When Hurt Heroes Do Harm:

Collective Guilt and Leniency toward War-Veteran Transgressors

by

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ABSTRACT

Protectors who do harm are often punished more severely because their crime is perceived as a betrayal of trust. Two experiments test whether this will generalize to protectors who incur harm while serving in their protective role, and if not, whether collective guilt for the harm they suffered provides an explanation. Study 1 tested competing hypotheses that a veteran (versus civilian) with PTSD would be punished either more harshly because of the trust betrayal, or more leniently because of increased guilt about the harm the veteran suffered during war. Men and women were both more lenient toward a veteran (versus civilian) but this effect was mediated by collective guilt only among men. In Study 2, guilt inductions increased leniency among participants less likely to classify the veteran as an in-group member (women, low national identifiers), but not in those who are more likely to classify the veteran as an in-group member (men, high national identifiers), who were lenient without any guilt inductions.

To my amazing family and friends, whose unwavering support has been integral in every one of my achievements. My parents, Kathy and David Jay, for everything they have selflessly helped me with and provided me throughout my academic career. Their unconditional love has taken many shapes and forms over the years, and I would not be where I am without them. My sister Emily, for encouraging my endeavors, even though it requires my continued absence as she and her husband Kyle raise my beautiful nephews, Nathan and Logan. My loving grandparents, Margaret and Vukoica Ciric, Ruth and Dr. Charles Jay; without whom none of this would have been possible.

I would also like to dedicate this thesis to each and every one of my friends back home, who are more like brothers and sisters, whose friendship, love, and support mean the world to me.

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INTRODUCTION

We bestow certain groups and their members with both the great responsibility to protect us, but also great trust in their authority. What happens when such individuals violate the trust society bestows upon them by committing a crime? Past research has shown that people are particularly averse to betrayal by individuals in a protective role (Koehler & Gershoff, 2003). We test whether this betrayal aversion would persist if the protector's betrayal was a result of harm incurred while performing his or her protective duties. On the one hand, the public might still be more condemning of the protector's crime compared to a civilian who has not been given a protector role, because of the undeniable breach of trust. On the other hand, the public might be more lenient because they feel collective guilt for the harm the protector incurred in the line of duty that contributed to their breach of trust. People often feel guilty about their group's transgressions against other groups and, consequently, are motivated to compensate the victims –even if they themselves played no direct role (Doosje, Branscombe, Spears, & Manstead, 1998). We extend this literature to assess whether people can also feel guilt when their group has harmed its *own* group members and whether this will similarly motivate compensatory behaviors toward the harmed in-group members. We test this possibility in the context of the public's decisions regarding appropriate punishment for war veterans who develop Post Traumatic Stress Disorder (PTSD) during combat and, as a result, commit a violent crime after returning home. More specifically, we investigated whether people would be more or less punitive toward a U.S. veteran whose violent crime resulted from combat-related PTSD, relative to a civilian who committed the same

crime as a result of non-combat-related PTSD. In addition, we investigated collective

guilt as a psychological explanation.

Protectors and Betrayal

When it comes to violations of trust, some perpetrators elicit more anger and more

punitiveness than others (Joskowicz-Jabloner & Leiser, 2013). If crimes directly

contradict the positive behavior that is expected of a perpetrator's profession, people feel

that their trust has been betrayed and react more punitively than if the same crime was

committed by someone of whom society does not have such positive expectations

(Koehler & Gershoff, 2003). For example, participants were more punitive toward a

campus police officer (vs. construction worker) who committed rape, a security guard

(vs. janitor) who committed robbery, a military general (vs. orchestra conductor) who

committed treason, and a daycare worker (vs. grocery clerk) who molested a child.

Protectors who broke a promise by committing a crime violated people's general sense of

social order and social norms, which increased punitiveness to restore perceptions of a

safe, orderly society. We extend this research by testing competing hypotheses regarding

whether reading about a war veteran (vs. civilian) defendant with PTSD who committed a

crime will replicate previous research and demonstrate greater punitiveness or,

alternatively, leniency.

Punitiveness towards veterans. U.S. military personnel might be held to higher

behavioral standards than civilians. Eighty-four percent of Americans surveyed between

1987-2007 view the U.S. military favorably (PEW Research Center, 2007). In fact,

military personnel might be held to even higher standards than other individuals entrusted

with a duty to protect in non-military professions: the U.S. military is both the most

respected government institution and also the most trusted (Leal, 2005). These highly favorable impressions of military personnel might make a veteran who commits a crime a particularly egregious perpetrator as their crime can be perceived as a betrayal of deep public trust. Furthermore, the positive perceptions of veterans might represent a form of elevated social status, which has also been shown to predict more punitive reactions in the context of a high (vs. low) status individual committing a transgression (Fragale, Rosen, Xu, & Merideth, 2009). This previous research led to the hypothesis that a veteran will be punished more severely than a civilian for the same crime.

Leniency towards veterans. Previous research investigating protectors who transgress might not generalize to war veterans committing crimes. We investigate a potential boundary condition to previous findings that might reverse the betrayer-of-trust effect: people might be more *lenient* toward veterans, relative to civilians, because they feel guilty about the trauma they experienced while performing their protective duty. Veterans with wartime experience belong to a unique category of protector, who put their own personal health and safety at particularly perilous risk in order to protect the health and safety of others. Unfortunately, it is not uncommon for the physical and psychological risks to become reality and for these protectors to incur serious harm. PTSD affects approximately 1 in 5 veterans of the recent war in Iraq (Litz & Schlenger, 2009) and 40% of veterans surveyed recently report experiencing post-traumatic stress—-a highly publicized phenomenon of which the public is well aware (PEW Research Center, 2011). The public's awareness of the harm that protectors suffer in fulfilling their protective duty might make people react more leniently toward a protector who commits a crime. People might feel collective guilt for a veteran's traumatic experiences while

protecting them during war, and as a result, might be more lenient toward the veteran relative to a civilian who commits the same crime. To our knowledge, no one has investigated whether previous demonstrations of increased punitiveness toward protectors extend to (a) war veterans, or (b) protectors who incurred harm in the line of duty. We test whether the experience of collective guilt toward the harmed protector might eliminate—or even reverse—the increased punitiveness demonstrated in past research.

  Collective guilt and in-group self-harm. Guilt occurs as a result of a perceived illegitimate harm done unto another and a sense of personal responsibility for that harm (Weiner, 1995). Yet, guilt can also occur at the collective level for *group* transgressions. Collective guilt is distinguishable from the personal guilt an individual might experience for his or her own transgressions (Doosje et al., 1998). Collective guilt occurs as a result of perceived illegitimate transgressions of the individual's in-group, even if that individual bears no personal responsibility for the group's behavior. People experiencing collective guilt are more willing to compensate people harmed by their in-group compared to those who are not experiencing collective guilt. For example, Dutch students who read about the negative consequences of the Dutch colonization of Indonesia (e.g., labor exploitation, killings) experienced more collective guilt, and were more willing to compensate Indonesians for the harm done, compared to Dutch students who did not read this information (Doosje et al., 1998). Even though the Dutch students themselves played no role in the colonization of Indonesia, experiencing collective guilt for the actions of their group motivated compensatory behaviors. The extant literature on the phenomenon of collective guilt has primarily concerned inter-group perceptions and behaviors (e.g., Branscombe, 2004; Branscombe, Slugoski, & Kappen, 2004; Wohl, Branscombe, & Klar,

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2006). That is, researchers have investigated the impact of perpetrators' collective guilt toward a victimized *out*-group.

In the current studies we explore a related, but novel, question. Rather than focus on collective guilt and compensation toward an *out-group* victimized by one's in-group, we test whether collective guilt can be experienced for harm inflicted on the *in-group* by the in-group, thereby addressing a gap that has been identified in the collective guilt literature (Sullivan et al., 2013). That is, if an individual's group harms some of its *own* members (i.e., in-group self-harm)—even if that individual bore no personal responsibility—will the individual experience collective guilt and make reparations in the form of leniency in punishment if the harmed in-group member commits a crime? We address this gap by investigating whether American civilians might feel guilt about the harm their in-group (i.e., America) caused to its members by sending them to war, and whether this guilt would lead to reparations (i.e., leniency toward a veteran with PTSD who commits a violent crime).

Although no one has directly tested this hypothesis, relevant literature provides indirect support. When Americans read about how the U.S. invasion and subsequent occupation of Iraq led to many American casualties (i.e., in-group self-harm), they, ironically, felt more collective guilt about harm inflicted on the people of Iraq (i.e., out-group harm) than if they had read about the out-group harm or no harm (Sullivan et al., 2013). That is, reading about harm their in-group caused itself increased collective guilt toward the *out*-group. This effect is likely to generalize to collective guilt toward the in-group—in fact, it might be an even stronger effect. That is, contemplating in-group self-harm might increase collective guilt toward the in-group even more than collective guilt

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toward the out-group. Why? People can avoid collective guilt toward out-groups with exonerating cognitions, such as justification for or minimization of the harm (Miron, Branscombe, & Biernat, 2010; Miron, Branscombe, & Schmitt, 2006). To the extent that people see their in-group members as part of their collective selves, minimizing or justifying the harm might be more difficult with in-group members because harm to one's self is often perceived as more severe and less legitimate than harm to others (Baumeister, Stillwell, & Wotman, 1990; Stillwell & Baumeister, 1997).

If leniency toward veterans is indeed driven by collective guilt toward in-group members who incurred harm while serving a protective role, then the effect should depend on the likelihood that one classifies the harmed protector as an in-group member. Because in-group members are seen as more deserving of favorable treatment than out-group members (Turner et al., 1987), collective guilt might be more likely to translate to lenient punishment among participants who more readily categorize the harmed protector as an in-group member. For example, men might be more likely to experience collective guilt and seek reparations for war veterans than women. The U.S. military is a male-dominated government institution, with the ranks composed of approximately 86% men (Patten & Parker, 2011). Men might be more likely to categorize the veteran as an in-group member than are women and therefore be more likely to believe the veteran is deserving of favorable treatment. As a result, men's collective guilt toward the veteran might motivate them to seek reparations for the harm in the form of leniency. Thus, although all Americans might experience some level of collective guilt for America's self-harming of U.S. veterans, we predicted that collective guilt about injured veterans

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might better explain leniency in men's (vs. women's) punishment decisions about a veteran transgressor.

Overview of the Present Studies

Across two experiments we investigated punitiveness towards protectors who commit a crime as a result of harm they incurred while in their protective role. In Study 1, we tested competing hypotheses regarding whether people will punish a war veteran with PTSD who commits a violent crime more or less than a civilian with PTSD. We also assessed whether this differential punishment would be mediated by participants' collective guilt for the transgressor's trauma. In Study 2, we tested the effect of experimentally inducing individual and/or collective guilt toward veterans in general, on punishment of a war veteran who commits a crime. Across both studies we tested whether the role of collective guilt in punishment depended on the likelihood that participants might classify the war veteran as an in-group member (i.e., based on gender, Studies 1-2; and national identification as an American, Study 2).

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Study 1

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Participants read a criminal trial summary depicting either a civilian or a veteran defendant who had been diagnosed with PTSD and subsequently committed a violent crime. Participants made judgments concerning the appropriate verdict for the defendant as well as completing a measure of our predicted mediator (i.e., collective guilt). We tested two competing hypotheses:

> **Punitive Hypothesis:** Consistent with previous research demonstrating that
>
> people are more punitive toward protectors who commit harm (Koehler &

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Gershoff, 2003), participants will be more punitive towards the veteran defendant compared to the civilian defendant.

Leniency Hypothesis: In contrast to previous research, participants will be more lenient towards the veteran defendant compared to the civilian defendant. If this hypothesis is supported, we predicted a moderated mediation model, such that participants will experience more collective guilt for a veteran's PTSD (vs. a civilian's PTSD), which, in turn, will decrease their punitiveness. We predicted that this meditation effect would be stronger for male participants than for female participants because they are more likely to classify the veteran as an in-group member.

Study 1 Method

Participants

A sample of 265 participants was recruited online through Amazon's Mechanical Turk (*M-Turk*) to complete the mock criminal trial online. Participants were excluded from analyses for failing manipulation and attention checks ($n = 78$), being a veteran ($n = 9$), or having a felony on their criminal record ($n = 4$). The final sample included 174 participants (45% female; 81% White/Caucasian, 9% Asian/Asian American, 6% Black/African American, 3% Hispanic/Latino, and 1% Other; $M_{age} = 34$ years, $SD = 11$). Participants were randomly assigned to the veteran defendant condition ($n = 89$) or civilian defendant condition ($n = 85$) and were compensated $0.75 for their participation.

Procedure

After providing consent, participants were instructed to envision themselves in the role of a juror in a criminal court case and to read a trial summary, which included

summaries of opening statements, the prosecution's and defense's case, and closing arguments, as well as post-trial pattern jury instructions. Participants then completed the dependent variable measures, manipulation and attention checks, and demographic information (see Appendix A for trial stimulus and measures).

Materials and Measures

       Trial stimulus. In the opening statements, the prosecution argued that the defendant should be found guilty of murder in the second degree and the defense argued that the defendant should be found guilty of the more lenient charge of manslaughter. The prosecution's case described how the defendant had an altercation with another man, which resulted in the defendant beating the victim to death. The defense's case suggested the defendant was provoked and that he responded violently because of PTSD caused by a prior trauma. Within the defense's case, we manipulated whether the PTSD was a result of combat in Afghanistan or of witnessing a bank robbery, which contributed to the killing. The trauma stories were kept nearly identical, changing only minor details to alter the context of the traumatic event. The defense' case also detailed several PTSD symptoms (e.g., sleep problems, quick to anger, etc.) and included an official PTSD diagnosis. Closing arguments reiterated the prosecution's and defense's requests for a verdict of murder and manslaughter, respectively. The post-trial jury instructions provided information on what constitutes murder in the second degree, and what constitutes manslaughter (Stevenson & Bottoms, 2009).

       Punitiveness. Participants indicated their verdict preference (*Murder in the Second Degree* or *Voluntary Manslaughter*) and then confidence in their verdict on an 11-point scale ranging from *0% Confident* to *100% Confident*. We combined these two

measures to create a 200-point continuous bi-polar punitiveness scale ranging from -100 (*100% confident in manslaughter verdict*) to +100 (*100% confidence in a murder verdict*).

Collective Guilt Scale. Six items assessed participants' level of collective guilt for the defendant's trauma and the extent to which they felt the defendant should be compensated. This scale was inspired by a previous measure of collective guilt (Powell, Branscombe & Schmitt, 2005), which we modified to fit the current study context. Each item was rated on a 7-point scale from *Strongly Disagree* to *Strongly Agree* (e.g., "As an American I feel guilt about the traumatic events the defendant experienced", $\alpha = .89$).

Study 1 Results and Discussion

Punitiveness

To test our competing hypotheses regarding whether reading about a veteran (vs. civilian) would lead to a more punitive or more lenient punishment, we conducted a 2 x 2 (Defendant Veteran Status [veteran, civilian] x (Participant Gender [male, female]) between-subjects Analysis Of Variance (ANOVA). See Table 1 for all descriptive statistics. Participants were less punitive ($M = -36.42$, $SD = 74.98$) when the defendant was a veteran, compared to when the defendant was a civilian ($M = -6.60$, $SD = 80.55$), $F(1, 170) = 7.59$, $p = .007$, 95% CI [10.86, 80.43], $\eta_p^2 = .04$. No other effects were significant, $Fs \leq 1.84$, $ps \geq .18$, $\eta_p^2 \leq .04$. Thus, our Leniency Hypothesis was supported in that participants were relatively unsure about whether the civilian was guilty of manslaughter or murder; their average verdict confidence was close to 0% (Figure 1). Yet, when the defendant was a veteran, they were significantly more confident in the more lenient verdict of manslaughter, which would carry with it a less serious

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punishment—avoiding any possibility of life imprisonment. This pattern was similar for both men and women, and contradicts previous research that demonstrates protectors (vs. non-protectors) who commit harm are punished more severely because of the inherent betrayal of trust.

Collective Guilt

A second 2 x 2 (Defendant Veteran Status [veteran, civilian] x (Participant Gender [male, female]) between-subjects ANOVA revealed that, as predicted, when the defendant was a veteran, participants reported more collective guilt ($M = 3.28$, $SD = 1.52$) compared to when the defendant was a civilian ($M = 2.56$, $SD = 1.20$), $F(1, 170) = 12.93$, $p < .001$, 95% CI [-1.49, -.26], $\eta_p^2 = .07$ (Table 1). No other effects were significant, $Fs \leq 0.30$, $ps \geq .59$, $\eta_p^2 \leq .002$. This finding extends research demonstrating that people can experience collective guilt as a result of illegitimate in-group harm to out-group members (Doosje et al., 1998; Wohl, Branscombe, & Klar, 2006) to a situation in which the in-group has harmed *in-group* members. Participants in each condition read nearly identical versions of the defendant's traumatic experience that led to their PTSD. The only notable difference in the vignettes was whether the defendant was described as a veteran who suffered trauma during combat or as a civilian who suffered trauma in a bank robbery. For this manipulation to have elicited collective guilt, participants must have acknowledged the illegitimate nature of the harm done, and accepted that their group (i.e., America) was at least partly responsible for that harm (Doosje et al., 1998; Wohl et al., 2006; Ferguson & Branscombe, 2010). Furthermore, these feelings of collective guilt occurred without prompting. The stimulus made no mention of America's role in causing the veteran harm, yet participants reported significantly greater collective

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guilt for the veteran's (vs. civilian's) trauma. Thus, although the civilian's and veteran's trauma were similar and the participant played no direct role in either scenario, participants implicated their own in-group as having some responsibility for the trauma suffered by the veteran.

Proposed Mediation Model

We tested the prediction that participants' collective guilt mediated their leniency toward the veteran (vs. civilian) defendant with a moderated mediation model using Hayes' PROCESS Macro (2013). Because men (vs. women) might more readily categorize the veteran defendant as belonging to a shared in-group, we tested whether the indirect effect of defendant veteran status on punitiveness through the potential mediator (i.e., collective guilt) was stronger for men than for women.

As predicted, collective guilt mediated the leniency effect of the defendant's veteran status on punitiveness for male participants, indirect effect = -10.87, 95% CIs = -28.08, -2.70. Thus, reading about the veteran (vs. civilian) defendant increased male participants' feelings of collective guilt, which subsequently reduced their punitiveness towards the defendant. In contrast, the indirect effect was not significant for women, indirect effect = -6.37, 95% CIs = -23.60, 1.24. Thus, although men and women reported similar levels of collective guilt and punitiveness overall (Table 1), collective guilt translated to more lenient punishment decisions only among men. Given that the military is a male-dominated institution (Patten & Parker, 2011), women might not as readily categorize the veteran as sharing an in-group, compared to men. If women do not spontaneously perceive the veteran to be an in-group member, they might be less motivated to compensate the veteran for the harm done. Men, on the other hand, readily

identifying the veteran as belonging to an in-group, believe the veteran is deserving of better treatment (Turner et al., 1987), motivating reparations in the form of more lenient judgments.

Alternatively, social desirability effects might be driving women's reported level of collective guilt. Men might be feeling genuine collective guilt due to a sense of shared group identity with war veterans, whereas women might be reporting more guilt than they are actually experiencing given that reporting guilt for suffering veterans' plights is a highly socially desirable response. This could explain why men and women reported nearly identical levels of collective guilt for the veteran defendant's suffering, but only men's guilt mediated their leniency. Women's artificially inflated guilt reports might not be infused into their verdict judgments because they are not actually feeling the emotion of guilt.

We designed Study 2 to address limitations of Study 1. In Study 1, we relied on self-reported collective guilt toward veterans, which is vulnerable to social desirability concerns. To address the possibility that men might be reporting genuine collective guilt that is translating to leniency, while women might be reporting collective guilt out of social desirability concerns and therefore not translating to leniency, we manipulated, rather than measured, guilt. We experimentally induced collective guilt to test its effects on punitiveness in Study 2 to avoid the self-reported nature of collective guilt in Study 1, but also to further establish this mechanism as a valid mediator of punitiveness (Spencer, Zanna, & Fong, 2006). Further, our explanation for Study 1 results rests on the assumption that gender moderates the collective guilt effect because men (vs. women) are more likely to classify the veteran as an in-group member. To provide converging

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evidence and a conceptual replication in Study 2, we included an additional moderator that might predict the likelihood that participants classify the veteran as an in-group member and, therefore, should produce the same moderating effect: national identification as an American.

Study 2

In Study 2 we directly manipulated participants' guilt toward veterans to test whether guilt reduces people's punitiveness toward a veteran defendant who commits a crime. Additionally, we extended Study 1 to test whether this effect is limited to collective guilt or if it would extend to a personal guilt induction. Although guilt is often thought of as resulting from illegitimate action, guilt can also be the emotional consequence of one's perceived *inaction* (Baumeister, Stillwell, & Heatherton, 1994; Tilghman-Osborne, Cole, & Felton, 2010). Thus, people might experience (a) personal guilt as a result of not personally contributing to the war effort by serving, or not personally supporting veterans once they return home, and/or (b) collective guilt as a result of America failing to provide sufficient services to wounded veterans after they return home. We tested the effects of inducing personal guilt, collective guilt, or the combination (relative to a no-guilt control) on punitiveness. We predicted that the guilt inductions would decrease people's punitiveness towards a veteran who commits a violent crime relative to a no-guilt control.

Further, we predicted that these effects would be stronger for women than for men. In Study 1, men's collective guilt predicted leniency even when we did not induce it by referring specifically to America's responsibility for veterans' suffering, which is analogous to the Study 2 no-guilt control condition. In contrast, collective guilt did not

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predict leniency for women. Thus, we predicted that inducing guilt would have a more extreme effect on women than men because we expected men's collective guilt toward veterans to consistently translate to greater leniency—even in the control condition that does not induce guilt.

If gender moderated the link between collective guilt and leniency toward a war veteran because it is a proxy for the extent to which the participant identified with war veterans, we should see a similar pattern for other such proxies. Thus, we tested an additional moderator for our guilt inductions that, theoretically, should mirror our gender results: national identification as an American. Although high in-group identification has been found to predict reductions in feelings of collective guilt, these findings are all in the context of collective guilt for harm done to an *out*-group (Doosje, Branscombe, Spears, & Manstead, 1998, 2004, 2006). Our study, in contrast, focuses on collective guilt for harm done to an *in*-group member. Because harm to the self is perceived as particularly severe and illegitimate (Baumeister et al., 1990; Stillwell & Baumeister, 1997), high-identifiers might be more affected by knowledge of a harmed veteran than low-identifiers because they might more readily identify the veteran as an in-group member. Thus, similar to men (vs. women) who might identify more with the war veteran, we hypothesized that if participants identified strongly as Americans they would be lenient on the war veteran— even without the guilt inductions. In contrast, similar to women, we hypothesized that if participants did not identify strongly as Americans the guilt inductions would have a stronger effect because, without the guilt inductions, they would be more punitive toward the veteran. In other words, we hypothesized that the guilt inductions would have a weaker effect as national identification increased.

Study 2 Method

Participants

A sample of ($N = 610$) participants was again recruited via *M-Turk* to complete the mock criminal trial online. Participants were excluded from analyses for failing attention checks ($n = 23$), being a veteran ($n = 36$), not being U.S. citizens ($n = 8$) or having a felony on their criminal record ($n = 10$). The final sample included 533 participants (54% female; 78% White/Caucasian, 8% Black/African American, 7% Asian/Asian American, 5% Hispanic/Latino, and 2% Other; $M_{age} = 34$ years, $SD = 12$) were randomly assigned to one of four experimental conditions: no-guilt control ($n = 133$), personal guilt ($n = 127$), collective guilt ($n = 132$), or personal and collective guilt ($n = 141$) and were compensated $1.00 for their participation.

Procedure

All experimental procedures occurred online and were identical to that of Study 1 with a few exceptions. First, before reading the Study 1 trial stimulus, participants were randomly assigned to one of four guilt induction conditions. Second, we did not include the civilian defendant condition.

Materials

All materials were identical to Study 1 with two exceptions. First, identification as an American national was assessed with a scale slightly modified from previous research (Roccas, Klar, & Liviatan, 2006; see Appendix A). Participants were asked the extent to which they agreed with 8-items on 7-point response scales ranging from *Strongly Disagree* to *Strongly Agree* (e.g., "Being an American is an important part of my identity, "It is important to me to view myself as an American", ($\alpha = .94$).

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Second, we added guilt induction stimuli that preceded the trial stimulus (see Appendix B). Each guilt condition began with the same cover story explaining that the study was being conducted in conjunction with a fictitious organization called the Center for Civilian and Veteran Issues and that they were first going to be presented with some information about the war and then asked questions about their attitudes. Each condition began with innocuous facts about the war in Iraq that should not induce guilt (e.g., when it began, weapons used by the U.S., what divisions of the military were involved).

Control condition. In the no-guilt condition, only the neutral information about the war was included.

Individual guilt induction. The individual guilt stimulus indicated that many soldiers served, but had *more* men and women joined the war effort, the number of casualties would have been significantly reduced. Additionally, the individual guilt stimulus indicated that returning veterans believe more individuals should have volunteered to help them once they returned home, and that despite many individuals being in favor of going to war, there was little support from individuals once they returned. The goal of this information was to make participants feel personally guilty that they themselves did not serve in the war and had not helped returning veterans enough. To reinforce this manipulation, participants in this condition then answered five questions that were designed to elicit feelings of individual guilt. Participants responded 0 *(Strongly Disagree)* to 100 (*Strongly Agree*) to the following questions: "As an individual, I believe it is important that individuals fulfill their civil obligations"; "As an individual, I believe it is important to be indebted to those who fulfill their own civil duties"; and "As an individual, I believe it is important to provide adequate support to those who serve their

country". Participants then responded *Yes* or *No* to the following two questions: "Have you, or do you currently, serve in the military?"; and "If not, do you personally believe you should have?" We were not interested in the responses to these questions as dependent measures, but included them only to induce more intense feelings of personal guilt. These questions asked participants to respond as an individual in order to have participants think of their failure to act in terms of their personal (rather than collective) identity (Turner, Oakes, Haslam, & McGarty, 1994).

Collective guilt induction. The collective guilt stimulus indicated that many returning veterans struggle with war related issues, disabilities, and many are homeless or on the verge of homelessness because America has failed to provide adequate care and resources. The collective guilt stimulus then indicates that veterans reportedly feel America as a society has failed to properly care for those who defended their freedom, despite America's overwhelming support for the war initially. The goal of this information was to make participants feel collective guilt as members of America, who have let down veterans who are struggling and suffering after returning from war. To reinforce this manipulation, participants in this condition then answered five questions that were designed to elicit feelings of collective guilt. Participants responded 0 *(Strongly Disagree)* to 100 (*Strongly Agree*) to the following questions: "As an American, I believe it is important that America fulfills its civil obligations to its soldiers", "As an American, I believe it is important to be indebted to soldiers who perform their civil duties", and "As an American, I believe it is important to provide adequate support to those who serve their country". Participants then responded *Yes* or *No* to the following two questions: "Do you believe America has done enough to support veterans returning from war?"; and

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"If not, as an American, do you feel like America should?" Again, we were not interested in the responses to these questions as dependent measures, but included them only to induce more intense feelings of collective guilt. These questions asked participants to respond thinking of themselves as an American, to have participants think of America's failure to act in terms of their collective (rather than personal) identity (Turner, Oakes, Haslam, & McGarty, 1994; Sullivan et al., 2013).

Individual & collective guilt induction. The individual and collective guilt stimulus combined the information and the questions from the individual and collective guilt conditions.

Study 2 Results and Discussion

Guilt Inductions Moderated by Gender

To test the hypothesis that participants induced to feel personal and/or collective guilt would report less punitive judgments compared to participants who were not induced to feel guilt, we conducted a 2 x 2 x 2 (Individual Guilt [individual guilt, no individual guilt] x (Collective Guilt [collective guilt, no collective guilt] x (Participant Gender [male, female]) between-subjects ANOVA. This analysis revealed a significant three-way Individual Guilt x Collective Guilt x Participant Gender interaction. $F(1, 525)$ = 4.05, p = .045, 95% CI [.48, 73.92], η_p^2 = .01. No other effects were significant $Fs \leq$ .49, $ps \geq$ .48, $\eta_p^2 \leq$ .001. In order to follow up the significant three-way interaction, the simple 2 x 2 (Individual Guilt [individual guilt, no individual guilt] x (Collective Guilt [collective guilt, no collective guilt]) interaction was tested separately for men and women. These analyses revealed a significant two-way interaction between individual

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and collective guilt for women, $F(1, 525) = 3.96$, $p = .05$. The two-way interaction was not significant for men, $F(1, 525) = 0.80$, $p = .372$.

Planned contrasts compared women in each guilt induction condition to the women in the control group. As predicted, women induced to feel individual guilt ($M = -32.72$, $SD = 80.80$) gave significantly less punitive judgments compared to women in the control group ($M = -10.97$, $SD = 80.8$), $F(1, 525) = 2.7$, $p = .05$ (one-tailed, Figure 2). Furthermore, women induced to feel collective guilt ($M = -31.96$, $SD = 75.96$) gave significantly less punitive judgments compared to women in the control group, $F(1, 525) = 2.68$, $p = .05$ (one-tailed). Thus, as predicted, the women induced to feel personal or collective guilt rendered less punitive judgments of the veteran defendant compared to women who did not receive a guilt induction. Interestingly, hearing both the individual and collective guilt induction did not make people more lenient—this condition did not differ significantly from control, $F(1, 525) = .18$, $p = 67$.

Thus, inducing women to feel both personal guilt and collective guilt lead to less punitive judgments for a veteran defendant. Yet, as predicted, men who received the guilt inductions did not render significantly less punitive judgments of the veteran defendant compared to men who did not receive a guilt induction. Given that men (vs. women) are more likely to identify with veterans and classify them as an in-group member, we did not have to induce guilt for men to offer reparations (i.e., leniency) — Men were similarly lenient towards the veteran defendant regardless of whether they read a guilt induction or not (Table 2), as there was no significant interaction, $F(1, 525) = .83$, $p = .36$, and no significant main effects, $Fs < .34$, $ps > .56$. This finding suggests that the guilt inductions were not effective in producing leniency effects over and above the

naturally occurring leniency found among men in Study 1 and among men assigned to the no-guilt control condition in Study 2.

Guilt Inductions Moderated by National Identification

To test the hypothesis that guilt inductions would elicit less punitive judgments and that this effect would weaken as national identification increased we conducted a linear regression that included dummy codes for the individual guilt induction, the collective guilt induction, and participants' centered national identification scores in Step 1, all two-way interaction terms in Step 2, and the three-way interaction term in Step 3 as predictors of punitiveness. Step 1 (i.e., the main-effects-only model) of the regression revealed that identifying more strongly as an American was associated with more lenient verdicts, $B = -5.48$, $SE = 2.30$, $p = .02$, CI [-9.99, -.96]. The main effect of the individual guilt induction, $B = -1.52$, $SE = 6.79$, $p = .82$, CI [-14.86, 11.82], and collective guilt induction, $B = -5.34$, $SE = 6.79$, $p = .43$, CI [-18.74, 7.95], were not significant. Step 2 of the regression revealed that the individual guilt manipulation, $B = 10.17$, $SE = 4.59$, $p = .03$, CI [1.15, 19.19], and collective guilt manipulation (marginally), $B = 8.32$, $SE = 4.60$, $p = .07$, CI [-.72, 17.36], depended on the participants' level of national identification. The interaction between the individual and collective guilt manipulations were not significant, $B = 10.11$, $SE = 13.56$, $p = .45$, CI [-16.52, 36.75]. Finally, the three-way interaction was not significant in Step 3, $B = 2.35$, $SE = 9.21$, $p = .80$, CI [-15.75, 20.45].

To probe the significant and marginal two-way interactions, we applied the Johnson-Neyman technique (Hayes & Matthew, 2009). Rather than selecting two arbitrary values of the moderator at which to assess the significance of the focal predictor (e.g., 1 *SD* above and below the mean; cf. Aiken & West, 1991), the Johnson-Neyman approach identifies the entire range of moderator values in which the focal predictor is significant. Thus, this approach provides a more complete picture of moderation patterns

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than traditional methods. Specifically, we utilized this technique to test our hypothesis that the strength of our individual guilt induction and collective guilt induction would weaken as national identification increases (Table 3).

The strength of the individual guilt induction effect indeed decreased as national identification increased. The individual guilt induction significantly reduced punitiveness toward the veteran if the participants had a national identification scale score at or below 2.80. We found a similar pattern for the collective guilt induction, such that the strength of the effect also decreased as national identification increased. The collective guilt induction significantly reduced punitiveness toward the veteran if the participants had a national identification scale score at or below 2.80. Thus, if you were above the midpoint of the national identification scale, neither of the guilt inductions had a significant effect on your judgments. We graphed the interaction based on traditional approaches (+/- 1 *SD*) to provide a visual depiction of the pattern of the interaction, which demonstrates that the collective guilt (Figure 3) and individual guilt (Figure 4) inductions are less effective on those with higher national identification because, as hypothesized, they were similarly lenient across the guilt conditions—even when not induced to feel guilty.

In summary, we found that the guilt inductions interacted similarly with two very different variables that might make participants more likely to classify the veteran as an in-group member: gender and national identification as an American. We found that guilt inductions led to greater leniency toward a veteran who committed a crime, but only for those who are relatively less likely to classify the veteran as an in-group member (i.e., women, people who score low on national identification as an American). In contrast, these manipulations were less effective for those who are more likely to classify the

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veteran as an in-group members (i.e., men, people who score high on national identification as an American) because they are already more lenient without the guilt inductions.

General Discussion

The existing literature on protectors who violate our trust demonstrates a trust-betrayal punitiveness effect: protectors are punished more punitively than non-protectors because of the trust violation inherent in the protector's crime (Koehler & Gershoff, 2003). Yet, we demonstrated that when the protector incurred harm in the line of duty, the trust-betrayal punitiveness effect was not only eliminated, but *reversed*: people were more lenient on a veteran (vs. a civilian) with PTSD for committing a violent crime. For men, who are more likely to classify the veteran as an in-group member, this leniency was explained by collective guilt for the veteran's war related suffering (Study 1). In Study 2, people who are less likely to spontaneously classify the veteran as an in-group member (i.e., women, people who do not identify strongly with America), were more lenient towards the veteran transgressor when experimentally induced to feel collective or personal guilt for the veterans suffering. Conversely, for those who are *more* likely to spontaneously classify the veteran as an in-group member (i.e., men, people who identify strongly with America), the personal and collective guilt inductions did not have an effect because they were lenient towards the veteran without any guilt induction.

Theoretical Implications

The current studies have several important theoretical implications for social psychology. First, these studies reveal a boundary condition that reverses previous findings that demonstrate greater punitiveness toward protectors (vs. non-protectors; Koehler & Gershoff, 2003) and high-status (vs. low-status; Fragale, Rosen, Xu, & Merideth, 2009) perpetrators. Specifically, this effect reverses when protectors have been harmed while serving their protective role and we identified collective guilt for that harm as a psychological explanation.

Second, this research addresses an acknowledged gap in the collective guilt literature (Sullivan et al., 2013) by demonstrating that people are motivated to make reparations by collective guilt for their in-group's harming of its own members. Further, although collective guilt is considered a relatively rare phenomenon because people avoid thinking of their in-group negatively by minimizing and justifying the harm it causes (Branscombe, 2004; Wolh, Branscombe, & Klar, 2006), our data suggest that collective guilt toward one's *own in-group* might be more difficult to avoid. That is, for some participants (i.e., men in Study 1; men and those who identify strongly with America, Study 2), collective guilt explained leniency towards the veteran even when there was no explicit indication of the in-group's responsibility for the harm done. People might be less able to exonerate their in-group from wrongdoing when the victims are in-group members.

Third, the effect of collective guilt on reparations (i.e., leniency in punishment) was dependent on participant characteristics that serve as proxies for the likelihood of classifying the harmed perpetrator as an in-group member. Although gender and national

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identification are very different individual difference variables, they are both relevant to the likelihood of the veteran being classified as an in-group member, and, as a result, both similarly moderated the effect of collective guilt on leniency. In other words, these two moderation effects served as conceptual replications of the hypothesis that the effect of collective guilt on leniency would depend on the extent to which people are likely to classify the transgressor as an in-group member. The moderating effect of gender supports (unpublished) previous research demonstrating that collective guilt is more likely to be experienced when a harmed individual is more easily categorized as belonging to the in-group (Branscombe, 2003 as cited in Wohl, Branscombe, & Klar, 2006). Further, the moderating effect of national identification qualifies existing literature demonstrating that high-identifiers are *less* likely to experience collective guilt or make reparations compared to low-identifiers, because high-identifiers are motivated to maintain a positive in-group image and ignore threatening information (Doosje et al., 1998, 2004, 2006). In Study 2, high identifiers (vs. low identifiers) were *more* lenient towards the veteran, making the guilt induction manipulations less effective for these participants. We believe that the discrepancy with previous research is due to the fact that we measured and manipulated collective guilt towards harmed *in*-group members, rather than harmed *out*-group members—the latter being the case in all previous collective guilt research. Because harm to the self is perceived as more severe and less legitimate than harm to others (Baumeister, Stillwell, & Wotman, 1990; Stillwell & Baumeister, 1997), high-identifiers might be less able to exonerate in-group transgressions when the person being harmed is another in-group (vs. out-group) member, and as a result, are more motivated to make reparations. In other words, when an *in*-group member is harmed, this

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might trump high identifiers' motivation to maintain a positive group image, undermining the exonerating strategies high-identifiers typically employ when made aware of their in-group harming an *out*-group.

Finally, we empirically demonstrated that the personal and collective guilt inductions were effective in isolation, but became ineffective when combined. Participants in the combined guilt condition reported the lowest level of guilt of all four conditions, and their level of punitiveness was nearly identical to that of no-guilt control participants. This finding is consistent with psychologists who have theorized that a diffusion of accountability might be possible if people experience personal and collective guilt at the same time (Doosje, Branscombe, Spears, & Manstead, 1998). People might accept that they are personally accountable, but knowledge that the rest of the group is also responsible might reduce one's overall experience of guilt, and in turn, the motivation to compensate the harmed individuals.

Legal Implications

The current studies also offer both theoretical implications for psychology and law and practical implications for the legal system. We not only identified an extralegal variable that might affect sentencing (i.e., veteran status) but also identified the psychological mechanism underlying this effect (i.e., collective guilt toward veteran's suffering). This finding identifies a new role that emotion might play in legal proceedings: collective guilt can produce leniency in the punishment of violent crimes. Generally speaking, defendants who elicit feelings of collective guilt might be given more lenient punishments. PTSD is typically an ineffective defense for sufferers other than veterans or battered women (Grey, 2012). Traumatic life histories offered as

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mitigating evidence, such as difficult childhoods, can even backfire and lead to *more* punitive sentences (Barnett, Brodsky, & Price, 2007; Stevenson, Bottoms, & Diamond, 2010). The current findings suggest, however, that these legal strategies might be more effective if they are presented in a manner that elicits collective guilt in the decision maker (e.g., highlight that society failed to protect the defendant as a child).

These findings are particularly important given how often PTSD is likely to be employed as a legal defense for a wounded veteran. Prevalence estimates of PTSD in veterans returning from the recent war in Iraq range from 20% to nearly 40% (Litz & Schlenger, 2009; PEW Research Center, 2011)—much higher than the rate of PTSD in the general population (8%, Thomas et al., 2010). Criminal behavior rates of Iraq veterans with PTSD are unknown. Based on previous wars, 25% of these wounded veterans are estimated to engage in criminal behavior after returning home (Gover, 2008). Our findings empirically support speculation that PTSD might be a particularly effective defense for veterans (Higgins, 1991). The perception that PTSD is an appeal to patriotism (Slovenko, 2004) is indirectly supported by our findings that the PTSD defense for a veteran is emotionally evocative, eliciting collective guilt in jurors and motivating leniency in their judgments. The current studies identified an extralegal variable that attorneys and the legal system should be made aware of: PTSD defenses will be more effective if judges and juries feel collective guilt for the defendant's suffering, as was the case for a veteran defendant.

Limitations and Future Directions

Limitations inherent in the scope of the present research raise several novel theoretical questions and fruitful avenues for future research. First, it is unclear whether

the leniency effect found in Study 1 and Study 2 will generalize to other types of protectors who incur harm. For example, people might not experience guilt for the harm a police officer incurred in the line of duty. Second, future research could investigate whether the trust-betrayal punitiveness found in past research is limited to crimes that occur while a protector is currently performing their protective duties, given that our study involved a protector who committed a crime subsequent to their protective duties. Third, it is unclear whether being a veteran and having risked one's life is sufficient to elicit collective guilt and leniency, or whether being harmed in the line of duty is a necessary condition for these effects to emerge. Fourth, PTSD might uniquely produce leniency for a wounded veteran because of behavioral consequences associated with the disorder, such as heightened anger and aggression (Friel, White, & Hull, (2008), which might provide a valid excuse for the crime committed. It is thus possible that other types of harm, such as a physical disability, might not produce the same kind of leniency towards a veteran who commits a crime.

Additionally, future research should further investigate why inducing collective *and* individual guilt at the same time decreases compensatory behaviors relative to inducing only one or the other. It is possible that people feel less guilt because adding personal on top of collective diffuses feelings of guilt overall (Doosje et al., 1998). This finding might also represent diminishing returns on guilt—perhaps both inductions were too much guilt for participants to address and therefore led to a rejection of the guilt inductions. That is, accepting they are personally guilty, but also collectively guilty, might be too great a threat to participants' personal and collective self-esteem, which might result in them simply refusing to accept they are guilty at either level. The current

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studies were not designed to assess participants' use of exonerating cognitions; future research could attempt to clarify the exonerating processes that lead to these reduced guilt effects.

Finally, although the pattern of leniency replicated between the two experiments presented here, our study is vulnerable to typical criticisms of mock jury studies, including a lack of jury deliberation and ecologically valid trial stimuli (e.g., Diamond, 1997). Although research has revealed little difference between mock jurors' decisions in reaction to written scenarios versus more elaborate videotaped testimony (Bornstein, 1999) and there are many instances of deliberation exerting minimal effect on judgments (Kalven & Zeisel, 1966; but see Salerno & Diamond, 2010), future research could investigate whether these effects generalize to more ecologically valid studies.

Conclusions

Protectors who incur harm in the line of duty might be treated with more leniency than non-protectors for the same crime. Even when people bear no responsibility for the harm the protector incurred, they can feel collective guilt for that harm, which motivates them to make reparations in the form of lenient punishment. This phenomenon is dependent on the extent to which people are likely to classify the protector as an in-group member—even when there is no explicit attention drawn to the in-group's responsibility for the harm done to the protector. Finally, we demonstrated one way in which this psychological phenomenon might manifest in legal judgments with serious consequences: Americans' collective guilt toward veterans' suffering translating to more lenient sentences when a veteran subsequently commits a violent crime.

Footnotes

[1]The collective guilt questions were mistakenly preceded by the statement "Please answer the following questions concerning how you, as an individual, feel about one's own responsibility in fulfilling their civil obligations." This could raise the concern that this sentence might have induced individual guilt and therefore explain the leniency we see in this collective guilt condition. We do not believe this to be the case for several reasons. First, given that participants in this condition read a lengthy passage inducing collective guilt and that they were actually asked questions about themselves at the group level (i.e., "as an American") it is unlikely that this short statement induced individual guilt effectively. Second, if this statement *had* actually induced individual guilt effectively then this condition would represent both an individual *and* collective guilt induction and should have had a similar effect as the combined individual and collective guilt condition in the design. This was not the case, however, as the collective guilt condition exhibited significantly greater leniency than control, whereas the combined condition did not.

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APPENDIX A

TRIAL STIMULUS AND MEASURES

Opening Statements

In their opening statement, the prosecution stated that they would show that the defendant admitted to beating the victim, thereby causing the victim's death. They also stated that they would demonstrate that he did so knowingly and that his actions were unreasonable given the victim's actions. They argued that these facts would be demonstrated and support the more serious charge of murder in the second degree. In their opening statement, the defense stated that they would demonstrate that a traumatic event in the defendant's history led the defendant to react to the victim's actions in a heat of passion. They also stated they would demonstrate that, given the defendant's history, the defendant's reaction to the victim's provocation was reasonable. They argued that these facts would be demonstrated and support the less serious charge of manslaughter.

Prosecution's Case

The prosecution's case included evidence from the defendant, police reports, eye witness testimony, etc. that described the incident in question. The prosecution is calling for a verdict of murder in the second degree, given that the defendant willfully beat the victim to death, not in the heat of passion, but with full awareness of the consequences of their actions. On a Saturday evening, the defendant went to the local shopping mall to run some errands. After approximately one hour of shopping, the defendant exited the mall.   While walking in the parking lot, the defendant and victim accidentally bumped into each other. Following the initial contact, witnesses claim that the victim uttered a profane insult toward the defendant in an aggressive manner. The defendant took great offense to this, and proceeded to verbally assault the victim, shouting multiple expletives. After shouting at one another in an increasingly hostile fashion, the defendant shoved the victim. The victim shoved the defendant back. After a few moments, the shoving escalated into physical violence. The defendant punched the victim in the face and body. Although the victim tried to defend himself, witnesses report the defendant quickly had the upper hand. The victim became bloodied and staggered. The defendant tossed the victim onto the ground and continued to assault the victim. The punches to the face of the defendant continued mercilessly. Mall security arrived and intervened, pulling the defendant off of the victim. Emergency services were called and arrived a short while later. The defendant had minor injuries as a result of the conflict. Paramedics report the victim was unconscious with lacerations to the face and weak vital signs. The defendant

was taken into custody. The victim ultimately died from injuries sustained during the fight.

Defense's Case (Veteran Condition)

The defense's case included evidence from the defendant, eye witness testimony, etc. that described a series of events previously experienced by the defendant. The defense is calling for a less serious verdict of manslaughter, given that the defendant reacted to the victim's provocation in the heat of passion, as a result of his past history. Defense witnesses described a series of events previously experienced by the defendant. The defendant and a close friend were on patrol in a relatively safe area in Helmand Province, Afghanistan. Following a brief patrol, the two approached a checkpoint. As they approached, four men in masks burst from a nearby vehicle. The masked men began shouting and making demands. As a member of the Afghan Army attempted to intervene, the masked men opened fire. Most people nearby dove for cover, several were paralyzed with fear. The defendant and friend sought cover behind a nearby shack. The masked men soon targeted the shack that the defendant and friend were seeking cover behind. The masked men opened fire and both were wounded from the gunfire. The defendant was struck in the shoulder and the leg. The friend of the defendant was struck in the chest. The masked men continued firing at the Afghan Military and civilians. The masked men fell back to their vehicle and continued to fire as they retreated, striking several other people. The ground was covered with the blood of the dead and wounded. The defendant attempted to give aid to the friend despite being wounded himself. Before the reinforcements arrived on scene both men lost consciousness. The defendant awoke in the hospital and discovered that his efforts to save his friend were unsuccessful. The defendant's friend was pronounced dead at the hospital along with seven others. Additional testimony revealed that shortly after this traumatic event the defendant began suffering from several impairments. The defendant has continuous problems with sleep disturbances, and is often quick to anger. The defendant has continuous thoughts about the event despite his attempts to avoid them, and no longer spends time with anyone who is associated with the event. The defendant no longer enjoys many of the activities he once did, is easily startled, and is constantly on alert. The defendant feels at fault for the death of a friend and reports a persistent negative emotional state. Based on these symptoms, the defendant was diagnosed with Post Traumatic Stress Disorder (PTSD) by a licensed Psychotherapist. The defense argued that this traumatic event has caused great distress in the defendant's life. This past event ultimately contributed to the outcome of

his altercation with the victim by rendering the defendant less able to control himself when provoked.

<div align="center">Defense's Case (Civilian Condition)</div>

The defense's case included evidence from the defendant, eye witness testimony, etc. that described a series of events previously experienced by the defendant. The defense is calling for a less serious verdict of manslaughter, given that the defendant reacted to the victim's provocation in the heat of passion, as a result of his past history. Defense witnesses described a series of events previously experienced by the defendant. The defendant and a close friend entered a bank to deposit a check. Following a brief wait in line, the two approached the counter. As they approached, four men in masks burst through the door of the bank. The masked men began shouting and demanding money. As a security guard attempted to intervene, the masked men opened fire. Most people dove for cover, several were paralyzed with fear. The defendant and friend sought cover behind a nearby desk. The masked men soon targeted the desk that the defendant and friend were seeking cover behind. The masked men opened fire and both were wounded from the gunfire. The defendant was struck in the shoulder and the leg. The friend of the defendant was struck in the chest. The masked men continued firing at the customers and staff. The robbers jumped the counter, took then money and continued to fire as they exited the bank, striking several other people. The floor was covered with the blood of the dead and wounded. The defendant attempted to give aid to the friend despite being wounded himself. Before the paramedics arrived on scene both men lost consciousness. The defendant awoke in the hospital and discovered that his efforts to save his friend were unsuccessful. The defendant's friend was pronounced dead at the hospital along with seven others. Additional testimony revealed that shortly after this traumatic event the defendant began suffering from several impairments. The defendant has continuous problems with sleep disturbances, and is often quick to anger. The defendant has continuous thoughts about the event despite his attempts to avoid them, and no longer spends time with anyone who is associated with the event. The defendant no longer enjoys many of the activities he once did, is easily startled, and is constantly on alert. The defendant feels at fault for the death of a friend and reports a persistent negative emotional state. Based on these symptoms, the defendant was diagnosed with Post Traumatic Stress Disorder (PTSD) by a licensed Psychotherapist. The defense argued that this traumatic event has caused great distress in the defendant's life. This past event

ultimately contributed to the outcome of his altercation with the victim by rendering the defendant less able to control himself when provoked.

Closing Arguments

The prosecution argued that their evidence and witnesses demonstrate that the defendant knowingly and purposely killed the victim and is guilty of murder in the second degree. There was no reasonable provocation to justify the killing, and the defendant deserves to be found guilty of the more serious charge of 2nd degree murder, and the more severe sentence that comes along with that charge. The defense argued that their evidence and witnesses demonstrate that the defendant was provoked by the victim, and that the traumatic experience in his past caused him to react in the heat of passion. They argued that his reaction to the provocation was reasonable, given his past, and the defendant deserves to be found guilty of the less serious charge of manslaughter, and the less severe sentence that comes along with that charge.

Jury Instructions

Please read the following instructions carefully and use them in your decision making. The fact that an unlawful killing took place is not in question. Your decision is whether the facts of the crime constitute murder in the second degree or manslaughter.

MURDER IN THE SECOND DEGREE

A person is guilty of murder if you believe beyond a reasonable doubt that he:

(1) caused the victim's death or serious bodily injury that then resulted in death; and

(2) the defendant did so purposely or knowingly; and

(3) the defendant did not act in a Heat of Passion resulting from a reasonable provocation.

VOLUNTARY MANSLAUGHTER

A person is guilty of manslaughter if you believe that the defendant acted in a Heat of Passion resulting from a reasonable provocation. The defendant (not the prosecution) must show, to a preponderance of the evidence, that he committed the crime while he was in a Heat of Passion.

"Preponderance of the evidence" means evidence favors one side more than the other. If you believe that the evidence more likely than not supports the defendant's claim that he

acted in a heat of passion resulting from a reasonable provocation, then you must render a verdict of manslaughter."

 "Reasonable provocation" means that the provocation was sufficient to arouse the heat of passion for an ordinary, reasonable person such that he or she could have lost self-control under the circumstances in this case.

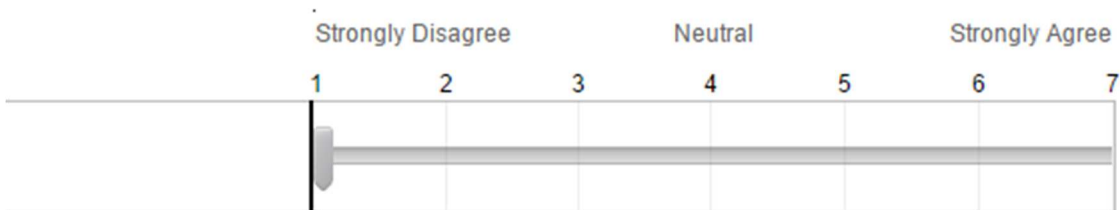Would you sentence the defendant to Murder in the Second Degree or Voluntary Manslaughter

○ Murder in the Second Degree
○ Voluntary Manslaughter

How confident are you in your verdict?
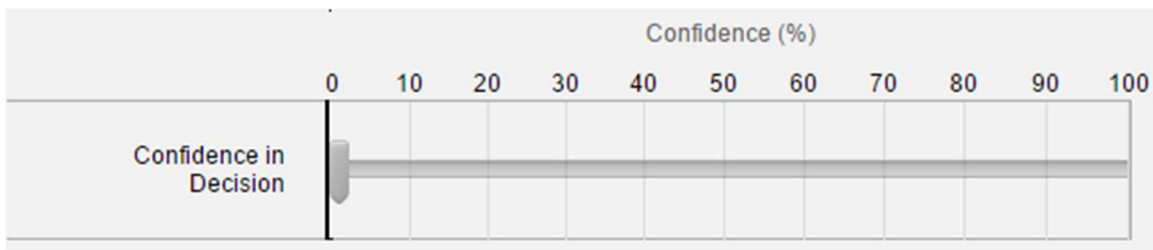
Please rate the extent to which you agree to the following statements.

As an American I feel guilt about the traumatic events the defendant experienced.


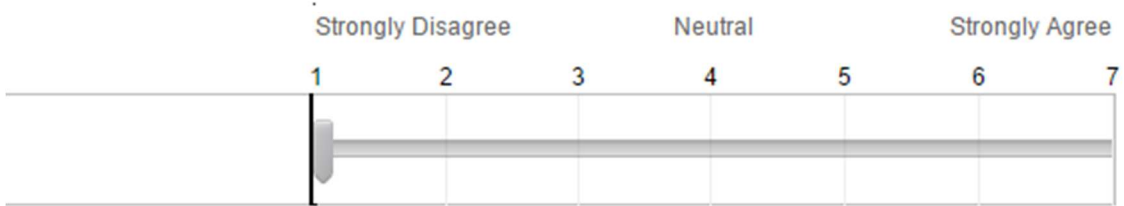As an American I feel somewhat responsible for the traumatic events the defendant experienced.
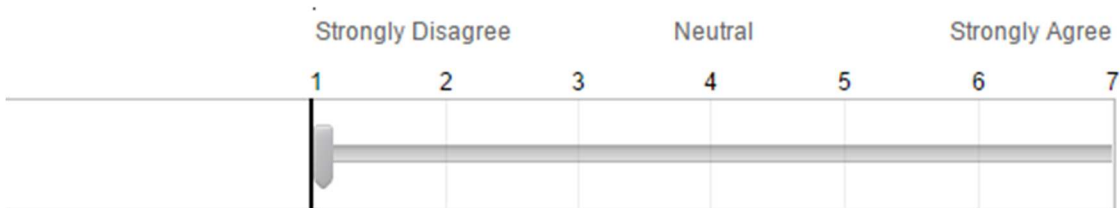
As an American I feel guilty about the negative things the defendant has experienced since the traumatic event.
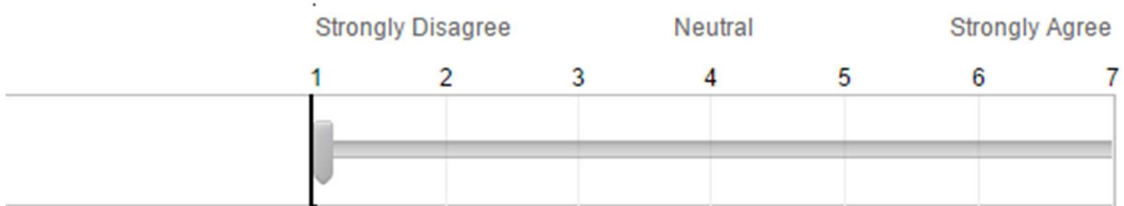
Strongly Disagree   Neutral   Strongly Agree

1   2   3   4   5   6   7
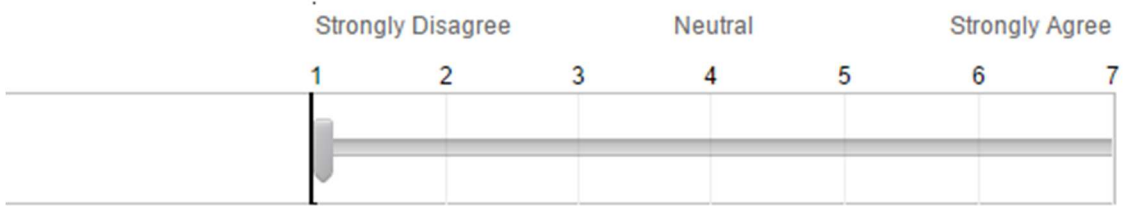
As an American I feel that I should find a way to compensate the defendant for the traumatic events he experienced.

Strongly Disagree   Neutral   Strongly Agree

1   2   3   4   5   6   7
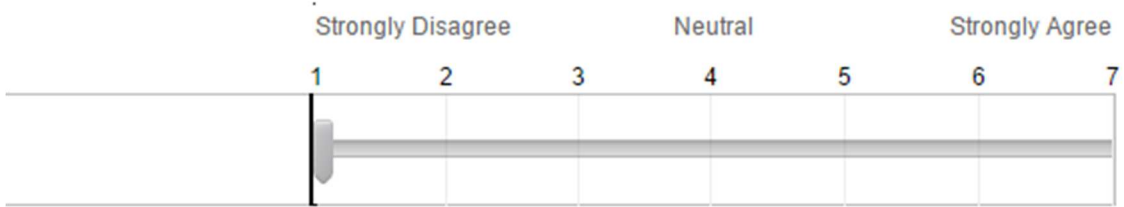
As an American I feel that society should find a way to compensate the defendant for the traumatic events he experienced.

Strongly Disagree   Neutral   Strongly Agree

1   2   3   4   5   6   7

As an American I feel that the universe should find a way to compensate the defendant for the traumatic events he experienced.

Strongly Disagree   Neutral   Strongly Agree

1   2   3   4   5   6   7

This question is designed to make sure survey respondents are paying attention. Please choose "somewhat agree" to answer this question.

❍ Strongly Disagree
❍ Somewhat Disagree
❍ Neither Agree nor Disagree
❍ Somewhat Agree
❍ Strongly Agree

Gender

❍ Male
❍ Female
❍ Other: _____

How old are you (in years)?

Ethnicity/Race

❍ White / Caucasian (1)
❍ Hispanic / Latino (2)
❍ Black / African American (3)
❍ Native American / American Indian (4)
❍ Asian / Asian American (5)
❍ Hawaiian / Pacific Islander (6)
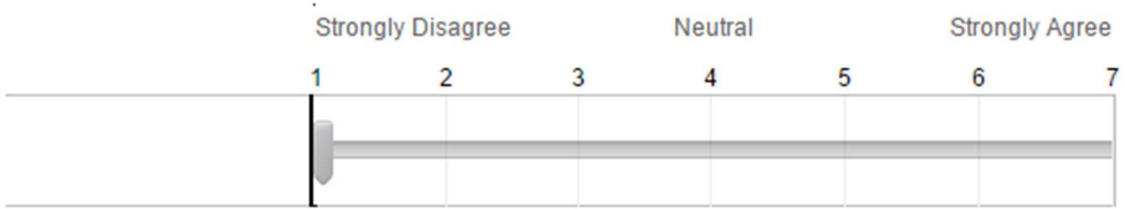❍ Other (7) _____

What is your veteran status?

❍ Veteran (1)
❍ Not a Veteran (2)
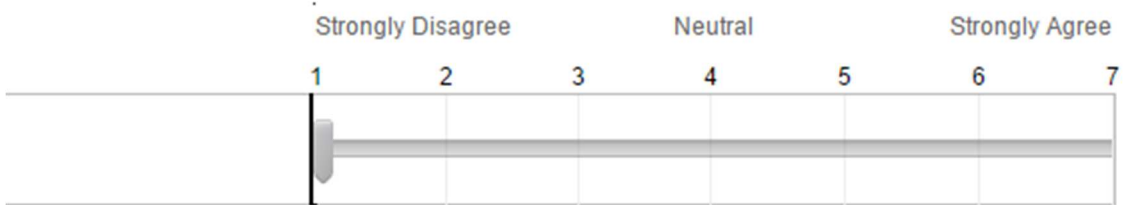

Have you ever been convicted of a felony?

❍ Yes (1)
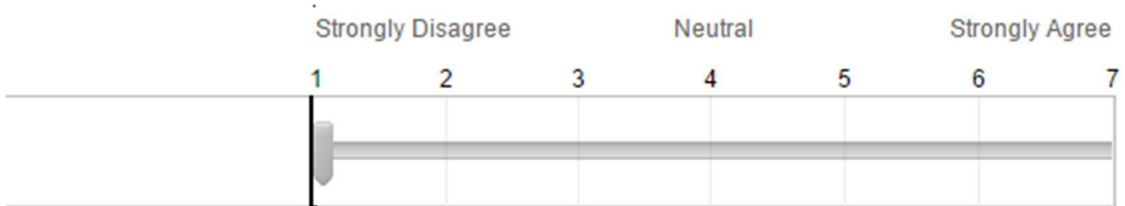❍ No (2)

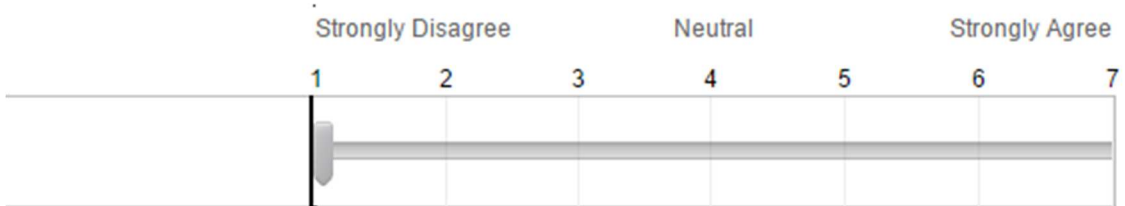National Identification Scale (Study 2 only)

I love America.

	Strongly Disagree			Neutral		Strongly Agree	
	1	2	3	4	5	6	7

Being an American is an important part of my identity.

	Strongly Disagree			Neutral		Strongly Agree	
	1	2	3	4	5	6	7

It is important to me to contribute to my nation.

	Strongly Disagree			Neutral		Strongly Agree	
	1	2	3	4	5	6	7

It is important to me to view myself as an American.

	Strongly Disagree			Neutral		Strongly Agree	
	1	2	3	4	5	6	7

I am strongly committed to my nation.

Strongly Disagree   Neutral   Strongly Agree

1   2   3   4   5   6   7
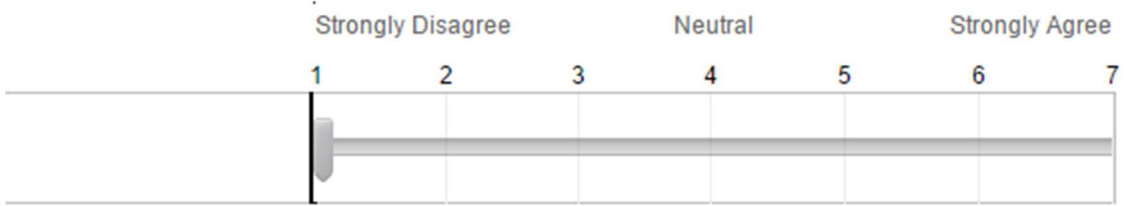
It is important to me that everyone will see me as an American.

Strongly Disagree   Neutral   Strongly Agree

1   2   3   4   5   6   7
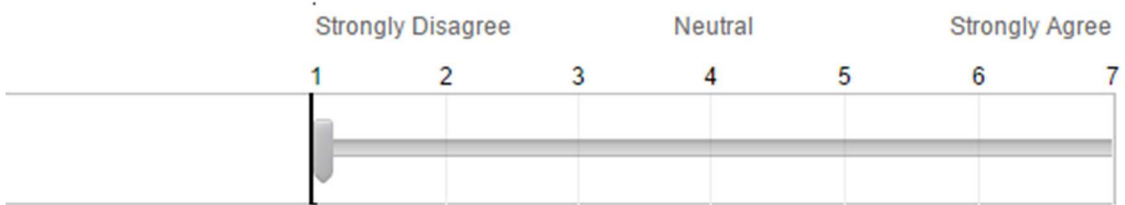
It is important to me to serve my country.

Strongly Disagree   Neutral   Strongly Agree

1   2   3   4   5   6   7
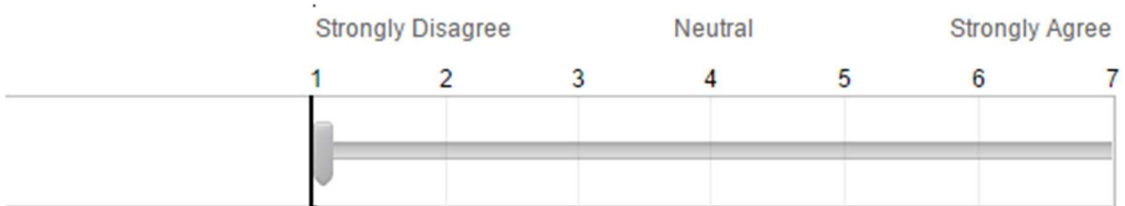
When I talk about Americans I usually say we rather than they.

Strongly Disagree   Neutral   Strongly Agree

1   2   3   4   5   6   7
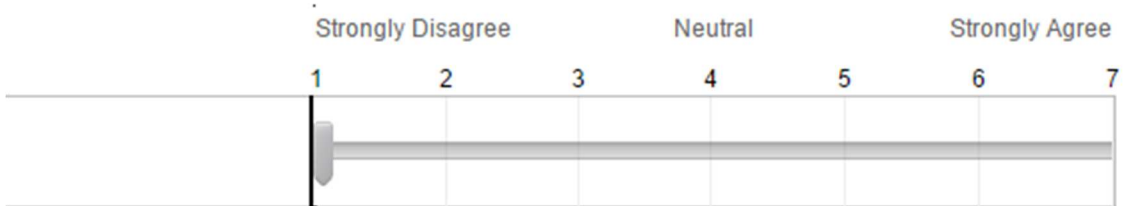
APPENDIX B

STUDY 2 GUILT INDUCTION MANIPULATIONS

NO GUILT INDUCTION (CONTROL) CONDITION

In cooperation with the Center for Civilian and Veteran Issues, we have agreed to ask participants to read information and answer some questions about their attitudes. Please read the following information and answer the questions. Operation Iraqi Freedom began in March 2003. By May President Bush had declared major combat operations over. However this was certainly by no means the end. In December 2003 Saddam Hussein was captured during operation Red Dawn. Four months later in April the first battle of Falujah began. It was realized here that the major opposition was no longer forces loyal to Saddam but instead insurgents. The war continued for 6 more years. By early 2009 troop levels began to be reduced as more were sent home. By mid 2010 all combat troops had left Iraq. During operation Iraqi Freedom the troops were equipped with standard issue rifles. These firearms included the m4 carbine, m16, m14 and FN SCAR. The M4 and the M16 use NATO 5.56x45mm round. While the SCAR and M14 use the 7.62x51mm. The forces involved in the invasion and occupation of Iraq came from all branches of the military. The Army made up the majority of the total troops deployed to Iraq at approximately 54%, next Navy at 17%, then Air Force at 14% and finally Marines at 13%.
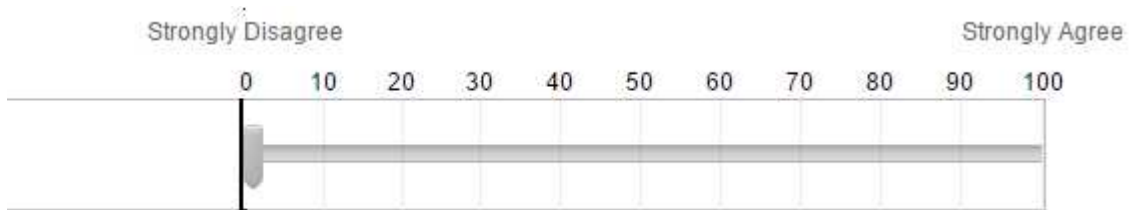
INDIVIDUAL GUILT INDUCTION CONDITION

In cooperation with the Center for Civilian and Veteran Issues, we have agreed to ask participants to read information and answer some questions about their attitudes. Please read the following information and answer the questions. Operation Iraqi Freedom began in March 2003. By May President Bush had declared major combat operations over. However this was certainly by no means the end. In December 2003 Saddam Hussein was captured during operation Red Dawn. Four months later in April the first battle of Falujah began. It was realized here that the major opposition was no longer forces loyal to Saddam but instead insurgents. The war continued for 6 more years. By early 2009 troop levels began to be reduced as more were sent home. By mid 2010 all combat troops had left Iraq. During operation Iraqi Freedom the troops were equipped with standard issue rifles. These firearms included the m4 carbine, m16, m14 and FN SCAR. The M4 and the M16 use NATO 5.56x45mm round. While the SCAR and M14 use the 7.62x51mm. The forces involved in the invasion and occupation of Iraq came from all branches of the military. The Army made up the majority of the total troops deployed to Iraq at approximately 54%, next Navy at 17%, then Air Force at 14% and finally Marines at 13%.
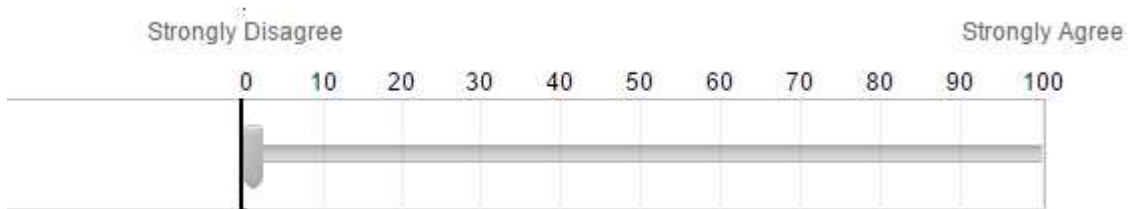
Although many brave soldiers served, we needed not only many more men, but also many more women to step up and fight for their country in order to be successful. Post-war reports suggest that had more men and women actually joined the war effort, the number of casualties would have been significantly reduced. For example, with more individual men and women on the ground the chance of being outnumbered in certain battles would have been reduced and troops requiring reinforcement would have received assistance much more quickly. As of 2010, nearly all troops have returned from Iraq. Reports indicate a shortage of volunteers at home to assist with supporting the returning veterans. According to survey data, returning veterans believe that more individuals should have volunteered to help them after they returned from war. Additionally, they report feeling disappointed that despite all of the individuals who were in favor

of the war effort, they have little support from individuals when they return home. Please answer the following questions concerning how you, as an individual, feel about one's own responsibility in fulfilling their civil obligations.

As an Individual, I believe it is important that Individuals fulfill their civil obligations.

Strongly Disagree   Strongly Agree

0   10   20   30   40   50   60   70   80   90   100

As an Individual, I believe it is important to be indebted to those who fulfill their own civil duties.

Strongly Disagree   Strongly Agree

0   10   20   30   40   50   60   70   80   90   100

As an Individual, I believe it is important to provide adequate support to those who serve their country.

Strongly Disagree   Strongly Agree

0   10   20   30   40   50   60   70   80   90   100
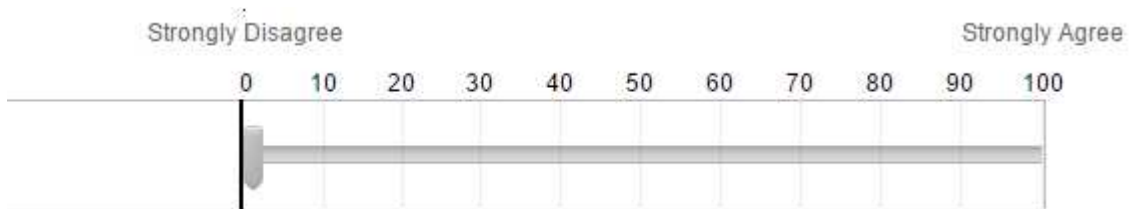
Have you, or do you currently, serve in the military?

○ Yes
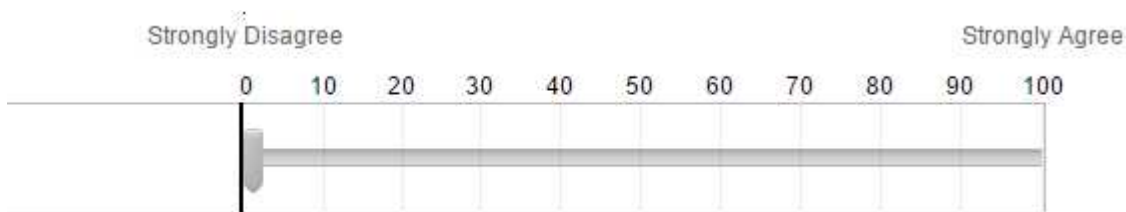○ No

If not, do you personally believe you should have?

❍ Yes
❍ No

COLLECTIVE GUILT INDUCTION CONDITION

In cooperation with the Center for Civilian and Veteran Issues, we have agreed to ask participants to read information and answer some questions about their attitudes. Please read the following information and answer the questions. Operation Iraqi Freedom began in March 2003. By May President Bush had declared major combat operations over. However this was certainly by no means the end. In December 2003 Saddam Hussein was captured during operation Red Dawn. Four months later in April the first battle of Falujah began. It was realized here that the major opposition was no longer forces loyal to Saddam but instead insurgents. The war continued for 6 more years. By early 2009 troop levels began to be reduced as more were sent home. By mid 2010 all combat troops had left Iraq. During operation Iraqi Freedom the troops were equipped with standard issue rifles. These firearms included the m4 carbine, m16, m14 and FN SCAR. The M4 and the M16 use NATO 5.56x45mm round. While the SCAR and M14 use the 7.62x51mm.The forces involved in the invasion and occupation of Iraq came from all branches of the military. The Army made up the majority of the total troops deployed to Iraq at approximately 54%, next Navy at 17%, then Air Force at 14% and finally Marines at 13%.

According to the Center for Civilian and Veteran Issues a considerable proportion of returning veterans struggle with war related mental problems and disabilities, and many are homeless or on the verge of homelessness. Post-war reports suggest that America has failed to provide adequate services to returning veterans. Survey data indicate Veterans feel that they do not have access to mental health and other essential services that they need to deal with the trauma they experienced when fighting for our country. The majority of veterans feel that America, as a society, has failed to properly care for veterans who stepped up and defended America's freedom---despite America's overwhelming support for the war initially and America's willingness to send the soldiers into a situation that America knew would be dangerous, traumatic, and likely to cause the post-war difficulties that they are currently experiencing. Please answer the following questions concerning how you, as an individual, feel about one's own responsibility in fulfilling their civil obligations.

As an American, I believe it is important that America fulfills its civil obligations to its soldiers.

As an American, I believe it is important to be indebted to soldiers who perform their civil duties.

Strongly Disagree   Strongly Agree

0   10   20   30   40   50   60   70   80   90   100
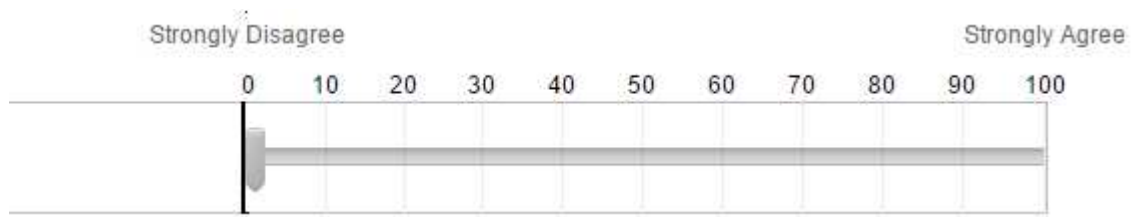
As an American, I believe it is important to provide adequate support for those who serve their country.

Strongly Disagree   Strongly Agree

0   10   20   30   40   50   60   70   80   90   100
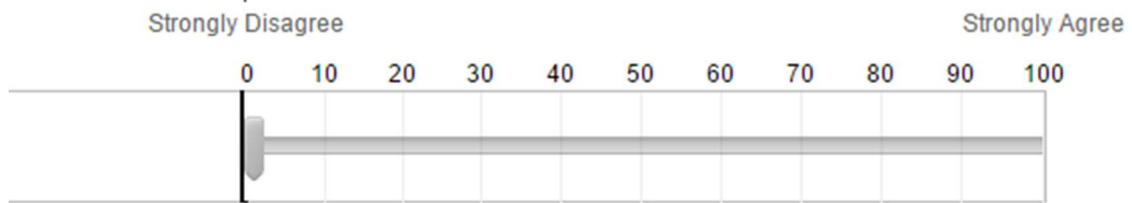
Do you believe America has done enough to support veterans returning from war?

○ Yes
○ No

If not, as an American, do you feel like America should?

○ Yes
○ No

Table 1.

Study 1 Means and Standard Deviations of Collective Guilt and Punitiveness

	Men		Women	
	Veteran *M* (*SD*)	Civilian *M* (*SD*)	Veteran *M* (*SD*)	Civilian *M* (*SD*)
Collective Guilt	3.28 (1.37)	2.63 (1.18)	3.28 (1.69)	2.42 (1.24)
Punitiveness	-33.52 (75.42)	-19.65 (77.45)	-30.48 (78.08)	10.82 (82.98)

Note. Higher values indicate more reported collective guilt, and more punitive verdicts.

Table 2.

Study 2 Means and Standard Deviations of Punitiveness

Participant Gender	Guilt Condition	Punitiveness *M* (*SD*)
Men		
	Control (*n* = 64)	-29.04 (77.94)
	Individual Guilt (*n* = 63)	-17.92 (80.10)
	Collective (*n* = 60)	-25.82 (77.43)
	Individual and Collective (*n* = 71)	-32.68 (74.34)
Women		
	Control (*n* = 79)	-10.98 (80.80)
	Individual (*n* = 64)	-32.72 (80.82)
	Collective (*n* = 72)	-31.96 (75.96)
	Individual and Collective (*n* = 70)	-16.50 (81.97)

Note. Higher values indicate more reported collective guilt, and more punitive verdicts.

Table 3

Study 2 Regions of Significance for the Conditional Effects of Individual and Collective Guilt on Punitiveness as a Function of National Identification

Conditional Effect of Individual Guilt on Punitiveness

National ID Value	B	t	p	95% Confidence Intervals LL	UL
1	-42.35	-2.24	0.03	-79.41	-5.29
1.3	-39.18	-2.23	0.03	-73.73	-4.62
1.6	-36	-2.2	0.03	-68.08	-3.92
1.9	-32.83	-2.18	0.03	-62.47	-3.19
2.2	-29.66	-2.14	0.03	-56.91	-2.4
2.5	-26.48	-2.09	0.04	-51.42	-1.55
2.8	-23.31	-2.02	0.04	-46.01	-0.61
2.98	-21.4	-1.96	0.05	-42.8	0
3.1	-20.14	-1.92	0.05	-40.71	0.43
3.4	-16.97	-1.79	0.07	-35.56	1.62
3.7	-13.79	-1.61	0.11	-30.6	3.02
4	-10.62	-1.36	0.17	-25.92	4.67
4.3	-7.45	-1.03	0.3	-21.6	6.71
4.6	-4.27	-0.62	0.53	-17.73	9.19
4.9	-1.1	-0.16	0.87	-14.39	12.19
5.2	2.07	0.3	0.77	-11.58	15.73
5.5	5.24	0.71	0.48	-9.28	19.77
5.8	8.42	1.05	0.3	-7.39	24.23
6.1	11.59	1.31	0.19	-5.83	29.01
6.4	14.76	1.5	0.13	-4.51	34.04
6.7	17.94	1.65	0.1	-3.38	39.25
7	21.11	1.77	0.08	-2.38	44.6

Conditional Effect of Collective Guilt on Punitiveness

National ID Value	B	t	p	95% Confidence Intervals LL	UL
1	-38.54	-2.03	0.04	-75.74	-1.33
1.3	-35.96	-2.04	0.04	-70.65	-1.27
1.6	-33.38	-2.04	0.04	-65.58	-1.17
1.9	-30.8	-2.03	0.04	-60.56	-1.04
2.2	-28.22	-2.03	0.04	-55.58	-0.86
2.5	-25.64	-2.01	0.05	-50.67	-0.61
2.8	-23.06	-1.99	0.05	-45.84	-0.28
3	-21.35	-1.97	0.05	-42.69	0
3.1	-20.48	-1.95	0.05	-41.12	0.16
3.4	-17.9	-1.89	0.06	-36.55	0.75
3.7	-15.32	-1.79	0.07	-32.18	1.54
4	-12.74	-1.63	0.1	-28.09	2.61
4.3	-10.16	-1.41	0.16	-24.35	4.03
4.6	-7.58	-1.1	0.27	-21.07	5.91
4.9	-5	-0.74	0.46	-18.3	8.31
5.2	-2.42	-0.35	0.73	-16.09	11.25
5.5	0.16	0.02	0.98	-14.38	14.7
5.8	2.74	0.34	0.73	-13.09	18.57
6.1	5.32	0.6	0.55	-12.13	22.77
6.4	7.9	0.8	0.42	-11.41	27.21
6.7	10.48	0.96	0.33	-10.88	31.84
7	13.06	1.09	0.28	-10.48	36.6

54

Note. To probe the guilt inductions by national identification interactions, we utilized Hayes and Matthes' MODPROBE SPSS macro, which incorporates the Johnson-Neyman technique. This analysis reveals all ranges of the moderator (e.g., national identification) in which the focal predictor (i.e., individual guilt induction, collective guilt induction) is a significant or non-significant predictor of the outcome (i.e., punitiveness). Gray bars indicate the point at (or below) which the conditional effect is a significant predictor of punitiveness.
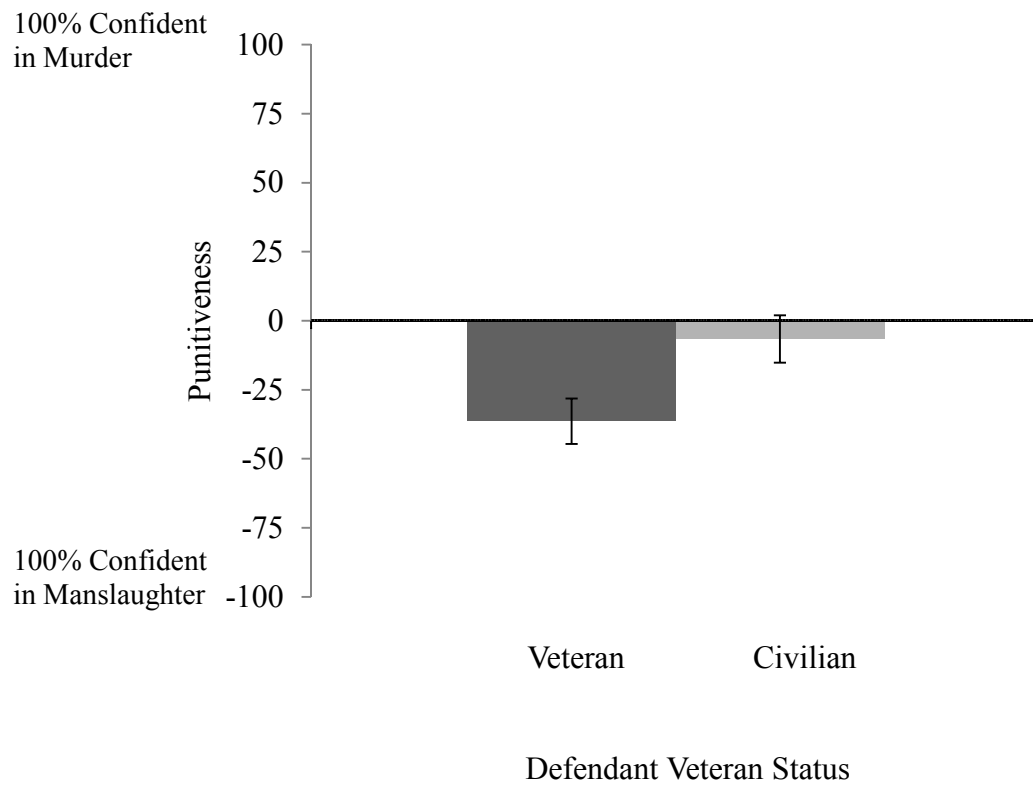
Figure 1. Punitiveness as a function of defendant veteran status. Punitiveness ranged from 100% confident the defendant is guilty of manslaughter (-100) to 100% confident the defendant is guilty of second degree murder (+100).
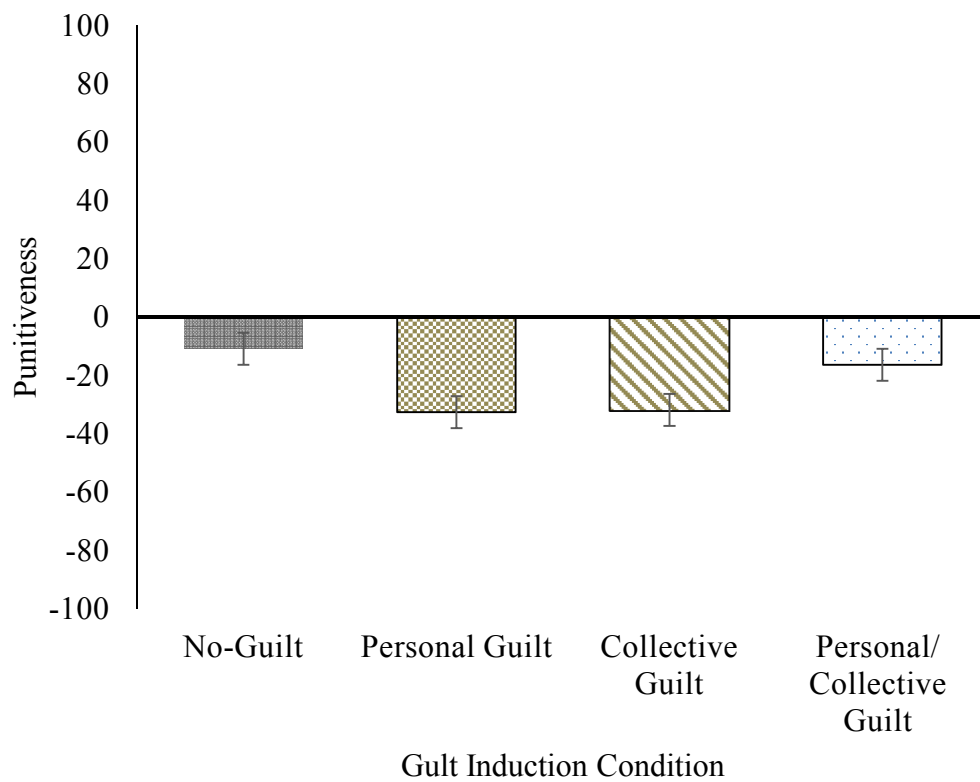* *p* < .01.

Figure 2. Women's punitiveness toward a veteran defendant as a function of guilt induction condition in Study 2. Punitiveness ranged from 100% confident the defendant is guilty of manslaughter (-100) to 100% confident the defendant is guilty of second degree murder (+100).
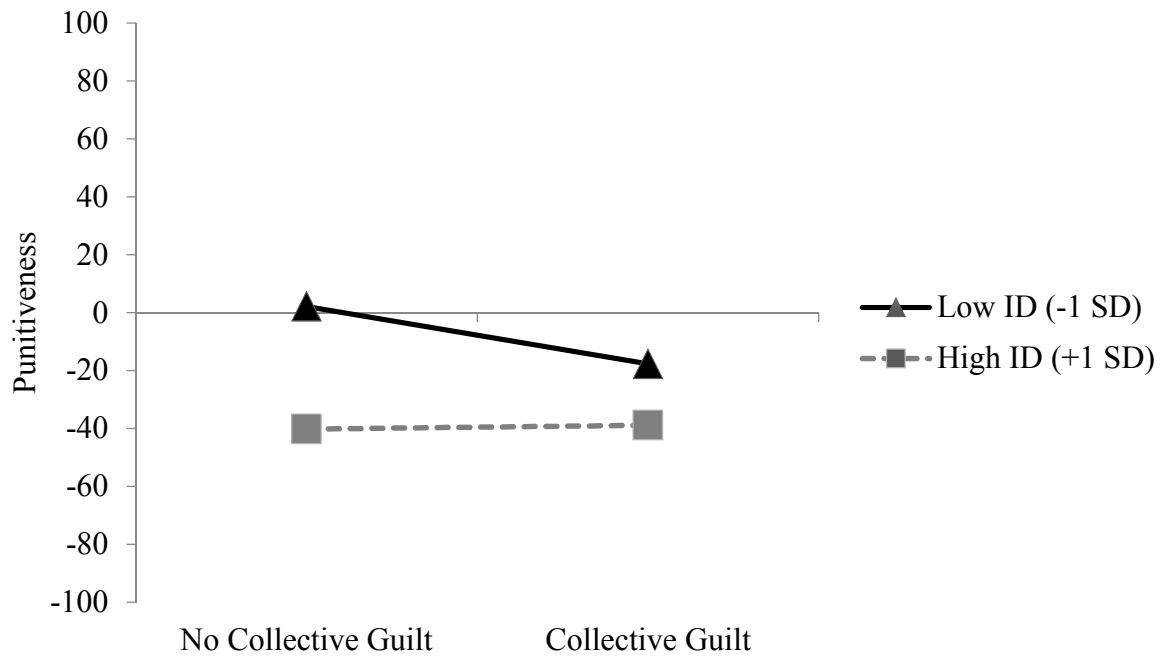
Figure 3.The effect of collective guilt predicting punitiveness as a function of national identification. Punitiveness ranged from 100% confident the defendant is guilty of manslaughter (-100) to 100% confident the defendant is guilty of second degree murder (+100).
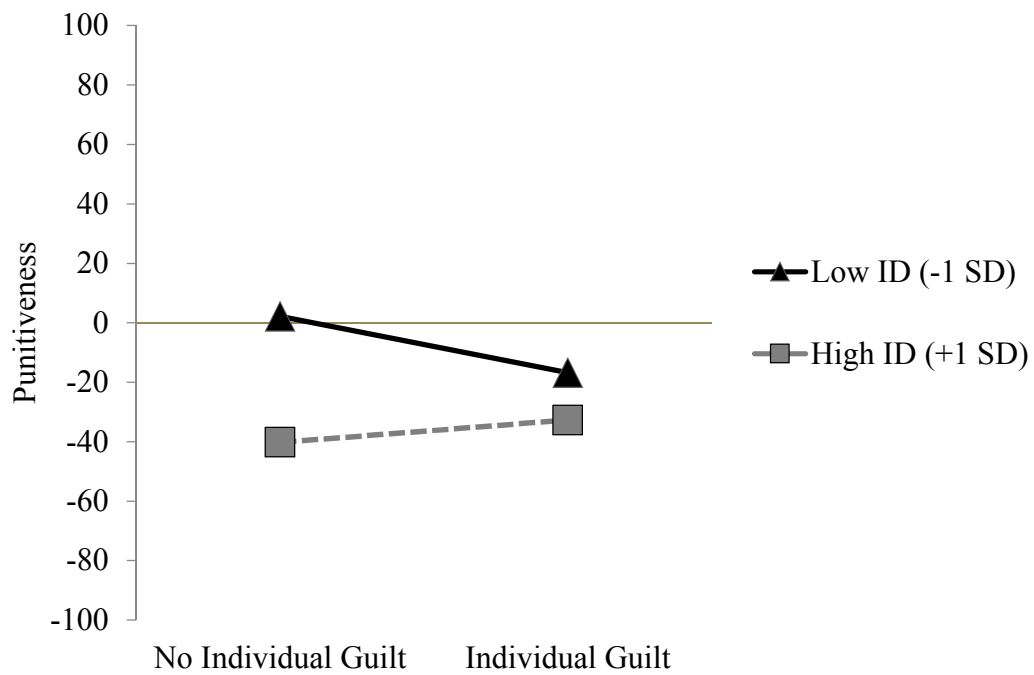
Figure 4. The effect of individual guilt predicting punitiveness as a function of national identification. Punitiveness ranged from 100% confident the defendant is guilty of manslaughter (-100) to 100% confident the defendant is guilty of second degree murder (+100).