions in real-world contexts, with equally real-world consequences, as well as establishing that people with moral mandates in fact respond to threat by engaging in moral cleansing and with moral outrage. Taken together, these results suggest that whether authorities and institutions uphold moral norms and values is as important (if not more important) as procedural treatment in shaping how people decide whether their actions are legitimate, fair, and ultimately accepted.

In conclusion, the goal of the present study was to explore whether and how personal identity concerns, expressed as moral mandates, might be related to judgments of fairness. The goal of this research was not to propose the VPM as a general theory of justice reasoning. Previous research has clearly identified the important roles that social identity and instrumental concerns can and often do play in the justice reasoning process. However, this study demonstrated that personal identity concerns play an important role in the justice reasoning process as well. The next challenge will be to develop a more general and integrative theory of justice that incorporates predictions based on the notion that each of William James’s (1890) aspects of the self—the material, social, and moral—have important connections to how people decide whether events are fair or unfair and to specify the conditions when each will emerge as a more dominant concern that drives people’s appraisals of fairness.

## NOTES

1. The within-panel cooperation rate across all three waves of data collection was 63%. This number does not take into account the fact that not everyone recruited to participate in the Knowledge Network panel agrees to do so. About 58% of people contacted agree to be in the panel, which indicates that our lower-bound response rate would be approximately 36% (63% of 58%).

2. There may be some concern about the apparent lack of independence of moral mandates and procedural fairness. It was not surprising to us, however, that procedural fairness and moral mandates would be modestly correlated by this stage of the Elián case, given that court rulings had already been made that there was no sound legal basis for the court to accept a petition for asylum without the consent of Elián’s father. Although the case was still being appealed at the time of our first data collection, Janet Reno had already publicly announced that immigration officials might seize the boy at any time. The VPM would predict that these events would lead people with moral mandates to start to adjust their perceptions of procedural fairness as a function of whether these actions were consistent or inconsistent with perceivers’ moral positions. Other research has found no correlation between morally mandated policy positions on a wide range of issues and perceptions of procedural fairness of the American legal or political system when those positions are not under immediate threat (Skitka, 2002).

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