

## Retributive justice and social categorizations: The perceived fairness of punishment depends on intergroup status

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### Abstract

*In the current research, the authors investigate the influence of intergroup status and social categorizations on retributive justice judgments, that is, the extent to which observers perceive punishment as fair. Building on social identity theory and the model of subjective group dynamics, it is predicted that when the ingroup has higher status than the outgroup, people are relatively less concerned about punishment of an outgroup offender than when the ingroup has lower status than the outgroup. Two experiments revealed that participants are more punitive towards an ingroup than an outgroup offender when ingroup status is high but not when ingroup status is low. Furthermore, in correspondence with our line of reasoning, this finding emerged because participants were less punitive towards outgroup offenders when ingroup status is high than when ingroup status was low. It is concluded that the perceived fairness of punishment depends on the offender's social categorization and intergroup status. Copyright © 2007 John Wiley & Sons, Ltd.*

In human society, it is an almost inescapable fact of life that people occasionally are confronted with criminal offenders. Many encounters with offenders are from an observer perspective, either directly (e.g., when watching an offense being committed) or indirectly (e.g., through media such as newspapers, TV, and internet). Observing an offense typically produces strong moral reactions, which are reflected in a subjective desire that the offender receives appropriate punishment. These punitive responses are studied in the social psychology of *retributive justice*, defined as lay people's perceptions of what constitutes fair punishment (Hogan & Emler, 1981; Miller & Vidmar, 1981). People's retributive justice judgments are sensitive to numerous social factors that are directly connected to the offense, such as mitigating circumstances, expressions of remorse, and attributions of blame (e.g., Bradfield & Aquino, 1999; Carlsmith, Darley, & Robinson, 2002; Gold & Weiner, 2000). Besides these offense-specific factors, however, retributive justice judgments are also sensitive to social factors that are relatively less offense-specific. Notably, it has been suggested that social categorizations (i.e., whether or not the

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observer and the offender belong to the same or a different social group) have the potential to influence retributive justice judgments (e.g., Kerr, Hymes, Anderson, & Weathers, 1995; Van Prooijen, 2006). An illustration of this idea can be found in a chapter by Vidmar (2002), who described numerous anecdotal incidents where people responded more punitively to ingroup than outgroup offenders. One example that he describes in his chapter is how people reacted to members of a Catholic religious order in the Mt. Cashel Orphanage, Newfoundland, Canada. These Catholic members had sexually abused young boys that were under their care. In Newfoundland society, where Catholics and Protestants both are salient religious groups, Catholics expressed a much stronger desire for severe punishment than Protestants.

These effects of social categorizations on retributive justice judgments are consistent with findings in the intragroup deviance domain. Research indicated that people perceive unlikable ingroup members more negatively than unlikable outgroup members, a finding that has been referred to as the black sheep effect (for an overview, see Marques & Paez, 1994). Explanations of black sheep effects can be found in social identity theory's proposition that people seek to derive a positive social identity from the groups they belong to, because these social identities influence their feelings of self worth (Tajfel & Turner, 1979). People have several strategies at their disposal to maintain a positive social identity. One of these strategies is made explicit by the model of subjective group dynamics (Abrams, Marques, Bown, & Henson, 2000; Marques, Abrams, Paez, & Martinez-Taboada, 1998; Marques, Abrams, & Serôdio, 2001): People seek to maximize differentiation between the ingroup and the outgroup, while simultaneously normatively differentiating between ingroup members. More specifically, people perceive their ingroup more favorably than relevant outgroups (also referred to as ingroup bias; Hogg & Abrams, 1988), but also, people derogate negatively deviant ingroup members. Both ingroup bias and derogation of unlikable ingroup members enable people to sustain a positive association with the ingroup.

Although black sheep effects have been demonstrated on a variety of measures, the majority of research regarding this phenomenon was conducted in the perceptual domain by investigating to what extent people assign positive or negative traits to ingroup versus outgroup deviants (e.g., Abrams et al., 2000; Marques & Paez, 1994). However, empirical research revealed that black sheep effects may also generalize to the moral domain, and that people, at least sometimes, assign more severe punishment to ingroup than outgroup offenders (Kerr et al., 1995; Van Prooijen, 2006). Black sheep effects are not a universal phenomenon in the moral domain, though. For instance, studies have reported instances in which social categorizations did not exert effects on people's punitive reactions (e.g., Taylor & Hosch, 2004). Moreover, in other studies a 'similarity-leniency' effect was found, such that participants or mock juries assigned more severe punishment to outgroup than ingroup suspects (e.g., Graham, Weiner, & Zucker, 1997; Sommers & Ellsworth, 2000; Sweeney & Haney, 1992). These mixed results in the moral domain suggest that, to understand the effects of social categorizations on retributive justice judgments, it is important to investigate possible moderators that determine people's responses to ingroup and outgroup offenders. The current research was designed to contribute to scientists' understanding of the influence of social categorizations on retributive justice judgments by focusing on a central concept in theorizing on intergroup relations. In particular, we propose that the effects of social categorizations on retributive justice judgments are moderated by the relative intergroup status of the ingroup versus outgroup (cf. Doosje, Ellemers & Spears, 1995; Ellemers, Doosje, Van Knippenberg & Wilke, 1992; Scheepers, Branscombe, Spears, & Doosje, 2002). In the following, we lay out our line of reasoning in more detail.

## INTERGROUP STATUS AND RETRIBUTIVE JUSTICE

We depart our line of reasoning from a basic proposition of the model of subjective group dynamics: The proposition that people display different responses to ingroup and outgroup offenders because of a desire

to ensure a positive social identity (e.g., Abrams et al., 2000; Marques et al., 1998, 2001). This proposition is consistent with related arguments concerning retributive justice and social categorizations. Vidmar (2002) noted that through punishment, people are able to symbolically exclude an ingroup offender from their group, thereby protecting their positive association with the ingroup. These self-protecting mechanisms have been assumed to contribute to people's retributive responses to ingroup but not outgroup offenders. After all, only ingroup offenders have the potential to reflect poorly on the group, leading to a punitive response that is stronger than in the case of outgroup offenders (e.g., Marques & Paez, 1994). We suggest here that these psychological mechanisms are particularly likely to occur when the ingroup has high status compared to the outgroup. In such cases, the ingroup reflects positively on people's social identities, and hence, people are motivated to sustain their positive association with the ingroup, stimulating their urge to reject ingroup offenders through punishment. The outgroup offender, however, is not likely to be very threatening to people's social identities, given that people do not share a social categorization with the offender, and in addition, the offender belongs to a low status outgroup. The presence of a low status outgroup ensures a positive distinction of the ingroup versus the outgroup, and finding out that this lower-status outgroup is associated with a criminal offender may even further confirm the positive distinctiveness of the ingroup. As a consequence, people may feel relatively less need to punish the lower-status outgroup offender.

A different situation occurs when the ingroup has low status and the outgroup has high status, however. Empirical research suggested that people are motivated to engage in status-enhancing activities when they are member of a low status group (Ellemers, Wilke, & Van Knippenberg, 1993; Scheepers et al., 2002). This desire to positively change the group's status relative to other groups has implications for people's retributive responses to ingroup and outgroup offenders. When the ingroup has low status, an ingroup offender reflects poorly on the group and thus makes it more difficult for the group to increase its relative intergroup status in the near or distant future. As a consequence, people are motivated to symbolically exclude the offender, producing retributive responses to ingroup offenders that are quite strong also when the ingroup has low status. However, in contrast to situations where the ingroup has high status, it is likely that people from a low status ingroup are also very concerned about offenders from a high status outgroup. After all, the presence of a high status outgroup can be threatening to one's own social identity, and as such, it can be functional for status-enhancing purposes to strongly reject offenders from a higher-status outgroup. Through punishment, people are able to emphasize the negative association of the high status outgroup with a criminal offender, enabling ingroup members to compensate for their low intergroup status by a sense of moral superiority towards the outgroup.

In sum, in the present research we expected that participants would display more punitive retributive justice judgments to ingroup than outgroup offender when the ingroup has high status. Furthermore, we expected that this difference in punitiveness towards ingroup and outgroup offenders would be diminished when the ingroup has low status because of an increased urge to punish the outgroup offender. We tested these propositions in two experiments.

## EXPERIMENT 1

### Method

#### *Participants and Design*

To test our hypothesis, we randomly assigned participants to the conditions of a 2 (intergroup status: high vs. low)  $\times$  2 (offender's categorization: ingroup vs. outgroup) factorial design. A total of 64

participants (27 males, 37 females), varying in age from 17 to 33 years ( $M = 20.66$ ,  $SD = 2.78$ ), participated in the experiment. Participants were recruited using leaflets distributed over the campus. Only students at the Free University Amsterdam participated. The experiment was preceded by another unrelated study, and the participants received 2.5 euros for their participation in both studies.

### Procedure

Upon arrival at the laboratory, participants were welcomed by the experimenter and seated in separate cubicles. In each of the cubicles, computer equipment was used to present the stimulus materials and to register the data. Participants all read the following scenario:

To evaluate and improve the quality of the education provided by universities in the Netherlands, an election for the best university of the Netherlands is organized by the ministry of education, culture and science. All the universities will be evaluated by students, employees of the universities, and the ministry in terms of whether several criteria are met. Not only the quality of the provided education is evaluated, but also the organization of the education and the perspective of newly graduated students. Besides the obvious honor of being elected, an additional monetary prize consisting of 750 000 euros is provided for the winning university to be expended at will.

After this general information, participants received information about the status of the Free University Amsterdam (the ingroup) relative to the status of Leiden University (the outgroup) to manipulate intergroup status (manipulated information in italics):

From the great diversity of different universities in the Netherlands, *the Free University Amsterdam/Leiden University* appeared to be among the best concerning the organization and quality of education and the perspective of newly graduated students. Because of the combination of these factors, *the Free University Amsterdam/Leiden University* was elected as the best university of the Netherlands, with the accompanying monetary prize. Contrary to *the Free University Amsterdam/Leiden University*, *Leiden University/the Free University Amsterdam* turned out to be not even among the best five universities of the Netherlands. Especially the quality and the organization of the education proved to be a lot worse compared to *the Free University Amsterdam/Leiden University*.

After the status manipulation, participants were presented with the manipulation of offender's categorization:

For the occasion of the election the ministry organized a gala dinner where the official prize giving ceremony would take place. At the gala dinner, a few representatives of each university will be present. Halfway during the evening an argument develops between Maarten, a student at *the Free University Amsterdam/Leiden University*, and Erik, a student at *Leiden University/the Free University Amsterdam*. When the emotions run high, Maarten, the student at *the Free University Amsterdam/Leiden University* strikes a few telling blows, and Erik, the student at *Leiden University/the Free University Amsterdam* has to be taken to the hospital. At the hospital it becomes clear that he suffered a broken nose and a concussion.

After participants had read the information above, they responded to several items concerning the incident. To measure retributive justice, participants responded to the following four items (1 = *not at all*, 7 = *very much*): 'How fair would it be if Maarten would be punished?', 'How just would it be if Maarten would be punished?', 'How content would you be if Maarten would be punished?' and 'How

unjust would it be if Maarten were acquitted?' These four items were averaged into a reliable retributive justice scale ( $\alpha = .71$ ). To check the manipulations, the participants responded to two dichotomous questions, one of them asking about the ingroup's intergroup status and one of them asking about the offender's categorization. Finally, participants were thanked, debriefed, and paid for their participation.

## Results

### Manipulation Checks

A total of 92.19% of the participants responded correctly to the status manipulation check and 93.75% responded correctly to the social categorization manipulation check. Participants who did not respond correctly proved to be distributed evenly over the four experimental conditions, and exclusion of participants who answered one or two of the manipulation checks incorrectly produced similar results as reported below. Based on these results, it can be concluded that the manipulations were successful.

### Retributive Justice

A  $2 \times 2$  ANOVA on retributive justice judgments revealed a significant intergroup status main effect,  $F(1,60) = 4.61$ ,  $p < .04$ , a main effect that was qualified by the predicted interaction,  $F(1,60) = 4.61$ ,  $p < .04$ . The interaction is displayed graphically in Figure 1. When the status of the ingroup was high, participants perceived punishment of an ingroup offender as more fair ( $M = 5.59$ ,  $SD = .74$ ) than punishment of an outgroup offender ( $M = 4.94$ ,  $SD = 1.13$ ),  $F(1,60) = 4.52$ ,  $p < .04$ . When the status of the ingroup was low, no significant difference was found in retributive justice judgments towards ingroup versus outgroup offenders ( $M = 5.59$ ,  $SD = .84$ ; vs.  $M = 5.88$ ,  $SD = .73$ ; respectively),  $F < 1$ . In addition, the analysis revealed a significant difference between the status conditions within the outgroup offender condition,  $F(1,60) = 9.22$ ,  $p < .01$ , but not within the ingroup offender condition,  $F < 1$ . In correspondence with our line of reasoning, people are less punitive to outgroup offenders when the ingroup has high status than when the ingroup has low status.

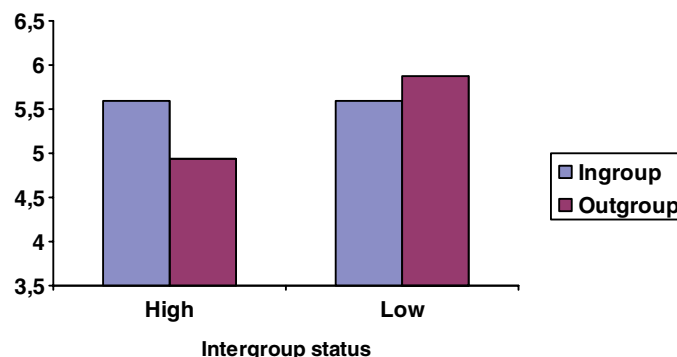


Figure 1. Mean retributive justice judgments as a function of intergroup status and offender's categorization—Experiment 1. Means were measured on 7-point scales, and higher means depict more severe retributive justice judgments

## Discussion

The results obtained in Experiment 1 corroborated our hypothesis. As predicted, participants responded more punitively towards ingroup than outgroup offenders when the status of the ingroup was high, but when the status of the ingroup was low, no differences between ingroup and outgroup offenders were found. In further correspondence with our line of reasoning, participants were less punitive to outgroup offenders when the ingroup has high as opposed to low status. These findings are consistent with the idea that when the ingroup has high status, people are relatively less concerned about punishment of offenders from an outgroup than when the ingroup has low status.

Although the results that we obtained in Experiment 1 were promising, it can be noted that, because of the type of offense chosen (i.e., a physical assault towards a member of the other university), the offender's categorization manipulation also varied the victim's categorization. It is therefore important to replicate the current findings with a more straightforward manipulation of offender's categorization, leaving the victim's categorization unspecified. To determine the robustness of our findings, in Experiment 2 we tried to replicate our findings in such an improved experimental setup. In Experiment 2 participants read about a conference that was visited by scientists of two universities, and that an assistant of one of these universities stole several wallets from the wardrobe. Thus, in Experiment 2 there were multiple victims consisting of an unknown (and hence random) sample of the conference visitors in all conditions, ensuring that the manipulation of offender's categorization was orthogonal from victim characteristics.

## EXPERIMENT 2

### Method

#### *Participants and Design*

Participants were assigned randomly to the conditions of a 2 (intergroup status: high vs. low)  $\times$  2 (offender's categorization: ingroup vs. outgroup) factorial design. A total of 81 participants (27 male and 54 female), varying in age from 19 to 34 years ( $M = 22.67$ ,  $SD = 3.23$ ), participated in the experiment. Participants were recruited by distributing leaflets over the campus, and only Free University students were allowed to participate. The experiment was preceded by another unrelated study and the participants received 5 euros for participation in both experiments.

#### *Procedure*

The experiment was run in the same laboratory as Experiment 1. Inside the cubicle participants found a pen and a questionnaire. The questionnaire started with a scenario that described a situation where the Free University Amsterdam occupied a high or low status compared to another university. Participants read the following scenario:

To promote scientific research, the Free University Amsterdam organized a series of colloquia during which researchers were able to present their line of research. The subject of one of these colloquia was the 'rapid pro-social reorientation therapy' (RPR). The RPR is a relatively new method to treat antisocial behavior disorders.

Participants then read the intergroup status manipulation (manipulated information in italics):

At this particular colloquium, researchers from both the Free University Amsterdam as well as Leiden University were present. *The Free University Amsterdam/Leiden University* is internationally well respected with regard to RPR research, whereas the research on this topic is just in its starting phase at *Leiden University/the Free University Amsterdam*.

After this, participants were confronted with an offense committed by either an ingroup member or an outgroup member:

Halfway the colloquium a bit of turmoil aroused when it became apparent that several wallets were stolen from the wardrobe. After the police were called, it became clear pretty soon that a research assistant from *the Free University Amsterdam/Leiden University* was responsible for the thefts.

After this, participants responded to the questions that constituted the dependent measures. To assess whether the findings obtained in Experiment 1 generalize to various measures of retributive justice, in Experiment 2 we modified and extended the retributive justice scale. In Experiment 2, participants responded to the following six items (1 = *not at all*, 7 = *very much*): 'How fair do you think it is when the offender gets punished?'; 'How just do you think it is when the offender gets punished?'; 'How appropriate do you think it is when the offender gets punished?' 'How severely do you believe the offender should be punished?'; 'How much do you want the offender to be punished?'; and 'How bad would you feel when the offender would be acquitted?' These six items were averaged into a reliable retributive justice scale ( $\alpha = .72$ ). To check the experimental manipulations, participants were asked two dichotomous questions, one of them asking which university held the highest status and one of them asking what the offender's university affiliation was. Finally, participants were debriefed, thanked, and paid for their participation.

## Results

### *Manipulation Checks*

A total of 85.2% of the participants responded correctly to the status manipulation check, and only one participant responded incorrectly to the group membership manipulation check. The participants who did not respond correctly to one of the manipulation checks were distributed evenly over the four experimental conditions, and exclusion of the participants who had incorrect answers on one of the manipulation checks produced a similar pattern of results as reported below. Based on these results, it can be concluded that the manipulations were successful.

### *Retributive Justice*

A  $2 \times 2$  ANOVA showed a significant main effect of the offender's categorization on the reported retributive justice judgments,  $F(1,77) = 4.51$ ,  $p < .05$ , a main effect that was qualified by the predicted interaction,  $F(1,77) = 4.04$ ,  $p < .05$ . The interaction is depicted graphically in Figure 2. In correspondence with Experiment 1, in the high status condition participants evaluated punishment as fairer when the offender was an ingroup than an outgroup member ( $M = 6.30$ ,  $SD = .57$ ; vs.  $M = 5.68$ ,  $SD = .93$ ; respectively),  $F(1,77) = 8.44$ ,  $p < .01$ . In the low status condition, no difference between ingroup and outgroup offenders emerged ( $M = 6.16$ ,  $SD = .64$ ; versus  $M = 6.14$ ,  $SD = .45$ ;

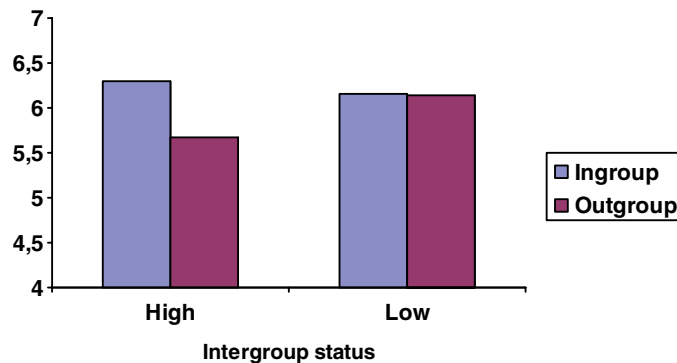


Figure 2. Mean retributive justice judgments as a function of intergroup status and offender's categorization—Experiment 2. Means were measured on 7-point scales, and higher means depict more severe retributive justice judgments

respectively),  $F < 1$ . Furthermore, intergroup status conditions differed within the outgroup condition,  $F(1,77) = 4.66$ ,  $p < .05$ , but not within the ingroup condition,  $F < 1$ . In correspondence with Experiment 1, participants were less punitive towards the outgroup offender when the ingroup had high as opposed to low status. These findings provided further evidence for our line of reasoning.

## GENERAL DISCUSSION

In two experiments, we investigated the influence of intergroup status and social categorizations on retributive justice judgments for two types of offenses, that is, a physical assault in Experiment 1 and a wallet theft in Experiment 2. Results in both cases robustly indicated that when the status of the ingroup was high, people responded more punitively towards ingroup than outgroup offenders, but when the status of the ingroup was low, no differences in punitive reactions towards ingroup and outgroup offenders were found. Furthermore, these effects were attributable to a lower punitiveness towards outgroup offenders when ingroup status was high than when ingroup status was low. These results are in correspondence with the idea that people are relatively less concerned about the rejection of an outgroup offender when the ingroup has high status as opposed to when the ingroup has low status, an idea that we derived from social identity theory (Tajfel & Turner, 1979) and the model of subjective group dynamics (Abrams et al., 2000; Marques et al., 1998; Marques et al., 2001). The present findings thus suggest that intergroup status differences trigger psychological processes that influence observers' punitive responses to outgroup offenders.

By examining the influence of intergroup status on the relation between social categorizations and retributive justice, the present research contributes to the integration of group-based perspectives on the black sheep effect (Marques & Paez, 1994) with the psychology of retributive justice (Hogan & Emler, 1981; Miller & Vidmar, 1981). Findings of the present research suggest that identity concerns, as produced by varying intergroup status positions, are at stake when people display moral reactions to criminal offenders in an intergroup context. More research is needed to more specifically determine the underlying processes of how these identity concerns shape moral reactions to offenders. For instance, at the individual level people may be motivated to protect one's own personal association with the group (Eidelman & Biernat, 2003; cf. Vidmar, 2002), and at the group level people may be motivated to protect the group's reputation towards the outside social world (e.g., Marques & Paez, 1994). Although



speculative at this point, it is likely that both these processes contribute to moral reactions to offenders. After all, offenders are potentially threatening to both these identity-based motivations by reflecting poorly on the group, and members who derive feelings of individual self-worth from the group are also likely to be concerned about how the group is perceived by outsiders.

To operationalize intergroup status, we focused on performance-based status by describing situations where one group outperformed the other group (e.g., Ellemers et al., 1993; Scheepers et al., 2002; cf. Tyler & Blader, 2002; Van Prooijen, Van den Bos, & Wilke, 2005). It can be noted, however, that social groups can differ in status on more dimensions than performance, and it may be the case that other operationalizations of intergroup status have different effects on retributive justice judgments. For example, in society, social groups sometimes are marginalized into a low status position because of negative stereotypes, negative media portrayal, or frequent association with criminal offenses. In such situations, it sometimes may be the case that a similarity-leniency effect occurs, that is, that people are more punitive towards the outgroup than the ingroup offender. For instance, research indicated that negative stereotypes lead people to be more punitive, particularly when the offense is consistent with the stereotype (Bodenhausen & Wyer, 1985). Moreover, research frequently found racial bias in sentencing decisions consistent with the similarity-leniency effect (e.g., Sommers & Ellsworth, 2000; Sweeney & Haney, 1992; see also Graham et al., 1997). These previous research findings, combined with the present findings as well as studies that have revealed both black sheep effects and similarity-leniency effects on retributive responses (Kerr et al., 1995; Van Prooijen, 2006), strongly suggest that situational factors determine how people respond to ingroup and outgroup offenders. Given the important theoretical and practical implications of these issues, it would be worthwhile for future research to further identity factors that predict people's punitive responses to ingroup versus outgroup offenders.

In both experiments, participants responded with strong punishment intentions in all conditions. This is not surprising, taking into account that people's motivations to punish offenders have origins that go beyond intergroup relations. For instance, it has been noted that offenses are regarded as threats to society that elicit strong aversive emotional reactions towards the offender (e.g., Tetlock et al., *in press*). In addition, these moral emotions are associated with a basic desire to restore a sense of justice through punishment ('Just Deserts'; e.g., Carlsmith, 2006; Carlsmith et al., 2002; Darley, Carlsmith, & Robinson, 2000; Darley & Pittman, 2003). It has even been noted that punishment is an evolutionary adaptive phenomenon that is functional in both human and non-human societies (Clutton-Brock & Parker, 1995; De Waal, 1996; Fehr & Gächter, 2002). Such a basic desire for punishment is likely to transcend intergroup boundaries. It is therefore important to note that, in the present article, we do not claim nor aim to describe the full range of psychological processes that explain observer's punitive responses to offenders. Rather, we sought to examine the question why people's retributive justice judgments sometimes are relatively more or less pronounced depending on whether the offender is an ingroup or outgroup member, and it can be concluded that intergroup status is a moderator of these intergroup effects. As such, the present experiments were designed to shed light on the complexity of intergroup phenomena in retributive justice judgments.

The offenses under investigation here were of moderate severity (i.e., a physical assault and a wallet theft). The reason why we did not try to replicate our findings with more severely offensive stimulus materials (e.g., rape or murder scenarios) is because these severe offenses easily lead to ceiling effects, making it impossible to examine potential effects of social categorizations on retributive justice judgments (to illustrate, observers are likely to respond with extreme punishment intentions to both ingroup and outgroup rapists or murderers). It has been found before that punishment intentions are sensitive to social factors in the case of moderate offenses, but less so in the case of severe offenses (Rucker, Polifroni, Tetlock, & Scott, 2004). Of course, the potential problem of ceiling effects is methodological in nature, and it is likely that severe offenses also produce varying identity threats depending on intergroup status and social categorizations. However, in the case of severe offenses these

identity threats may be reflected on more subtle types of responses, such as demonizing (i.e., perceiving the offender as pure evil; Ellard, Miller, Baumle, & Olson, 2002), or inhumanization (i.e., reducing the number of uniquely human emotions that are ascribed to offenders; Castano & Giner-Sorolla, 2006). These more subtle responses to offenders may provide avenues for future research to explore observer's reactions to severe offenses.

The experiments reported here used scenario methodology, and as a consequence, our conclusions should be limited to people's punitive preferences without making assumptions about punitive behaviors. Whereas scenarios rarely provide conclusive evidence regarding behavior, research indicated that scenarios very reliably tap into people's emotion-based preferences (Robinson & Clore, 2001). By using scenarios, the present studies were explicitly focused on *observers'* responses to perceived injustice, which complements and extends related justice research where participants are the target of justice or injustice (e.g., Tyler & Lind, 1992; Van den Bos & Lind, 2002), or where participants display active punishment behaviors, as in mock jury simulations (Kerr et al., 1995) or social dilemmas (Fehr & Gächter, 2002). Such a focus on independent observers reflects a recent trend in justice research that has emphasized the importance of studying lay people's justice judgments when they observe social transgressions (e.g., Darley & Pittman, 2003; Feather, 1998; Finkel & Sales, 1997; Skitka & Crosby, 2003). In particular, examining observer's responses to social transgressions eventually may provide insights into numerous societal questions, such as how does public opinion develop following a transgression that captures excessive media attention? How may crime witnesses' judgments be influenced by factors that should be legally irrelevant, such as the offender's social categorization? And to what extent does observing transgressions have behavioral implications, like engaging in collective action or supporting politicians that endorse more severe punishment regulations? These and other questions suggest that a focus on observers has a unique place in social justice research, and that examining observer's responses to transgressions is very relevant to understand the causes and consequences of people's desire to seek justice.

To conclude, the present studies sought to contribute to scientists' understanding of lay people's responses to social transgressions by examining the influence of intergroup status and social categorizations on retributive justice judgments. Two studies clearly revealed that the structure of the intergroup context, as shaped by intergroup status differences, influence people's perceptions of what constitutes fair punishment. In particular, the studies consistently indicated that people are less punitive to outgroup offenders when the status of the ingroup is high than when the status of the ingroup is low. As such, the present research underscores the subjective element in punitive reactions, and supports the idea that social factors (i.e., intergroup status and social categorizations) influences people's perceptions of fair punishment, perhaps to a larger extent than people realize when evaluating offenders. It might be speculated that people often believe to base punitive judgments solely on offense-related factors (e.g., magnitude of the harm, mitigating circumstances, and the like), but in reality, their punitive judgments may be influenced substantially by 'irrelevant' social factors such as those identified by the present research. Taken together, it seems safe to conclude that the perceived fairness of punishment assigned to ingroup versus outgroup offenders depends, at least in part, on intergroup status differences.

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