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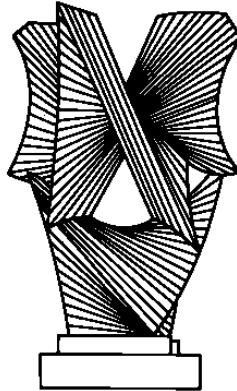
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# CHICAGO

PUBLIC LAW AND LEGAL THEORY WORKING PAPER NO. 296



## LEGITIMACY AND DETERRENCE EFFECTS IN COUNTER-TERRORISM POLICING: A STUDY OF MUSLIM AMERICANS

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Legitimacy and Deterrence Effects in Counter-Terrorism Policing:

A Study of Muslim Americans

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### *Abstract*

This study considers the circumstances under which members of the Muslim American community voluntarily cooperate with police efforts to combat terrorism. Cooperation is defined to include both a general receptivity toward helping the police in anti-terror work, and the specific willingness to alert police to terror related risks in a community. Two perspectives on why people cooperate with law enforcement, both developed with reference to general policing, are compared in the context of anti-terror policing and specifically among members of the Muslim American community. The first is instrumental. It suggests that people cooperate because they see tangible benefits that outweigh any costs. The second perspective is normative. It posits that people respond to their belief that police are a legitimate authority. On this view legitimacy is linked to the fairness and procedural justice of police procedures. Data from a study involving interviews with Muslim Americans in New York City between March and June 2009 strongly support the normative model by finding that the procedural justice of police activities is the primary factor shaping legitimacy and cooperation with the police.

Terrorist attacks on Washington, DC, and New York City in September 2001, with subsequent attacks in Spain, the United Kingdom, Indonesia, India, and other democracies, have increased global attention to the threat of terrorism (Benjamin and Simon, 2005). Across all regions of the world, governments are concerned with how to reduce this threat (Weisburd, Feucht, Hakimi, Mock and Perry, 2009). In North America and Europe, al Qaeda's explicitly religious justifications and its appeals to Muslims for solidarity have prompted governments to pay increased attention to migrant communities in which Islam is a predominant religious affiliation (Pargeter, 2008; Rabasa, Benard, Chalk, Fair, Karasik, Lal, Lesser and Thaler, 2004).

In the United States, Muslim American communities of South Asian and Arab origin in New York and Michigan, for example, have been a focus of law-enforcement attention (Temple-Raston, 2007; Nguyen, 2005) and scholarly concern (Leonard, 2003; Yavari, 2002). Recent studies suggest that members of this community generally express strong allegiance to America and very little support for terrorism or terrorists (Pew research center, 2007). Nevertheless, cultural or religious ties between these communities and contexts from which anti-American terrorism is emerging (*e.g.*, Afghanistan, Pakistan, the Gulf states, Somalia) mean that Muslim American communities have become a focus for anti-terror policing efforts in the United States.

Empirical studies of different policing strategies aimed at terrorism are scarce (but see Huq and Muller, 2008; Kalyvas, 2006; Lau, Kennedy and Sherley, 2006; Weisburd, Feucht, Hakimi, Mock and Perry, 2009). Studies of attitudes toward terrorism within Muslim communities have not focused on the United States (Fair, 2010; Shapiro and Fair, 2009; McCauley and Scheckter, 2008). This lack of research on anti-terror policing raises the question whether models of social control developed in the context of ordinary domestic law enforcement apply in the domain of anti-terror policing. This study addresses that question. It considers what circumstances are associated with voluntary cooperation by Muslim Americans in anti-terror policing efforts and in particular which policing strategies enhance or diminish that cooperation. The modalities of cooperation under examination can vary. They typically range from reporting crimes and assisting the police in ongoing investigations to attending community policing meetings and participating in groups such as neighborhood watch. This study looks at what motivates such cooperation within the Muslim American community.

Previous studies emphasized two mechanisms by which policing can reduce levels of social disorder: the instrumental and the normative (Tyler 2006b). In the former model people estimate the expected costs and benefits from compliance with the law or cooperation with the police, and comply or cooperate only when the former outweigh the latter. Two reasons for cooperation from this perspective are fear of punishment and the expectation of individual or communal benefits flowing from successful police efforts to control crime (Posner, 2007). Alternatively, instrumental reasons may motivate

cooperation where people anticipate that an absence of cooperation would prompt unwelcome policing measures.

The alternative model emphasizes self-regulatory, normative motivations. It posits that people comply and cooperate when they believe authorities are legitimate and entitled to be obeyed (Tyler, 2007, 2008). Research identifies strong evidence that when authorities are viewed as more legitimate, their rules and decisions are more likely to be accepted (Tyler 2006a). Research further links the legitimacy of institutions to the concept of procedural justice (Sunshine and Tyler 2003; Tyler 2006a; Tyler and Fagan, 2008).

The fairness of police procedures depends, for example, on: the manner street stops are conducted; whether the police are neutral and transparent in their application of legal rules; whether they explain their actions and seek input from community members before making decisions; and whether they treat people with dignity and respect. Judgments about procedural justice have been found to influence the perceived legitimacy of law enforcement and thus to affect willingness to comply and to cooperate. (Tyler, 2009). An extension of this approach to anti-terror policing would be based upon the view that “policy makers are involved in a battle with opponents over the fairness of governments and their policies” (LaFree and Akerman, 2009, p. 15). To win this battle the government must win legitimacy by displaying fairness.

The self-regulatory model has been widely supported in studies of ordinary crime (see Tyler, 2009, for a review). Several concerns, though, have been raised recently about the model. Reisig, Bratton and Gertz (2007) point out that legitimacy can be treated as two distinct ideas: trust and obligation. We acknowledge this point, but because our overall goal is to predict behavior, we will use a combined index of legitimacy that includes both trust and obligation for our analysis. Tankebe raises a concern not unlike one examined in this paper, suggesting that in some societies the procedural justice-legitimacy-cooperation model may not hold. His work in Ghana suggests that the legacy of colonialism has created a different relationship between the public and the police that is instrumentally based rather than linked to procedural justice or legitimacy. (Tankebe, 2009a). Even in Ghana, however, procedural justice is linked to whether people supported vigilante violence (Tankebe, 2009b).

The present study considers the relative importance of normative and instrumental mechanisms in the previously under-studied context of policing against terrorism within domestic Muslim communities. It cannot be safely assumed that the dynamic in this context will mirror dynamics observed in ordinary law enforcement for at least two reasons. First, in Muslim communities in the United States, particularly those comprised of relatively recent immigrants from non-democratic countries, individuals might have different attitudes toward authority and might not be affected in the same way by perceptions about fairness and nondiscrimination. Second, terrorism may implicate distinctive ideological or religious issues that could overpower concerns about legitimacy

and/or procedural justice. Motivations for terrorism and support for terrorism are arguably different in kind and dispersion from emotions associated with the commission of ordinary crime. Cooperation may vary with religiosity, culture, or political ideology within the Muslim American community.

To examine these questions, we explore the influence within the Muslim American community of instrumental motivations; perceptions of procedural justice; religious identity; demographic variables and other possible causal factors on legitimacy and on two cooperative behaviors—the general willingness to cooperate with the police and the willingness to report terror-related risks in the community to police.

Using data from closed and fixed response telephone interviews with Muslim Americans in New York City from March 2009 to June 2009 (n=300), we test competing hypotheses derived from the instrumental and normative theories of policing. The first is that procedural justice is positively correlated with police legitimacy and consequently with the willingness to cooperate with law enforcement in efforts to prevent terrorism. The second is that concerns about the severity of the threat of terrorism, the effectiveness of police responses, and the anticipation of a trade-off between cooperation and unwelcome policing—all grounds for instrumental judgments about policing—will be less important than perceived legitimacy or procedural justice in shaping cooperation. We further test the hypothesis that differences in religion and political ideology do not change the basic conclusions of prior studies on policing.

The focus of our study is on variation within the Muslim community, not a comparison of Muslims to non-Muslims within the United States. We consider whether diverse factors affect cooperation, including differences in evaluations of the magnitude of terrorist threats; variations in political sympathy for terrorist causes; and divergent commitments to a religious tradition or community. This study does not address how the behavior of the Muslim community compares to that of the broader non-Muslim American population and/or the members of other minority groups. (For a related comparison of White and minority Americans more generally see Tyler and Huo (2002)). The Muslim American community is a focus of current anti-terror policing. Understanding variance in cooperation rates within that community is independently valuable.

Our principal findings are as follows. We find a robust correlation between perceptions of procedural justice and both perceived legitimacy and willingness to cooperate among Muslim American communities in the context of anti-terrorism policing. We find little evidence that evaluations of either the severity of terrorist threats or of police effectiveness play a significant role in determining willingness to cooperate. We further find that religiosity, cultural differences, and political background have at best weak connections with cooperation. These results suggest the importance of procedural justice considerations in the design of anti-terrorism policing strategies concerning Muslim Americans within the United States.

## INSTRUMENTAL AND NORMATIVE MODELS OF POLICING

Two models of policing characterize the current literature. The first emphasizes the influence of expected rewards and penalties upon compliance and cooperation. It is instrumental in character. The second, a normative approach, emphasizes instead legitimacy and morality. Our primary goal in this paper is to contrast deterrence and legitimacy as rival explanations for cooperation with the police.

The instrumental model dominating much academic writing about social control is based on a rational choice model of the person. This model assumes that behavior in relationship to the police, the courts and the law is shaped by the rational assessment of anticipated costs and rewards. People are expected to obey the law when they fear punishment for noncompliance or expect gains from compliance (Nagin, 1998; Posner, 2007). Police can encourage cooperative behavior by giving cooperation greater personal utility for community residents, for example by demonstrating that the police are effective in fighting crime (Kelling and Coles, 1996), or that rule breakers are punished (Bayley and Mendelsohn, 1968; Nagin, 1998). Empirical research in the ordinary policing context finds only weak correlations between police effectiveness, risk of punishment and compliance or cooperation (Tyler, 2006b; Tyler 2007, 2009; Tyler and Fagan, 2008; Sunshine and Tyler, 2003).

An alternative instrumental model might posit that people cooperate to lessen police intrusions into their lives and communities. Studies in the United States suggest that strategies associated with “zero tolerance “ policing, such as intensive police contact with community residents, through street stops, with subsequent arrests and detention, not only do not lower the crime rate (Harcourt, 2001), but instead, “intensive frisks and needless arrests can often be a source of friction,” thereby “undermining the very sense of legal legitimacy they were designed to foster” (Collins, 426; Delgado, 2008), leading to lower levels of cooperation.

The normative model posits that people’s values shape their law-related behavior, and that people obey the law and cooperate with legal authorities when they view government as legitimate and thus entitled to be obeyed. The argument from legitimacy suggests that police gain leverage for the co-production of security by inculcating and promoting community perceptions that their actions and decisions are legitimate.

This argument builds upon a long line of theory arguing for the centrality of legitimacy to the effectiveness of state actors (Weber, 1968). Legitimacy can be defined as “a property that a rule or an authority has when others feel obligated to voluntarily defer to that rule or authority. In other words, a legitimate authority is one that is regarded by people as entitled to have its decisions and rules accepted and followed by others (Skogan and Frydl, 2003, p. 297).” Legitimacy thus embodies the perceived obligation to comply with an authority’s directions without regard to expected gains or losses associated with doing so (Tyler 2006b). Legitimacy can also be operationalized as trust



and confidence in authorities (Tyler, 2006b), i.e., as an evaluation of whether authorities are concerned with the well-being of people in the community and are honest and respectful when dealing with them (Tyler and Fagan, 2008). Legitimacy reflects an important social value to which social authorities can appeal to gain public deference and cooperation (French and Raven, 1959; Kelman and Hamilton, 1989; Tyler, 2006a, 2006b; Tyler and Huo, 2002).

Research on non-terror-related policing links legitimacy to views about procedural justice (Tyler, 2006a; Sunshine and Tyler, 2003). Procedural justice, as defined in that literature, has two elements: the quality of the process used to make decisions, and the quality of interpersonal treatment people receive when dealing with authorities. Feeling that one has or has not received procedural justice thus reflects views on whether officials allow people to provide input before they make decisions; whether they exercise their authority in neutral and consistent ways; whether they are perceived to be trustworthy; and whether they treat the people with whom they deal with dignity and respect. A legitimacy-based model of policing suggests that the public evaluates police, courts and the law primarily in terms of *how* authority is exercised. Police build perceived legitimacy among the public by treating people fairly during personal encounters (Tyler 2006b; Tyler 2007). Legitimacy then shapes people's future behavior (Tyler and Fagan, 2008).

Most prior research has concerned motivations for compliance with the law. More recent research examines the link between legitimacy and the ability of the police to secure public cooperation (Tyler and Fagan, 2008). The need for a focus on cooperation, in addition to compliance, is suggested by research showing that police need community help in maintaining social order (Sampson, Raudenbush and Earls, 1997). That research also finds that people cooperate with the police and other officials more because of norms or values they share with established authorities and less because of the influence of sanctions or material incentives (Sunshine and Tyler, 2003; Tyler, 2009; Tyler and Fagan, 2008).

This argument about cooperation, like the argument focused on compliance, is based upon two empirical propositions. First, people view the police as legitimate when those authorities exercise their authority in fair ways. Second, legitimacy prompts socially desirable behavior, independent of expectations of material rewards or sanctions. In sum, previous studies have tested the instrumental and the normative models in the context of ordinary crime. The present study examines whether either model can be extended to the domestic terrorism context with respect to Muslim American communities.

## TERRORISM PREVENTION: THE DOMINANCE OF THE DETERRENCE MODEL

Deterrence-based models “have long dominated both criminal justice and counterterrorist policies on responding to violence” (LaFree, Dugan and Korte, 2009, p. 17). Deterrence theory suggests people will cooperate with authorities when they view such actions as in their self interest. In the case of the threat of contemporary terrorism, self-interested motives might prompt people to cooperate for two reasons. First, they may anticipate rewards in terms of safety from identifying terrorists and ending a terrorist threat. Second, they may act in an effort to lower preemptively police intrusions into their community and avoid confrontations with police.

A countervailing view in the terrorism literature, however, warns of the potential of intrusive measures to stimulate terrorist recruitment and ideological estrangement in the targeted communities (Donohue, 2008), or to prompt law-abiding individuals to withhold cooperation out of fear that suspicions, if reported, will trigger overreaction and unjust treatment of innocents (as can occur with ordinary crime, see Sherman, 1993). A recent study of Britain’s anti-terror campaign in Northern Ireland (LaFree, Dugan and Korte, 2009), provides empirical confirmation of this risk. These authors identified six highly visible British interventions aimed at reducing terrorist violence in Northern Ireland from the 1970s on, and assessed whether each intervention diminished subsequent attacks or instead increased the frequency or intensity of terrorism. One of the six measures, a highly intrusive military maneuver, did have a deterrence effect. But two others had no statistically significant impact, suggesting that any deterrence gains were overwhelmed by backlash effects. More tellingly, two of the intrusive new deterrence-based policies resulted in significant *increases* in violence (also see Lum, Kennedy and Sherley, 2006).

Lafree, Dugan and Korte hypothesize that erroneous arrests and the adoption of internment without trial contributed to this backlash effect by undermining the legitimacy of British anti-terrorism efforts. Several studies conducted in Iraq have also found that perceived injustice on the part of US forces is a strong predictor of support for resistance among Iraqis (Fischer, Harb, Al-Sarraf and Nashabe, 2008; Harb, Al Hafedh and Fischer, 2006). As LaFree and Ackerman observe: “To the extent that government-based counterterrorism strategies outrage participants or energize a base of potential supporters, such strategies may increase the likelihood of further terrorist strikes” (2009, p. 15). Because of this, government management of terrorist threats may be as important as terrorism itself in determining future levels of violence (Karstedt, 2003; Kilcullen, 2009; McCauley, 2006; Sharp, 1973).

These recent efforts notwithstanding, policing and military approaches to terrorism on the local level have not been unified in strategy or tactics. Different agencies and individuals vary in goals and behavior. Inconsistencies flow from ambivalence about the gains associated with various forms of policing against crime and against terrorism

(see Hasisi, Alpert and Flynn, 2009; Oliver, 2006; Bayley and Weisburd, 2009) and complexities in the relationship between local and federal law enforcement (Lum, Haberfield, Fachner and Fieberman, 2009).

These findings are in accord with the evidence on policing against ordinary crime, which in the domestic American context consistently suggests that deterrence effects on compliance and cooperation, when found, tend to be weak, and are associated with negative side effects (see Tyler, 2009, for a review).

### TERRORISM PREVENTION: LEGITIMACY MODELS

The cooperation of local communities is important to any account of policing against terrorism. In comparison to non-ideological crime of the type police generally address, terrorism is a relatively dispersed and infrequent phenomenon. Accurate and timely information to separate genuine threats from background noise therefore has special value (Posner, 2007). The September 2001 attackers, for example, came into the sphere of indigenous Muslim American communities (National Commission on Terrorist Attacks Upon the United States, 2004, pp. 216-17).

In principle, moreover, the positive effects of legitimacy and procedural justice upon cooperation observed in ordinary law enforcement could well apply to policing against terrorism within Muslim-American populations after the September 2001 attacks. Three factors, however, counsel against taking that relationship for granted.

First, terrorism differs from the crime that police typically address because terrorist acts are politically or ideologically motivated in ways that are distinct from the more idiosyncratic emotional motivations for crime (English, 2009; Katz, 1988). Traditionally conceived instrumental motivations (the desire for material gain; the fear of punishment) therefore may not be as significant for terrorists as for ordinary criminals (Varshney, 2003). Additionally, members of a co-religionist or co-ethnic community may share political or ideological views with those who commit acts of terrorism in a way that is not usually observed with criminal conduct. As a consequence, they may be unwilling to undermine terrorists due to feelings of solidarity. Terrorism thus involves distinct values that could interact in different ways with conceptions of legitimacy.

Second, the core terrorism-related concern of American policy-makers is al Qaeda: an organization that adduces religious justifications for both its methods and goals (Kepel, 2002). Even if this explicit appeal to religiously grounded motivations is rarely successful, it raises the question whether the degree of religiosity among members of communities targeted by al Qaeda alters the effect of legitimacy or procedural justice on cooperation. Prior research suggests that moral and religious values can act to undermine the effect of legitimacy and procedural justice upon deference to government, with people less willing to defer to actions that are contrary to their values (Napier and Tyler, 2008; Skitka and Mullen, 2002). Historically religious authority has often been in conflict

with the authority of the state, with people placing loyalty to their moral and religious values above duties to the law and the government (Kelman and Hamilton, 1989).

Third, it is not safe to assume that legitimacy and procedural justice effects persist across different national cultures, or between a dominant national culture and immigrant sub-groups. On the contrary, while such effects are widespread, the literature suggests that they are not found in all societies. For example, studies conducted in China find the people do not react as strongly as in other cultures to whether or not procedures are fair (Brockner, et al., 2001; Tyler, Lind and Huo, 2000).

Other studies suggest that the experience of procedural injustice associated with repressive governments is a major motivator of terrorism and political violence, since people find conventional means of participation blocked (Crenshaw, 1981, 1983; Krueger and Maleckova, 2003; Smelser, 2007; Voigt, 2005). Research suggests that after experiencing procedural injustice people become “radicalized” and focus upon violent means of achieving their goals. Because many recent immigrants in Muslim American communities have spent significant time living in countries ruled by such governments, their background may affect their judgments of legitimacy or its importance for their behavior. Extended experience with repressive government is therefore another factor that could alter the connection between legitimacy on the one hand, and compliance and cooperation on the other.

A similar effect may be framed in terms of religion. It may be that a cluster of interlinked religious beliefs correlate with a distinctive conception of authority, and that conception might alter the effects of legitimacy on cooperation. If a substantial part of the Muslim American community understands their faith tradition to impel an autocratic conception of religious authority, people with that belief may evaluate issues of fairness, participation, and equality of treatment differently and may be less affected by concerns about legitimacy and procedural justice when dealing with authorities (Davis and Silver, 2004).

None of these hypotheses has yet been tested. There instead is a handful of studies focused on procedural justice among people in the Muslim world (see, for example, Fair, 2010; Krueger and Maleckova, 2003; Rabasa, et al., 2004). But there are no studies comparing Muslim Americans’ attitudes toward normative and instrumental motivations. One study has looked at a small sample of Muslim Americans as a byproduct of their study of a representative cross-section of New Yorkers. Tyler and Fagan (2008) interviewed a small sample of Islamic Americans (n = 60) about ordinary policing. In that population, procedural justice concerns were found to influence reactions to the NYPD, with Islamic respondents particularly strongly influenced in a positive direction by a favorable quality of interpersonal treatment, and less concerned about quality of decision making. The small sample size and absence of data concerning anti-terror policing, however, limit the utility of that study here. Thus, the effects of procedural justice and legitimacy, as well as deterrence and other factors are unknown with respect to the target

group and target policy concern of this study. Even if, as a recent study suggests, the vast majority of Islamic Americans have strong loyalty to American institutions and little positive regard for terrorism (Pew research center, 2007), differences in culture may nonetheless dilute the effect of legitimacy on cooperation.

## OVERVIEW

This is a study of Muslim Americans living within the five boroughs of New York City. This population was chosen because it has been subject to a higher rate of per capita terrorism-related law enforcement than most other Americans since September 2001. New York, as is well known, was one of the two target cities of the original al Qaeda attacks. Since 2001, New York has also been a site of significant terrorism investigations, for example through deployment of informants within mosques (Rashbaum, 2006). The New York Police Department also represents itself to be a national leader in counter-terrorism strategy and tactics (Dickey, 2009).

The present study examines Muslim American attitudes with respect to cooperation in anti-terror policing efforts. The study tests both instrumental and normative models of cooperation. Other potentially significant causal factors are also considered, including religiosity; general attitudes to authority; identification with the United States; and life experience in non-democratic contexts.

A random sample of the Muslims living in New York City was interviewed by telephone between March 2009 and June 2009. Appendix A describes the survey methodology. Respondents were asked about views on terrorism and terrorists; evaluations of government and police; religious and cultural beliefs and commitments; experience in non-democratic countries; demographic information; and willingness to engage in actions related to the threat of terror in their communities.

Two caveats are essential. First, we do not measure actual cooperation but only reported willingness to contact the police under certain hypothetical conditions. Past studies suggest, however, that reported intentions are positively correlated to later behavior (Ajzen and Fishbein, 1980). Prior studies also indicate findings concerning the influence of legitimacy and procedural justice on self-reported behavior are replicated when studies use independent sources of information about behavior, sources such as police records (Tyler, Sherman, Strang, Barnes and Woods, 2007) or reports from observers (Blader and Tyler, 2009).

Second, we do not measure the value of public cooperation to police in anti-terror work. It is uniformly assumed, however, that such cooperation is of great importance both in general anti-crime efforts and in counter-terror policing (e.g., Sampson, Raudenbush and Earls, 1997; Clarke, 2009).

### *Method*

#### *Sample*

For details regarding the sampling approach, see Appendix I. The overall response rate 3 (using AAPOR standard definitions) was 47 percent. This is similar to the response rate for other telephone surveys involving urban respondents. For example, it is similar to the University of Michigan Survey of Consumer Attitudes response rate (Curtin, Presser and Singer, 2005).

The mean age of the sample ( $n = 300$ ) is 38 and 47 percent are male. The sample is diverse in terms of both income and education. In the case of income the breakdown is: under \$20,000 household income per year 22%; 20–30,000 16%; 30–40,000 14%; 40–50,000 8%; 50–75,000 14%; 75–100,000 11%; and over 100,000 16%. For education 7 percent had less than a high school education; 23 percent were high school graduates; 18 percent had some college; 30 percent were college graduates; and 22 percent had some post college education.

Most interviews were conducted in English (73%); with some interviews in Arabic (4%); Urdu (9%); and Bengali (15%). Of those interviewed 19% were born in the United States. On average the sample had spent 18 years living outside the United States. The respondents had lived in a wide variety of countries, with two notable concentrations: 23 percent in Pakistan; 32 percent in Bangladesh. When asked what country besides the United States they most identified with 29 percent said Bangladesh and 21 percent Pakistan. The next closest category was 4 percent identifying with India. The sample, which reflects the population of Muslims in the New York City area, had very few people who identified with Saudi Arabia (1%); Egypt (2%); Yemen (3%); Palestine (2%); Iran (1%) or Iraq (0%).

#### *Questionnaire*

Respondents were presented with fixed response scales, such as agree strongly to disagree strongly. Questions were designed based on three sources. First, previous studies of policing and legitimacy have developed questions to elicit views on deterrence and legitimacy (Tyler 2006b; Tyler and Fagan 2008). Second, previous studies have elaborated measures of attitudes toward authority (Tyler and Fagan, 2008). Third, because other empirical studies have not focused on Muslim Americans or on policing against terrorism, pre-tests were conducted. In 2008, one hundred extended in-person interviews of individual members of New York's Muslim American communities, with open-ended questions to elicit information concerning their knowledge of, experience of and attitudes toward policing related to terrorism. Information from the pre-test was used in the design of the telephone survey instrument.

Appendix II contains a more detailed discussion of the telephone questionnaire, including details of how scales for dependent and independent variables were constructed.

### *Dependent variables*

Three main dependent variables were measured. One was attitudinal: whether the police were viewed as legitimate. Two were behavioral. They were general willingness to cooperate with the police (“cooperation”) and the willingness to report terrorist related risks (“alert”).

### *Independent variables*

Nine clusters of independent variables were measured. These included causal factors relevant to instrumental and normative theories of cooperation. In addition, basic demographic information was measured.

*Procedural justice.* Respondents evaluated procedural justice at two stages: policy formation and policy implementation. In the case of policy formation, they indicated the degree to which the authorities sought and considered the views of people in their community when making policies about how to combat terrorism. In the case of policy implementation respondents indicated their perception of overall fairness and also evaluated the fairness of the process used to make decisions and the quality of interpersonal treatment. They were not asked about personal experience with policy formation and policy implementation.

*Policing practices.* Respondents were asked how often they believed the police engaged in three types of activity. The first was targeting people from their community for questioning, searches, arrest and trial. The second was intruding into the respondent’s community, such as by the use of informants and surveillance. The third was harassing members of the community on the streets or using physical force against them.

Respondents were asked about how much safer police made them feel from the threat of terrorism and objectively how much police had reduced the terrorist threat.

*Views about terrorism.* Respondents were asked to estimate the magnitude of the threat of terrorist attack against the United States.

Two further evaluations of government policy and American society were collected. First, respondents were asked to evaluate current foreign and national-security policy issues that have played a significant role in al Qaeda propaganda, such as the Guantánamo Bay detentions, the 2001 invasion of Afghanistan, and the Israeli occupation of Palestinian territories.

The study distinguished between views on the means involved in terrorism and its political goals. Respondents were asked separately if they supported ends and means. Support for the means of terrorism involved, for example, support for actions that take the lives of innocent people such as suicide bombing for political or for religious reasons.

*Identification with America.* Respondents were separately asked how strongly they identified with being an American.

*Views about authority.* Respondents were asked about their general liberal-conservative political views. They were also asked about their preferences between social order and restrictions on liberty. And, respondents completed a scale measuring their general attitudes toward power distance (Hofstede, 1980). Power distance reflects beliefs about the degree to which hierarchical and nondemocratic procedures for governance are appropriate and desirable.

*Religious identity and behavior.* Respondents were asked how much they self-identify as a Muslim; how important religion was as part of their daily lives; how frequently they prayed and attended a mosque or other religious institution; and whether Muslims in America should stay separate or should assimilate and whether they had changed their religious practices due to anti-terror policing.

*Social discrimination.* Respondents were asked whether Muslims are discriminated against in the media, in workplaces, at schools or in more general dealings with government, and whether Muslims experience freedom to practice their faith as they wish in the United States. Experiences of general societal discrimination were thus measured separately from experiences with policing authorities.

*Experience in other countries.* Respondents were asked about the fairness of the government and police in other societies in which they lived at earlier points in their lives.

### *Results*

The issue addressed in this study is the basis of people's willingness to cooperate with the police in relation to policing against terror. Ordinary least squares (OLS) regression analyses were conducted to examine the basis of such cooperation. As noted, prior research suggests that legitimacy is linked to cooperation, so our analysis focuses upon legitimacy and cooperation. As in prior studies legitimacy was linked to both general cooperation ( $r = 0.26, p < .001$ ) and to willingness to alert the police ( $r = 0.31, p < .001$ ). And the two forms of cooperation were related ( $r = 0.45, p < .001$ ).

Include Table 1 here

Table 1 reports the results of a regression analysis examining the relationship between the independent variables and the three dependent variables—legitimacy, general cooperation, and specific willingness to alert the police about terrorism threats.

Three types of analysis are shown. The first column (labeled overall) provides a summary in which a combined index of all three dependent variables forms a single dependent variable. The analysis in that first column reports beta weights which reflect the relative strength of the contribution of each factor in the equation to an overall



explanation of the combined dependent variable. Second, for each of nine independent variables the analysis shows how much of the variation in cooperation the independent variables within that cluster can explain when considered alone. Third, a multiple regression analysis indicates the relative strength of the influence of each variable when all independent variables for the nine clusters are considered at the same time (i.e., beta weights for OLS regression). OLS regression was used because the dependent variables are scales. Analysis of the distribution of those scales indicates that they do not deviate from normality.

The results of the regression analysis indicate that perceived legitimacy is strongly correlated with procedural justice in policy *implementation* (beta = 0.26), but procedural justice in the *formation* of policy does not have statistically significant explanatory power. Perceived legitimacy is also linked to support for U.S. policies (beta = 0.23) and identification with the United States (beta = 0.16). Altogether, 29 percent of the variance in legitimacy was explained by all of the factors in the study.

The strongest predictor of general cooperation is procedural justice in the *implementation* of policies (beta = 0.27). General cooperation is also negatively correlated with the belief that Muslim Americans have been subject to discrimination (beta = -0.22); with support for terror means (beta = -.14); with power distance (beta = -.17); and with power distance (beta = 0.17). These factors explain 20 percent of variance in general cooperation. In contrast, procedural justice in the *formation* of policy is not a statistically significant predictor of general cooperation.

Respecting willingness to report a particular terrorist threat or behavior potentially linked to a terrorist threat, e.g., someone visiting radical websites, the strongest predictor was identification with the United States (beta = 0.28). Procedural justice in policy formation (beta = 0.19) was also important, as was a preference for order over freedom (beta = 0.25). Willingness to report was significantly but negatively affected by the belief that Muslims are subject to discrimination (beta = -0.18). Overall, 23 percent of the variance in willingness to alert the authorities was explained.

Religiosity—whether defined by self-description, practice, or identification with Islam—had no significant correlation with either general cooperation or willingness to report terror threats to the authorities. Nor did it appear to influence legitimacy. The only religion-related factor that mattered was the judgment that Muslims are discriminated against in American society. As the combined analysis (column one) makes clear, nothing about religion or religiosity affects reactions to the police. While religiosity is not correlated with cooperation, the belief that Muslims are subject to societal discrimination (as distinct from unjust treatment by the police) does influence rates of cooperation.

The large number of independent variables may mask the strength of the effect of some variables in the overall regression analysis. As noted, to clarify the results shown in Table 1, the analyses were conducted again by clumping variables into conceptual categories. The results show how much of the variance in cooperation with police each

cluster can explain (see the second, fourth and sixth columns in Table 1). These results support the argument that procedural justice is a key antecedent of both forms of cooperation. Procedural justice alone explained 23 percent of the variance in legitimacy; 10 percent of the variance in general cooperation; and 9 percent of the variance in willingness to alert the authorities. Cooperation is also strongly influenced by identification with America. The cluster “policing practices” which included independent variables related to whether the police used certain intrusive or burdensome policing tactics, such as searches, intrusions into private space, and harassment did not have as strong an effect as procedural justice. In other words, perceptions about what police were actually doing appear to be less important than perceptions about the way they did it. However, judgments about specific police tactics may affect estimations of procedural justice, a relationship that is assessed in Table 2 below, which provides a more detailed analysis of the policing practices cluster in Table 1.

Our further hypothesis is that specific police practices shape procedural justice judgments. Table 2 tests that hypothesis. It does so by looking at the influence of police actions and respondent’s prior cultural/political attitudes on procedural justice judgments and evaluations of general social discrimination against Muslims. As per our hypothesis this analysis shows a significant relationship between police harassment and searches on the one hand and procedural justice judgments. This is true for overall procedural justice and also for evaluations of the quality of decision making and interpersonal treatment. Further, police practices shape societal evaluations of social discrimination. Public searches were more strongly linked to unfairness than clandestine activities. There was no strong connection between clandestine police intrusions into people’s lives and procedural justice judgments.

Include Table 2 here

#### *Indirect influences of procedural justice*

Figure 1 uses a causal model to test the argument that procedural justice shapes cooperation because it influences legitimacy. In this analysis the two forms of cooperation are treated as separate indices of behavior. Our model argues that police practices (indexed by fair decision making and just treatment) shape overall procedural judgments and through them evaluations of legitimacy. These values, in turn, influence cooperation.

The causal model tested in this analysis supports this argument, but suggests that it is not a complete explanation for the influence of police actions. First, legitimacy is found to shape both forms of cooperation and to be influenced itself by procedural justice. That includes the influence of both the fairness of policy implementation and the fairness of the policy-creation process. The results, however, suggest that quality of treatment in the implementation of procedures and procedural justice in the creation of policies also have direct influences upon cooperative behavior and do not occur because

these factors change respondent's views about the legitimacy of the law. In the case of alerting the police, overall procedural justice judgments and evaluations of the justice of policy creation also directly shape likelihood of alerting the police.

General societal discrimination, which is the seventh cluster in Table 1, is the most extreme case. It influences both cooperation and willingness to alert the police but not legitimacy. This finding suggests respondents are clearly distinguishing among forms of injustice. While societal discrimination is important to them, they distinguish such discrimination from issue of policing and law and they do not connect injustice in society with illegitimacy in law.

Include Figure 1 here

The model shown in Figure 1 suggests that procedural justice can be viewed as having both an indirect effect on cooperation through its effect on perceived legitimacy and additionally a direct effect that is independent of legitimacy. This model is consistent with similar findings in the area of ordinary crime using panel data (Tyler and Fagan, 2008). But, in contrast to that data on ordinary crime, the direct link between procedural justice and behavior was stronger in this sample. Whether that is due to the nature of policing against terror and/or interviewing Islamic Americans is unclear. And, consistent with our hypotheses, judgments of the fairness of decision making and quality of interpersonal treatment both influence procedural justice, and through it legitimacy. Neither evaluations of the fairness of police practices directly affects legitimacy, but both do so indirectly through legitimacy.

### *Subgroups*

While our findings generally support a normative approach to motivating cooperation, it is also possible that the instrumental model is more strongly supported among those respondents who view terrorism as a real and serious threat. In other words, the instrumental model may work most effectively when and if people are more instrumentally focused in their thinking on the threat of terrorism. To examine this possibility we consider whether people more willingly accept intrusions into their lives by the police if they feel that the police are acting to deal with a more serious problem and/or if they believe that the police are effective in their jobs?

In Table 3 we test this hypothesis. We examine the influence of judgments about police behavior on overall measures of legitimacy/cooperation under different conditions. For this analysis public and clandestine police actions were combined into an overall index of police presence. This index of presence, an index of frequency of harassment and a combined index reflecting judgments of police procedural justice were used as predictors of legitimacy/cooperation under different conditions. Moderator variables, such as whether the police lead people to feel safe were divided at the median and the two resulting groups considered.

Include Table 3 here

The results shown in Table 3 are correlations. In the column labeled public/clandestine police action, and the terrorism is serious rows, the sample is divided into two groups using a median split of the respondent's evaluation of the seriousness of the terror threat. The analysis then examines the relationship between judgments about the extent of police intrusion of overall evaluations of legitimacy/cooperation among those who do and do not think that terrorism is a serious problem. Among those who think terrorism is serious, the correlation between police intrusion and legitimacy/cooperation is  $-.08$  (not significant), while among those who think terrorism is not serious the correlation is  $-.26$  ( $p < .05$ ). In other words, people who view terrorism as a serious problem appear to be more forgiving of police intrusions. But they are not more forgiving of police harassment. This finding suggests that instrumental motivations may be important under some conditions for some policing tactics.

These correlations suggest that people generally accept police presence in their lives without changing their views about legitimacy and without cooperating less if they believe that the problem is grave and that the police are effective in responding to the problem. This is less true of police harassment than of police intrusions. Among those who view terrorism as grave and police as effective, even harassment is accepted if it is viewed as effective and leading to feelings of safety. Interestingly, procedural justice is always important, regardless of views about the magnitude of the terrorist threat or the efficacy of the police. So, whatever people feel about the threat of terror or police effectiveness against it, acting unfairly consistently leads to less legitimacy and lower levels of cooperation.

The results in Table 3 further suggest that those respondents who are pro authority and high on the power-distance scale are less influenced by police actions, including harassment. However, they do care about procedural justice, and values do not lead people to be insensitive to the fairness through which the police exercise authority. Everyone seems to react to the procedural justice of policing practices irrespective of their normative views about authority.

### *Discussion*

This study has three key findings. First, we find support for the central role of procedural justice (during both policy formation and implementation) in shaping Muslim Americans' attitudes and behaviors related to cooperation in anti-terror policing. This finding is robust among subgroups that view terrorism as more serious and that view the police as more effective.

These results also suggest that procedural justice shapes cooperation directly and also indirectly through influence on legitimacy. This identification of a central role for

procedural justice parallels prior findings in the area of everyday policing, which indicate that procedural justice is central to maintaining police legitimacy and motivating cooperation with the police (Tyler and Fagan, 2008). Here three levels of injustice are found to influence cooperation and the willingness to alert the police to terror threats: societal injustice; procedural justice during policy formation; and procedural justice during policy implementation.

The second finding of the study is negative, namely that instrumental explanations of cooperation receive only weak support. Willingness to cooperate is not generally linked to whether people think terror is a serious problem, whether the police lead people to feel safer, or to whether people believe the police are effective in combating terrorism. Further, cooperation is not strongly linked to police presence, whether in the form of police searches, intrusive surveillance, or harassment of individuals in the Muslim-American community. While legitimacy effects are diminished among those who believe that the problem of terrorism is grave and that the police are effective in responding to the problem, the overall conclusion is that instrumental models do not work well in predicting cooperation.

The third finding is also negative, namely that other factors hypothesized as making terrorism a unique policing problem were not found to be central to shaping cooperation. These factors include religious feeling and behavior, and political factors, *e.g.*, support for terrorism and political opposition to American government policies such as the invasion of Iraq. Neither identification with Islam nor being a practicing Muslim were significant explanatory variables. One factor that did carry some weight was perceived social discrimination due to ethnicity or religion. This reflects not a feeling of self-identification, but a view of how society treats Muslims. What matters, in short, is not being Muslim *per se* but being discriminated against by either official or societal actors in social settings such as schools and the media.

### *Normative theories*

The study finds that the procedural justice of the police when implementing anti-terror policing policies shapes their legitimacy and also influences both general cooperation and willingness to contact and alert the police to terror threats. Further, the procedural justice of the policy formation process shapes willingness to contact the police. The findings also suggest that both the fairness of decision making and the fairness of interpersonal treatment influence procedural justice judgments in the context of anti-terror policing.

A distinction has been made between procedural justice in policy formation and in policy implementation. Procedural justice in policy formation significantly influences willingness to report terrorism-related concerns to the police. Procedural justice in policy implementation in turn as affects legitimacy, general cooperation, and also willingness to report terrorism-related concerns to the police. This suggests that procedural justice at

multiple stages of the policy making and implementation process has significant effects on cooperation-related outcomes. Further, societal discrimination shapes cooperation.

The predicate components of procedural justice can be decomposed and analyzed further. Such an analysis indicates that respondents evaluate the legitimacy of authority by considering both policy formation and policy implementation. In fact, all three issues: policy formation; quality of decision making and quality of treatment shape evaluations of the legitimacy of the law and of legal authorities in the arena of terror related policing.

One interesting finding here, illustrated in Figure 1, is that while procedural justice predicts legitimacy, which in turn predicts cooperation, procedural justice has its own independent effect on cooperation separate from legitimacy. This suggests that while legitimacy and procedural justice are related, the relationship is complex and not monocausal. Procedurally fair policing is important in and of itself, irrespective of issues of legitimacy.

#### *Other causal factors*

While the political justifications and arguments underlying terrorism are distinctly ideological and while the Muslim American population may be distinct in terms of cultural and religious experience, as well as its shared experience with government and policing in nondemocratic societies, we find that differences of culture, religion, and ideology did not emerge as central issues shaping reactions to cooperation with the police. The study measures several different forms of religious identity, practice, and identification with Islam. None of these religion-related factors, however, influenced compliance or cooperation in any significant way.

The one issue related to having a Muslim background identified as important was feeling that Muslims are discriminated against by the society at large. This is consistent with the normative account of cooperation, but includes other social institutions besides the police, e.g., “at work or in schools,” “at schools, town halls and other public institutions” and “in the media.” The view that Muslims are subject to discrimination had significant effects on both general cooperation and specific cooperation. The effect on anti-terror cooperation is slightly greater.

The study also identifies factors besides procedural justice that have a significant effect on compliance. The study suggests that several separate issues have an influence. Most significant are support for government policies and identification with the United States; pro-authority attitudes; and support for terrorists’ goals.

First, whether or not the respondent supports government policies concerning foreign policies invoked as justifications for terrorism, such as the war in Afghanistan and the detentions at Guantánamo Bay influence attitudes but not behavior. Hence, political and social views relevant to the motivations for terrorism were related to willingness to help the police suppress terrorists both directly and indirectly as an effect on legitimacy.

Second, respondents who had a general pro-order value orientation were more willing to help the police. This too is consistent with other studies. It has been recognized that the proper balance of order and freedom is a constant issue within democratic societies. For example, similar issues arose after World War I and during the post World War II era dominated by a fear of communism (Sullivan, Piereson and Marcus, 1982). The potential risks of having a free and open society again become an issue in the wake of the 9/11 terror attacks (Davis, 2007) as a number of boundaries, such as prohibitions against torture were breached by government in efforts to defend against the threat of terrorism. This study shows that people's views about this issue shaped their willingness to support the police when they engaged in practices such as holding suspects in jail. The salient finding is the effect of pro-authority attitudes on general cooperation and specific anti-terror cooperation.

#### *Suggestions for further study*

What do we need to know more about? The sample studied here is small and is drawn from one geographical location—New York City. A broad sample, both within the United States and across societies, is needed to test the robustness of this finding. In particular, it is important to examine whether background issues, such as experiences in other societies matter. Comparisons with other “Western” countries with significant new Muslim populations would also be illuminating. This study found little influence, but the range of experiences considered was small.

While the findings generally support the link of injustice to cooperation, the role of legitimacy is more problematic in this study than in prior studies of ordinary crime. The reasons are unclear. Legitimacy does moderate the influence of injustice on cooperation, but in several cases justice directly shapes cooperation. The role of legitimacy needs to be better understood.

#### *Overall conclusion*

The findings of this study suggest the value of focusing upon procedural and other forms of justice in designing anti-terror policing policies. This includes accounting for Muslim Americans' views about: whether they generally receive fair treatment in American society; whether they have the opportunity to play an appropriate role in the formation of public policy related to terrorism; and whether the police implement policies fairly in their community. These judgments influence cooperation in the successful accomplishment of counterterrorism goals.

## Appendix I.

The survey was conducted by SRBI. Target respondents were all of the Muslims living within the New York City area. To identify those respondents a sample was created based upon 2000 census tract information about the percentage of the population within each census tract that: reported Muslim Ancestry; was born in a Muslim country; speak a Muslim language; and the number of Mosques. These five variables were summed into a scale and then four strata were distinguished depending upon degree of Muslim concentration. Muslim sample size by stratum was then determined based on the projected Muslim proportion from each stratum. List samples of known Muslim households were then acquired from list sample provider Experian. Each replicate of list samples was configured to represent Muslim population proportion by stratum.

Each identified household was approached by telephone. Because prior studies of the target population suggest that very few households have only cell phones, the sample was based only upon land lines. The interview determined both whether a home had cell phone numbers and how many land lines it contained and adjustments were made for the likelihood of reaching that home given the number of eligible telephone numbers it contained.

Each number was called back 10 times. If an answering machine was reached, that number was called back 10 times and if it was never answered, it was dropped. When a person was reached the people living in that household were listed and a randomly chosen person was interviewed. The interviews were conducted in English; Bengali; Urdu or Arabic.



## Appendix II

*Dependent variables**Attitudes.*

*Legitimacy.* A eight-item legitimacy scale indicated the degree to which respondents felt an obligation to obey the law and felt trust and confidence in legal authorities. The scale was balanced with both positive and negative items. A balanced scale was used to offset any tendency for respondents to show agreement bias across items.

Respondents used a four agree-disagree format to respond to questions concerning their “general views concerning both the local and national law enforcement agents who are engaged in activities that are linked to the threat of terrorism in our country. We are interested in your views about the things that these law enforcement agents do as part of their effort to fight terrorism. Do you agree strongly, agree, disagree, or disagree strongly (with percentage agree noted below reflecting both agree and agree strongly)?

Respondents were asked to agree or disagree that: “These law enforcement agents are legitimate authorities and you should obey their decisions. (86% agree)”; “You should accept the decisions made by these law enforcement agents, even when you disagree with them. (63% agree)”; “It is our duty to obey all law enforcement agents, even when we do not like the way that they treat us. (72% agree)”; “You trust these law enforcement agents to make decisions that are good for everyone when they are investigating and prosecuting terrorism. (76% agree)”; “People’s rights are generally well protected by law enforcement agents when they are investigating and prosecuting terrorism. (62% agree).”; “There are times when it is ok for you to ignore what law enforcement agents tell you to do. I (60% disagree)”; “It is all right to go against the law if you think it is wrong. I (65% disagree)”; and “Sometimes you have to bend the law to get things to come out right. I (60% disagree)” (alpha = 0.61).

*Behavior.*

*Willingness to cooperate.* Respondents were asked about the likelihood that they would engage in cooperative actions if asked to do so by the police. The questions were answered on a four-item scale (very unlikely; somewhat unlikely; somewhat likely; very likely). The items were “how likely would you be”: “To work with law enforcement officials to educate people in your community about the dangers of terrorism and terrorists? (84% likely)”; “To volunteer time on night and weekends to help patrol areas of your community so as to help free police time to deal with anti-terror activities? (65% likely)”; “To voluntarily attend an FBI call-in interview at a government office? (68% likely)”; “To encourage members of your community to generally cooperate with law enforcement efforts to fight terrorism. (92% likely)”; and “To go to law enforcement if you see dangerous terror related activity going on in your community. (82% likely).” (alpha = 0.72).

*Act against terror threats?* Respondents were presented with eight situations that might provide a reason to report to the police about suspicious activity (“if you saw or heard about this activity, how likely would you be to report it to the police?”). The activities were: “A person saying he or she had joined a group you consider politically radical. (86% likely)”; “A person withdrawing from a mosque or another religious community without any explanation. (48% likely)”; “A person overheard discussing their decision to help plant explosives in a terrorist attack. (96% likely)”; A person visiting internet chat rooms or web sites in which there is material posted that supports al Qaeda. (86% likely)”; “A person reading religious literature you believe to be extremist. (68% likely)”; “A person giving money to organizations that people say are associated with terrorists. (84 % likely)”; “A person talking about traveling overseas to fight for Muslims. (75% likely)”; and “A person distributing material expressing support for al Qaeda. (91% likely).” (alpha = 0.78)

### *Independent variables*

#### *Justice*

Three types of justice were measured. First, the general fairness or unfairness of the treatment that Muslims receive from social institutions, including at work, in school, in the media and when dealing with government. Second, the justice of the processes used by government officials to create anti-terrorism policies within the respondent’s community. Finally, the study assessed the procedural justice through which the officers that residents deal with in their community implement the law and public policies when policing the respondent’s community against terror. This final aspect of the implementation of procedural justice was measured using three scales: procedural justice; quality of police decision-making; and quality of treatment by the police.

*Societal discrimination against Muslims.* Respondents were asked how fairly Muslims are treated: “At work on in schools (78% fairly).”; “When dealing with authorities (85% fairly).”; and “In the media (52% fairly)” (alpha = 0.62)

*Community voice in government policy formation.* Respondents were asked three questions concerning their ability to have input into policy decision about how to deal with the risk of terror from their community. Each question asked about how much the government was concerned with community input (not much at all; a little; sometimes; frequently). The questions asked how much the government considered community views when making decisions about how to address terrorism (61% sometimes; frequently); and when trying to deal with problems in their community (63% sometimes; frequently). Respondents were also asked to what extent the government tried to convene community meetings about how law enforcement should deal with the threat of terrorism before making policies. (42% sometimes or frequently). (alpha = 0.78).

*Overall procedural justice in policy implementation.* Respondents were asked two general questions about how the police exercised their authority, both on a scale from very fair to very unfair. The questions asked “When law enforcement agents are dealing with people in your community concerning issues of terrorism how fair are they in terms of ...”: “The procedures they use to handle problems (60% very or somewhat fair)” and “How they treat people (63% fair).” (alpha = 0.73)

*The fairness of police decision making in policy implementation.* Respondents were asked how often “when dealing with people in your community concerning issues of terrorism” the police (usually, sometimes, seldom or almost never): “Give people a chance to express their views before making decisions. (31% usually or sometimes)”;

“Accurately understand and apply the law. (16%)”;

“Make their decisions based upon facts, not their personal opinions. (20%)”;

and “Apply the law consistently to everyone, regardless of who they are. (23%).” (alpha = 0.72)

*Police quality of treatment during policy implementation.* Respondents were asked how often “when dealing with people in your community concerning issues of terrorism” the police (usually, sometimes, seldom or almost never): “Consider people’s views when deciding what to do.(36% usually or sometimes)”;

“Take account of the needs and concerns of the people they deal with. (22%)”;

“Respect people’s rights. (15%)”;

“Treat people with dignity and respect. (18%).” (alpha = 0.75)

#### *Policing practices.*

Respondents were asked to indicate how often the police engaged in eight different policing activities (almost never, seldom, sometimes, often). Based upon a factor analysis these behaviors were divided into two groups.

*Public measures.* Four public policing behaviors were measured: “Search bags at subway stations (56%)”;

“Single out people walking on the streets for stops, questioning, or searches based upon their ethnicity/religion (48%)”;

“Single out members of your ethnic group for greater attention at immigration or at airport security (72%)”;

and “Put people from your community on trial for terror-related crimes (47%).” (alpha = 0.67)

*Clandestine measures.* Four policing behaviors were measured: “Using informants from the community who are placed in mosques or community organizations (53%)”;

“Conduct electronic surveillance of mosques or community organizations (50%)”;

“Listen to the telephone call or read the e-mail messages of people in your community (51%)”;

and “Trace money contributed to Islamic charities by people in your community (60%).” (alpha = 0.71)

*Police harassment.* Respondents were asked how often the police harass or target members of their group in four ways (usually, sometimes, seldom or almost never): “Are the police especially suspicious of people in your group. (66% usually or sometimes)”;

“Use too much force. (55%)”;

“Threaten people with physical harm. (28%)”;

and “Threaten to arrest or deport (56%)” (alpha = 0.77).

*Evaluations of the police.*

*Feel safe?* Respondents were asked whether the activities of the police led them to feel safer. The question was: “How would you rate law enforcement agencies in terms of whether they are making you feel safe from the threat of terrorism?” Are they doing a very bad job (5%); a bad job (12%); a good job (65%); or a very good job (18%)?

*Are the police effective?* Respondents were asked whether the police were effective in their efforts to control terrorism. The question was: “If someone were planning a terrorist attack in New York City today, how likely do you think it is that they would be caught in advance (not likely at all 8%; a little likely 13%; somewhat likely 34%; and very likely 45%).

*Views on terrorism.*

*Seriousness of terror risk.* The question was: “There is a serious risk of a major terror attack in the US at this time” (agree strongly 9%; agree, 25%; disagree 49%; and disagree strongly 17%).

*Attitude toward government policies.* Respondents were asked to agree or disagree that: “The US made the right decision in using military force in Afghanistan. (53% agree)”; “The 2003 invasion and occupation of Iraq by the US was necessary to combat threats of terrorism. (20% agree)”; “The establishment of the American prison on Guantanamo was morally wrong.(R) (17% disagree)” and “Israel should withdraw from the territories. (11% disagree).” (alpha = 0.60).

*Proterror ends.* “Sometimes the long-term good to society that comes out of terrorist acts outweighs the short-term harm to the particular people injured or killed. (36% agree)” and “Terrorists often have valid grievances. (42% agree).”

*Proterror means.* “Some people think that suicide bombing and other forms of violence against civilian targets are sometimes justified in order to defend Islam against enemies. Other people believe that, no matter what the reason, violence against civilians is never justified. Do you personally think that this kind of violence undertaken for religious reasons is sometimes justified, that it is rarely justified, or that it is never justified?” Responses were: sometimes justified (6%); rarely justified (5%); and never justified (89%). They were also asked, whether “this kind of violence undertaken for political reasons is sometimes justified (11%), that it is rarely justified (8%), or that it is never justified (81%)?.”

*Identification with America.*

A four item scale: “I am proud to be an American. (96% agree)”; “What America stands for is important to me. (97% agree)”; “When someone praises America it feels like a personal compliment to me. (87% agree)”; and “Being an American is important to the way I think of myself as a person. (91% agree).” (alpha = 0.86).

*Views about authority.*

*Political views.* Respondents were asked to place themselves on a continuum of conservative moderate or liberal concerning political and social issues. If people indicated conservative or liberal they were then asked if they “leaned toward that group”; were “moderate”; or were “strong.” In the sample 16% were liberal; 48% moderate; and 36% conservative.

*Order vs. freedom.* They were also asked their attitudes about order vs. freedom. A five item scale was used. Respondents used an agree/disagree format to answer five questions (with the percentages noted below indicating agree or agree strongly): “It is better to live in an orderly society than to allow people so much freedom that they can become disruptive. (63% agree)”; “Free speech is just not worth it if it means that we have to put up with the danger to society of extreme political views. (46% agree)”; “Society should not put up with political views that are fundamentally different from the views of the majority of Americans. (46% agree)”; “Society should not put up with religious views that are fundamentally at odds with the views of the majority of Americans. (35% agree)”; and “Because demonstrations in public places frequently become disorderly and disruptive, extreme groups should not be allowed to demonstrate. (49% agree).” (alpha = 0.81)

*Power distance.* Respondents answered questions about power distance in three arenas: family, religion and politics. The questions were: “Wives should defer to their husbands on important life decisions (73% agree)”; “Obedience and respect for authority are an important virtue for children to learn (98% agree)”; “It is important for parents to consult with their children before making decisions about their lives (92% agree)”; “It is important for children to questions decisions that they do not agree with (91% agree)”; “Muslims should follow the dictates of their religious leaders (40% agree)”; “People who question religious teaching are a threat to the Muslim community and its way of life (27% agree)”; “Muslim religious leaders should consult with the members of their Mosques when making decisions that affect the whole community (91% agree)”; “It is important to question religious traditions when we do not understand them, rather than to simply obey (87% agree)”; “Citizens should carry out the directives of government authorities without question (58% agree)”; “If people trust political leaders wholeheartedly, our society will be most successful (56% agree)”; “A political leader who does not consult widely is less likely to be effective in making good policies (81% agree)”; and “People should be given as many opportunities as possible to participate in making political decisions (97% agree).” (alpha = 0.59)

*Religious identity and behavior.*

*Muslim identification.* Four items. The items were: “I am proud to be Muslim. (97% agree)”; “What Islam stands for is important to me. (96%)”; “When someone

praises Islam, it feels like a personal compliment to me. (84%)"; and "Being a Muslim is important to the way I think of myself as a person. (89%)." (alpha = 0.82).

*Muslims should stay separate.* Two items. "Muslims should try to keep a separate culture identity. (47% agree)"; "Muslims in the US today should try to remain distinct from the larger American society. (32% agree)." (alpha = 0.50).

*Americans respect Islam.* A four item scale was created. The items were: "Do you think that the majority Americans that you deal with in your life": "respect how you live your life (89% yes)"; "respect what you contribute to America (89% yes)"; and "respect what you believe (85% agree)." They were also asked if they agreed or disagreed that "Muslims in general are free to practice their faith in America today? (85% free)."

*Change in religious practices.* Respondents were asked if they have changed each of four religious practices due to concerns about law enforcement (not at all; a little; somewhat; a great deal): attendance at group prayers in a Mosque (20% somewhat or a great deal); "how you dress in public?"; (22%); "your everyday activities? (17%)"; and "your travel behavior? (26%)." (alpha = 0.78).

*How religious are you?* Respondents were asked how important religion was to them (very important-not important at all), with 89% indicating very or somewhat important. They were asked how strongly they identified as a Muslim and 83% indicated very or somewhat strongly. They were also asked how often they: prayed (82% weekly or more); attended Mosque (43% weekly or more); and attended social events at a Mosque or community center (17% weekly or more). These measured were aggregated into an overall index of religiousness (alpha = 0.76).

#### *Experience in other countries.*

Many of those interviewed either grew up in or spent some significant part of their lives in another country besides the United States. Those who did were asked about their experiences with the fairness of the political system in that other country, as well as the fairness of the police. Of the respondents 73% reported experiences with another government and 51% of this group indicated that the other government was undemocratic; 32% that it did not allow significant participation. Sixty-six percent of respondents reported experience with another police force and 36% of this group indicated that those police officers were not procedurally just.

## Appendix C

## Descriptive statistics

	Number valid responses	Range	Mean(standard deviation)
Legitimacy	299	1-4	2.83(0.43)
Cooperation	299	1-4	3.20(0.67)
Report to police	298	1-4	3.20(0.66)
Procedural justice in policy creation	291	1-4	2.53(0.87)
Procedural justice in policy implementation	279	1-4	2.71(0.78)
Decision making—implementation	294	1-4	3.10(0.72)
Quality of treatment—implementation	296	1-4	3.08(0.71)
Societal treatment of Muslims	300	1-4	2.93(0.69)
Police public behavior	300	1-4	2.43(0.82)
Police clandestine behavior	290	1-4	2.44(0.98)
Harassment by police	293	1-4	2.38(0.86)

Police lead you to feel safe	289	1-4	2.98(0.69)
Police are effective	278	1-4	3.15(0.94)
Terror is a serious risk	273	1-4	2.27(0.84)
Attitude toward government policies	290	1-4	1.99(0.59)
Pro-terror ends	272	1-4	2.25(0.72)
Pro-terror means	292	1-4	1.36(0.74)
Identification with America	300	1-4	3.41(0.55)
Liberalism	290	1-7	4.42(1.44)
Order	295	1-4	2.54(0.67)
Power distance	300	1-4	2.22(0.28)
Muslim identification	300	1-4	3.27(0.43)
Muslims should stay separate	295	1-4	2.63(0.76)
Americans respect Muslims	300	1-4	1.79(0.57)
Changed religious practices	299	1-4	3.37(0.77)
How religious are you?	300	1-5	3.32(0.75)
Police fairness in other country	196	1-4	2.36(0.89)
Government fairness in other country	213	1-4	2.02(0.89)
Government participation in other country	210	1-4	2.62(0.91)
Age	296	18-83	38(13.94)
Gender	300	1-2	47% Male
Education	300	1-5	3.38(1.25)
Income	223	1-6	3.10(1.77)



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Table 1. Factors shaping the dependent variables

	Overall	Legitimacy		Willing to work with the police		Alert the police to threats	
		R-sq.	Beta	R.-sq.	Beta	R.-sq.	Beta
<b>PROCEDURAL JUSTICE</b>		23%***		10%***		9%***	
Formation	0.16*		.06		.11		.19*
Implementation	0.25***		.26***		.27**		.07
<b>POLICING PRACTICES</b>		13%***		3%*		4%**	
Public searches	-.15		-.14		-.06		-.16
Clandestine activities	0.05		.04		.04		.07
Harass	0.07		.02		.05		.09
Police—feel safe	-.07		-.05		-.07		-.06
Police—effective	0.07		.02		.08		.12
<b>VIEWS ABOUT TERRORISM</b>		13%***		3%*		6%***	
Terror is serious	0.04		-.01		-.01		.06
Pro government policy	0.14*		.23**		.05		.01
Proterror means	-.14*		-.09		-.14*		-.12
Proterror ends	-.06		-.06		.04		-.09
<b>IDENTIFICATION WITH AMERICA</b>		8%***		7%***		12%***	
American Identification	0.24***		.16*		.12		.28***
<b>VIEWS ABOUT AUTHORITY</b>		8%***		11%***		11%***	
Liberal	-.01		-.02		.00		-.01
Order over freedom	0.20**		.08		.14		.25**
Power distance	0.14		.12		.17*		.09
<b>RELIGIOUS BEHAVIOR/IDENTITY</b>		00%		1%		02%	
Muslim ID	-.02		.06		-.03		-.06
Muslim separate	0.07		-.01		.15*		-.06
Respect Islam	-.03		.00		-.05		.00
Changed religious behavior	0.01		.03		-.04		.06
Religious	-.02		-.12		.09		-.12
<b>SOCIAL DISCRIMINATION</b>		10%***		0%		0%	
Muslims discriminated against	-.20**		.00		-.22**		-.18*
<b>OTHER COUNTRIES</b>		0%		0%		0%	
Other countries	-.03		-.04		.01		-.03
<b>DEMOGRAPHICS</b>		0%		1%		0%	
Gender	-.12		-.04		-.12		-.09
Age	-.07		-.04		.06		.04
Education	0.09		.09		.07		.22
Income	0.09		-.11		-.01		-.04
Adjusted R.-sq.	38%	29%		20%		23%	

Entries are the adjusted regression coefficient (beta) or the adjusted square of the multiple correlation coefficient (R.-sq.). \*p < .05; \*\*p < .01; \*\*\*p < .001.

Table 2. Police practices, prior attitudes and perceived procedural justice

	Justice Judgments				
	Discrimination in society	Procedural justice in policy formation	Overall procedural justice	Decision making	Quality of treatment
<i>Behaviors in which the police are believed to engage</i>					
Police harass community members	-.14*	-.16*	-.20**	-.14*	-.20**
Police make clandestine intrusions into community	-.16*	0.00	-.05	-.04	-.05
Police do public searches	-.22**	-.10	-.25**	-.17*	-.14
<i>Respondent values</i>					
Order over freedom	0.00	0.21***	0.10	0.10	0.15*
Power distance	0.13*	0.18**	0.02	0.09	0.11
Adjusted R.-sq.	20%***	16%***	20%***	11%***	17%***

Entries are the adjusted regression coefficient (beta) or the adjusted square of the multiple correlation coefficient (R.-sq.)\* $p < .05$ ; \*\* $p < .01$ ; \*\*\* $p < .001$ .

Table 3. Correlation of police behavior and evaluations of procedural justice to legitimacy and cooperation among subgroups

	<b>Public/clandestine police action</b>	<b>Police harassment</b>	<b>Procedural justice of the police</b>
Overall	-.19***	-.16**	.37***
Terror is serious			
No	-.26*	-.21*	.37***
Yes	-.08	-.23*	.40***
Police are effective			
No	-.18*	-.12	.41***
Yes	-.02	-.11	.26**
Police help you feel safe			
No	-.19*	-.13*	.36***
Yes	-.07	-.10	.49***
Proauthority			
No	-.20*	-.20*	.41***
Yes	-.09	-.10	.29***
Power distance			
Low	-.27***	-.20*	.40***
High	-.13	-.11	.33***

Entries are subgroup correlations with a combined measure of legitimacy and cooperation.

\* $p < .05$ ; \*\* $p < .01$ ; \*\*\* $p < .001$ .



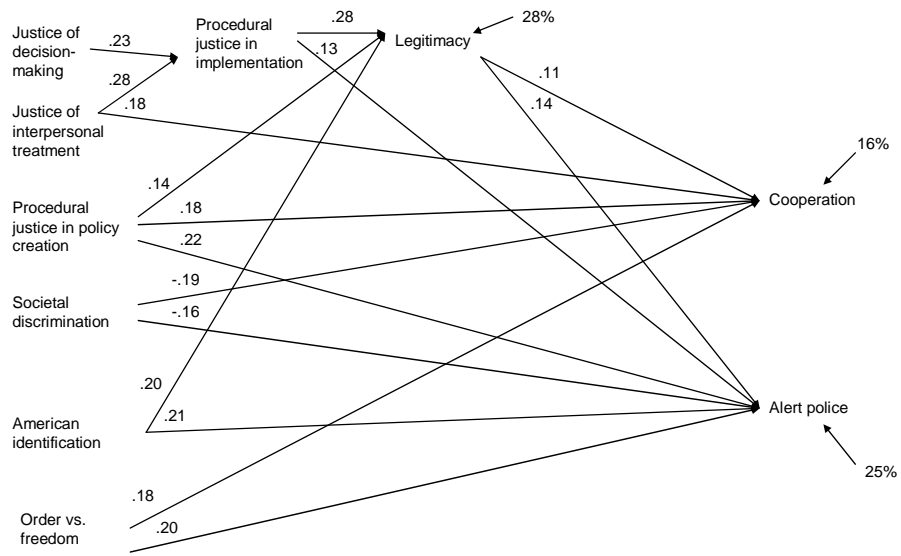


Figure 1. Causal model (CFI = 0.91).

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