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WHY THEY HATE US: THE ROLE OF SOCIAL DYNAMICS

CASS R. SUNSTEIN*

I. THE THESIS

My goal in this brief Essay is to cast some new light on a question that has been much discussed in the aftermath of the attacks of September 11. The question is simple: *Why do they hate us?* I suggest that a large part of the answer lies, not in anything particular to Islam, to religion, or even to the ravings of Osama bin Laden, but in social dynamics and especially in the process of group polarization.¹ When group polarization is at work, like-minded people, engaged in discussion with one another, move toward extreme positions. The effect is especially strong with people who are already quite extreme; such people can move in literally dangerous directions. It is unfortunate but true that leaders of terrorist organizations show a working knowledge of group polarization. They sharply discipline what is said. They attempt to inculcate a shared sense of humiliation, which breeds rage, and group solidarity, which prepares the way for movement toward further extremes and hence for violent acts. They attempt to ensure that recruits speak mostly to people who are already predisposed in the preferred direction. They produce a cult-like atmosphere.

With an understanding of group polarization, we can see that when "they hate us," it is often because of social processes that have been self-consciously created and manipulated by terrorist leaders. These social processes could easily be otherwise. If they were, terrorism would not exist, or at least it

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1. See discussion *infra* Part II; see generally ROGER BROWN, SOCIAL PSYCHOLOGY: THE SECOND EDITION (1986); Cass R. Sunstein, *Deliberative Trouble? Why Groups Go To Extremes*, 110 YALE L.J. 71 (2000).

would be greatly weakened and its prospects would be diminished. There is no natural predisposition toward terrorism, even among the most disaffected people in the poorest nations. When terrorism² occurs, it is typically a result of emphatically social pressures² and indeed easily identifiable mechanisms of interaction. More broadly, ethnic identification and ethnic conflict are a product of similar pressures;³ an understanding of "why they hate us" is thus likely to promote an increased understanding of social hatred in general.

We can draw some conclusions here for the law of conspiracy, for freedom of association, for the idea of "political correctness," for the system of checks and balances, and for possible responses to terrorist threats. Thus I shall identify the distinctive logic behind the special punishment of conspiracy: those who conspire are likely to move one another in more extreme and hence more dangerous directions. I shall also urge that freedom of association helps to fuel group polarization—a healthy phenomenon much of the time, but a potentially dangerous one in some contexts. I shall urge, finally, that an especially effective way to prevent terrorism is to prevent "terrorist entrepreneurs" from creating special enclaves of like-minded or potentially like-minded people. It might seem tempting to object to such efforts on the ground that they interfere with associational liberty, which is of course prized in all democratic nations. But we are speaking here of terrorism and conspiracy to kill American citizens; in such cases, the claims for associational liberty are very weak. Conspiracy is the dark side of freedom of association, and it is a form of conspiracy that I am discussing here. One of my largest goals is thus to provide a window on the nature and consequences of conspiracy in the particular context of terrorism.

2. I do not mean to deny the possibility of lone terrorists, or the potential role of individual hatred, even mental illness, in some terrorist activity.

3. See Timur Kuran, *Ethnic Norms and Their Transformation Through Reputational Cascades*, 27 J. LEGAL STUD. 623 (1998).

II. THE BASIC PHENOMENON

A. *What Groups Do*

Let us begin with some social science research that seems very far afield from the area of terrorism. In 1962, J.A.F. Stoner, an enterprising graduate student, attempted to examine the relationship between individual judgments and group judgments.⁴ He did so against a background belief that groups tended to move toward the middle of their members' pre-deliberation views. Stoner proceeded by asking people a range of questions involving risk-taking behavior. People were asked, for example, whether someone should choose a safe or risky play in the last seconds of a football game; whether someone should invest money in a low-return, high-security stock or instead a high-return, lower security stock; whether someone should choose a high prestige graduate program in which a number of people fail to graduate or a lower prestige school from which everyone graduates.

In Stoner's studies, the subjects first studied the various problems and recorded an initial judgment; they were then asked to reach a unanimous decision as a group. People were finally asked to state their private judgments after the group judgment had been made; they were informed that it was acceptable for the private judgment to differ from the group judgment. What happened? For twelve of the thirteen groups, the group decisions showed a repeated pattern toward greater risk-taking. In addition, there was a clear shift toward greater risk-taking in private opinions as well. Stoner therefore found a "risky shift," in which the effect of group dynamics was to move groups, and the individuals that composed them, in favor of increased risk-taking.

What accounts for this remarkable result? The answer is emphatically not that groups always move toward greater risk-taking. Some groups—asking, for example, about whether and when someone should get married, or travel despite a possibly serious medical condition—tend to move toward greater

4. See J.A.F. Stoner, *A Comparison of Individual and Group Decisions Including Risk* (1961) (unpublished master's thesis, Massachusetts Institute of Technology, School of Industrial Management) (on file with author); see also J.A.F. Stoner, *Risky and Cautious Shifts in Group Decisions*, 4 J. EXPERIMENTAL SOC. PSYCHOL. 442 (1968).

caution.⁵ Subsequent studies have shown a consistent pattern, one that readily explains Stoner's own findings: deliberating groups tend to move toward a more extreme point in line with their pre-deliberation tendencies.⁶ If like-minded people are talking with one another, they are likely to end up thinking a more extreme version of what they thought before they started to talk. It follows that, for example, a group of people who tend to approve of an ongoing war effort will, as a result of discussion, become still more enthusiastic about that effort; that people who think that environmentalists are basically right, and that the planet is in serious trouble, will become quite alarmed if they talk mostly with one another; that people who tend to dislike the Rehnquist Court will dislike it quite intensely after talking about it with one another; that people who disapprove of the United States, and are suspicious of its intentions, will increase their disapproval and suspicion if they exchange points of view. Indeed, there is specific evidence of the latter phenomenon among citizens of France.⁷ It should be readily apparent that enclaves of people, inclined to terrorist violence, might move sharply in that direction as a consequence of internal deliberations.

Three aggravating factors are of special relevance to the issue of terrorism. First, if members of the group think that they have a shared identity, and a high degree of solidarity, there will be heightened polarization.⁸ One reason is that if people feel united by some factor (for example, politics or necessity), internal dissent will be dampened. Second, if members of the deliberating group are connected by affective ties, polarization will increase.⁹ If they tend to perceive one another as friendly, likable, and similar to them, the size and likelihood of the shift will increase.¹⁰ These points obviously bear on the cult-like

5. See BROWN, *supra* note 1, at 208-10.

6. See *id.* at 200-48.

7. See *id.* at 223-24.

8. Dominic Abrams et al., *Knowing What To Think By Knowing Who You Are: Self-Categorization and the Nature of Norm Formation, Conformity and Group Polarization*, 29 BRIT. J. SOC. PSYCHOL. 97, 116 (1990).

9. See Brooke Harrington, *The Pervasive Effects of Embeddedness in Organizations* 24 (2000) (unpublished manuscript, on file with author).

10. See Hermann Brandstätter, *Social Emotions in Discussion Groups*, in DYNAMICS OF GROUP DECISIONS 93 (Hermann Brandstätter et al. eds., 1978). In JOHN TURNER ET AL., *REDISCOVERING THE SOCIAL GROUP: A SELF-CATEGORIZATION THEORY* 154-59 (1987), Turner and his co-authors argue for a new synthesis, one

features of terrorist organizations, in which shared identity helps fuel movement toward extremes. Third, extremists are especially prone to polarization. When they start out an extreme point, they are likely to go much further in the direction with which they started.¹¹ Note in this regard that, burglars in a group act more recklessly than they do as individuals.¹²

B. *Why Polarization?*

What explains these movements? And what explains the aggravating factors? It is tempting to think that conformity plays a large role. Conformity may be at work, but the data make clear that group polarization is not a matter of conformity; people do not simply shift to the mean of their respective initial positions.¹³ In fact there are two principal explanations for group polarization, involving two different mechanisms.¹⁴ Each of the mechanisms plays a role in producing group polarization and, as we shall see, each of them plays a role in terrorist organizations.

The first is based on *persuasive arguments*. The simple idea here is that people respond to the arguments made by others, and the "argument pool," in a group with some initial disposition in one direction, will inevitably be skewed toward that disposition. A group whose members tend to think that

that they call "a self-categorization theory of group polarization." *Id.* at 154. In this account, "persuasion is dependent upon self-categorizations which create a common identity within a group," and polarization occurs "because group members adjust their opinion in line with their image of the group position (conform) and more extreme, already polarized, *prototypical* responses determine this image." *Id.* at 156. The key point here is that when a group is tending in a certain direction, the perceived "prototype" is determined by where the group is leaning, and this is where individuals will shift. *See id.* at 156. As the authors acknowledge, their account shows "overlap with many aspects of social comparison and persuasive arguments models," *id.* at 158, and because of the overlap, I do not discuss it as a separate account here. For possible differences in predictions and supporting evidence, see *id.* at 158-70.

11. *See id.* at 157-58.

12. *See* Paul F. Cromwell et al., *Group Effects on Decision-Making by Burglars*, 69 *PSYCHOL. REP.* 579, 586 (1991).

13. *See* BROWN, *supra* note 1, at 207.

14. For a review of the literature, see BROWN, *supra* note 1, at 210-17; Daniel J. Isenberg, *Group Polarization: A Critical Review and Meta-Analysis*, 50 *J. PERSONALITY AND SOC. PSYCHOL.* 1141 (1986). For an overview and an attempt to generate a new synthesis, see TURNER ET AL., *supra* note 10, at 142-70. *See also* Russell Hardin, *The Crippled Epistemology of Extremism*, in *POLITICAL EXTREMISM AND RATIONALITY* (Albert Breton et al. eds., forthcoming 2002).

the United States is engaged in a general campaign against Islam, or that it seeks to kill and humiliate Muslims as such, will hear many arguments to that effect, and few opposing arguments, simply as a result of the initial distribution of positions within the group. If people are listening, they will have a stronger conviction, in the same direction from which they began, as a result of deliberation. The phenomenon is general. A group whose members tend to oppose affirmative action will hear a large number of arguments in favor of abolishing affirmative action, and a comparatively fewer number of arguments for retaining it. There is considerable empirical support for the view that the argument pool has this kind of effect on individual views.¹⁵

The second mechanism has to do with *social influence*. The central idea here is that people have a certain conception of themselves and a corresponding sense of how they would like to be perceived by others. Most people like to think of themselves as not identical to but as different from others, but only in the right direction and to the right extent. If you think of yourself as the sort of person who opposes gun control more than most people do (because, hypothetically, you think that you are unusually disposed to reject liberal homilies), you might shift your position once you find yourself in a group that is very strongly opposed to gun control. If you stay where you were, you may seem more favorably disposed toward gun control than most group members, and this may be disconcerting, thus producing a shift. If you are ill-disposed toward the West, and believe that President Bush has imperialistic ambitions, and find yourself in a group with those same beliefs, you might well move toward a more extreme point, simply in order to maintain your preferred relationship to the views of others. Or if you believe that you have a comparatively favorable attitude toward affirmative action, discussion with a group whose members are at least as favorable as you are might well push you in the direction of greater enthusiasm for it. Having heard group members, you might move your stated position, simply in order to maintain a certain self-conception and reputation, as one who likes affirmative action a bit more than most people do. There is

15. See BROWN, *supra* note 1, at 200-45.

evidence that social influence is an independent factor behind group polarization; consider in particular the fact that mere exposure to the views of others can have this effect, even without any discussion at all.¹⁶

There is another point, not stressed in social science research on group polarization, but much bearing on the general phenomenon and in particular on the nature and rise of terrorism. Many people, much of the time, lack full confidence in their views; such people offer a moderate version of their views, for fear of being marginalized or ostracized. Many other people have more confidence than they are willing to show, for fear of being proved foolish; such people moderate their views in public. In either case, group dynamics can push people toward a more extreme position. Moderate skepticism about the problem of global warming might turn into full-blown disbelief, if the moderate skeptic finds himself in a group of people who also tend toward skepticism. I believe that this phenomenon plays an important role in terrorist enclaves, which often involve young men who could not possibly maintain their position if not for the support and encouragement of like-minded others. I now turn to some details.

III. TERRORIST LEADERS AS POLARIZATION ENTREPRENEURS

Terrorist leaders act as polarization entrepreneurs. They create enclaves of like-minded people. They stifle dissenting views and do not tolerate internal disagreement. They take steps to ensure a high degree of internal solidarity. They restrict the relevant argument pool and take full advantage of reputational forces, above all by using the incentive of group approval. Terrorist acts themselves are motivated by these forces and incentives. Consider, for example, the following account:

Terrorists do not even consider that they may be wrong and that others' views may have some merit. . . . They attribute only evil motives to anyone outside their own group. The . . . common characteristic of the psychologically motivated terrorist is the pronounced need to belong to a group. . . .

16. See Allan. I. Teger & Dean G. Pruitt, *Components of Group Risk-Taking*, 3 J. EXPERIMENTAL SOC. PSYCHOL. 202 (1967).

Such individuals define their social status by group acceptance.

Terrorist groups with strong internal motivations find it necessary to justify the group's existence continuously. A terrorist group must terrorize. As [sic] a minimum, it must commit violent acts to maintain group self-esteem and legitimacy. Thus, terrorists sometimes carry out attacks that are objectively nonproductive or even counterproductive to their announced goal.¹⁷

In fact, terrorist organizations impose psychological pressures to accelerate the movement in extreme directions. Here too group membership plays a key role:

Another result of psychological motivation is the intensity of group dynamics among terrorists. They tend to demand unanimity and be intolerant of dissent. With the enemy clearly identified and unequivocally evil, pressure to escalate the frequency and intensity of operations is ever present. The need to belong to the group discourages resignations, and the fear of compromise disallows their acceptance. Compromise is rejected, and terrorist groups lean toward maximalist positions. . . . In societies in which people identify themselves in terms of group membership (family, clan, tribe), there may be a willingness to self-sacrifice seldom seen elsewhere.

Training routines specifically reinforce the basic message of solidarity amidst humiliation. Hitler similarly attempted to create group membership, and to fuel movements toward extremes, by stressing the suffering and the humiliation of the German people. This is a characteristic strategy of terrorists of all stripes, for humiliation fuels rage.¹⁹ "Many al-Qaida trainees saw videos . . . daily as part of their training routine. Showing hundreds of hours of Muslims in dire straits—Palestinians . . . Bosnians . . . Chechens . . . Iraqi children— [was] all part of al-Qaida's induction strategy."²⁰ In the particular context of Al Qaeda, there is a pervasive effort to link Muslims all over the globe, above all by emphasizing a shared identity, one that

17. Terrorism Research Center, *The Basics of Terrorism: Part 2: The Terrorists*, at <http://www.geocities.com/CapitolHill/2468/bpart2> (Dec. 16, 2001).

18. *Id.*

19. On humiliation, see generally AVISHAI MARGALIT, *THE DECENT SOCIETY* (Naomi Goldblum trans., 1996).

20. Giles Foden, *Secrets of a Terror Merchant*, MELBOURNE AGE, Sept. 14, 2001, available at <http://www.theage.com.au/news/world/2001/09/14/FFX1ONZFJRC.html>.

includes some and excludes others. Thus Osama bin Laden "appeals to a pervasive sense of humiliation and powerlessness in Islamic countries. Muslims are victims the world over . . . Bosnia, Somalia, Palestine, Chechnya, and . . . Saudi Arabia . . . [H]e makes the world simple for people who are otherwise confused, and gives them a sense of mission."²¹ Hence there are unmistakable cult-like features to the indoctrination effort: "[T]he military training [in Al Qaeda camps] is accompanied by forceful religious indoctrination, with recruits being fed a stream of anti-western propaganda and being incessantly reminded about their duty to perform jihad."²²

In addition, the Al Qaeda terrorists are taught to believe that they are

not alone . . . but sacrificing themselves as part of a larger group for what they believe is the greater good. [The men are] recruited as teenagers, when self-esteem and separation from family are huge developmental issues. [The indoctrination] involves not only lessons in weaponry but an almost cult-like brainwashing over many months. Among Muslims, the regimen typically includes²³ extended periods of prayer and a distortion of the Koran.

Intense connections are built into the structure: "The structure of Al Qaeda, an all-male enterprise . . . , appears to involve small groups of relatively young men who maintain strong bonds with each other, bonds whose intensity is dramatised and heightened by the secrecy demanded by their missions and the danger of their projects."²⁴

This discussion, brief as it is, should be sufficient to show the central role of group dynamics in producing terrorists, and indeed in answering the question "why they hate us." Terrorists are made, not born. More particularly, terrorists are made through emphatically social processes. Things could easily be otherwise. With respect to social concern with risks, it is possible to imagine multiple equilibria—different social situations, all of them stable, in which people are concerned

21. Jeffrey Bartholet, *Method To the Madness*, NEWSWEEK, Oct. 22, 2001, at 55.

22. Stephen Grey & Dipesh Gadhur, *Inside Bin Laden's Academies of Terror*, SUNDAY TIMES (LONDON), Oct. 7, 2001, at 10.

23. Margery Eagan, *Attack on America: It Could be the Terrorist Next Door—Zealot Hides Behind His Benign Face*, BOSTON HERALD, Sept. 13, 2001, at 30.

24. Vithal C Nadkarni, *How to Win Over Foes and Influence Their Minds*, TIMES OF INDIA, Oct. 7, 2001, available at 2001 WL 28702843.

with some risks but not others.²⁵ People in France are not much concerned about nuclear power, which frightens many Americans; people in America are not much concerned about genetically engineered food, which frightens Europeans. Timur Kuran has shown that “ethnification”—close identification with one’s ethnic group, in a way that involves hatred of others—is not a matter of history but of current social processes, closely akin to those discussed here.²⁶ With relatively small changes, a nation that suffers from intense ethnic antagonism could be free from that scourge. So too, I am suggesting, for terrorism. If enclaves of like-minded and susceptible people are an indispensable breeding ground for terrorism, then it is easy to imagine a situation in which nations, not radically different from the way they are today, could be mostly free from terrorist threats.

IV. IMPLICATIONS AND LESSONS

What are the lessons for policy and for law? The simplest and most important is that if a nation aims to prevent terrorist activities, a good strategy is to prevent the rise of enclaves of like-minded people. Many of those who become involved in terrorist activities could end up doing something else with their lives. Their interest in terrorism comes, in many cases, from an identifiable set of social mechanisms (generally from particular associations). If the relevant associations can be disrupted, terrorism is far less likely to arise.

The second lesson has to do with the idea of “political correctness.” That idea is far more interesting than it seems. It is true that some groups of left-leaning intellectuals push one another to extremes, and tow a kind of party line, in part through a limited argument pool, and in part through imposing reputational sanctions on those who disagree, or even ostracizing them. But political correctness is hardly limited to left-leaning intellectuals. It plays a role in groups of all kinds. In its most dangerous forms, it is a critical part of groups that are prone to violence and terrorism, simply because such groups stifle dissent.

25. See Timur Kuran & Cass R. Sunstein, *Availability Cascades and Risk Regulation*, 51 STAN. L. REV. 683, 712 (1999).

26. See Kuran, *supra* note 3.

The third lesson has to do with the system of checks and balances and even constitutional design. Citizens in democratic nations are hardly immune from the forces discussed here. Within legislatures, civic organizations, and even courts, group polarization might well occur. Nor is this necessarily bad. A movement in a more extreme direction might well be a movement in a better direction. But serious problems can arise when extremism is a product of the mechanisms discussed here, and not of learning through the exchange of diverse opinions. The institutions of checks and balances can be understood as a safeguard against group polarization, simply because those institutions ensure that like-minded people, operating within a single part of government, will not be able to move governmental power in their preferred direction. Consider, for example, the idea of bicameralism and the power of the president to veto legislation; through these routes, it is possible to reduce the risk that government policy will be a product of the forces I have discussed.

The fourth lesson has to do with the treatment of conspiracy, including but not limited to terrorist conspiracies. Why does the law punish conspiracy as a separate offense, independent of the underlying "substantive" crime? It is tempting to think that this kind of "doubling up" is indefensible, a form of overkill. But if the act of conspiring leads people moderately disposed toward criminal behavior to be more than moderately disposed, precisely because they are conspiring together, it makes sense, on grounds of deterrence, to impose independent penalties. Some courts have come close to recognizing this point.²⁷ The key point is that the act of conspiracy has an independent effect, that of moving people in more extreme directions. The point holds for terrorists as well as for everyone else.

The discussion also offers some lessons about freedom of association in general, showing some of its many complexities. Associational freedom is of course an indispensable part of democracy. No one should deny that point. But when associational freedom is ensured, group polarization will

27. See *Callanan v. United States*, 364 U.S. 587, 593-94 (1961) ("Concerted action . . . decreases the probability that the individuals will depart from their path of criminality."). I am grateful to Dan Kahan for helpful discussion.

inevitably ensue, as people sort themselves into groups that seem congenial. From the standpoint of liberty, this is extremely important. It is also valuable from the standpoint of democracy, not least because any society's "argument pool" will be expanded by a wide variety of deliberating groups. If groups move to extremes, then social fragmentation may be desirable insofar as it ensures that society as a whole will hear a wide range of positions and points of view. On the other hand, freedom of association can increase the risk of social fragmentation, and social antagonisms, potentially even violence, can result.

Almost all of the time, the risk is worth tolerating. But when we are dealing with conspiracies to kill American citizens, freedom of association is literally dangerous. Hatred itself is hardly against the law. By itself it is no reason for war. But when hatred is a product of the social forces outlined here, and when it makes terrorism possible, there is every reason to disrupt associations that drive people to violent acts. The line between associational freedom and conspiracy is not always crisp and certain. But in the cases I am emphasizing, there is no real puzzle. When they hate us, it is not a product of deprivation, individual rage, or religiously grounded predisposition; it is a result of social forces and, much of the time, self-conscious conspiracies to fuel hatred. A nation that seeks to win a war against terrorism must try to disrupt those conspiracies.