Intergroup Bias

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Summary of Concepts and Research

Social psychology is the study of the mental processes (e.g., thoughts, feelings, motivations) that give rise to social behavior (e.g., friendliness, communality, hostility, discrimination) and, conversely, the situations and environments that can give rise to those mental states. In particular, social psychology places emphasis on *situational* determinants of behavior, understanding that a lot of what we do is determined by what we've experienced in the past and what social norms dictate about how we should behave.

A great deal of emphasis has been placed by social psychologists on the study of intergroup biases; stereotyping, prejudice, and discrimination. Over the past century, we have learned a lot about these processes and much of this knowledge will be summarized in this course.

First and foremost, psychologists have determined that intergroup biases for the most part arise from *normal* mental processes. Although it is tempting to pathologize prejudice, bias is typically the result of our strong, innate tendencies to: 1) *categorize objects and people into groups*; 2) *prefer things (and people) that (who) are familiar and similar to* us; 3) *simplify a very complex world (e.g., with stereotypes)*; and 4) *rationalize inequities*. Furthermore, in more recent decades, psychologists have found that most of our biases can operate outside of our conscious awareness, nevertheless distorting our judgments, and making them in some ways all the more inevitable and destructive. Following is a summary of these basic tenets of psychological research on intergroup bias, with conclusions about how it is relevant to judicial processes and prescriptions for minimizing the influence of bias.

Categorization: People are strongly inclined to categorize objects, concepts, and people into groups. This probably derives from prehistoric needs to identify edible foods, dangerous predators, and our own kin. In the present, it often translates into *social categorization* – identifying people as belonging to racial, ethnic, gender, and other types of groups. Research first demonstrated this with basic objects and has extended it to humans. A corollary of categorization is that we tend to accentuate differences between groups and underestimate differences within groups (especially groups to which we don't belong, hence: "They all look /act alike."). Furthermore, we tend to engage in *ingroup overexclusion* whereby we set a high threshold for determining that someone belongs to our group. Perhaps this evolved to ensure that we did not waste our time or resources on people who did not belong to our clan and could therefore pass on our genetic code, but the inclination has stuck around.

Ingroup[1] Favoritism/Outgroup Derogation: Perhaps social categorization in and of itself wouldn't be such a bad thing except that we also have a tendency to favor our own groups

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[1] "Ingroups" and "outgroups," in social psychological parlance, refer to groups (e.g., racial, ethnic, gender, social, professional, political, etc.) to which one belongs and does not belong, respectively.

(again, the evolutionary implications are obvious) and discriminate against (e.g., allocate fewer resources to, behave aggressively toward) groups to which we do not belong. Research on this ingroup favoritism has shown, strikingly, that people will give up the chance to maximize rewards in favor of ensuring that their group does better than an outgroup. In other words, people prefer a *relative* benefit to an *absolute* benefit, as long as their group comes out on top.

Stereotypes as Heuristics: Not unrelated to the process of categorization (itself a simplification strategy), people have a tendency to try to simplify their social environments, which tend to be very complex. Rather than trying to make determinations about the attributes of each individual we meet, we rely on *heuristics*, or mental shortcuts such as stereotypes. Stereotypes are beliefs we have about the traits or attributes that are typical of particular groups. For example, some stereotypes hold that Jews are intelligent and greedy, women are nurturing and dependent, and African Americans are athletic and aggressive. In social-cognitive terms, stereotypes are mental associations between groups and attributes. Stereotypes can be positive or negative and, like other beliefs, they can vary in their degree of accuracy. However, even an "accurate" stereotype, which may reflect a real difference in averages between groups, is unlikely to be a reliable basis for making a judgment about an individual. Recall that we tend to overestimate *similarities* within groups and *differences* between groups. In reality, there are usually more differences within than between human groups on any given trait.

Rationalization: Another basis of bias is the tendency to need to rationalize inequities in society. This idea stems from research indicating that people don't like to believe in an unjust world, so if something bad happens to someone, at least a part of us likes to believe they somehow deserved it. In terms of intergroup bias, this translates into believing that groups who are low in status, or who are even actively oppressed, must possess some trait that is responsible. Recent research shows that such beliefs are often held even by those with low status. They too need to rationalize the inequity, and it may be easier to believe that they, or their group, have done something wrong or have some weakness, than to believe that they are the hopeless victims of a discriminatory society. Thus, the stereotypes we possess are often in the service of rationalization. Nevertheless, we can also learn stereotypes first, and they can lead us to create or perpetuate inequities. The causality can flow both ways.

Unconscious Bias: In the past decade or so, social psychologists have drawn on research by cognitive psychologists, who were interested in *implicit memory*, to study how intergoup bias might operate outside of our conscious awareness or control. Cognitive psychological research on implicit memory has shown that most of what we "remember" (i.e., mental associations we have) is outside of conscious access. This makes sense when we consider how many things we observe every day and how few of them we consciously remember. Cognitive psychologists developed techniques to tap and measure implicit memories indirectly. Social psychologists have adopted and adapted these methods to measure *implicit biases*. For example, we can show people words subliminally (i.e., too quickly for them to perceive consciously) that are associated with social groups (e.g., "African" "European") (we call such stimuli "primes"), and then have them evaluate other words (that they *can* see) as either good or bad. In these studies, we find

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that most White people are faster to judge positive words as good when they are preceded by White-related primes than by Black-related primes, and vice versa for evaluations of negative words. This occurs despite research subjects' claims that they are not biased, and their conscious obliviousness to even the *presence* of the primes, let alone their content.

In part, demonstrations of implicit bias despite subjects' assertions of objectivity may reflect a circumvention of people's discomfort with admitting their true biases. However, implicit biases also reflect stereotypes and prejudices that people truly do not know they have. In this regard, the biases they exhibit on implicit measures are *unintended*. They are, nevertheless, fully capable of leading to discriminatory deadly behavior.

As a case in point, recent research has shown that when experimental subjects in a simulated police activity are presented with images of men holding either guns or harmless objects (e.g., cell phones, wallets), subjects are faster to make a "shooting" response for a gun if the man in the image is Black than if he is White, and faster to make the safe (no shoot) response if the target is White than if he is Black. They are also more likely to erroneously shoot a Black than a White man who is not holding a gun. It is highly unlikely that subjects are intentionally shooting Black men faster and more readily. This is an unintended bias that has deadly implications and probably represents more commonplace forms of aggression.

Relevance to the Courtroom: The relevance of psychological research on bias in the courts is especially acute with regard to unconscious, or *unintentional* bias. Courts are designed to minimize bias and maximize fairness. However, when implicit biases are operating, good intention and even effort may be inadequate. Implicit stereotypes may serve to color our interpretations of ambiguous behaviors and evidence. And implicit prejudice (i.e., outgroup derogation) may serve to undermine our motivations to be careful and fair, while leading more directly to punitiveness.

Psychological research has addressed this directly. It has shown repeatedly that, in simulated trials, judicial decision-makers are more likely to convict minority defendants (and give them harsher sentences), even though all else is equal. This supports results from correlational research on real criminal justice data, but conclusively rules out any alternative explanations. Interestingly, with regard to implicit processes, recent research by Somers and Ellsworth indicates that such biases are mitigated when the race of the defendant is made *salient*. In this case, jurors and judges can, once made aware of the potential for their racial bias, correct for it, or focus more carefully on other aspects of the case.

Strategies for minimizing bias: The Sommers and Ellsworth research, along with a tradition of research on judgmental accuracy, suggests some strategies for minimizing bias in the courts:

- *Make categories explicit*: As Sommers and Ellsworth have shown, when group status is made salient it is less likely to bias judgments. To some extent, people can adjust for, or perhaps even set aside biases if they are made aware of their potential influence. We like to believe that we live in a "color-blind" society, and while this may be a utopian ideal, in

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reality people are acutely and chronically cognizant of race (and ethnicity, and gender, etc.) and these categories shape our judgments. Research indicates that emphasizing group membership leads to less bias than does denying it. Remember, justice is not blind, she is blind*folded*. In an ideal world, judicial decision makers would not know the race, ethnicity, age, gender, etc. of their defendants, plaintiffs, complainants, experts, and witnesses. In the absence of this possibility, making group membership (or at least the potential influence of group membership) explicit and salient should serve to mitigate bias in judgments.

- *Increase accountability*: Research also indicates that the more accountable we are (e.g., the more we expect our judgments to be evaluated or second-guessed), the less we rely on stereotypes for making judgments. In this regard, the judicial process is fairly ideal because jurors are accountable to each other (although "groupthink" is another social psychological process that is perilous in this regard) and to judges, and juries and judges must consider the possibility of appeal. However, to the extent that appeals are based on procedural problems, rather than findings of fact, this form of accountability may not affect inferences of guilt.

- *Allow ample time for judgments*: Stereotypes are most likely to bias judgments under time pressure. When there is ample time to consider evidence, people rely less on heuristics. This is another area of strength for the courts. However, to the extent that dockets are full and procedures are rushed, this advantage may be undermined.

- *Maintain vigilance from the start:* Once bias creeps into the process it has the potential to cascade and it is difficult to reverse. If a decision maker lets his or her guard down at some point and allows a judgment to be made based on a stereotype, it can contaminate all future judgments. Retrospective corrections for bias are difficult to make or to justify to oneself. It is best to maintain objectivity (using the above strategies) throughout the process.

Despite the seeming inevitability and ubiquity of intergroup bias, and its operation at the unconscious level, there are efforts that can be made to minimize its influence. This, it seems, should be a high priority goal for judicial decision-makers. It is hoped that the knowledge gained from this course will support that goal.

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