Click on a title below to be directed to that proposal

Proposal 1 (Funded, 1993): Group value versus self-interest concerns in fairness judgments

Proposal 2 (Funded, 1997): Three challenges to procedural justice theory

Proposal 3 (Funded, 2006): An investigation of a decision maker-decision recipient disparity in the meaning and importance of procedural justice
Group value versus self-interest concerns in fairness judgments:

A test of a contextual priming model of procedural justice

A proposal to the National Science Foundation

by

Larry Heuer
Department of Psychology
Barnard College

and

Samual Margulies
Institute for Dispute Resolution
Seton Hall Law School
Thibaut and Walker’s (1975) Procedural Justice Theory proposes that procedural fairness judgements are dependent on judgments of process and decision control. Recently, Lind and Tyler (1988) proposed a Group Value Theory of procedural justice, which emphasizes individuals’ concerns with their relationship with groups. According to their theory, fairness judgements are influenced by the trustworthiness and neutrality of authorities, and according to whether these authorities treat individuals with respect. A study by Tyler (1989) showed group value concerns to be considerably more important for fairness judgements than control concerns.

A contextual priming model is proposed to explain the conditions under which control versus group value concerns will influence fairness perceptions. Because the model suggests self-interest concerns are more important prior to the resolution of conflict, two field studies examine procedural fairness perceptions before settlement (unlike the Tyler, 1989 study). Similarly, because the model suggests that self-interest concerns are more important in disputes, both field studies sample exclusively from populations of individuals in disputes.

Two laboratory experiments are proposed to test the propositions that (a) situational factors influence the importance of control versus group value concerns; and, (b) both accessibility and deservedness judgements are central to procedural fairness perceptions.
General statement of the problem

An instrumental theory of procedural justice.

In 1975, Thibaut and Walker proposed a theory of procedural justice which profoundly affected the research and theorizing regarding the psychology of fairness in conflict resolution. A central proposition of their theory is that dispute resolution procedures are not equally suited for obtaining the goals of truth and justice (Thibaut & Walker, 1975; 1978). Thibaut and Walker argued that dispute resolution procedures are distinguished according to the manner in which they distribute control between the disputing parties and a potential third party. Two types of control were proposed: control over the presentation of evidence (process control) and control over the final decision (decision control). Four procedures typify the range of possibilities for the distribution of process and decision control:

- **In an autocratic procedure**, the third party has complete control over both the presentation of evidence and the final decision;
- **In an arbitration procedure**, the third party retains complete decision control, but process control is shifted to the disputants, who are allowed to freely present evidence on their behalf;
- **In mediation**, the disputants have formal control over both the presentation of evidence and the final decision. The mediator's task is to use a variety of tactics intended to move the parties toward consensus (c.f., Carnevale, Lim, & McLaughlin, 1989; Hiltrop, 1989; Wall & Rude, 1989);
- **Finally, in bargaining**, there is no third party participation—the disputants have complete process and decision control.

Thibaut and Walker's theory addressed both cognitive conflicts (in which the goal is truth) and interest conflicts (in which the dispute concerns the allocation of resources, so that the goal is justice), but their theorizing about conflicts of interest has received the most attention. The theory proposed that in conflicts of interest, where distributive justice (i.e., equity, as described in theoretical statements by Adams, 1965; and Walster, Walster, and Berscheid, 1976; 1978) is the goal, the disputants will want to retain complete process and decision control. However, recognizing the challenges such an arrangement would pose for obtaining necessary concessions, Thibaut and Walker (1978) pointed out that bargaining is a model poorly suited to the resolution of high conflict-of-interest disputes, and numerous studies have shown that in such situations, settlement procedures that include a decisionmaking third party are preferred (e.g., Houlden, LaTour, Walker, & Thibaut, 1978; LaTour, 1978; LaTour, Houlden, Walker, & Thibaut, 1976; Walker, LaTour, Lind, & Thibaut, 1974). Thibaut & Walker proposed that disputants' procedural preferences, and their satisfaction with the procedures and outcomes of their conflict would be strongly influenced by procedural fairness considerations; these assertions have been strongly supported.

In Thibaut and Walker's model, process control allows the disputants to convey information to the third party regarding their inputs, thus enabling the third party to devise a fair allocation. Consistent with the theory, process control, or "voice" enhancements of procedural fairness perceptions have been reliably demonstrated (e.g., Folger, 1977; Kanfer, Sawyer, Earley, & Lind, 1987; LaTour, 1978; Lind, Kurtz, Musante, Walker, & Thibaut, 1980; Lind, Lissak, & Conlon, 1983; Tyler, 1987; Tyler, Rasinski, & Spodick, 1985). According to Thibaut and Walker voice is important to disputants because it is expected to influence decisions; in other words, it is important for instrumental reasons. Because of this underlying assumption of self-interested individuals in Thibaut and Walker's theory, Lind and Tyler (1988) have referred to it as a self-interest model.

However, numerous studies have reported findings inconsistent with an exclusively instrumental view. For example, Lind, Lissak, and Conlon (1983) reported that variations in decision control had no influence on procedural justice judgements, while variations in process control had a substantial effect. Other studies have reported both process and decision control effects on fairness judgements, but have found process control effects to be considerably larger (e.g., Tyler, 1987). In a more direct challenge to an instrumental theory of procedural justice, Tyler, Rasinski, and Spodick (1985) reported several studies showing benefits of voice for procedural fairness judgements beyond what could be explained by disputant perceptions of outcome control. Tyler et al. argued that
such voice effects support a value-expressive role of voice in addition to the rational, instrumental effects of voice described by Thibaut and Walker. More recently, this non-instrumental, voice enhancement of procedural fairness judgments has been reported in an experimental design (Lind, Kanfer, & Earley; 1990).

**A group value theory of procedural justice.**

Partly as an effort to explain the non-instrumental benefits of voice, Lind and Tyler (1988; Tyler, 1989) proposed a Group Value Theory of procedural justice. The group value model emphasizes individuals' concern about their relationship with social groups and the authorities representing those groups; it assumes that group identification and group membership is psychologically rewarding, and that individuals are motivated to establish and maintain group bonds. According to this theory, when individuals are focused on their long term relationship with groups, they evaluate the fairness of procedures according to a different set of criteria than the control variables proposed by Thibaut and Walker. Lind and Tyler proposed that under such circumstances procedures are evaluated according to three criteria:

- the **trustworthiness** of the authorities enacting the procedures;
- the **neutrality** of those authorities, and;
- information emanating from the procedure about the individual's **standing** in the group.

Several studies provide indirect support for Lind and Tyler's suggestion that individuals are sensitive to issues such as polite or respectful treatment (e.g., Bies & Moag, 1986; Bies & Shapiro, 1987; Tyler & Bies, 1990; Tyler & Folger, 1980) or information about their standing in the group (MacCoun, et al., 1988).

More to the point, Tyler (1989) reported the results of a telephone survey of Chicago residents, which permitted an explicit test of the group value model. Respondents were asked about their most important recent experience with a legal authority, about the amount of process and decision control they had during the encounter (self-interest concerns), about the authority's neutrality, the authority's trustworthiness, and whether the authority had been polite to them and had respected their rights (group value concerns). Respondents were also asked to rate their satisfaction with, and the fairness of, their outcomes, their treatment, and the authority. Tyler found that the variables of trust, neutrality, and standing accounted for 65% of the variance in procedural fairness judgements when considered alone, compared with 39% of the variance in procedural fairness judgements accounted for by control variables considered alone. Furthermore, Tyler reported the group value variables accounted for 22% of the variance beyond that accounted for by outcome favorability and control variables, whereas the control variables accounted for only 1% of unique variance. Generally, the findings were similar for the dependent variables of outcome fairness and fairness of the authorities. Additional analyses revealed that each of the variables of trust, neutrality, and standing contributed significantly to the variance accounted for by these fairness judgements. These results provide strong support for the group value theory of justice. It is clear from these data that individuals care about the way they are treated in more ways than just their opportunities for control.

A more recent survey of litigants' evaluations of their courtroom experiences also supports the group value model. Lind et al. (1990) interviewed litigants following the close of their personal injury torts. Litigants from three different counties were asked to evaluate the procedure used to settle their case by a variety of criteria, including the amount of control they were allowed over the process and outcome of their case, and how dignified the procedure was. Litigants were also asked about the absolute and relative outcome of their case. In two of the three jurisdictions examined (those where the procedures evaluated were trial versus bilateral settlement or arbitration versus bilateral settlement), the causal model incorporating the variables of objective and subjective outcome, cost, and delay as well as the litigants' perceptions of control, and procedural dignity, showed procedural dignity to be the variable that most influenced litigant perceptions of fair treatment. Litigant perceptions of control did not enter into either of these models.

Unlike Tyler's study, in which the variables of trust, neutrality, and standing were each assessed with multiple indicators, the Lind et al. study was forced to work with a dichotomous variable of dignified versus not dignified as the
sole indicator of group value concerns. While these data clearly support the group value view that non-control criteria are important concerns, this study is less informative than the Tyler (1989) study regarding what these criteria are.

It is clear that the group value perspective adds an important dimension to our understanding of procedural fairness. However, the studies described above also raise important questions regarding the relationship of group value concerns and self-interest concerns. Perhaps most important is the question concerning the generality of the tendency to define fairness according to symbolic rather than rational, self-interest criteria. While Lind and Tyler (1988) point out that some studies have shown group value and self-interest concerns affecting fairness perceptions concurrently, in the studies described above, group value concerns clearly outweighed self-interest ones. Lind and Tyler (1988) called for new theories that integrate self-interest and group value concerns. Below, a model is proposed regarding the factors that influence individuals’ focus on self-interest versus group value concerns when making fairness judgements. After describing the model, two field studies and a laboratory experiment are described that follow from and test the model, and which will advance our understanding of the relationship between these two sets of concerns.

Determinants of self-interest versus group value concerns: A contextual priming model of procedural fairness.

Numerous theorists have suggested that the meaning of fairness changes across situations. For example, Tyler (1986) and Leventhal, Karuza, and Fry (1980) have both proposed goal-based models of fairness, and others (Barrett-Howard & Tyler, 1986; Lissak & Sheppard, 1983; Sheppard & Lewicki, 1987; Sheppard, Saunders, & Minton, 1988; Tyler, 1988) have shown how the meaning of fairness changes across situations.

In the domain of group value versus self-interest effects on justice, researchers have also suggested that either set of concerns can be influential according to situational variables. Tyler (1990), for example, reported that the importance of control for fairness judgments was influenced by whether a dispute was involved (a finding also reported by Tyler, 1989) and whether the outcome of the dispute was favorable. Control was particularly important to individuals who were involved in a dispute and to those who received unfavorable outcomes. Tyler (1990) also found that individuals defined procedural fairness more according to group value concerns as their commitment to the group increased.

While Tyler's research points to the importance of whether a dispute is involved for predicting the role of symbolic versus self-interest concerns on fairness judgements, it is one of the few studies to examine this issue thoroughly, and it leaves some questions unanswered. For example, it is presently unclear what, if any, other variables might have similar effects. What is needed is a model that explains why self-interest concerns are more influential in dispute situations, or why group value concerns are more influential when group commitment is high. Fortunately, there is a well developed body of research which has investigated the importance of self-interest versus symbolic concerns for attitudes and behavior in a related domain, which is helpful for proposing such a model.

Considerable research attention has been directed to investigating the role of symbolic versus self-interest concerns for policy preferences and political behavior. This research has generally supported the view that symbolic concerns outweigh self-interest concerns. For example, Kinder and Sears (1970) reported that symbolic views about busing were more influential than self-interest concerns for voting behavior, even among the parents of children targeted for busing. Numerous studies have supported similar conclusions (e.g., Kinder & Sears, 1985; Sears, Tyler, Citrin, & Kinder, 1978).

However, recent research has suggested that cognitive accessibility effects (c.f., Higgins, 1989; Higgins & Bargh, 1987; Higgins & King, 1981; Wyer & Srull, 1981) might qualify this general conclusion. A study by Young et al. (1991) showed that self-interest concerns affected policy preferences more strongly when subjects had been primed so that their self-interest was cognitively accessible. While Young et al. employed a priming manipulation, other research has shown that the relevance of a construct to an individual's needs or goals can also affect accessibility (e.g., Showers & Cantor, 1985; Wyer & Srull, 1986).
This research suggests a mechanism to explain the relation of disputes to self interest concerns, and the relation of group commitment to group value concerns. Disputes naturally produce a focus on one's self interest, thus making the construct accessible when fairness questions arise. Similarly, high group commitment might increase the accessibility of group membership. Research by Wilder and Shapiro (1986) has shown that extremely subtle cues can cause individuals to focus on group membership—it is easy to imagine that high group commitment might serve as such a cue, thus increasing the accessibility of group constructs.

Thus, early research on the group value theory of fairness, as well as research on cognitive accessibility points to the presence of a conflict as an important consideration for theorizing about the role of symbolic versus self-interest concerns. It is particularly important then, in exploring the generality of the group value effects reported by Tyler, that such effects are examined as much as possible across the spectrum of dispute magnitude. However, the cognitive accessibility research also suggests a more general principle regarding which set of concerns, self-interest versus group value, will be influential for individual definitions of fairness. The model driving each of the studies being proposed is that group value concerns and self-interest concerns are independent, and that either set of concerns will influence fairness judgements to the extent that the situation engages the appropriate constructs. Thus, just as Young et al. (1991) showed that cognitive accessibility can influence the manner in which people reason about political issues, the studies proposed here will explore the role of cognitive accessibility for the manner in which people reason about fairness.

**Increasing the accessibility of self-interest: Two field studies.**

The presence of a dispute.

Seen in this framework, it is understandable that disputing would increase the importance of control issues for individuals' fairness perceptions—disputes entail varying degrees of mutually exclusive interests, and would reasonably be expected to engage self-interest concerns. Therefore, it is expected that the relative importance of self-interest concerns might be considerably higher in a population comprised exclusively of disputing individuals—unlike the respondents in Tyler's (1989) study. Tyler's study was based on a random sample of Chicago residents who were asked about a recent encounter with a legal authority—they were not asked to limit their consideration to encounters involving a dispute. In fact, Tyler reports that of the 652 completed interviews in this study, 22% involved appearances in court, 47% involved calls to the police for help, and 31% involved being stopped by the police. The interviews did not necessarily involve any dispute at all—individuals might have been called to court as jurors or witnesses, not as plaintiffs or defendants; police stops do not necessarily entail a dispute between the respondent and the police, and those that do are likely to be very minor disputes; and calls to police for assistance might have involved more reports of stolen goods than any explicit disputes.

With such considerations in mind, the first field survey will investigate the relative importance of self-interest and group value concerns on disputants' perceptions of procedural and outcome fairness in a higher conflict setting than that examined by Tyler (1989). The population to be sampled for this study is that of divorcing couples whose complaint requests relief beyond a dissolution of the marriage\(^1\), and who are known to be aware of mediation as an alternative to litigation for settling their case (see field study 2). Details on the research method are spelled out below, but generally, this study will involve post-settlement interviews similar to those employed by Tyler (1989), including questions about the absolute and relative outcome of the dispute, perceptions of process and decision control, and perceptions about the manner in which the respondent was treated by the mediator or judge who handled their case—the issues of trust, neutrality, and standing.

All of the individuals in the target population are engaged in a dispute, and for many of them, the dispute involves extremely important issues related to financial security. It is expected that these are individuals who will be most likely to define the fairness of their treatment according to self-interest concerns, and will therefore evaluate

---

\(^1\) This assures that we are sampling couples in which there are disputed issues in the divorce. If the prayer for relief merely requests dissolution, the parties may well have already agreed to dissolve the marriage and are simply making it official.
fairness according to the criteria of process and decision control to a greater degree than that seen in Tyler's (1989) survey. Therefore, it is expected that these individuals will define the fairness of their divorce proceeding according to the opportunities that existed for process and decision control. While it would not be surprising if the findings replicate Tyler's interaction between the presence (or in this case, the intensity) of a dispute and the importance of control concerns, it is expected that the present study will not find (as Tyler did) that group value concerns account for virtually all of the unique variance in disputant fairness perceptions—rather, it is expected that control concerns will make an important independent contribution to these judgements.

The stage of the dispute.

In addition to the presence or intensity of disputes, the contextual priming model suggests other factors that can also be expected to increase the importance of control for fairness judgements. One additional factor that can be expected to play such a role is the stage of the dispute. Although various stage models of disputes have been proposed (e.g., Felstiner, Able, & Sarat, 1981; Sheppard, 1984), a simple dichotomy is sufficient for the hypothesis that self-interest concerns will be relatively more important to individuals before their dispute is settled than afterward.

A number of considerations weigh in favor of such a distinction. It is a central proposition of Leventhal's Theory of Allocation Preferences (Leventhal, 1980; Leventhal, Karuza, & Fry, 1980) that outcomes affect the meaning of fairness to disputants—according to Leventhal, it is only upon receiving unfavorable decisions that disputants' attention is directed to the question of the procedures that produced that outcome. Tyler (1989) also reported that respondents evaluated fairness differently after receiving losing decisions.

Research and theory on cognitive dissonance (Festinger, 1957) also suggests that disputants (especially those who have obtained unfavorable outcomes and who feel some responsibility for them) will be motivated to add consonant cognitions or change the importance of cognitions—such strategies might include an increased focus on group membership and group loyalty, or a deliberately reduced focus on one's narrowly defined self-interests. Mediation researchers have even suggested that a successful mediation tactic is to assist the parties with devising such rationalizations (e.g., Carnevale, Lim, & McLaughlin, 1989; Silbey & Merry, 1986).

Because Tyler's (1989) interviews were conducted after the encounter with authority was concluded, such factors might have discouraged individuals from defining fairness according to self-interest criteria. If this hypothesis is correct, it is important to examine the importance of both group value and self-interest concerns prior to settlement in order to assess the generality of Tyler's post-outcome finding that group value concerns outweighed self-interest ones. Both of the field studies being proposed here will examine the importance of such variables among disputants who are contemplating which procedure to use for settling their dispute. In other words, both field studies will interview disputants prior to the outcome of their dispute.

While the vast majority of procedural fairness studies have examined the meaning and importance of fairness through post-settlement interviews, numerous studies have examined pre-settlement fairness perceptions. It is clear from these studies that fairness concerns are important before disputes are settled and that they influence procedural preferences (e.g., Heuer & Penrod, 1986; Kurtz & Houlden, 1981; Lind, Erickson, Friedland, & Dickenberger, 1978; Houlden, LaTour, Walker, and Thibaut, 1978; Houlden, 1981; Sheppard, 1985). However, none of these studies have examined the relationship of both group value and self-interest concerns prior to dispute outcomes, as both of the present field studies will do.

The divorce study, partly described above, will include interviews with divorcing couples both before and after the outcome of their divorce. We will identify couples prior to outcomes by sampling from the population of divorcing couples who call one of several divorce mediators' offices inquiring about mediation services. Respondents will be asked to provide their impressions of mediation and litigation as procedures that might be employed for resolving their case. While the procedure is described in more detail below, these pre-outcome interviews will ask the respondents to evaluate both mediation and litigation according to a variety of criteria, including their perceptions of the control opportunities provided by each procedure, and the trust, neutrality, and standing considerations suggested by group value theory. Respondents will also be asked about the expected outcomes that would result from each
procedure, their impressions of the fairness of each procedure, and finally, their preferences of these two procedures for settling their case.

While several studies have examined disputant reactions to various legal procedures (McEwen & Maiman, 1981; 1982; 1984; 1986; O'Barr & Conley, 1985; 1988; Sarat, 1976; Vidmar, 1984; 1985; 1986), criminal trial procedures (Casper, 1978; Casper, Tyler, & Fisher, 1988; Heinz & Kerstetter, 1979; Houlden, 1981; Landis & Goodstein, 1986; Tyler, 1988; 1989) and dispute resolution procedures in family law (e.g., Erlanger, Chambliss, & Melli, 1987; Pearson & Thoennes, 1984; 1985), few of these studies have examined disputant views of fairness both before and after the procedure, and only Tyler (1988; 1989) has examined the joint contributions of self-interest and group value concerns for procedural preferences.

The second field study will examine the role of group value versus self-interest concerns for disputants who are contemplating a procedure for settling a conflict at work. The same set of questions will be used as for the divorce, pre-settlement survey, with appropriate wording changes to fit the organizational setting. While described in somewhat more detail below, this study will rely on interviews with individuals who are employed in organizations. The survey will ask respondents to think about a conflict they are currently involved in at work, and which may need to be confronted in the future. Respondents will then be asked to evaluate two different procedures that might be used to settle their conflict (across the entire sample, all pairwise combinations of bargaining, mediation, and arbitration will be examined). As in the divorce study, respondents are asked to rate each procedure according to their expectations about it in terms of control and group value concerns, as well as the fairness of the procedures, and the likely outcomes of each. Respondents will then be asked to indicate which of these two procedures they would prefer to use for settling their conflict.

Field Study Research Methods

An ideal field site for an examination of the issues described is one in which all of the respondents are involved in a conflict, they have a choice of dispute resolution procedures, and they can be identified before they have settled their dispute.

Two sites have been identified in the New York area that meet these criteria, and will be included in this project. The sites to be studied in this investigation are divorce disputes, and organizational disputes between fellow-employees. These sites differ according to the general nature of the dispute, the relationship between the disputants, the likelihood of continued interactions between the disputants, the characteristics of the procedures available for settlement efforts, and a host of additional variables—a desirable quality for assessing the generality of observed effects.

Field study 1: Divorce The population of divorcing couples is, of course, extensive. However, for comparing couples who decide to mediate their divorce versus those who follow the more traditional negotiation-litigation route, exclusive reliance on a random sample from this population is problematic since such a small percentage of these couples end up in mediation (an essential comparison group).2 Numerous discussions with a divorce mediator with a large practice in the New York and New Jersey area suggested a non-random sample of divorcing couples who are aware of divorce mediation services and who are more likely to employ them. According to Samuel Margulies, Ph.D, J.D, his office (The Institute for Dispute Resolution, Seton Hall Law School) receives approximately 350 inquiries about mediation every year. A survey of the last 100 of these revealed that approximately 20% of them resulted in the couple attending at least one mediation session. An additional 15% of them resulted in a first mediation session being scheduled, but never occurring because the couple did not appear. This sample assures that at least one spouse in each couple is aware of the availability of mediation. However, the survey also shows that the sample is not so heavily biased that mediation is the only, or even the most popular

2 We are targeting couples who inquire about divorce mediation, not custody mediation. In New York and New Jersey, divorce mediation is voluntary, and relatively uncommon. Custody mediation, on the other hand, is mandatory in both states in those cases in which custody is being contested. As described below, our contacts with divorcing couples is early in the process, and will almost invariably precede custody disputes and custody mediation.
procedure. At the same time, mediation is selected (according to the criterion of scheduling an appointment) by 35% of the individuals who place a call.

**Research Method** The sample to be employed in this study will be drawn from the population of divorcing couples in which one spouse has filed a complaint, and the complaint requests relief beyond a dissolution of the marriage (this assures that we are sampling couples in which there are disputed issues in the divorce. If the prayer for relief merely requests dissolution, the parties may well have already agreed to dissolve the marriage and are simply making it official). Potential respondents will be identified when one spouse requests information from a divorce mediator about his or her services. Upon receiving an inquiry about mediation services, the mediator will request the inquiring party's telephone number. This individual will be contacted some time later, depending on whether they schedule an initial consultation with the mediator. If they do, the mediator will hand them a questionnaire upon completion of this initial consultation and request that they complete it prior to their next session (they will also be given the option of scheduling a telephone interview, if they prefer). If they do not schedule a session within 3 months of their inquiry, they will be called and requested to either complete the survey over the telephone, or to agree to complete a written survey which would be mailed to them immediately. The questions on this survey will be similar to those employed in the organizational setting also\(^3\), with appropriate modifications as necessary\(^4\). This survey will also request a telephone number and address of the other spouse, so that both parties can be contacted and interviewed.

This pre-settlement questionnaire will be administered as soon as possible after the initial consultation for those individuals who attend, and should predate a second session. This intervention takes place prior to any extensive exposure to mediation, and surely takes place prior to the settlement of the divorce. Since it is extremely unlikely that any mediation will be judged to be completed after one session (Dr. Margulies estimates that only 3-4% of his cases settle this quickly), there is little risk that this questionnaire is assessing post-settlement satisfaction ratings.

Dr. Margulies' discussions with colleagues suggests they have similar experiences regarding inquiries and scheduled appointments. Dr. Margulies has agreed to use of this procedure for those individuals who call his office, and has also agreed to solicit the assistance of other divorce mediators in the area to do the same (Since he has trained many of the divorce mediators in the community, through the Institute for Dispute Resolution, Dr. Margulies is comfortable about requesting this assistance and confident about obtaining it. In addition, he is a member of the New Jersey Association of Professional Mediators (whose membership includes over 50 mediators) and the New York State Council on Divorce Mediation (with over 100 members). These Associations will serve as additional sources of participating mediators, if necessary). This procedure will be employed until at least one spouse from 200 couples have completed the interview (targeting 100 who scheduled an initial consultation and 100 who did not). Assuming a 30% response, obtaining completed responses from 100 couples who schedule an interview (the smaller portion, approximately 35%, of those who inquire) will require 950 requests for information. This is a reasonable target for an 18 month data collection period (a project schedule, summarizing the activities for the studies across the 24 month

\(^3\) A generic questionnaire is attached as appendix A. This questionnaire will be piloted in this, and each of the other sites. Early administrations will be followed by a discussion with the respondent. Revisions will be made as necessary in order to assist with the clarity of the items, and to minimize the time required for completion. Comparable items will be used as much as possible in each site in order to facilitate between group comparisons.

\(^4\) Every effort will be made to retain comparability across the questions in the different sites. However, questions will be restated as necessary to assure clarity. So for example, rather than referring to a "dispute", as has been done on the attached organizational questionnaire, questions will refer to the "divorce". Additional questions will also be added, as necessary, to fit the context. So, for example, the questionnaire to divorcing couples will include questions about whether a lawyer has been retained, whether a complaint has been filed, whether the couple has already been to court and have been referred to mediation, etc.
project is attached as Appendix D) --two other practices the size of Dr. Margulies would be sufficient for generating over 1,000 contacts with individuals who request this information.

Post-outcome interviews will be conducted as soon as possible after an initial settlement or decision is reached. Interviews with those couples who participated in mediation will be conducted very shortly after completion. Dr. Margulies has agreed to administer a questionnaire to clients at the conclusion of the final session, and will ask other participating mediators to do the same. Follow-up interviews with couples who litigated will be conducted by making a first call 3 months after the completion of their first interview (which occurred 3 months after their initial request for information). If they have not received a court decision at this time, we will attempt to schedule the next call based on their guess about when such a decision will be forthcoming.

Data Analysis

This design suggests several data analytic strategies. The independent variables to be examined have been amply described above, and can be inferred from the sample questionnaire at Appendix C. Numerous dependent variables will be employed. Each party will be asked to answer a short series of questions about their perceptions of the mediation process, and their perceptions of the traditional procedure (This traditional route might be perceived to be negotiation or adjudication, or a combination of the two. Therefore, respondents will be asked to evaluate the desirability of all three possibilities, and to indicate which, negotiation or adjudication, they think will ultimately produce a settlement if mediation is not employed). Ratings of the fairness and desirability of the available alternatives are central dependent measures. Another dependent measure is the dichotomous variable of whether a mediation consultation is scheduled. A third is whether the respondent attends a first consultation. A final dependent measure is whether the respondent intends to attend additional mediation sessions (since this questionnaire is being administered shortly after the first session, additional sessions may not have been scheduled at the time they are completing the survey).

A focus on that portion of the sample that attended an initial consultation suggests several analyses to examine the variables that best predict the decision to schedule a second meeting with the mediator (this decision to schedule is another reasonable measure of the decision to mediate, since much of the first session will have been devoted to familiarizing the party or parties with the mediation procedure). Factor analyses will be employed to reduce the size of the data set (separate analyses will be conducted on the set of situational variables and on the set of procedural variables) and to gain insights into the structure of the disputants’ concerns as they contemplate their alternatives. Multivariate regression analyses and path analyses will allow an investigation of the importance of the various sets of situational and procedural variables for individuals’ procedural preferences. Such analyses will allow an investigation of main effects and interactions. Although this analysis is being conducted on a subset of the entire sample, this analysis should still have sufficient power to detect subtle effects (using our projections above, and conservatively assuming only one response per couple, this regression analysis would have approximately 90 degrees of freedom).

A letter of support from Dr. Margulies, at the Institute for Dispute Resolution, Seton Hall Law School, is attached as Appendix E.

Field study 2: Organizational conflict

This study will investigate preferences for dispute resolution procedures in an organizational setting. Organizational employees undoubtedly experience conflict (with other employees or managers) frequently, and must

---

5 In order to minimize the length of the questionnaire, the pre-outcome portions of both field studies will employ a procedure in which each respondent evaluates two of the three procedures of bargaining, mediation, and arbitration. Across the sample, all pairwise combinations will be employed, with the procedures presented in all possible orders. This will result in each procedure having been evaluated by two-thirds of the sample, leaving ample degrees of freedom for within-procedure analyses of the predictors of procedural fairness and preference ratings.
make decisions about the best means for settling those conflicts. Such conflicts might concern hiring or firing, job transfers, performance goals, or allocation of responsibilities and rewards, to mention a few possibilities.

The organizational context provides a valuable contrast to the divorce setting described above. Compared to family conflicts, organizational conflicts are likely to be less emotional, to involve relationships with a shorter history, to involve fewer issues, and are likely to be settled with less formal interventions (so for example, arbitration might be a meeting in the manager's office where the dispute is aired and the manager imposes a decision. Alternatively, the manager might attempt to mediate the dispute, but leave the parties responsible for arriving at their own solution. Or, the disputing employees may attempt to resolve the dispute amongst themselves with no third party assistance.). Despite these contrasts, however, the same basic psychological processes are expected to operate in the organizational settings as in the divorce settings already described. In fact, a substantial literature exists to support the view that justice concerns matter in organizational conflicts (see Lind & Tyler, 1988, for a thorough review).

**Research Method** Our study of organizational conflict will sample 200 employees of organizations. Participants will be solicited by approaching them in public locations throughout New York city where people congregate and where they are likely to have 10-15 minutes to contribute. In pilot testing, two locations have worked well for this--commuter train platforms, and the Hot Tix discount ticket line at Times Square. Our preliminary efforts have yielded approximately a 30% response rate.

After providing a brief written description of their conflict, employees are asked to answer a series of questions about the conflict and their preferred alternatives for its resolution (these questions will be modeled on the questionnaire attached as Appendix C. Modifications will be made as necessary to fit the questions and procedural interventions to the employee conflict setting).

**Data analysis** Data analyses for this study will employ similar procedures to those already outlined above. Factor analyses will be employed to reduce the number of predictor variables. Multivariate regression analyses and path modeling will be used to examine the importance of the crucial sets of predictor variables for employee preferences for the mode of intervention used to settle their conflict.

**Manipulating group value and self-interest concerns.**

**Experiment One: Accessibility**

Just as the contextual priming model suggests circumstances in which self-interest or group value concerns should be important for the meaning of fairness, it also suggests circumstances in which such concerns will not be particularly important--when self interest concerns or group value concerns are not cognitively accessible. Two laboratory experiments will test this portion of the model (experiments 1A and 1B).

Experiment 1A will be a 2 (conflict present versus absent) x 2 (voice present versus absent) randomized factorial. The primary hypothesis is that there will be an interaction between the conflict and voice manipulations, such that voice will have a greater impact on fairness judgements when conflict is present than when conflict is absent. According to the model, this will occur because a conflict will make the subject's self-interest cognitively accessible, whereas such concerns are less likely to be accessible in a non-conflict setting. Tyler (1989) has already reported such an interaction in his field survey, however, this would be the first experimental demonstration of this effect.

Experiment 1B will be a 2 (concern with group standing high versus low) x 2 (respectful treatment high versus low) randomized factorial. It is hypothesized that there will be a "concern" x respectful treatment interaction, such that respectful treatment will have a greater impact when the subject's concern with his or her standing in the group is high than when such concern is low. According to the model, this will occur because concern with group standing will make the subject's self-interest cognitively accessible. Tyler (1989) reported a similar interaction (using group loyalty rather than concern with group standing), however, this would be the first experimental demonstration of
Both experiments 1A and 1B will employ various scenarios, which the subjects will be asked to read, and to imagine themselves in the situation described. Similar procedures have been effective in previous research on justice topics (e.g., Barrett-Howard & Tyler, 1986; Tyler & Caine, 1981; Tyler, Rasinski, & Spodick, 1985), and Lind & Tyler (1988) defend the use of scenarios as long as the situations described are ones that the respondents are likely to be familiar with. Several scenarios will be employed in order to increase the generalizability of the observed effects. Each of the scenarios will involve common situations for undergraduate students at Columbia University and Barnard College. For example, since many of these students have participated in "rush" weeks during which they are considered for membership in fraternities and sororities, one set of scenarios will describe an encounter between the subject and a member of the sorority at a party hosted by the sorority.

In experiment 1A (conflict x voice), the encounter will be described as occurring at a party for newly accepted members (including the subject). The high-conflict scenario will describe the subject's concern with being given one of the few single rooms available to a sizable group of new members. The scenario will point out that room assignments are to be based on individual needs, and will encourage the subject to consider their arguments (both personal and academic) for obtaining a private room. The low-conflict scenario will state that all new members will be assigned to private rooms. Voice will be manipulated in this scenario by varying the subject's opportunity to speak freely with the decisionmaker during the evening (the only likely opportunity, since decisions will be made shortly).

Experiment 1B (concern with group standing x respect) will also describe an encounter between the subject and a sorority member at a party. This scenario will mention that the sorority has more available slots than applicants (thus minimizing conflict), but that the sorority is careful to admit only those members who they feel will complement the existing membership. Concern with group standing will be manipulated as follows. In the "high concern" condition, subjects will be told that their application for membership at their second choice for a sorority has already been rejected, and that this party is hosted by her first choice, primarily to allow the members to meet and consider the applicants. In the "low concern" condition, the scenario will indicate that the party is hosted by the sorority in order to welcome new members, including the subject. The subject will also be told that she has already been accepted by her second choice as well. Respectful treatment will be manipulated by varying the description of the general politeness and respectfulness of the treatment the subject received during a conversation with a senior member of the sorority.

Further elaboration of the contextual priming model:

Judgements of deservedness.

A second laboratory study will test an extension of the contextual priming model. There is an additional component of the model which must be considered before describing the second laboratory experiment. So far, it has been proposed that self-interest or group value concerns will affect justice judgements to the extent that either set of concerns is cognitively accessible. However, according to the model being proposed, the mere accessibility of self-interest concerns is not sufficient to cause fairness judgements to be made according to control criteria (nor is the mere accessibility of group value concerns sufficient to cause fairness judgements to be made according to trust, neutrality, and standing).

Rather, self-interest is proposed to motivate individuals for distributive fairness, just as Thibaut & Walker said. However, this will only cause fairness to be judged according to voice, for example, to the extent that an individual perceives voice as relevant to obtaining fair distributions. Thus, self-interested individuals will judge their treatment as fair to the extent that it maximizes their opportunity to obtain fair outcomes. Individuals are proposed to believe they deserve treatment that maximizes the likelihood of fair distributions, and that they judge their treatment as fair to the extent that it matches this standard of deservedness.

So, for example, when an individual is in a dispute over a contested resource, and has exclusive knowledge
about his or her inputs, fairness will be evaluated according to whether an opportunity exists to present that information to the decisionmaker. However, if there is no exclusive knowledge, voice will not be a fairness concern. According to this view, individuals in a class action suit would judge their treatment as fair even though they may not have been given a personal opportunity to speak because they believe that the relevant information was passed on by others.

This view raises the obvious question of why voice effects are so pervasive if voice is not an omnipresent fairness concern. Several explanations are possible. One is that the majority of research reporting voice enhancements of fairness involves individuals in disputes (so self-interest concerns are cognitively accessible), and these individuals nearly always feel that they have important information or an important perspective to present to the decisionmaker. Another explanation is that fairness is judged according to voice because of its importance for symbolic (e.g., group value) reasons as well as self-interest ones, and at least one of these sets of concerns (self-interest or symbolic) is likely to be accessible in most disputes.

The model proposed also suggests that neutrality, trust, and respect will be fairness concerns when both: (a) group value concerns are cognitively accessible; and, (b) individuals feel that they deserve neutral, trustworthy, and respectful treatment. What then, causes individuals to believe that they deserve to be treated with neutrality, trust, and respect? According to the group value model, individuals want to believe they are important members of groups. However, according to the present view, the failure to receive desired treatment doesn't necessarily imply feelings of unfair treatment (any more than failure to win a desirable lottery prize implies feelings of unfair outcomes). Rather, the view proposed here is that fairness judgements will be made according to individual's judgements that they obtained the treatment they deserved. One variable that would cause one to feel that they deserve respectful treatment, for example, would be their belief that they are higher in status than the person they are interacting with. Thus the model allows the hypothesis that when group value concerns are cognitively accessible an individual is interacting with a group member of lower status, respectful treatment will be a fairness issue. If, on the other hand, either group value concerns are not accessible, or one is of lower status, respectful treatment will not be a fairness issue.

The full model (with both cognitive accessibility and deservedness judgements specified) offers numerous advantages over previous discussions of procedural fairness. First, the model helps explain the importance of other fairness criteria than just process and decision control such as consistency, ethicality, and bias supression, that have been reported in numerous studies (e.g., Barrett-Howard & Tyler, 1986; Fry & Cheney, 1981; Fry & Leventhal, 1979). If one takes the broader view proposed here, that procedures are judged to be fair according to whether they offer the treatment individuals feel they deserve, then individuals concerned with fair outcomes (those for whom self-interest is cognitively accessible) might reasonably evaluate their treatment according to any criteria related to maximizing the likelihood of a fair outcome (including, but not limited to control).

Secondly, the model proposed addresses a problem regarding the group value theory of justice proposed by Lind and Tyler. Lind and Tyler argue that their theory is useful for extending the justice framework beyond the dispute contexts originally studied by Thibaut and Walker. However, this begs the question regarding the role of justice concerns when no conflict is involved. Questions of fairness, in philosophy and psychology, are relevant when there are conflicts of interest; What does it mean to talk about notions of fair treatment in an encounter with an authority not involving a dispute?

The view proposed here offers an answer. Questions of fair distribution, and judgements of deservedness sound reasonable in conflicts over outcomes—we judge our outcomes to be fair or not according to whether they match some standard of deservedness (e.g., equity, equality, need...). According to the cognitive accessibility view, the same questions of deservedness can arise in our relationship with groups, but these questions might pertain to whether we received the treatment we deserved, given our perception of our standing in the group. Thus, for
example, if I ask a police officer for directions, I can evaluate that encounter with authority according to procedural fairness criteria, even though there was no dispute involved, because I believe that I deserve to be treated respectfully by the police--either because I am higher in status, or because it is their professional duty to treat me respectfully. The contextual priming model also suggests that I will only judge my encounter according to such criteria to the extent that the situation makes such group relation constructs accessible, and I judge myself to deserve a certain type of treatment. Thus, for example, it allows for the hypothesis that disrespectful treatment from police officers would not be judged unfair if either (a) my attention is absorbed by self-interest concerns to the exclusion of group value concerns; or (b) I don't feel I deserved respectful treatment in the particular circumstance. So, if a police officer in a crisis doesn't treat me with respect, it might not detract from my judgment of fair treatment because I might be completely absorbed by the outcome at stake, or I might feel that under the circumstances, it would be unreasonable to expect deferential treatment.

**Experiment two: Accessibility and deservedness**

A laboratory experiment will test the hypothesis that both accessibility and deservedness judgements are central to the meaning of procedural fairness. This experiment will employ a 2 (information high versus low) x 2 (voice high versus low) x 2 (status high versus low) x 2 (respectful treatment high versus low) design. All subjects will be engaged in a dispute over the allocation of an attractive resource (this experiment will employ a two-experiment paradigm, in which subjects believe they will participate in an enjoyable experiment or a very tedious one, depending on a third-party's decision. This procedure has been used effectively in a previous study by Heuer & Penrod, 1986). Prior to taking dependent measures, all subjects will be told the third party has made a decision and that they have not received the desired outcome (they will participate in the tedious experiment).

Half of the subjects will believe that they have important information relevant to their share of that resource (high information), and half will not have such information (low information). Then, half of the subjects will be allowed an opportunity to present that information (high voice) and half will not be allowed such an opportunity (low voice). The first hypothesis is as follows:

(1) There will be an interaction between voice and information, so that only those subjects who had important information will judge the fairness of their treatment and outcomes according to the presence of voice. It is expected that the presence of a conflict will cue subjects to concerns with their self-interest. Once such concerns are cognitively accessible, fairness judgements will be made according to whether the treatment received maximizes the subject's opportunity to obtain a fair outcome. Half of the subjects will be told that the decisionmaker is a high school student while the other half are told that the decisionmaker is a high school principle with a Ph.D. in education (high versus low status). Then, the subjects will receive the third party's unfavorable decision in a very respectful or less respectful manner (high versus low respect). The second hypothesis is as follows:

(2) There will be an interaction between status and respectful treatment, so that it is only those subjects who believe themselves to be higher in status than the third party decisionmaker who will judge their treatment as fair or not according to the level of respectful treatment they received. It is expected that the status information will cue subjects to concerns with standing. Once such concerns are cognitively accessible, fairness judgments are made according to whether the treatment received matches one's judgement of the treatment deserved—were they treated with the respect they deserve according to their beliefs about their standing?

**Summary and conclusions**

Lind and Tyler suggest that an important step for the advancement of our theorizing in the area of procedural justice is to explore the circumstances in which the self-interest model and the group value model can be expected to exert the greatest effects on the meaning of procedural fairness. Based upon previous findings in recent procedural justice research, and on an extensive body of research on the importance of self-interest versus symbolic concerns
for policy preferences and political behavior, I have proposed a contextual priming model to explain the relationship between these two sets of concerns. According to the model, self-interest and symbolic concerns operate independently, and either set of concerns can be expected to influence fairness judgements to the extent that the situation makes those concerns cognitively accessible.

Based upon this model, it is proposed that two variables (among others) can be expected to increase the importance of self-interest concerns relative to group value ones, so that self-interest concerns will make substantial, unique contributions to individuals' fairness judgements (unlike the findings reported by Tyler, 1989). The variables of the presence (or intensity) of a dispute, and the timing (or stage) of the dispute, are proposed to affect the constructs that are accessible, so that in disputes, and particularly before, rather than after the resolution of disputes, individuals will be more likely to think about their self-interest than in non-disputes or after a dispute has been settled. Because Tyler's study employed a sample of persons who were not all in disputes (and the disputes involved were relatively minor ones), and whose encounter with authorities was already concluded, it was suggested that the relative importance of self-interest and group value concerns might be different in the two field studies proposed here--both of which focus exclusively on individuals who are engaged in a dispute, and both of which measure fairness perceptions prior to the settlement of the dispute.

A laboratory experiment is proposed to test the general proposition that situational variables can be manipulated to affect individuals' tendency to define fairness according to self-interest or group value criteria. In two laboratory studies, the situation is varied so as to direct subject's attention to either self-interest or group value concerns. It is hypothesized that only those individuals whose attention is focused on obtaining fair distributions will evaluate their treatment according to the opportunity for voice, and only those whose attention is focused on their standing in the group will evaluate their treatment according to the level of respectful treatment received.

A second laboratory experiment tests the further elaboration of the model, in which it is proposed that not only accessibility, but deservedness judgements are required in order for either control variables or respectful treatment to affect fairness judgements.

Together, these studies will make numerous contributions to the advancement of our theorizing about procedural justice. Among the contributions are the following:

1. Field studies 1 and 2 allow a test of the proposition that self-interest concerns will make a unique contribution to procedural fairness judgements when the situation engages subjects' concern with self-interest.
2. By surveying respondents prior to the outcome of their conflict, both field studies provide the first thorough tests of the importance of group value and self-interest concerns at the early stages of conflict, thus allowing an examination of the meaning and importance of fairness concerns for procedural preferences.
3. Experiment 1A provides an experimental test of the relationship between conflict and control concerns, already reported in a field survey by Tyler (1989).
4. Experiment 1B provides an experimental test of the relationship between group membership and concerns with respectful treatment previously reported in a field survey by Tyler (1989).
5. Together, experiments 1A and 1B provide a test of the general proposition that cognitive accessibility mediates the role of self-interest versus group value concerns for procedural fairness judgements.
6. Experiment 2 tests the proposition from the contextual priming model that both cognitive accessibility and deservedness judgements are relevant to predicting the importance of control and respectful treatment in fairness judgements. If supported, this model makes explicit the conditions under which voice and respectful treatment are related to fairness judgements, and it suggests a role for other procedural criteria in fairness judgements as well.
7. The combined studies provide thorough testing of a general model to explain the role of self-interest and group value concerns for procedural fairness judgements. This is an important step in the pursuit of a comprehensive procedural fairness model that incorporates both set of concerns.
References


Houlden, P., LaTour, S., Walker, L., & Thibaut, J. (1978). Preference for modes of dispute resolution as a function of


Three challenges to procedural justice theory:

Studying the view of the boss, the beat and the bench

A proposal to the National Science Foundation

by

Larry Heuer
Department of Psychology
Barnard College

January 1997
# Table of Contents

An instrumental theory of procedural justice ............................................. 1

A relational theory of procedural justice .................................................. 1

Three challenges to procedural justice theories ........................................ 1
  Challenge 1. A deservedness view of respect and fairness ...................... 1
    Deservedness from a social exchange perspective ................................ 2
    Deservedness from a group dynamics perspective ............................. 3
    Deservedness from a motivational perspective ................................ 3
  Challenge 2. Role: Decisionmaker versus decision recipient ................. 5
  Challenge 3. The Motive(s) underlying the importance of respect for justice judgments 6
    Motives to be examined ......................................................... 8
      Belongingness .............................................................. 8
      Self esteem maintenance and enhancement ......................... 9
      Morality ....................................................................... 9

Summary ................................................................................................. 9

Field experiment 1. A study of the NYPD ............................................. 10
  Design ....................................................................................... 10
  Procedure ................................................................................. 11
  Deservedness (matching) hypotheses ........................................ 11
  Role hypotheses ....................................................................... 11
  Motivational hypotheses ....................................................... 12

Studies 2 and 3: Judges and Managers .................................................. 12

Field experiment 2: A study of trial court judges .................................... 13
  Design ....................................................................................... 13
  Procedure ................................................................................. 13

Field experiment 3: A study of organizational employees .......................... 14
  Design ....................................................................................... 14
  Procedure ................................................................................. 14

Data analytic strategies ........................................................................ 14

Feasibility of the field studies ................................................................ 14

Summary and Conclusions .................................................................... 15

References ............................................................................................. 16

Appendix A. .......................................................................................... 22

Biographical Sketch ............................................................................. 24

Curriculum Vitae ..................................................................................... 25

Budget .................................................................................................. 28
  Year 1 ......................................................................................... 29
  Year 2 ........................................................................................... 30
Three challenges to current theories of procedural justice are proposed. A first argument is that while Tyler & Lind’s (1992) relational theory of procedural justice clearly specifies the link between respectful treatment and procedural satisfaction or preference, the link between respect and justice judgements is less clearly stated. Research and theory from social exchange, group dynamics, and attribution perspectives are summarized to support the claim that the relation between respectful treatment and fairness judgments is qualified by to the individual's belief that they deserve respectful treatment. Data from 5 pilot studies is summarized that supports this view. The second argument is that numerous studies of procedural justice suggest that decision makers and decision recipients define fair treatment differently. Such a disparity has the potential to frustrate a decisionmaker’s best efforts to implement procedures fairly—leaving decision recipients indignant and dissatisfied, and therefore deserves closer systematic scrutiny than it has received to date. The third argument is that while Thibaut and Walker's (1975, 1978) procedural justice theory, and Tyler & Lind’s (1992) relational theory of procedural justice have been strongly supported in their claims that self-interest and group affiliation motives underlie the importance of process control, decision control, and trustworthy, neutral, and respectful treatment, the published studies and my own pilot data strongly suggest that a considerable portion of the link between these procedural variables and justice judgments stems from motives that exist independently of self-interest and group affiliation concerns. Three additional motives are suggested as plausible candidates for independent contributions to the link between these procedural concerns (especially respectful treatment) and justice judgments. Three field experiments are then proposed to test these three arguments. All three studies survey both decision makers and decision recipients, and all three permit tests of the three arguments advanced in this paper. In the first study, 960 New York Police officers are surveyed about their encounters with other police officers and with civilians. This study is a 2 (In-group versus out-group encounter) x 2 (respondent as authority/decisionmaker vs respondent as decision recipient) x 2 (officer as source of treatment vs. officer as target of treatment) between subjects randomized factorial, which permits a strong test of each of the three qualifications to justice theories proposed. This study also surveys 400 civilians about their encounter with the police surveyed in this study, permitting a direct comparison of police and civilian perceptions of the fairness of police treatment of civilians. In the second study, 400 trial court judges are asked to report their perceptions of their treatment of a litigant who recently appeared in their courtroom, and to request that the litigant also complete a questionnaire also evaluating the judge’s treatment of them. This study permits strong tests of the decision maker versus decision recipient hypotheses, as well as tests of the deservedness and motivational hypotheses. Finally, study three surveys 400 employees of organizations using the same design as employed for the police
study. This study also permits strong tests of all three hypotheses, as well as a test of the generalizability and reliability of the police study findings. Together, these studies have the potential for a basic contribution to procedural justice theories as well as the applied contribution of facilitating legal (and organizational) decision makers' efforts to implement procedures in a fair manner.
An instrumental theory of procedural justice

According to Thibaut and Walker’s (1975) Theory of Procedural Justice, dispute resolution procedures are distinguished according to the manner in which they distribute control between the disputing parties and a potential third party. Two types of control were proposed: control over the presentation of evidence (process control) and control over the final decision (decision control).

In Thibaut and Walker’s model, process control allows the disputants to convey information to the third party regarding their inputs, thus enabling the third party to devise a fair allocation. Consistent with the theory, process control, or “voice” enhancements of procedural fairness perceptions have been reliably demonstrated (e.g., Folger, 1977; Kanfer, Sawyer, Earley, & Lind, 1987; LaTour, 1978; Lind, Kurtz, Musante, Walker, & Thibaut, 1980; Lind, Lissak, & Conlon, 1983; Tyler, 1987; Tyler, Rasinski, & Spodick, 1985). According to Thibaut and Walker voice is important to disputants because it is expected to influence decisions; in other words, it is important for instrumental reasons. Because of this underlying assumption of self-interested individuals in Thibaut and Walker’s theory, Lind and Tyler (1988) have referred to it as a self-interest model.

However, numerous studies have reported findings inconsistent with an exclusively instrumental view. For example, Lind, Lissak, and Conlon (1983) reported that variations in decision control had no influence on procedural justice judgements, while variations in process control had a substantial effect. Other studies have reported both process and decision control effects on fairness judgements, but have found process control effects to be considerably larger (e.g., Tyler, 1987). In a more direct challenge to an instrumental theory of procedural justice, Tyler, Rasinski, and Spodick (1985) reported several studies showing benefits of voice for procedural fairness judgements beyond what could be explained by disputant perceptions of outcome control. These authors argued that such voice effects support a value-expressive role of voice in addition to the rational, instrumental effects of voice described by Thibaut and Walker. More recently, this non-instrumental, voice enhancement of procedural fairness judgments has been reported in an experimental design (Lind, Kanfer, & Earley; 1990).

A relational theory of procedural justice

Partly as an effort to explain the non-instrumental benefits of voice, Lind and Tyler (1988; Tyler, 1989; Tyler & Lind, 1992) proposed a Group Value Theory of procedural justice. This relational model emphasizes individuals’ concern about their relationship with social groups and the authorities representing those groups; it assumes that group identification and group membership is psychologically rewarding, and that individuals are motivated to establish and maintain group bonds. According to this theory, when individuals are focused on their long term relationship with groups, they evaluate the fairness of procedures according to a different set of criteria than the control variables proposed by Thibaut and Walker. Lind and Tyler proposed that under such circumstances procedures are evaluated according to three criteria: the trustworthiness of the authorities enacting the procedures; the neutrality of those authorities, and; information emanating from the procedure about the individual's standing in the group.

Numerous studies provide indirect support for Lind and Tyler’s suggestion that individuals are sensitive to issues such as polite or respectful treatment (e.g., Bies & Moag, 1986; Bies & Shapiro, 1987; Tyler & Bies, 1990; Tyler & Folger, 1980) or information about their standing in the group (Huo, Smith, & Tyler, 1996; MacCoun, et al., 1988; Tyler & DeGoey, 1995). Additional research (e.g., Tyler,
1989; 1994) is directly and strongly supportive of Lind and Tyler’s (1992; Tyler. 1989) claim that trust, neutrality, and standing are strongly linked to procedural justice judgments, and that these relational concerns explain considerable variation in justice perceptions that is not explained by the control variables or self-interest motives specified by Thibaut and Walker’s (1975; 1978) model. It is clear from such research that individuals evaluate the fairness of their treatment on more dimensions than just their opportunities for control.

Three challenges to procedural justice theories

Despite the clear evidence supporting the claims of this relational model, I argue below that research and theory suggest three qualifications to the relational model that have received relatively little attention in the theoretical and empirical literature on this topic. Then, I propose two field experiments to test whether such qualifications to the relational model are justified. Each of the qualifications would, if supported, have both basic and applied implications. Therefore, the research settings are selected in order to maximize the challenges to the theory as well as to test the magnitude of the effects in settings where the meaning of justice has immediate individual and societal consequences.

Challenge 1. A deservedness view of respect and fairness.

Among group identification and procedural fairness theories, Group Value theory is unique in proposing that group identification processes are important for procedural fairness judgments. Lind & Tyler (1988) state that "when procedures are in accord with fundamental values of the group and the individual, a sense of procedural justice results. Many of these fundamental values are the result of socialization." (pp 231-232). They go on to point out that while socialized values can vary across groups, they expect that there are some fundamental values that affect justice judgments in all groups. Among those fundamental values, they say, might be solidarity concerns, maintenance of authority relations, and within group status. According to Lind & Tyler, procedural justice judgments depend on the extent to which a group's procedures are congruent with these universal, and any idiosyncratic values. So, they say, at least some procedural preferences can be viewed as socialized attitudes--or, in other words, "some procedures are not only preferred but are liked for their own sake. They become general predispositions toward or against particular ways of solving problems that are only loosely linked to particular instances of those procedures." (p 235). Lind and Tyler's argument is persuasive regarding the link between socialization and preferences. So, for example, it seems reasonable to propose that individuals are motivated to be high status members of their social groups, and that they are pleased by symbols of status, such as respectful treatment. However, distributive justice theorists and procedural justice theorists have generally argued that preferences and fairness judgments are not the same thing--fairness theories are compelling precisely because they assert that fairness concerns, rather than purely hedonic ones, are important for preferences and satisfaction with outcomes and procedures. Group Value theory is less persuasive regarding the link between group identification processes and fairness judgments. So, for example, while the theory offers a compelling link between respectful treatment and procedural satisfaction or preference, the link between respect and justice judgements is less clearly specified.

Below I argue that the link between respectful treatment and procedural fairness is more complex than the simple positive association proposed by Group Value theory. Rather, I expect that respectful treatment is linked to fairness judgments according to the individual's belief that they deserve
respectful treatment. Furthermore, research and theory from social exchange, group dynamics, and attributional perspectives are consistent with this conditional view. Each of these perspectives is considered briefly below.

**Deservedness from a social exchange perspective.** First, the expectation of a link between deservedness and procedural fairness judgments is similar to one advanced by social exchange theorists. For example, equity theory (Adams, 1965; Homans, 1961; Walster, Berscheid, and Walster, 1976) draws the distinction between absolute outcomes and deserved outcomes for fairness judgments. Adams (1965) makes this point clear in his discussion of the relation between relative deprivation and fairness judgments: "Many men, when comparing their rewards to those of another, will perceive that their rewards are smaller, and yet they will not feel that this state of affairs is unjust. The reason is that persons obtaining the higher rewards are perceived as deserving them. That is, their rewards are greater because their investments are greater." (p. 273, emphasis not in original). Thus, according to Adams, an individual with fewer inputs will not feel unfairly treated upon receiving less compensation (nor, for that matter, will individuals with higher rewards necessarily feel more fairly treated—again, the key is the deservedness judgment). Similarly, relative deprivation theorists (e.g., Crosby, 1976; Davis, 1959; Runciman, 1966; and Gurr, 1970) have consistently added feelings of deservedness or entitlement to the conditions originally suggested by Stouffer et al. (1949) as crucial to the feelings of anger or outrage resulting from relative deprivation. In fact, while originally suggesting several additional criteria as prerequisites to relative deprivation, Crosby's (1982) study of working women led her to conclude that only two preconditions were essential for relative deprivation: lesser outcomes than one wants and lesser outcomes than one deserves.

I propose that the same logic can be applied to predict the conditions under which respectful treatment is a fairness concern—it is related to fairness judgments as a function of the individual’s belief that they deserve respectful treatment. It is noteworthy here, particularly in light of justice researchers’ tendency to point to both fairness and self-esteem consequences of respectful treatment (e.g., Koper, Van Knipenberg, Bouhuijs, Vermunt, & Wilke, 1993; Tyler, 1994; Tyler, Degoeij, & Smith, 1996; Tyler & Lind, 1992), that a similar view has been advanced by Griffin & Bartholomew (1994), who suggest that models of the self are closely related to self-esteem. According to these theorists, self-esteem is the degree to which individuals believe they are worthy of love and caring.

While social exchange research focuses primarily on the fairness of outcomes rather than procedures, and therefore might seem irrelevant for theorizing about procedural issues, distributive justice theorists have also suggested that respect, a key procedural concern in Group Value theory, can be perceived as an input or output for equity judgments (thus, in effect suggesting a very similar view to what I am proposing here). Brown (1986), for example, points to a study by Blau (1955) as evidence that economic and social exchanges are often not clearly distinct. Blau studied the costs and rewards relevant to employees as they considered seeking expert assistance. According to Blau, this was a social exchange in which the non-expert incurred the cost of giving esteem to the expert, who obtained the reward of esteem in exchange for complying with the request. Similarly, Walster, Berscheid, and Walster (1976) refer to numerous examples of inputs or outputs for equity considerations that are purely social, some of which sound highly similar to the symbolic concerns described by Tyler & Lind’s (1992) relational model. For example, they refer to Sykes and Matza’s
observation that juvenile delinquents defended their victimization by noting that their victims were bums--a position of low group standing--and therefore deserved their victimization. Walster et al. also suggest that among the ways that apologies can work to restore equity between harmdoers and their victims is by the apologizer’s self-derogation and exaltation of the victim. Justice theorists in other disciplines have also characterized respect as a resource, albeit a procedural one, that overlaps with distributional ones. Rawls (1971), for example, describes self-respect as “perhaps the most important primary good” (p. 440), one that is acquired, in part, by finding ourselves appreciated and confirmed by others whose association we enjoy. Lane (1988) echos Rawls, listing self-respect as among the “procedural goods” and status as one of the distributive goods by which the fairness of procedures are evaluated.

**Deservedness from a group dynamics perspective.** In addition to the social exchange theories, research and theory on groups also suggests that group members tailor their behavior toward other group members according to their view of the other’s group status. Shaw (1976) for example, suggests that when people meet for the first time, they seek to acquire as much information about each other as they can. According to Shaw, status cues are among the most important for appropriate interaction. Numerous studies have shown that within-group status differences affect the communication between group members in a variety of ways, including respectful treatment. So, for example, Thibaut (1950) varied the status of 10-12 year-old boys to be either high or low, and found that with increasing status difference, there was a reduced frequency of aggressive content in the messages from low status boys. Similarly, Worchel (1957) arranged for his student participants to be frustrated by either a low status student or a high status faculty member. Worchel reported the quantity of verbal aggression toward the agent of frustration decreased with the agent’s increasing status. Back et al. (1950) planted rumors in an industrial organization and examined the manner in which group status affected the communication of those rumors. Among their findings was that there was less communication of rumors critical of high status employees. More recent evidence also shows that individuals with high status are evaluated more positively than lower status members even when they behave similarly (e.g., Humphrey, 1985; Sande, Ellard, & Ross, 1986). Each of these findings is consistent with a general norm to treat high status group members more respectfully than low status ones. Each is also consistent with our proposal that it is most likely to be considered *undeserved*, and therefore unfair, to treat high status members disrespectfully, but that the same may not be true of treatment directed toward low status persons.

**Deservedness from a motivational perspective.** Finally, there is a motivational perspective consistent with the deservedness view being proposed. Lerner (1980) proposed that there are two general bases for deserving: one’s behavior and one’s attributes. Recently, two lines of research have extended this reasoning. In one, Feather (1992) proposed a matching hypothesis according to which positive outcomes are perceived as fair when they follow positively valued acts, as are negative outcomes when they follow negatively valued acts. Feather’s hypothesis has been well supported in laboratory settings (Feather, 1992) as well as field studies of successes and failures of public figures (Feather, 1993; Feather et al., 1991). A similar view was proposed by Pepitone and L’Armand (1996), in whose view “the perception of justice in life events depends on two categories of information available to observers of these events--information about worth of the persons observed (good or bad)
and about outcomes (positive or negative) experienced by such persons. In its simplest qualitative form, a state of justice is perceived when the valence of the person observed has the same sign as the valence of the outcome experienced by that person. Injustice is perceived when the signs of the two valences are different.” (pp. 582-583, emphases in original). Pepitone and L’Armand’s subjects rated the justice of brief vignettes in which the valence of person-outcome pairings were matched (good things happened to people with positive attributes or bad things happened to people with negative attributes) or mismatched. These authors found the matches to be perceived as significantly more fair than the mismatches. We expect the same pattern of findings for matches between the valence of persons’ attributes (such as, but not limited to group status), and the manner in which individuals are treated by others.

In our initial tests, the deservedness hypothesis has been strongly supported in 5 studies (Heuer, Blumenthal, Douglas, & Weinblatt, 1997; a copy of this manuscript in progress is available for viewing at: http://www.columbia.edu/~lbh3/). In one study, a laboratory experiment made undergraduates the recipients of an allocation from a decisionmaker who was either higher or lower in status than themselves. When announcing her decision, the decisionmaker treated the students in a respectful or disrespectful manner. The hypothesized status by respectful treatment interaction (respect being more important for the fairness judgments of high status individuals) was obtained at marginal levels of significance in the experimental analyses, and at highly significant levels in internal analyses (the internal analysis substituted natural variability in perceived status for our manipulated status variable). A second study, a field survey of organizational employees’ perceptions of bargaining as a procedure for resolving disputes, was also supportive of our hypothesis in its showing that relatively high status, but not low status employees viewed bargaining as more desirable when they expected that they would be treated respectfully by the other negotiator (respect by status interaction, B = .53, t (96) = 2.33, p < .05). A third study surveyed several hundred New Yorkers about a recent encounter with another individual and then asked a series of questions about the encounter, including ones about how respectfully they had been treated by the other individual, and how fair they thought their treatment by the other individual had been. Additional measures included items from the Coopersmith Self-Esteem inventory (1981). These data allowed us to test the hypothesis that high self-esteem individuals would be more likely than low self-esteem individuals to evaluate the fairness of their treatment according to the relational concerns described by Tyler & Lind (the self-esteem hypothesis follows from Feather’s matching hypothesis with the assumption that high self-esteem is equivalent to a positive appraisal of one’s self value). This interaction hypothesis was strongly supported. Finally, two laboratory experiments used vignettes to test the hypothesis (suggested by the Feather, and L’Armand & Pepitone research described above) that the relation between respectful treatment and procedural fairness is qualified by the positive or negative value of the treatment recipient’s behaviors. In the first vignette, respondents read about someone else’s treatment. In this study the value of behavior by respectful treatment hypothesis was supported, as was a hypothesized three-way interaction showing that the relation between respect and the value of one’s behavior was further qualified by attributions about the actor’s responsibility for their behavior (the two-way interaction between respect and fairness was strongest when the recipients were viewed as being responsible for their positively or negatively valued behaviors). This study includes one finding that is especially supportive of the deservedness view:
respondents rated *disrespectful* treatment as *more fair* than respectful treatment of individuals who were responsible for performing negatively valued behaviors—a reversal of the typically reported relation between respect and fairness. In the second vignette, students imagined *themselves* in an encounter with a professor. This results of this study also supported the three-way interaction, showing that respect was most fair when individuals were responsible for positively valued classroom behaviors, but least fair when individuals were responsible for negatively valued classroom behaviors. This last study also includes a measure of the respondent’s belief that they deserved the treatment that they received. This additional measure permitted a test of our expectation that deservedness beliefs will mediate the relation between respect and fairness. In fact, this mediation hypothesis is also supported: when the deservedness judgement is entered as a covariate in the analyses, it reduces, substantially and significantly, the effect of respect on fairness, and reduces the significant three-way interaction to non-significance.

While these studies are supportive of our predictions, we feel that additional studies are necessary to improve upon this work in some important ways. First, the hypothesized qualifications on the relation between respect and fairness, particularly those in which the role of respect is qualified by the value of one’s behavior, need to be shown in actual settings and in meaningful encounters. Such a showing would address the potential criticism that our previous findings are the result of demand characteristics when reading simple imaginary vignettes.

More importantly, additional studies should help clarify which variables (e.g., status, self-esteem, or value of behavior) might be expected to qualify the importance of respect under varying circumstances. The studies proposed below will do so in the following manner. According to the Group Value theory, respect matters because of what it says about our standing in groups—it was this reasoning that led to our proposal that individuals’ perceptions of how respectfully they deserve to be treated would be qualified by their within-group status. However, as I will argue again below (in the discussion of the motivations underlying a concern with respect), respect might also signal evaluations of other attributes than just group standing. Three other evaluative judgments in particular seem as likely to be implied by respectful treatment as group standing: evaluations of our worth as individuals; evaluations of the value of our behaviors; and evaluations of our interpersonal relationship with other individuals. The deservedness reasoning predicts that feelings of entitlement to respectful treatment will depend partly on whether respect is perceived as symbolic of someone’s view of one’s group standing, or self-worth, or the value of one’s behaviors, or their value in an interpersonal relationship. In the field experiments below respondents are asked about a recent encounter with another individual. We expect respect (positive treatment) or disrespect (negative treatment) to be seen as fair when the valence of the treatment matches the target’s assessment of the value of their relevant within-group status, their self-worth, the value of their behaviors relevant to a particular encounter, and the value of their interpersonal relation with the person with whom the source of the treatment. Furthermore, we expect that each of these is most likely to qualify the importance of respect for procedural fairness to the degree that respectful treatment is perceived as an evaluation of the dimension that each deservedness assessment is relevant to. For example, one’s assessment of their group status will qualify the importance of respectful treatment to the extent that the level of respect one receives from another is viewed as a reflection of the other’s view of our group status. Alternatively, self-esteem will
qualify the role of respect to the extent that it is viewed as the other’s evaluation of our worth as a person. In order to examine this prediction, questions will be included at the end of each survey inquiring about the extent to which respondents perceived their encounter with another as one in which their group standing was potentially in question, their self-worth, the value of their behaviors, or the value of their interpersonal relationship with the other individual. In Feather’s terminology, fairness judgments are expected to be high when there is a match between one’s assessment of one’s value, and the assessment implied by the other’s respectful or disrespectful behavior. Furthermore, because the design of the studies proposed studies also examines one’s perspective when evaluating procedural fairness (whether one is the source or the target of the treatment in question), we can also test the hypothesis that our treatment of others is similarly qualified by our judgment of the match between our treatment and the value of the other person’s attributes or behaviors.

**Challenge 2. Role: Decisionmaker versus decision recipient.**

Numerous studies have supported the claim of procedural justice theories that procedural criteria are central to procedural satisfaction and procedural fairness. So, for example, Tyler (1984) reported that defendants’ judgments of fair treatment was a better predictor of their satisfaction with the courts than either absolute outcome or outcome fairness. Similarly, Tyler (1988) reported that Chicago residents’ satisfaction with their treatment in an encounter with legal authorities was better predicted by their sense of fair treatment than either absolute outcomes or outcome fairness. Recently, Tyler (1994) reports data from two studies, one in an legal setting and one in an organizational setting, both of which support his claim that procedural justice judgements are responsive only to relational concerns such as trust, neutrality, and standing, but not to resource concerns such as outcome and decision control (see Lind & Tyler, 1988, for a thorough review of this literature).

However, the research testing these theories has been conducted overwhelmingly from the perspective of the decision recipient rather than the decision maker (several exceptions are noted below). In two recently completed studies of decision makers (Heuer & Saks, 1997: see manuscript under review at: [http://www.columbia.edu/~lbh3/](http://www.columbia.edu/~lbh3/)), we observed that appellate court and trial court judges evaluations the fairness of police procedures rely more on the outcomes of the procedures (e.g., did the search of a suspect result in a societal benefit) than on such procedural criteria as process and decision control or trust, neutrality, and standing. In these studies, we were interested in legal cases involving the identity of present or future actors (Monahan and Walker, 1994). In such cases, the Supreme Court has described their review process as a balancing of several considerations: the risk that a person will become a false positive error, the harm caused to a person who becomes a false positive, and the offsetting gain achieved by using the predictive technology for the purpose being pursued by the law. If the Justices were employing these criteria in their decision making, there should be a tendency for decisions approving the procedures when the social benefits of correct predictions are high (high benefit, high probability of benefit, or benefits * probability of benefits falls within an acceptable range) and when harm to the target individual is low (low harm, low probability of harm, or harm * probability of harm falls within an acceptable range). In other words, the Justices have described their own decisionmaking as the product of their utilitarian balancing--an analysis that contrasts with the predictions from an extensive body of theory and research on procedural justice.

In our experiments, we examined the role of societal costs and benefits versus procedural and
distributive justice concerns for judicial decisionmaking. Both experiments employed a fictitious case in which a defendant challenged the legality of a police search. The respondents in these studies were actual judges asked to evaluate and rule on the defendant’s appeal. Both experiments examined the judges’ responses in a 2 (high versus low benefit to the state) x 2 (search procedure conducted fairly versus unfairly) randomized factorial. Hierarchical regression analyses in both studies revealed that the judges evaluated procedures differently than has typically been reported among samples of decision recipients. In both studies, outcome fairness was more influential than procedural fairness for the judges’ evaluation of the search procedure. Furthermore, such purely instrumental concerns as expected benefits strongly influenced the judges’ procedural evaluations and their assessments of procedural fairness; while such procedural concerns as voice, neutrality, and respect were minimally influential for the judges’ procedural satisfaction or procedural fairness ratings.

In light of the Justices’ speculation, and our empirical findings, it is natural to ask about the generalizability of procedural justice theories to decisionmakers. In fact, there are additional reasons to question the generalizability as well. First, the theories are based upon the motives of those who are the targets of these procedures, or the recipients of the allocations being made, rather than those of the persons conducting the procedure or deciding upon the allocations. So, Leventhal et al., (1980) and Thibaut & Walker (1975; 1978) base their theories on the assumption that those who are evaluating the procedures are concerned with maximizing their self-interest, while Lind & Tyler (1988) base their theory on the assumption that the individuals targeted by procedures are concerned with their long term relations with, and standing in social groups, and their relations with group authorities. However, neither set of concerns are obviously important for decisionmakers—since the dispute does not involve them, they have no immediate outcomes at stake, and since they are the authority, they are unlikely to be seeking information about group standing. On the other hand, griffdecisionmakers, or group authorities, might have a considerably different set of motives as they approach dispute resolution procedures (e.g., protecting societal interests). If so, they might also define fair treatment according to a different set of criteria than those specified by the justice theories described above.¹

Second, consistent with our speculation that decisionmakers and decision recipients might evaluate procedures according to different criteria, several studies have compared the procedural evaluations of decisionmakers and decision recipients, and have shown that individuals in these two roles evaluate procedures differently (Houlden, LaTour, Walker, & Thibaut, 1978; Lissak & Sheppard, 1983; Sheppard, Saunders, & Minton, 1988; Tyler & Griffen, 1991). Furthermore, each of these studies but one (Sheppard et al. did not include obvious measures of relational concerns) have shown decisionmakers to place a greater premium on instrumental criteria (such as decision control or financial considerations) than relational ones (such as process control, or trustworthiness). So, for example, In their comparison of the procedural justice evaluations and procedural preferences of role playing judges and litigants, Houlden, LaTour, Walker, and Thibaut (1978) found judges’ to be more concerned than litigants with decision control, while litigants were more concerned than judges with process control. This finding is further supported by Tyler & Griffen’s (1991) report that the decisionmakers in each of their three studies defined procedural justice according decision control more than process control, and Field and House’s (1990) finding that managers were more approving than subordinates of an autocratic leadership style. Similarly, Lissak and Sheppard (1983, study 2)
found managers to be more concerned than non-managers with a procedure’s cost, whereas non-managers were more concerned with fairness and neutrality. Finally, two reviews of the leadership literature (Harris & Schaubroeck, 1988; Hogan, Curhpy, and Hogan) conclude that managers and subordinates employ different criteria for evaluating leaders, subordinates relying more on such criteria as trustworthiness, and managers more influenced by technical competence.

All of the studies proposed below will examine the effect of role (decision maker versus decision recipient) for the meaning of procedural fairness and the importance of fairness for procedural evaluations. In addition to the theoretical implications of discovering that procedural fairness means different things to decision recipients than to decision makers, the applied consequences would point to a potentially harmful disparity. If individuals in different roles agreed that fair treatment is important but disagree about how to enact procedures fairly, both parties’ best faith efforts to conduct themselves fairly in their dealings with the other could leave both parties feeling unfairly treated. Given the abundant evidence that compliance with authorities’ decisions does not occur automatically (e.g., McEwen & Maiman, 1984; Tyler, 1990), and that fair procedures are crucial for citizens’ support for authority (Tyler, 1984; 1990; Tyler & Caine, 1981; Tyler & Lind, 1992; Tyler, Rasinski, & McGraw, 1985) and their compliance with the decisions imposed by authority (e.g., Earley & Lind, 1987; Greenberg, 1989; Lind, Kanfer, & Earley, 1990; MacCoun et al., 1988; Pruitt, Peirce, McGillicuddy, Welton, & Castriono, 1990; Rasinski & Tyler, 1987; Rasinski, 1988; Tyler, 1990; ) a thorough investigation of this potential disparity seems justified. Below, three field experiments are proposed, one among New York City police officers, one among state court trial judges, and one among organization managers. All three manipulate the variable of role in order to examine this question more closely. Furthermore, two of the studies employ designs that eliminate interpretive ambiguity of previous published studies comparing decision makers versus decision recipients. Unlike previous studies, two of the studies proposed below examine the influence of role (decisionmaker versus decision recipient) while holding the profession of the respondent constant. In order to reduce another potential ambiguity, the additional variable of perspective (evaluating treatment from the view of the source of the treatment or the target of the treatment) is also crossed with role in two of the field studies proposed below, thus eliminating a confound present in several of the studies (Houlden, et al., 1978; Lissak & Sheppard, 1983; Tyler & Griffin, 1991) described above. While this issue has received little attention in previous research, it is conceivable that this source-target distinction qualifies the meaning and importance of procedural fairness independently of the effects of role discussed above. While it isn’t the same thing as the perspective shift being described here, the reliable demonstration of actor-observer differences in attributions (Jones & Nisbett, 1971; Nisbett, Caputo, Legant, & Marecek, 1973) testifies to the potential impact of such a perspective shift. Thinking about one’s treatment of another is likely to evoke a very different set of goals by which our own behavior is evaluated than the concerns about within-group status described by Tyler & Lind (1992). So, for example, in the Heuer & Saks (1997) study of judges, the judges might reasonably be expected to evaluate a police officer’s treatment of a suspect according to the societal goal of deterring crime rather than concerns about how such treatment reflects on the suspect’s group status.\footnote{2}

**Challenge 3. The Motive(s) underlying the importance of respect for justice judgments.**

A third challenge to the Group Value theory addresses the theory’s claim that relational
concerns, particularly standing, or status recognition, matter for fairness judgments because of what they communicate about one’s standing in positively valued groups (Lind & Tyler, 1988; Tyler, 1989; Tyler & Lind, 1992). Below I will argue that, while the link between a motive to affiliate with groups and a concern with respect is reasonably well established, our understanding of justice perceptions would benefit from a consideration of additional motives that might just as plausibly underlie the link between respect and procedural fairness. I will summarize preliminary data from two studies suggesting that trust, neutrality, and standing can influence fairness judgments quite independently of group membership concerns. If multiple motives are responsible for a concern with these relational variables it is also likely that different motives will cause different weights to be applied to concerns with each of the variables of trust, neutrality, and standing. Therefore, I will suggest that, while a group value perspective is preferable for understanding justice judgments in group settings, a broader consideration of motives will permit predictions about justice judgments (and the role of trust, neutrality, and standing) in additional contexts as well.

The argument for multiple motives derives primarily from two sources. First, the empirical and theoretical literature already makes frequent reference to the relevance of trust, neutrality, and standing for motives other than just group status. For example, Lind & Tyler (1988; Tyler & Lind, 1992), while focusing primarily on the role of polite and dignified treatment for validating our beliefs about group standing, also suggest that justice is important for people’s feelings about self-worth. On numerous occasions Tyler and colleagues (Tyler, 1989; Tyler & DeGoey, 1995; Tyler, DeGoey, and Smith, 1996) have noted that polite and dignified treatment also affirms people’s self-esteem. Additionally, Lind, Tyler, & Huo (in press) recently proposed that status recognition is important for dyadic relations as well, and can signal the viability of the dyadic relationship—suggesting that concerns with politeness and dignity have implications for interpersonal attachments as well as group relations. What this suggests is that, while most of the theorizing and empirical work on the connection between the procedural variables of trust, neutrality, and standing has focused on their consequences for our relationships with groups, justice theorists have also noted that these variables can also inform individuals about the degree to which other social psychological motives, such as self-esteem maintenance and interpersonal attachments are being satisfied. If so, a theory about the relation between such variables as trust, neutrality, and standing and justice judgments might be much broader than merely one about our relations with valued groups.

Second, the empirical literature, even that which is most supportive of the group affiliation motive as the key to a linking between relational concerns and justice judgments, strongly suggests a role for other motives as well. So, for example, in one of the studies showing the clearest evidence that concerns with trust, neutrality, and standing derive from a group affiliation motive, Huo, Smith, Tyler, & Lind (1996) show that concern with these relational motives is more strongly linked to procedural justice (as well as distributive justice and decision acceptance) when group identification is high than when it is low. However, the correlation between relational evaluations and procedural justice is very high even when identification is low (Q relational evaluations = .81 among high identification respondents versus Q = .59 among low identification respondents). Similarly, Tyler (1989) examined the degree to which group identification was responsible for the effect of relational concerns on his respondents’ support for authority. In this study, Tyler found neutrality to have a considerably greater
impact when identification was high. However, group identification had a relatively small effect on the importance of trust (O = .35 when identification was high; O = .27 when identification was low) and actually seemed to decrease the respondents’ concern with respect (O = .30 when identification was high; O = .35 when identification was low). Both of these studies point to a role for relational concerns that goes beyond their significance for our identification with groups.

Two additional studies (Heuer et al., 1995) make this point even more strikingly. In both studies we manipulated participants’ concern with their affiliation with a group that they and another individual shared membership in. Respondents were asked to list groups that they were members of and which they valued highly. Then, we varied our instructions to respondents so that they were to think of an encounter with another person who either was a member of one of the groups they valued their membership in, or was not a member of one of these groups, nor a member of any group that they were a member of. Based upon the Group Value theory, we hypothesized that the manipulation of group membership would interact with the respondents’ ratings of the group value variables of trust, neutrality, and standing, such that the group value variables mattered most for respondents in the “shared membership” condition.

Respondents were then asked a series of questions about the encounter, including ones about their treatment according to the group value variables of trust, neutrality, and standing. Respondents were also asked to rate the extent to which they had been treated fairly by the other person, and their satisfaction with their treatment. In both studies, the variables of trust, neutrality, standing, fair treatment, and satisfaction with treatment were measured with multiple items. In all cases, the scales created from these items had acceptably high reliabilities. Since a principal components analysis showed the variables of trust, neutrality, and standing to be a single component, we created a composite indicator of these variables. Hierarchical regression was employed to test for the main effects of the manipulated variable (Step 1), the principal component (Step 2) and the interactions between the manipulated variable and the principal component (Step 3) on the dependent measure of procedural fairness judgments. This analysis revealed a significant effect of the group manipulation, O = .21, t (136) = 2.47, p < .05), and a significant effect of the group value composite measure, O = .87, t (134) = 21.99, p < .001) but no significant interaction between them. Thus, the group value hypothesis was not supported.

However, our check on the manipulation of group membership suggested a weak manipulation as one possible explanation for the null effect (although there are other reasons to think our manipulation was quite effective). Because of the rather small magnitude of the group affiliation manipulation in this study, a second study was conducted. Study 2 was virtually identical to study 1 in all respects except for its manipulation of group membership and the checks on the effectiveness of this manipulation. In order to strengthen this manipulation the group membership manipulation was altered. The instruction for respondents in the common group condition stayed the same as in study 1. However, respondents in the non-common group were asked to think of an encounter with someone who was a member of a group that the respondent was not a member of and which the respondent disliked very much. As a check on the manipulation of group membership, all respondents were asked to rate the attractiveness of the group that the other individual was a member of on three criteria. These measures were combined to create a single measure of group commitment (O = .85). This time, the
manipulation check on group membership showed the manipulation to have been highly effective, \( (9 = \text{value group membership highly}) \), \( M, \text{liked group} = 7.75, M, \text{disliked group} = 2.24, t(164) = 20.24. \)

In this study, principal components analysis on the procedural variables of trust, neutrality, and standing again suggested combing them into a single composite index. Hierarchical regression was employed to test for the main effects of the manipulated variable (Step 1), the principal component (Step 2) and the interaction between the group affiliation variable and the procedural component (Step 3) on the dependent measure of procedural fairness judgments. These analyses revealed significant effects of both the manipulated variable and the principal component on respondents’ reports of fair treatment. However, the interaction term entered in step 3 again did not significantly improve the ability to predict respondents’ fair treatment judgments \( R^2 \text{ change} = .002, F(8, 150) = .31 \ p > .10. \)

To provide the strongest test of the interaction hypotheses, an additional hierarchical regression analysis was conducted. Rather than looking simply at the general construct of relational concerns, this analysis examined the independent contributions of each of the procedural criteria specified by the Group Value theory (trust, neutrality, and standing). This analysis entered the manipulated variable in step 1, the procedural criteria in step 2, and the 3 manipulated variable by procedural criteria interactions in step 3. The test for the effect of the manipulated variables (step 1) is the same as already reported above. The addition of the procedural variable (step 2) added significantly to the prediction of fair treatment judgments, and each of the variables of trust, neutrality, standing made a significant independent contribution to respondents’ fairness judgements. However, the addition of the interaction terms in step 3 does not significantly improve the prediction \( R^2 \text{ change} = .016, F(20, 137) = 1.15, p > .10. \) Again, the situation by procedure interaction hypothesis was not supported. These failures to detect an interaction between group affiliation and the procedural variables of trust, neutrality, and standing pose a direct challenge to the group value theory, which will be addressed below.

In sum, what the Huo, Smith, Tyler & Lind (1996) and the Tyler (1989) studies, and the two Heuer et al. studies suggest quite clearly is that concerns with trust, neutrality, and standing are strongly linked to procedural fairness even when the group affiliation motive is low. While the Huo et al. study establishes a role for a group affiliation motive in driving justice judgments, all of the studies suggest that additional motives must be involved. In fact, each of these studies would suggest that the majority of the relation between the relational variables and respect remains to be explained by additional motives. The suggestion that other motives are related to the importance of these relational concerns is not new--as I pointed out above, justice theorists have acknowledged that these variables are relevant to our concerns about self-esteem as well as our concerns about interpersonal relations. And, while virtually no justice research has been devoted to disentangling the contributions of self-esteem motives or interpersonal relationship motives, other justice research has devoted a great deal of attention to one other motive--the instrumental motive assumed in Thibaut & Walker’s (1975; 1978) theory of procedural justice (e.g, Brett, 1986; Heuer & Cohn, 1996--this manuscript is under review, and can be viewed at http://www.columbia.edu/~lbh3/; Leventhal, 1980; Shapiro & Brett, 1993; Tyler, 1987; 1994; Tyler, Rasinski, & Spodick, 1985).

**Motives to be examined.** Three motivations will be considered closely in the studies proposed: self-esteem, interpersonal belongingness, and morality. These three are selected partly because there is reason to think each is universally prominent, but particularly because each stands
out as likely to be related to concerns with trust, neutrality, and standing.

**Belongingness.** In a recent review, Baumeister and Leary (1995) assert that “the desire for interpersonal attachment may well be one of the most far-reaching and integrative constructs currently available to understand human nature” (p. 522). Based upon their extensive review of the relevant literature, Baumeister and Leary suggest that the need to belong appears to entail both the need for frequent, affectively pleasant interactions with the same individuals, and the need for these interactions to occur in a setting of long-term, stable caring and concern.

Clearly, this is different than the group affiliation motive posited by Lind & Tyler. Yet it is as easy to imagine an interpersonal motive as an intragroup one to cause people to focus on trust, neutrality, and standing. Being treated with respect can as easily signal that another values us at a strictly interpersonal level as that they value our membership in a common group. Similarly, just as trust signals the long-term intentions of group authorities from the group value perspective, so might it signal the long-term viability of our relationship from an interpersonal attachment perspective.

Considering the importance of neutrality from an interpersonal perspective points to another important contribution of a multi-motivational approach. While the importance of neutrality for fairness judgments is clear when considered from the self-interest perspective (addressing a concern with short-term fair outcomes) and from the group value perspective (relevant to a concern with long-term outcomes from the group), its role less obvious from an interpersonal perspective. It is even possible that some favoritism would be viewed positively by individuals as an acknowledgment by the other of the special importance of the interpersonal relationship. This possibility suggests shifts in the meaning of fairness as a function of the motivation being served.

**Self esteem maintenance and enhancement.** The group value model is premised on such group identification models as social identity theory (e.g., Tajfel, 1969; 1982; Tajfel & Turner, 1979, 1986), and bases its assertions about the importance of respect on the assumption of the importance of social group memberships for individuals’ self concepts and social identities. However, other social psychological theories of self-esteem emphasize more personal, or individualistic notions of self-concept (e.g., Greenwald, 1980; Jones, 1973; Luhtanen, and Crocker, 1992; Taylor & Brown, 1988; Tesser, 1988; Tesser & Campbell, 1983; Wills, 1981). According to such theories, individuals are motivated to enhance their self-esteem, or to minimize threats to their self-esteem, and they are concerned with such personal attributes as competence, talent, and sociability.

The motivation to enhance one’s self-esteem, while surely related to group value concerns to the extent that one’s esteem is dependent on group identification, is a different motive than the group affiliation one posited by Lind & Tyler. However, it is easy to imagine a concern with respectful treatment from the perspective of one concerned with enhancing their self-esteem. From this perspective, concerns with trustworthiness are less obvious than they are from any of the perspectives described above, however, and a concern with neutrality seems even less likely to be an important issue than for one focused on interpersonal relationships. Again, in addition to providing an alternative explanation for individuals’ concern with certain procedural variables, the inclusion of self-esteem motives suggests a change in the meaning of fairness under conditions in which self-esteem motives are especially prominent.

**Morality.** As a final possibility, the studies below will consider whether trustworthiness,
neutrality, and respect (or a subset of these concerns) might be viewed by those who wish to behave in a moral fashion as universal imperatives. In a recent inquiry into the cultural and affective components of moral judgments, Haidt, Koller, and Dias (1993) report that in their initial efforts to generate stories that would be viewed as immoral in both North American and Brazilian cultures, most of their stories involved either disrespect or disgust. The authors point out that while western notions of morality are often based on assessments of harm to others, in many cultures, respect is a central moral value. In other words, in some cultures, treating others with disrespect is considered intrinsically immoral, regardless of particular circumstances, or local conventions. The centrality of respect in collectivist Latin American and Mediterranean cultures has been demonstrated by Triandis, Bontempo, Villareal, Asai, & Lucca (1988).

While the evidence for a morality of respectful treatment has been primarily focused on cultures outside the U.S., it is plausible that there is individual or situational variability in collectivist tendencies in our own culture, so that those people most concerned with the morality of their behavior would be most likely to report respectful treatment of others as a moral obligation, such that any evidence of disrespect would be viewed as unfair.

I have proposed that among the additional motivations capable of explaining a concern with trust, neutrality, and standing are ones for close interpersonal relationships, for maintaining and enhancing one’s self-esteem, and for upholding one’s moral convictions. In two of the studies proposed below, I examine the role of group affiliation motives by manipulating (police study and organizational study) and measuring the natural variation in (organizational study) the respondents’ concern with group membership in the target encounters. In all of the studies, respondents are questioned about their concern with the additional motives of self-interest, interpersonal relationships, self-esteem, and upholding moral convictions. A demonstration that any one of these motives is capable of uniquely affecting individuals’ concern with the procedural concerns of trust, neutrality, and standing will be sufficient to explain the failure to obtain the predicted group membership by relational concern interactions in the Heuer et al. studies described above—any of the additional motives might have been sufficient to maintain a focus on trust, neutrality, and standing.3

Summary

I have proposed three qualifications to current theorizing about procedural justice. First, that the expectation of a simple main effect of respect on fairness judgments overlooks a variety of ways in which individuals might decide that they deserve more or less polite and respectful treatment. I argued that social exchange, group dynamics, and motivational theories, as well as the findings of 5 pilot studies in our labs are consistent with the prediction that the relation between respect and fairness is mediated by individuals’ assessments that respectful treatment is deserved. Furthermore, I propose that deservedness judgments will be based on such considerations as the value of one’s attributes (e.g., group status; self-esteem) or one’s behaviors (e.g., positively or negatively valued behaviors), as well as attributions about one’s responsibility for those attributes or behaviors.

Second, I proposed that there are empirical and theoretical reasons to suspect a disparity between the procedural justice criteria employed by decisionmakers and decision recipients. While this disparity has been observed in several studies, this role variable has not received the systematic attention it deserves. Additional research on the effect of role on perceptions of procedural fairness
promises both basic and applied benefits. So, for example, finding that decisionmakers are particularly concerned with instrumental criteria while decision recipients are concerned with relational criteria might assist efforts to integrate the self-interest and relational theories of justice, called for by Lind & Tyler (1988). On the applied side, recognizing such a disparity suggests tailoring the way in which third parties enact decisionmaking procedures so as to maximize the decision recipients’ perceptions of the legitimacy of decisions and decisionmakers (Tyler, 1990).

Finally, I argued that while empirical tests are generally supportive of Lind & Tyler’s (1988; Tyler, 1989; Tyler & Lind, 1992) proposition that group affiliation motives drive people’s concern with trustworthy, neutral, and respectful treatment, the same research also points to the likelihood that other motives will also prompt such relational concerns. While researchers have acknowledged the role of self-interest, I propose to examine the role concerns about self-esteem, interpersonal relationships, and upholding moral convictions.

Below, I propose three studies that permit strong tests of all three of these potential limitations to procedural justice theory. In the first study I will survey 960 members of the New York Police Department (NYPD) and 400 civilians who had encounters with these police officers. In the second study, I will survey 400 state trial court judges and 240 of the litigants who interacted with these judges in court. In study three, I survey 400 organizational employees about their encounters with other company employees or employees of a different company. Each study permits tests of each of the three challenges described above. These studies and the hypotheses to be tested in each are described below.

Field experiment 1. A study of the NYPD

This study will be a survey of 960 New York City police officers. The NYPD were selected for a variety of reasons. One of the primary advantages pertains to the motivational inquiry described above. In addition to studying the role of several additional motives, this study will permit a strong test of the Group Value theory’s claim that concerns with trust, neutrality, and standing emanate from the motive to affiliate with desirable social groups (half of the police surveyed will be asked to think about an encounter with a civilian and half will be asked to think about an encounter with another New York City police officer). The NYPD sample is particularly well suited for this because of the reasonable expectation that few groups in society have a higher average level of within-group identification, loyalty, and attachment (Black, 1980; Manning, & van Maannen, 1978). A second advantage of the NYPD sample also pertains to the motivational inquiry. Any claims about theoretical contributions of considering additional motives should be based on evidence that these motives add to the explanatory power of a model that already incorporates the relational and self-interest motives. I expect a random sampling of police officers’ encounters to produce a great deal of variability in the magnitude of the outcomes at stake for the officer, ranging from ones where the outcomes were of relatively trivial magnitude to ones viewed as life-threatening. A third advantage pertains to the deservedness inquiry. The NYPD is an organization with a clearly defined hierarchical structure—a characteristic that permits one of several tests of the deservedness hypothesis (the prediction that relatively higher rather than lower status group members feel more deserving of respectful treatment from other in-group members). A fourth advantage pertains to the authority (decision maker) versus subordinate (decision recipient) inquiry described above. Like the judges whose responses suggested a considerably more
instrumental view of justice than that typically reported in the justice literature (Heuer & Saks, 1997), the police are prototypical authority figures. In most police-citizen encounters, there can be little question in either party’s mind who is the decision maker and who is the decision recipient. Therefore, this study permits a strong test of the influence of disputant role (authority/decisionmaker vs. subordinate/decision recipient) on perceptions of fair procedure. A final advantage of the NYPD sample is that the findings of this study have the potential to provide immediate benefits in an important sociolegal setting. The New York police officers who have assisted with the planning of this study have expressed a strong interest in understanding the dynamics of police-citizen encounters relevant to citizen views of fair and satisfactory police behavior (the NYPD is in the early stages of a long-term, agency wide re-engineering program targeting nine departmental issues. One of the key initiatives of this program is entitled CPR (Courtesy, Professionalism, and Respect) and involves an intensive focus on officer conduct. The officers who have assisted me with the planning of this study view it as an opportunity to assist them with an evaluation and training component of this project).

**Design.** The design of this study will be a 2 (In-group versus out-group encounter) x 2 (respondent as authority/decisionmaker vs respondent as decision recipient) x 2 (officer as source of treatment vs. officer as target of treatment) between subjects randomized factorial, with 80 respondents in each cell of this 8-cell design except one (see next paragraph). Overall, this design will involve surveys with 960 police officers (not an unreasonable goal from a population of 38,000 officers spread across 76 precincts. A letter of support from Deputy Commissioner Farrell is attached to this proposal (see appendix A).

In order to permit an additional test of the role hypothesis, 400 officers will be surveyed about encounters with a civilian in which the officer was the authority and is evaluating his or her treatment of the civilian. The additional test of the role hypothesis will involve a follow-up interview with the 400 civilians involved in these police-citizen encounters who will evaluate the manner of treatment they received from the officer (assuming even a 50% response rate from this civilian group permits a direct comparison of the officers’ view of their treatment of civilians with 200 civilians’ views.). Note that this cell alone permits a replication of the Tyler (1989) survey of citizens about their encounters with police or judges, but adds the contrasting perspective of the authorities involved in the encounter.

**Procedure.** The survey will be administered by approaching officers as they enter or leave the single shooting range at which all officers must report annually to renew their firearm certification. They will be asked to complete an anonymous survey that is part of a joint NYPD-Columbia University study of the officers of the NYPD. While we will request that they complete the questionnaire while we wait, we will also have a self-addressed stamped envelope for them to return the completed questionnaire to my office at Barnard College (A return to Barnard is preferred to minimize concerns that their responses are being monitored by any superior officers). They will be told that upon their completion of the survey we will donate $5 to a charity of their choosing. Officers who agree to participate will be asked to “think of a recent significant encounter between you and [another police officer (in -group) or, a civilian (out-group)] in which it was clear that [you were (decision maker) or, the civilian was (decision recipient)] clearly the person in charge, or who had the greatest authority.”

7 They will then be asked to write a brief description of the encounter. Following this, respondents will complete a series of Likert-type scales designed to tap the relational constructs of trust, neutrality, and
standing, as well as the instrumental constructs of process control, decision control, and absolute outcome obtained by the respondent, and the respondent’s assessment of the fairness of their treatment (multiple items will be used for the measure of each of these constructs. In order to maximize comparability with other published work, excepting minor changes demanded by the particular topic being surveyed, these items will employ similar wording to that used in previous published measures of these constructs).

Additional measures will be included in order to test the following hypotheses derived from the three challenges to justice theories summarized above.

**Deservedness (matching) hypotheses.** Matches between the valence of the treatment (positive/respectful versus negative/disrespectful) and the valence of the attribute that treatment is believed to be most strongly related to (e.g., positive or negative group standing or group status, self-worth, value of interpersonal relationship; value of behavior) will be viewed as more fair than mismatches. This two-way interaction hypothesis will be qualified by a three-way interaction involving attributions of responsibility, so that the matching hypothesis will be most strongly supported in those instances where the target is considered responsible for the attribute in question (this three-way hypothesis involving attributions of responsibility is considered most likely in cases where respectful treatment is viewed as being most strongly related to a target’s behaviors rather than the target’s self-worth or interpersonal relationship with the source).

In addition to the measures described above, tests of this hypothesis will require measures of the source’s or target’s assessment of the extent to which they viewed the encounter as one in which the source’s behavior implied an evaluation of the target’s (a) group standing (b) self-worth, (c) interpersonal relation with the source, or (d) behavior. Additional measures will ask the respondent to evaluate the target (oneself if assigned the target’s perspective, or the other if taking the source’s perspective) on each of those attributes (e.g., targets will indicate their own view of their group status; their self-worth; their interpersonal relationship with the source; and the behavior most likely being evaluated in their encounter). The two-way interaction hypothesis is tested by looking for an interaction between the respondent’s valuation of the attribute they believe was most likely evaluated by the source’s treatment of the target, and the politeness of the source’s behavior on the dependent measure of procedural fairness. One concrete example is the prediction that police officers will evaluate another officer’s treatment of them as most fair when respectful treatment followed positively valued behaviors (e.g., and assignment well done) or positively valued attributes (e.g., relatively high within-group status) and when disrespectful treatment follows negatively valued behaviors or attributes, and as least fair following value of behavior-respectful treatment mismatches (it is noteworthy that this explanation is capable of explaining the judge’s remarkably little concern with trust, neutrality, and standing in the police encounters they evaluated in the Heuer & Saks, 1997, study described above--it is possible that the judges thought these scoff laws did not deserve such procedural considerations).

**Role hypotheses.** Decision makers will focus on different criteria than decision recipients when evaluating procedural fairness. Based upon the literature reviewed above, I expect decision makers to place greater weight on instrumental criteria and less weight on relational criteria than decision recipients. This hypothesis would be supported by an interaction between the experimental variable of role and any of the variables of trust, neutrality, respect, decision control, process control,
outcome fairness or absolute outcome (several types of benefits will be examined, including benefits to the decisionmaker such as police officer safety, benefits to society such as the apprehension of a dangerous individuals, and benefits to the civilian, such as reprimands, fines, or detention). Multiple measures of each of these relational and instrumental criteria will be employed, and interaction tests will be conducted only after exploratory and confirmatory factor analyses to assist with the construction of composite measures that have a reasonable degree of independence from one another.

In addition to the interaction tests, measures of the respondents’ motives in various situations (e.g., police officers in civilian encounters might be expected to be more concerned with their own safety, with maintaining control of the situation, and with societal benefits than with gaining information about group standing or interpersonal relations) will be used to investigate the bases of decisionmaker versus decision recipient disparities in justice criteria (in order to minimize the demand characteristics of such measures, they will be placed toward the end of the survey, after the key measures of such variables as fairness criteria and fairness judgments have already been answered). So, for example, mediational analyses (Baron & Kenny, 1986) will be used to examine the extent to which respondent motives mediate the effect of role.

As noted above, most of the research attention to decision maker versus decision recipients has confounded this role variable with the variable of perspective (considering the fairness of one’s treatment of someone else versus someone else’s treatment of oneself). In order to avoid this confound, the NYPD study manipulates both role and perspective. Our analyses of the perspective variable will involve tests of interactions between perspective procedural criteria similar to the tests of the role variable described above. Additional analyses will examine three-way interactions involving both role and perspective (so, for example, one finding might be that both role and perspective shifts are required before instrumental concerns become more important and relational ones become less important).

Motivational hypotheses. Several motivational hypotheses will be tested in this study. First, since we survey police officers about encounters with individuals who are or are not members of the NYPD (a clearly defined group which is expected to be central to our respondent’s social identities), this study permits a test of the relational theory’s motivational hypothesis that the symbolic variables of trust, neutrality, and standing are more important for evaluating the fairness of treatment received from in-group than out-group members. In addition to the manipulation of group membership, measures of attachment to and identification with the groups studied (police in this study, but also judges and organizational employees in subsequent studies) permit additional tests of a greater concern with symbolic criteria among those individuals who identify most strongly with their group.

Second, while the self-interest hypothesis has been well tested in many studies of the influence of relational and instrumental procedural criteria (e.g., Shapiro & Brett, 1993; Tyler, 1994; Heuer & Cohn, 1996), these studies, especially the NYPD study, permit another test of the role of instrumental motives for disputant concerns with relational and instrumental procedural criteria.

Most importantly, in addition to the relational motives that are the focus of Tyler & Lind’s (1992) relational theory and the informed self-interest motives that are the focus of Thibaut & Walker’s (1975; 1978) theory of procedural justice, I expect the self-esteem, belongingness, and morality motives described above to contribute uniquely to the importance of the symbolic concerns with trust, neutrality,
and standing for procedural fairness judgments. In order to test the motivational hypotheses, respondents will be asked to indicate the degree to which the target encounter was one in which they were concerned with, or thought they might have gained information relevant to their concerns with their within-group status, their preferred outcomes, the quality of their interpersonal relationship with the other individual, their self worth, or their moral uprightness. As mentioned above, multiple measures of each of these potential motives will be employed; interaction analyses will not proceed until exploratory and confirmatory factor analyses have assisted with the construction of component or composite measures of meaningfully distinct underlying motives. Tests of the unique contribution of the additional motives studied here will be conducted by testing for interactions between each of these motives and the relational justice criteria while controlling for the main effects of the group affiliation and self-interest motives and their interactions with the relational variables.

**Studies 2 and 3: Judges and Managers.**

Two additional studies are proposed below to further examine the hypotheses proposed: a study of judges (and litigants) and a study of managers (and subordinates). Together, these two studies provide a valuable contrast to the police survey described above. Compared to police encounters, courtroom and especially organizational encounters are likely to be less emotional; organizational encounters are likely to involve relationships with a longer history; both courtroom and organizational encounters are likely to involve multiple issues; and the motives underlying decisionmaker behavior in both the courtroom and organizational settings are likely to be different than the motives driving police behavior. Therefore, these additional studies provide needed tests of the reliability and generalizability of findings from the police survey. Despite these contrasts, however, the same basic psychological processes are expected to operate in these two settings as in the police setting. In fact, a substantial literature exists to support the view that justice concerns matter in organizational and courtroom contexts as well (see Lind & Tyler, 1988, for a thorough review).

The design of the organizational study will be the same as the judge study, and therefore will be presented in less detail than the police study--the survey instrument and the hypothesis tests will be very similar (exceptions of course, include different wording as necessary to tailor questions to the appropriate context, as well as modifications resulting from insights gained in the police study (e.g., fewer items might be necessary if factor analyses in the police study suggests fewer motivational or value constructs than expected in the police study). Finally, the judge study will be a considerably more conservative design, for reasons described below. This design change introduces some limits to the manner in which decisionmaker-decision recipient contrasts are interpreted. These limitations will be discussed below as well.

**Field experiment 2: A study of trial court judges**

**Design.** This study will survey 400 trial court judges and the litigants who have interacted with these judges in order to compare their perceptions of the way the judges treated litigants. Because of the smaller population (compared with the NYPD) and the expectation of a lower response rate, the design of this study is deliberately more conservative than the police study. This study will be a one-way design with two levels--decisionmaker (judge) versus decision recipient (litigant). This study permits a strong test of the influence of role on the meaning and importance of fair procedure. This test will be conducted by looking for the same interactions between role and the procedural variables
as described in the police study above. Because of the conservative design, this study includes some confounds that were absent from the police study: the comparison of judge perceptions versus litigant perceptions confounds role (decisionmaker versus decision recipient) with profession (judge versus non-judge), as well as confounding role with perspective (source of treatment versus target of treatment). While this study has confounds that do not exist in the police and organizational studies, it is worth noting that the confounds noted in this study are present in virtually every study that compares decisionmakers versus decision recipients in the published literature. However, in the context of the three studies proposed here, this study adds a test of the decisionmaker versus decision recipient contrast in another prototypical subordinate-authority encounter (thus addressing concerns about the reliability of any effects observed with police or managers) and provides an estimate of the magnitude of the differences in decisionmaker versus decision recipient perceptions in a realistic setting. The police and management studies will provide additional insight about partitioning these effects across professions, perspective, and role.

This study also permits tests of the deservedness hypotheses. Again, analogous measures (with appropriate modifications for the context shift) to those described in the police study will be collected from judges and litigants or lawyers (so, for example, both parties can be asked about whether the judge’s behavior implied an evaluation of the target’s (a) group standing (b) self-worth, (c) interpersonal relation with the source, or (d) behavior, and both parties’ evaluation of the litigant on those attributes. As in the police study, the matching hypothesis is tested by looking for an interaction between the respondent’s valuation of the attribute they believe was most likely evaluated by the judge’s treatment of the litigant, and the politeness of the judge’s behavior on the dependent measure of procedural fairness.

Finally, while this study (unlike the police and manager studies) confounds group membership (judge versus non-judge) with role or authority (thus potentially detracting somewhat from the importance of group affiliation motives as the basis for concerns with trust, neutrality, and standing), it nonetheless permits an examination of the influence of multiple motives on the importance of trust, neutrality, and standing for fairness judgements. So, for example, judges and litigants will be surveyed about their perceptions of the value of the litigant’s behavior most likely being evaluated by the judge. As in the police study, this value judgement (as well as one’s about the litigant’s value as a person, the litigant’s value to an interpersonal relationship with the judge, and the litigants social status relative to the judge) will be used to test the matching hypothesis described above.

**Procedure.** Judge participation will be solicited by mail to state court trial judges (public mailing lists of these judges are available and the population of state court trial judges is more than sufficient to support the proposed sample of 400 judges). Our letter of invitation will describe a general inquiry into judge and litigant courtroom demeanor. The letter will point out the importance of this issue for litigants’ satisfaction and perceptions of the legitimacy of legal authorities and legal institutions. The letter will ask the judges to agree to complete a survey after their next trial and to request one key litigant to do so as well. Judges will be asked to indicate their willingness to participate in this study by returning a self-addressed stamped post card. Once a judge has agreed, we will send the judge and litigant questionnaires in separate self-addressed stamped envelopes along with a reminder about the procedure they are to follow. This procedure has worked well in two prior studies of judicial behavior.
Field experiment 3: A study of organizational employees.

**Design.** Study 3 will employ the same design as the police study, and therefore will be described only briefly here. Rather than police officers, this study will survey 400 organizational employees (50 employees in each of the 8 cells of this In-group versus out-group x respondent as decisionmaker versus respondent as decision recipient x respondent as source of treatment versus employee as target of treatment between subjects randomized factorial design). The survey instrument and the hypothesis tests will be virtually identical to those employed in the police survey. The only substantial change in this study concerns the manipulation of in-group versus out-group encounters. This manipulation will be operationalized by asking respondents to think of an encounter with someone in their own department or company versus an encounter with someone in a different company. While this is not expected to produce as strong a manipulation of social identity as the police versus non-police study, additional measures will be employed to assess each respondent's commitment to their organization (e.g., Becker, 1992; Becker, Billings, Eveleth, & Gilbert, 1996). Such measures permit an additional test of the role of group affiliation motives similar to ones employed in previous tests of this motivational assumption of the relational theory (e.g., Tyler, 1989).

**Procedure.** Organizational employees will be approached in two locations and asked to participate in our study. A first location is one that was used successfully for the Heuer et al. (1995) studies described above, which is to approach New York metro area commuters on train platforms as they await their train into the city. Commuters are asked if they will complete a questionnaire while they travel into the city, in exchange for which we buy them their morning newspaper or coffee. Once they agree, they will be given a questionnaire and a pencil (and a newspaper or coffee). Then a researcher will be waiting for them at the end of their commute to collect their completed survey. This procedure has produced as many as 40-50 questionnaires per hour in previous studies, and taps a population of millions of commuters (the procedure requires obtaining a permit from the transit authority, and it has been our experience that such permits are readily granted). Because this study requires that employees be able to think of someone they consider to be either higher or lower in decision authority then themselves, respondents will be asked to participate only if they can think of at least several persons at work whom they have some level of authority over, and several others who have some level of authority over them as well (it is expected that this screening will eliminate very few suburban commuters). A second location is to request managers to complete this survey at the conclusion of a seminar on negotiations (both the PI, but particularly a colleague of the PI, do occasional seminars with managers and we expect no difficulty generating 200 completed surveys from these seminars in one year).

**Data analytic strategies.**

Several different data analytic strategies will be employed in order to address the variety of questions of interest. Each of the hypotheses stated above involves tests of main effects of manipulated variables as well as main effects of naturally occurring variables, and their interactions with measures of respondent assessments of such additional variables as treatment variables (e.g., trust, neutrality, and standing, process control, decision control), outcome variables (absolute outcome from decisionmaker's perspective, decision recipient's perspective, and societal perspective), fairness judgments (procedural fairness, distributive fairness); assessments of the value of the decision recipients' personal and behavioral attributes; the parties' withingroup position and status; the potential motives engaged in various situations, as well as such descriptive measures as age, ethnicity, and gender. Given the large number of variables to be measured in this study, initial analyses will involve both exploratory and confirmatory factor analyses to determine the extent to which our measures are actually tapping distinct constructs. Once such analyses are completed, hypothesis tests and meditational analyses will be...
conducted using multivariate regression analyses and covariance structure analyses (LISREL). The number of respondents in all three studies is sufficient to expect stable covariance matrices for reliable LISREL estimates.

**Feasibility of the field studies**

The analyses proposed for the field data described assume measurement of the following general constructs: Five motivations (group affiliation, self-interest, interpersonal belongingness, self-esteem, morality); measures of the extent to which each of the five motivations has been (or is expected to be) satisfied in the social encounter; procedural variables (process control, decision control, trust, neutrality, standing); procedural fairness; outcome fairness; absolute outcome; satisfaction with procedure; satisfaction with outcome; satisfaction with the other individual in the conflict. In order to measure each construct with 2 indicators, and to include some general descriptive measures as age, gender, and ethnicity, would require a questionnaire with fewer than 75 items. This length of a survey instrument is not out of line with those we have obtained successfully in previous efforts using similar data collection strategies with organizational employees and judges. In order to facilitate the collection of these data, the budget for these studies includes small donations to charitable organizations (police and courtroom studies) or a small gesture of appreciation (coffee or newspapers to commuters in organizational study).

**Summary and Conclusions**

Together, these studies will make numerous contributions to the advancement of our theorizing about procedural justice. Among the contributions are the following:

- A deservedness view of respectful treatment is tested. This view has been supported in numerous pilot studies, including some that have shown circumstances under which respectful treatment is viewed as less fair than disrespectful treatment—a reversal of the typical effect of respect on justice judgments. The studies proposed here test the deservedness hypotheses in three realistic encounters between authorities/decision makers and decision recipients. Support for this hypothesis in any of these settings would point to a qualification of the role of respectful treatment for procedural justice. Such a finding also points to an underlying process (deservedness judgments) that suggests a link between procedural and distributive justice theories that has received little attention in the justice literature.

- All three studies investigate a potential disparity in the meaning and importance of procedural justice among decision makers versus decision recipients. While this disparity has been observed in numerous published studies and two studies of judges currently under review (Heuer & Saks, 1997), the basis for this disparity has not been thoroughly explored, as the justice literature has focused overwhelmingly on the perceptions of decision recipients. Furthermore, the few previous studies that have studied decision makers have typically confounded role (decision maker versus decision recipient) and perspective (source of treatment versus target of treatment) and have often confounded role and profession (e.g., police officer versus civilian; manager versus employee). Two the three studies proposed here promise to sort out the variance attributable to these different factors potentially responsible for the disparate perceptions of decision makers and decision recipients.

- The procedural justice literature has focused overwhelmingly on two motives underlying concerns with treatment: informed self-interest and group affiliation. However, published work and pilot data are summarized that suggest that other motives might make a substantial independent contribution to the importance of concerns with process control, decision control, trust, neutrality, and standing. The studies proposed here examine the role of the additional motives of self-esteem maintenance, interpersonal belongingness, and upholding moral standards for individuals' concern with procedural justice criteria. Support for an independent contribution of any of these motives would suggest refined models of justice judgements, as well as offer predictions about procedural justice in novel settings (ones in which neither self-interest nor group affiliation are strongly invoked).
References


Endnotes

1. While our analysis of the judges’ procedural evaluations focuses on the decision recipient versus decision maker distinction, a related distinction has been drawn in some studies between participants’ and observers’ reactions to dispute resolution procedures. The judges in our studies were asked to imagine themselves as appellate judge participants, but in that role they evaluated an encounter between disputants and police, which they “observed” via a summary of the trial court proceedings. However, two studies that examined participant versus observer evaluations of dispute resolution procedures (LaTour, 1978; Walker, LaTour, Lind, & Thibaut, 1974) both found only minor differences as a function of role. Furthermore, unlike the Heuer & Saks findings (which found the judge “observers” to be more outcome oriented than has been reported in most participant studies), the differences in these studies suggest that the observers were less affected by instrumental motives than the observers. These findings, combined with the studies of decision maker vs. decision recipient reviewed here, point us to this latter distinction as the most promising perspective for further inquiry.

2. Of course, appeals such as the one described to the judges by Heuer and Saks are supposed to be decided according to precisely those procedural criteria that membership in our society does entitle one to, such as one’s civil rights. At the same time, socio-legal researchers have shown that extralegal considerations clearly affect judicial decision making as well (e.g., Segal, 1984; Segal and Cover, 1989; George & Epstein, 1992).

3. Assessing the unique contribution of each of these motives will require a demonstration that our respondents are capable of distinguishing among them. Pilot work with undergraduates has demonstrated that we are able to vary our instructions about the type of actual encounters they should recall, which has differentially affected our measures of the respondents’ concerns with each of these motivational constructs. While this is promising, we will include multiple items tapping each motivational construct in our questionnaires, and will employ both exploratory and confirmatory factor analyses to assess the degree to which these motives have been successfully distinguished.

4. Note that the design, described below, avoids a confound between the variables of group membership (police-police encounters vs. police-citizen encounter) and role (police as authority/decisionmaker vs. police as subordinate/decision recipient) by manipulating both of these variables in an orthogonal design.

5. I have assured Deputy Commissioner of Policy and Planning Michael Farrell, and his assistant, Sgt. Vincent Henry, that I am willing to assist with the distillation and dissemination of the findings of this study to members of the NYPD, and to work with the police department in the preparation of training efforts based upon these findings and the broader literature on the social psychology of procedural fairness.

6. Commissioner Farrell and Sgt. Henry have agreed in principle to this civilian follow-up. While there are some obstacles concerning the release of names of civilians, we have discussed ways this might be managed (e.g., one possibility would be a follow-up conducted by the NYPD; alternatively, we might ask officers to hand a self-addressed stamped envelope to the first civilian encountered on a target date. The former has the disadvantage of concerns about civilian’s willingness to respond candidly to a caller from the NYPD, the second has the disadvantage of relying on the officer to follow our instructions regarding the random selection of a police-civilian encounter. We are sensitive to these tradeoffs and committed to finding the most valid, workable approach).

7. I am proposing somewhat different language than has occasionally been used in previous studies of justice among third parties. For example, Sheppard, Saunders, & Minton (1988) asked third parties to describe “the last dispute or conflict in which you intervened to help mange or resolve the dispute”. I am proposing to solicit disputes between the police and another individual, in order to include dyadic conflicts as well as ones in which the police were acting more like mediators or arbitrators. Doing so permits an extension of the key constructs studied here to dyadic as well as “third-party” conflicts, something which Lind, Tyler, & Huo (in press) have also suggested is important. Additional questions will be included to determine whether the conflicts were ones which involved the officers in a dyadic or third-party role.

8. While we will measure evaluations of each of these attributes, exploratory and confirmatory factor analyses will guide our data analytic strategy regarding how many distinct attributes were actually measured.
RUI: An investigation of a decision maker-decision recipient disparity in the meaning and importance of procedural justice

A proposal to the National Science Foundation
SES: Law and Social Science

by

Larry Heuer
Department of Psychology
Barnard College

August 2005
Project Summary

Five laboratory experiments and one field survey will be conducted to compare the justice reasoning of decision makers (DM) and decision recipients (DR). Based on a program of prior research, it is expected that this role variable will moderate the effect of outcomes versus procedures on judgments of procedural approval and procedural fairness, such that, compared with DR’s, procedural fairness judgments and procedural satisfaction among DM’s will be more heavily influence by outcome concerns—perhaps to the extent that procedural evaluations among DM’s are driven almost entirely by outcome criteria rather than procedural ones. Since this role-based moderation or procedural justice judgments has been infrequently reported, and since procedural justice theories are focused rather narrowly on the role of procedural justice for decision recipients, very little is known about this phenomenon.

The research proposed here is designed to expand our understanding of this DM-DR moderation effect by focusing our inquiry on an examination of: the following aspects of the DM-DR moderation effect: (1) the generalizability of the moderation effect across contexts; (2) the components of the DM-DR distinction that are responsible for the moderation effect, and (3) an exploration of which theoretically derived procedural and outcome criteria show the moderation effect.

A review of procedural justice theory and research suggests that the meaning of procedural fairness and its importance for procedural evaluations can vary depending on the motives engaged in varying allocation contexts. However, justice theories generally make motivational assumptions that are likely to be true among DR, but might not be relevant among DMs. Therefore, the studies proposed here are also designed to examine the motives that are responsible for the DM-DR moderation effect. In the first year of this two-year project, three vignette studies will be conducted, starting with a study that incorporates 11 variables in a single fractional factorial design: contextual factors that test the generalizability of this effect; DM-DR component variables that test the proximal variables responsible for the effect, and several procedural and outcome criteria (this study is geared toward the detection of 2-way interactions involving the DM-DR component variables and the procedural/outcome variables, and 3-way interactions indicating the contexts in which the 2-way interaction is obtained). The subsequent two vignette experiments will employ smaller designs geared toward replicating and exploring the interactions in a fully crossed orthogonal design. The two laboratory experiments in Year 2 employ deception in order to create realistic allocation situations that create tension between procedural fairness criteria and outcome concerns. In addition to permitting additional tests of the moderation effect, these studies initiate a research paradigm that is amenable to the examination of numerous combinations of additional variables in future research.

The first five studies are expected to produce a refined notion of the psychological processes responsible for the moderation effect. The last study will be a field survey in an applied context that examines natural variability among variables identified as central to the moderation effect. The set of studies is expected to produce an understanding of the moderation effect that might lead to moderation of the effect of procedural and outcome variables on procedural fairness that is independent of DM-DR. While the mere fact of DM-DR moderation raises important basic and applied questions, if this effect can be disentangled from the DM-DR distinction, so that the usual dominant influence of procedural criteria for procedural evaluations
among DR’s could be undermined, this finding would pose a challenge to procedural justice theories as well.
Justice from the perspective of decision makers versus decision recipients .................. 1
Generalizability, causal mechanisms, procedural criteria, and motivational mediators . 2
Questions concerning the generalizability of the DM-DR moderation effect .......... 3
Examining the causally relevant components of the DR-DM construct ................. 4
Manipulating the procedural and outcome criteria that are subject to DM-DR moderation ............................................................................................................................ 5
Measuring the motivational processes engaged among DM’s and DR’s............... 5
   Striving to maximize the group’s welfare. .............................................................. 6
   Striving to abide by one’s perceived responsibility. ............................................. 6
   Striving to allocate according to a principle of deservingness. ......................... 6
Summary of research goals...................................................................................... 7
Research Designs and Procedures ......................................................................... 8
Study 1. ................................................................................................................... 8
   Design .................................................................................................................. 8
   Procedure .......................................................................................................... 8
Studies 2 & 3. ........................................................................................................... 11
Studies 4 and 5 ........................................................................................................ 11
   Design ................................................................................................................ 12
   Procedure .......................................................................................................... 12
Study 6. .................................................................................................................. 14
Summary and Conclusions .................................................................................... 14
Justice from the perspective of decision makers versus decision recipients

The proposed research takes as its starting point the findings of several studies of the role of procedures and outcomes on justice and satisfaction among decision makers versus decision recipients (Heuer, Penrod, & Kattan, 2005). Two aspects of this research are uncommon in the procedural justice research literature. First, although some justice theorists (Finkel, 2000; van den Bos & Lind, 2001) have encouraged greater attention to the influence of perspective when justice judgments are being rendered, the overwhelming majority of the research concerning procedural fairness has been focused on the targets of the procedures, or the recipients of the outcomes, rather than those who are enacting the procedures or allocating the outcomes (Flynn & Brockner, 2003; van den Bos & Lind, 2001). In contrast, our completed research has examined fairness and satisfaction among authorities as well as subordinates (the distinction between decision maker and decision recipient is confounded with numerous other constructs in such comparisons in any realistic environment—a problem I return to below). This research has consistently shown that the meaning of procedural fairness and the importance of procedural fairness for procedural evaluations is different for authorities than for subordinates.

In several studies we have found that authorities’ evaluations of procedural fairness and their satisfaction with procedures are influenced more by outcome concerns than by procedural fairness criteria such as voice, a variable that figures prominently in instrumental theories of procedural fairness (Thibaut & Walker, 1975) and respect, a variable that figures most prominently in relational (Lind & Tyler, 1988; Tyler & Lind, 1992) and interactional (Bies, 1987a; Bies & Moag, 1986) fairness theories. Although several studies (Field & House, 1990; Houlden, LaTour, Walker, & Thibaut, 1978; Lissak & Sheppard, 1983; Tyler & Griffin, 1991) and reviews (Harris & Schaubroeck, 1988; Hogan & Currphy, 1994) are suggestive of an authority-subordinate distinction of the sort we have observed in our research, such findings have been infrequently reported in a literature that has consistently found procedural evaluations to be heavily influenced by voice (Brockner et al., 1998; Folger, 1977; Folger, Rosenfield, Grove, & Corkran, 1979; van den Bos, Wilke, & Lind, 1998; van Prooijen, van den Bos, & Wilke, 2002) and respect (De Cremer, 2002; Heuer, Blumenthal, Douglas, & Weinblatt, 1999; Sunshine & Heuer, 2002; Tyler, 1989; Tyler, 1990, , 1994, , 2001). Below I summarize our research findings and then I propose a program of designed to enhance our understanding of the basic and applied implications of the disparate fairness processes that seem to be operating among authorities and subordinates.

The first two of several studies conducted in our lab were experiments conducted among actual judges (completed surveys were obtained from 70 Federal Appellate Court Justices in Study 1, and 75 State Circuit Court Judges in Study 2). In both studies, participants read a description of a hypothetical case in which an airline traveler was stopped for questioning based upon the results of a technology referred to as voice stress analysis (VSA). In all conditions, the passenger was searched and arrested, and was later tried and convicted. The materials indicated that the passenger was appealing his conviction on the grounds that the initial stop for questioning violated his Fourth Amendment protection against unreasonable search and seizure. The case varied according to experimental condition in a 2 (search procedure) x 2 (search outcome) factorial design. The manipulation of the search procedure how respectfully the police officers treated the passenger as they conducted the search. The search outcome varied according to the societal benefit that resulted from the search. In the high benefit condition, the search revealed that the passenger was in possession of a small firearm In the low benefit condition the search revealed that the passenger was in possession of either 1 joint of marijuana (Study 1) or several stolen credit cards (Study 2) Judges were asked to complete a questionnaire including 3 key dependent measures: their decision in this appellate case (either a ruling in favor of the State which upheld the
legality of the search or a ruling in favor of the defendant which overturned the conviction) and their
evaluation of the fairness of the police search procedure and the fairness of the search outcome.

Two findings of these studies are relevant for the research proposed here. First, a regression of the
judges’ decision on the manipulated and measured variables revealed that outcome concerns explained
nearly all of the unique variance. Of the two manipulated variables of procedural respect and societal
benefit, only societal benefit uniquely improved the fit of the regression model. When measures of the
theorized psychological mediators (perceived societal benefits and costs, bias, infringement on rights, and
respectful treatment) were entered as predictors in a subsequent block, only the variables of outcome,
societal benefits, and infringement made a unique contribution, with societal benefits having the greatest
influence. Finally, when measures of perceived procedural fairness and outcome fairness were added to
the model, only outcome fairness made a significant contribution. Second, in order to better understand
the judges’ notions of fairness, the measures of outcome fairness and procedural fairness were regressed
on the manipulated variables and the theorized psychological mediators. In both analyses, the
manipulated variables were entered in Block one, followed by their interaction in Block two, the
postulated mediating variables in Block three. The results of both analyses are similar: only the outcome
manipulation significantly influenced the fairness judgment in Block 1, and only the mediating variable of
societal benefits uniquely added to the fit of the model in Block 3. There was no unique contribution of
respectful treatment on the judges’ perceptions of the fairness of the VSA procedure.

Although these studies suggest decision maker-decision recipient (DM-DR) as the moderator
responsible for the enhanced influence of outcomes and the reduced influence of procedures on the
procedural evaluations, a study incorporating a role variable into an experimental design was necessary to
test this hypothesis. Hence, a laboratory experiment was conducted among undergraduate participants.
Unlike the previous studies, this study manipulated the participant’s role (DM-DR) in a vignette modeled
after the one in the judge studies. Like the judge studies, this one varied the information concerning the
“societal benefit” resulting from a search and information about how respectfully the search procedure
was conducted. The primary dependent variable in this study was the participant’s judgment about the
procedure employed in this case. Interaction contrasts supported our predictions that (a) the participants
who adopted the subordinate perspective would be more influenced by the procedure manipulation than
would the participants who adopted the authority perspective; and, (b) the participants who adopted the
authority perspective would be more influenced by the outcome manipulation than would the participants
who adopted the subordinate perspective.

**Generalizability, causal mechanisms, procedural criteria, and motivational mediators**

Our work summarized above has established that the procedural fairness judgments and procedural
evaluations of decision makers are more heavily influence by outcome concerns than is the case for
decision recipients. Furthermore, in several instances, this work has shown decision makers to be
influenced predominantly by outcome concerns and virtually unaffected by procedural concerns as they
contemplate procedural fairness and procedural satisfaction. However, our understanding of this effect is
limited in at least four ways, each of which have important applied and theoretical implications.

First, since the research and theory concerning procedural fairness has focused overwhelmingly on
decision recipients, the DM-DR moderation effect has been infrequently reported; consequently, very
little is known about the extent to which it generalizes to settings other than those examined thus far.
Second, since one’s role (DM-DR) in allocation settings such as those we have examined so far (and
seemingly in most allocation settings) is confounded with a variety of variables that naturally co-vary
with role (e.g., decision making authority, who is targeted by the procedure), little is known about which
of these variables are most strongly linked to the moderation effect. Third, our completed work has shown
that outcomes are more important, and respect less important for procedural fairness and procedural satisfaction among DM’s than among DR’s. However, this begs the question of whether this effect generalizes to other procedural criteria (e.g., will DM’s be less concerned with accuracy and voice as well?) Similarly, there are questions about the nature of the outcome concerns that will be particularly important to DM’s. For example, when confronted with a group threat, will DM’s be as vigilant in responding to information about the seriousness of the threat as they are about responding to the efficacy of the intervention proposed to reduce that threat? Finally, little is known about the motivational underpinnings of the added impact of outcomes and the reduced impact of procedures on DM’s judgments of procedural fairness and procedural satisfaction. While it appears that DM’s are less concerned with the message about group standing conveyed to the targets of procedures by respectful treatment, a variety of alternative motives might be responsible for the DM’s concern with outcomes. Several candidates are discussed below.

Questions concerning the generalizability of the DM-DR moderation effect

Because our goal until now has been to establish the reliability of the DM-DR moderation effect, we have deliberately tapped a rather narrow range of allocation settings. So, for example, we have obtained this effect most often in legal settings. It is possible that legal settings are particularly likely to produce the DM sensitivity to outcomes that we have observed. In two of our completed studies, the DM’s were actual judges—a population that might be particularly prone to perceive violations of the law as a threat to the moral order, and therefore particularly willing to sacrifice procedural protections in order to uphold their moral values (Mullen & Skitka, 2005; Skitka & Houston, 2001). In order to test the generalizability of the moderation effect, the studies proposed here will examine decision makers and decision recipients in settings other than ones that are explicitly legal.

Second, the procedures under consideration in our completed work have generally been responses to a threat posed to groups that our participants likely identified with (e.g., airline travelers, or students living in campus housing). It is possible that these group threats evoke feelings of group attachment or solidarity among DM’s that would not result if the threats were posed to individuals, or to groups that the DM’s do not belong to. Group commitment and social identity have played a central role in theorizing about concerns with respectful treatment (Huo, Smith, Tyler, & Lind, 1996; Smith & Tyler, 1996) and concern for the group’s welfare (Dawes, van de Kragt, & Orbell, 1990). However, whereas justice researchers have pointed to group commitment as a variable that drives down DR’s concerns with outcomes and drives up DR’s concern with respectful treatment; our own findings are that when groups are under threat, respect matters little to DM’s. These findings suggest the possibility that group commitment has different effects on the role of respect and outcomes for procedural fairness among DR’s and DM’s. The studies below will examine this possibility by varying whether or not the DR’s and DM’s are members of the groups whose welfare is at stake as they evaluate procedural fairness.

Third, the procedures under consideration in most of our studies have already been enacted and their results have been observed (e.g., the search of an airline passenger’s luggage has produced evidence concerning the target’s criminal behavior) rather than procedures being contemplated prior to their enactment (e.g., a procedure that has been proposed to respond to a threats in the future). This retrospective approach might be particularly likely to orient DM’s to outcome concerns, since the individual who has been targeted by the procedure in these cases has already been caught violating the law. With the advantage of hindsight, DM’s (judges in our work in legal settings) might effectively drop the presumption of innocence, and decide that the target of the (respectful or disrespectful) procedure has given up his claim to due process, and is getting the treatment he deserves. This deservingness view of
procedural justice has been well supported by previous work by my students and me (Heuer, Blumenthal, Douglas, & Weinblatt, 1999; Sunshine & Heuer, 2002).

Finally, the nature of the problems confronting the participants in our completed work have generally been ones highlighting potential harms (e.g., how to prevent airline hijackings) rather than ones highlighting potential advances or accomplishments (e.g., how to promote transportation security or public health). Research and theory concerning regulatory focus (Higgins, 1998; Shah & Higgins, 2001; Shah, Higgins, & Friedman, 1998) has shown that individuals respond differently to situations involving the prevention of threats versus the promotion of accomplishments, such that individuals with a prevention focus are concerned with fulfilling obligations and responsibilities while individuals with a promotion focus are concerned with the attainment of hopes and aspirations. This work has also found individual differences in regulatory focus can influence individuals’ appraisals of situations. This work suggests the possibility that DM’s (who might be chronically vigilant about threats) might be particularly inclined to appraise a situation involving a group threat as one requiring them to act responsibly to protect the group’s welfare, leading them to the outcome focus we have observed so far. The regulatory focus work also suggests, however, that the same process might not be engaged when DM’s are confronted with opportunities involving potential advances. The studies below will examine this possibility by manipulating this variable (confronting harms versus opportunities) and observing its effect on regulatory focus as well as its effect on the importance of procedural and outcome criteria for procedural fairness and satisfaction.

Examining the causally relevant components of the DR-DM construct.

Source-Target Effects. Our findings so far indicate that decision makers are less affected by procedural concerns than are decision recipients. However, decision makers and decision recipients differ from each other in a variety of ways, leaving considerable uncertainty regarding the particular set of proximal variables that are responsible for the moderation effect. First, DM’s are typically the source of the procedures in allocation settings, and they are often not targeted by these procedures, whereas DR’s typically are the targets of these procedures. It is possible that this difference is sufficient to explain their different views about the importance of outcomes and respect. While targets of procedures clearly view respectful treatment as a signal about the authority’s view of their group standing, the authorities who are implementing those procedures might well have completely different concerns in mind, so that respect (or disrespect) is viewed as a means to obtaining an important group resource, and its consequences for someone else’s (the target’s) group standing are overlooked.

Status Effects. Second, DM’s often occupy relatively high status positions in the allocation setting, whereas DR’s often occupy relatively low status positions. In two studies, Chen, Brockner, & Greenberg (2003) found relational concerns to matter more for those who were relatively low in status—a finding that is consistent with our findings among DM’s and DR’s.

Decision Authority. Third, DM’s generally have high decision authority, whereas DR’s have low decision authority. It is possible that one’s self-perception as being genuinely responsible for deciding what procedures will be implemented in order to minimize group threats or maximize group opportunities might be sufficient to drive up one’s concern for protecting the group’s outcomes. Perhaps among those who are the ultimate decision makers, the ends are viewed as justifying the means.

A second goal of the studies proposed below is to begin to disentangle the causal role of these components of the DM-DR construct. In the studies proposed, each of these three components of the DM-DR construct will be manipulated orthogonally in order to examine their contribution to the DM-DR moderation effect. If a variable or a subset of variables can be linked to the moderation effect independent of the broad DM-DR distinction, this finding would invite additional research geared toward obtaining the
same moderation effect among decision recipients. Although some researchers have shown that contextual variables can moderate the influence of outcome concerns and procedural concerns among decision recipients (Huo, Smith, Tyler, & Lind, 1996), and others have shown that contextual variables can moderate the influence of procedures and outcomes for judgments of outcome fairness (van den Bos, Lind, Vermunt, & Wilke, 1997), and self-esteem (Smith, Tyler, Huo, Ortiz, & Lind, 1998), I am aware of only one line of research that has shown decision recipients’ procedural evaluations are dominated by outcome concerns (Mullen & Skitka, 2005; Skitka, 2002), and that research does not involve DM’s and seems likely to be tapping different psychological principles than the ones invoked in our completed work. Therefore, an additional demonstration of such a finding under considerably different circumstances than those studied by Skitka and her colleagues would pose a considerable challenge to procedural justice theories.

**Manipulating the procedural and outcome criteria that are subject to DM-DR moderation**

**Procedural Criteria.** Until now, our studies of the DM-DR moderation effect have focused primarily on the procedural criteria of respect—a procedural variable that the group value (Lind & Tyler, 1988; Tyler, 1989) and relational (Tyler & Lind, 1992) justice theories say affects procedural justice because of its implications for purely relational concerns such as one’s group standing. Furthermore, our completed studies have focused primarily on two outcome-related criteria: the seriousness of the group threat that has prompted the procedure under consideration, and the efficacy of the procedure at reducing the threat. However, in our previous studies, these outcome criteria have been confounded, so that the most serious threats were combined with the most efficacious procedural interventions.

Little is known about the extent to which the DM-DR moderation of the effect of respect on fairness would occur for the effect of other procedural variables as well. In order to address this question, the studies proposed will manipulate the procedural criteria of voice and accuracy in addition to respect. These two criteria were selected because they have implications for instrumental motives (voice and accuracy can both affect the likelihood of obtaining fair and beneficial outcomes) as well as having potential implications for relational motives (withholding of either might be viewed as a sign of disrespect). Thus, we can determine whether authorities exhibit lessened concern for instrumental criteria that they have for relational criteria. Furthermore, with the appropriate measures, we can examine whether it is the relational or the instrumental implications of these variables that are responsible for their differential impact on DM’s and DR’s notions of procedural fairness.

**Outcome Criteria.** Similarly, since our completed work confounded the outcome variables of the seriousness of the threat to the group and the efficacy of the procedural intervention being considered to respond to the group threat, our previous work does not permit an assessment of the importance of these two different types of outcome concerns. Although some recently completed pilot work with undergraduates reading fictitious vignettes suggests that DM’s have a greater concern with procedural efficacy than they do with the seriousness of the group threat, a replication of this finding would enhance our confidence in the reliability of this finding.

**Measuring the motivational processes engaged among DM’s and DR’s**

A final question to be addressed by the proposed studies concerns the motives that are responsible for DM’s focus on outcomes more than procedures as the key to procedural fairness. While the motives that have received the greatest attention from procedural justice theories are the motive to maximize fair or beneficial outcomes, which was the original motivational assumption made by Thibaut and Walker (1975) and the group value, or relational motive (Lind & Tyler, 1988; Tyler & Lind, 1992). However, these theories are clearly concerned with the motives of the decision recipients who are the targets of procedures (those whose outcomes are being decided by decision makers, and those who are being treated
more or less respectfully by authorities) rather than the DM’s, who are administering them, or are not the targets of them. The studies being proposed will test the role of three motives that might account for the considerable influence of outcomes on DM’s judgments of procedural fairness: striving to maximize the welfare of the group facing the threat (or the group presented with an opportunity); striving to abide by a perceived responsibility to protect the group’s welfare; or striving to assure that those targeted by procedures get the treatment and the outcomes they deserve.

**Striving to maximize the group’s welfare.**

This motive is what Batson, Ahmad, and Tsang (2002) refer to as collectivism—a motive to increase the group’s welfare that is, according to Batson et al., particularly likely to operate for in-groups. The measure of this motive will permit a test of the possibility that DM’s, perhaps by virtue of feeling sufficiently secure in their group standing that they needn’t focus on respect, are freed to strive to maximize their group’s welfare, thus leading them to the focus on outcome that we have observed in our prior research. However, as we noted above, this effect might be limited to situations like those employed in our earlier studies, where the DM’s are members of the group whose welfare is at stake. If DM’s are found to focus on outcomes for out-groups as well, then a different motive seems a more likely candidate—such as the motive to abide by one’s DM responsibilities.

**Striving to abide by one’s perceived responsibility.**

Recently Weber, Kopelman, and Messick (2004) proposed a “logic of appropriateness” framework to decision making in social dilemmas. According to the authors, in situations like the ones examined in the research being proposed here, decision makers strive to discover what people in situations like theirs are expected to do. The process proposed by these researchers is similar to what I am proposing here—that DM’s are striving to do what they think is appropriate for someone in their position. One way in which this appropriateness motive and the motive to maximize the group’s welfare might be distinguished is that I expect maximizing the group’s welfare to play a greater role for DM’s who are evaluating procedures that affect groups they identify with. However, DM’s who are striving to abide by their responsibilities are expected to strive to protect the welfare of the groups subject to their authority, regardless of whether they personally identify with those groups.

**Striving to allocate according to a principle of deservingness.**

My students and I (Heuer, Blumenthal, Douglas, & Weinblatt, 1999; Sunshine & Heuer, 2002) have argued that relational justice theories (Lind & Tyler, 1988; Tyler & Lind, 1992) and interactional justice theories (Bies, 1987b; Bies & Moag, 1986; Bies & Shapiro, 1987; Cropanzano & Folger, 1989; Folger & Bies, 1989) have devoted insufficient attention to the psychological mechanisms linking polite and respectful treatment to procedural fairness. We asserted that the link between respect and fairness is affected by an individual’s belief that they are entitled to respectful treatment—a deservingness-fairness link that is explicit in theories of distributive justice (Lerner, 1977; Major, 1994). In two laboratory experiments our hypotheses were supported as we showed that judgments about the value of peoples behavior (positive or negative) and attributional judgments about individuals’ responsibility for their behaviors moderated the effect of respect so that respect was most important for those individuals who performed positively valued behaviors, particularly those who were responsible for those behaviors. Analyses revealed that the respect-justice relationship was mediated by perceptions of deservingness. In a field survey, we observed that respect was more important for the procedural fairness judgments of high self-esteem individuals—those who felt they were most entitled to respect. In other words, our studies showed that a concern with deservingness, rather than a concern merely with enhanced group standing, was an important determinant of procedural fairness judgments.
The deservingness hypothesis suggests a reason that judges in our studies perceived procedures as fair according to the outcomes of the police search of the defendant—the outcome of the search (e.g., finding a gun) served as evidence that the defendant is responsible for a negatively valued behavior, so withholding respectful treatment, or curbing due process, might have been perceived as the fair response (Hafer & Begue, 2005). For decision recipients, however, the deservingness calculation might be considerably different. Most participants who contemplate such an encounter are not likely to be ones who would commit the sort of crimes attributed to the defendants in our research, so adopting the perspective of the defendant, even with a deservingness view, they are likely to judge the respectful or disrespectful treatment according to whether it is fair in light of their behavior or their social relationship with the decision maker.

**Summary of research goals**

I have argued that a better understanding of the dynamics of the DM-DR interaction we have observed in our prior research holds the prospect of important advances to justice theory as well as advances in the application of justice theory to applied settings. I have summarized four areas of inquiry that I expect to be productive ones for advancing our understanding of this problem.

**Context.** First I have proposed to systematically vary the context in which DM’s and DR’s contemplate outcomes and procedures. In particular, I have proposed that (a) the studies below will pose questions about procedural fairness in predominantly non-legal settings, in order to test the generalizability of the DM-DR moderation effect to political and organizational settings as well as legal ones. Furthermore, I have proposed to manipulate 3 contextual variables in the studies to be conducted: (1) whether the procedure under consideration is one being employed to respond to reduce a threat or to enable an opportunity; (2) whether the threat or opportunity is one that will affect the respondent’s in-group or one that will affect an out-group; and, (3) whether the procedure is being contemplated retrospectively (the procedure has already been employed and the outcomes of the procedure are known) or prospectively (the procedure is under consideration, and the outcomes resulting from it are unknown).

**DM-DR characteristics.** Secondly, I have proposed to manipulate 3 variables that are inherently confounded with DM-DR in most allocation settings: Whether the individual contemplating the procedure (4) is the source or the target of the procedure; (5) has high or low in-group status; and, (6) has high or low decision authority regarding the application of the procedure under consideration.

**Procedural Criteria.** Third, I have proposed to manipulate 3 variables related to the procedural criteria under consideration and 2 variables related to the outcome criteria under consideration: (7) high versus low respect; (8) high versus low voice; (9) high versus low accuracy; (10) outcome information concerning the seriousness of the threat or the magnitude of the opportunity that the procedure is in response to (high versus low); and (11) outcome information concerning the efficacy of the procedure at reducing threat or promoting the opportunity.

**Motivations.** Finally, I have proposed to employ measures of the importance of several motivations that are expected to mediate the effects of the manipulated variables as respondents contemplate procedures and outcomes, and make judgments of procedural fairness: (1) the motive to maximize fair and beneficial outcomes, (2) the relational motive to be a valued members of one’s valued social group; (3) the motive to maximize the welfare of the group confronting a threat or an opportunity; (4) the motive to abide by the perceived responsibilities of one in the designated role vis-à-vis the affected group; (5) the motive to make allocations and enact procedures according to what the target individuals deserve; and (6) regulatory focus.
Research Designs and Procedures

Study 1.

I propose to start with a single study that incorporates the 11 variables highlighted above in a single fractional factorial design (see below), along with the appropriate measures of the motivational constructs. This study will permit tests of (a) whether the DM-DR moderation effect is obtained in a non-legal setting (this moderation effect would be revealed by 2-way interactions between any of the 5 procedural and outcome variables and any of the 3 DM-DR component variables, in a form consistent with that obtained in our earlier research), (b) whether the moderation effect occurs across the levels of the 3 context variables, or is context specific (context specificity would be revealed by 3-way interactions revealing that the 2-way DM-DR moderation effect is evident only in certain contexts); (c) whether the DM-DR interaction effect generalizes to the procedural variables of voice and accuracy as well as to respect (revealed by 2-way interactions between the additional procedural variables and the DM-DR component variables; (d) whether the DM-DR moderation effect generalizes to both of the outcome variables (threat and efficacy) or if it occurs for only one of them (if the moderation effect is specific to particular procedural or outcome variables (limits to generalizability would be revealed by 2-way interactions between only a subset of the procedural and outcome variables and the DM-DR component variables), and (e) the role of the 6 motivational variables as mediators of the effect of the procedural and outcome variables on procedural fairness among participants assigned to various components of the DM-DR construct (e.g., does perceived responsibility mediate the effect of efficacy on procedural fairness among those with high decision authority?).

Design.

Of course, 11 manipulated variables are too numerous for an investigation using a traditional full factorial design. In a typical factorial design, investigation of the independent effects of each of eleven factors at two levels would require 2,048 conditions, and, using a rule of thumb of 10 subjects per cell, approximately 20,500 participants. Furthermore, such a design would have the potential to produce unwieldy and un-interpretable eleven-way interactions (and much the same could be said for 4- to 10-way interactions). However, a fractional factorial design allows for measurement of all main effects and two way interactions, and designated 3-way interactions with a manageable 128 cells and far fewer participants (Kenny, 1985; Winer, 1971). Although they are less commonplace than complete factorial designs, fractional replicates have been used successfully in previous psycholegal research (Cutler, Penrod, & Dexter, 1990; Cutler, Penrod, & Stuve, 1988) and researchers have encouraged greater use of them for research such as that proposed here, with multiple variables (Stolle, Robbennolt, Patry, & Penrod, 2002). The logic of the fractional factorial design is quite simple. Rather than running a fully crossed factorial design, the researcher runs only a portion of the possible factor level combinations (Winer, 1971). The factor level combinations will be carefully chosen to answer the questions summarized above (McLean & Anderson, 1984; West, Aiken, & Todd, 1993; Winer, 1971). This involves choosing combinations that allow us to assess the main effects, first order interactions, and selected higher order interactions, while confounding the remaining improbable higher order interactions with main effects or other high order interactions (McLean & Anderson, 1984). With 384 participants, we can expect ample power with the ability to detect an effect size as small as .15 (alpha = .05).

Procedure.

Study 1 will have participants read a vignette describing a procedural intervention at a middle school that is being employed to deal with a threat (or opportunity). This intervention procedure is the one that participants will provide fairness and satisfaction ratings of. All participants will be asked to imagine that
they are one of the three members of a tri-partite committee charged with the task of deciding whether to engage this intervention for the next academic year.

Briefly, the 11 experimental variables will be operationalized as follows:

**Context variables.**

*Harms versus opportunities:* Participants in the harms condition will read about a threat to the school involving a decline in the school’s scores on statewide educational performance tests which, if not reversed in the next several years might result in a school closing; participants in the opportunities condition will read about an opportunity for the school to qualify for a federal grant that would add resources to the school if the school can raise its tests scores in the next several years; *In-group versus out-group:* Participants will imagine that the situation involves their alma-mater; participants in the out-group condition will imagine that the situation involves a school in a rural area of a state in a different geographic region of the county (participants in the out-group condition will be told that the committee is comprised of individuals from a community removed from the school’s locale as part of an effort to depoliticize the decision task); *Retrospective versus prospective:* Participants in both conditions will read about an intervention procedure designed to raise the school’s test scores. The procedure will be described as one that is administered by an outside agency. Participants in the retrospective condition will read about a procedure that has been employed for the past year and is currently facing a mandatory 1-year review before the contract with the agency is extended (thus, the efficacy of the procedure in Year 1 is known—see below); participants in the prospective condition will read about a procedure being contemplated (thus, efficacy information is available in the form of forecasts based on the outside firms performance at similar schools).

**DM-DR Component variables.**

The tri-partite committee will be described as having one middle school student member, one parent member, and one middle school teacher. All participants will imagine themselves as either the student representative or the faculty representative on the committee. The materials will emphasize that each member is on the committee to represent the perspective of others like them at the targeted school. *High versus low status:* High status members will imagine themselves as the faculty member of the committee—an individual with a PhD in education and considerable training and expertise in the domain of educational reform; low status members will be told to imagine that they are the student representative of the committee; *Source versus target:* Participants in the source condition will be told to imagine that the intervention procedure is focused almost entirely on evaluating the way [students, if the participant is the faculty committee member; teachers, if the participant is the student committee member] conduct themselves while at school (additional language will be employed in this source condition to underscore the point that this intervention is widely viewed as one being implemented by and at the behest of this committee); participants in the target condition will be told to imagine that the intervention procedure is focused almost entirely on changing the way [students, if the participant is the student committee member; teachers, if the participant is the teacher committee member] conduct themselves while at school (additional language will be employed in this target condition to underscore the point that intervention is targeted at their cohort at the school); *Decision authority high versus low:* Participants in the high decision authority condition will be told that the committee met earlier in the day to conduct a formal vote regarding whether or not to proceed with this procedural intervention, but due to a family emergency, they were unable to attend the meeting. They will be told that the two committee members who were present could not agree, so that now theirs will be the third and deciding vote; participants in the low decision authority condition will also be told that the other two members have voted and that they were in agreement, so that while their own vote is required, it cannot affect the final decision.
Procedural and outcome variables.

**Respect high versus low:** Participants in the respectful condition will be told that the [students, in the student target condition; teachers, in the teacher target condition] at [this school, in the in-group condition; other schools in the out-group condition] have consistently reported that this agency’s employees have been unobtrusive both inside and outside of the classroom, and they have been interested in the [students in the student target condition; teachers in the teacher target condition] and by all indications, they are truly concerned with the [students’ or teachers’] welfare. The materials will note that, on balance, the [students; teachers] say the agency’s employees they have treated the [students; teachers] politely and respectfully; Participants in the disrespectful condition will be told that [those targeted by this intervention] have consistently reported that this agency’s employees have been disruptive to the affairs of [those targeted by this intervention] both inside and outside of the classroom, and they have been uninterested in [those targeted by this intervention] and by all indications, they are not concerned with the welfare of [those targeted by this intervention]. The materials will note that, on balance, the [targets of this intervention] say the agency’s employees have treated the [targets of this intervention] impolitely and disrespectfully; **Voice high versus low:** Participants in the voice present condition will be told that the agency has gone to great lengths to solicit the opinions and feedback of [those targeted by this procedural intervention] as they have proceeded with their business of diagnosing the situation and preparing recommendations for future policies at the target school; participants in the low voice condition will be told that the agency has proceeded with their business of diagnosing the situation and preparing recommendations for future policies without soliciting the opinions and feedback of [those targeted by this procedural intervention]; **Accuracy high versus low:** Participants in the high accuracy condition will be told that the agency’s procedure [involved or will involve, depending on retrospective versus prospective condition] their observation of every classroom in the school over multiple days at different times throughout the academic year; participants in the low accuracy condition will be told that the agency’s procedure [involved or will involve] their observation of a small fraction of the classrooms in the school, for a short period of a school day during a single week of the school year; **Threat/Opportunity high versus low:** Participants in the high threat condition will be told that the target school experienced a rather sudden surge in students’ use of illicit drugs on school property, and a simultaneous considerable decrease in the students’ performance on statewide educational tests and that this has received considerable media coverage, leading to calls by some local politicians to close the school, which would impose considerable hardships on students and parents in this school district; participants in the low threat condition will be told that the school has experienced a modest decline in the students’ performance on statewide tests, but that local experts cannot agree on whether this is a real problem or a statistical blip. No mention will be made to calls for school closings in this condition; Participants in the high opportunity condition will be told that the school is a candidate for a multi-year multi-million dollar grant from a federal agency that would permit added faculty and staff, smaller class sizes, and modernized equipment, all of which would likely transform the educational experience of the children who attend that school for many years to come; participants in the low opportunity condition will be told that the school is a candidate for a one year grant from a federal agency that would permit the upgrade of a portion of the school’s computers and software; **Efficacy high versus low:** Participants in the high efficacy condition will be told that [retrospective: after one year of site visits and recommendations from this agency at this school, the school’s test scores have been very successful at producing positive effects; prospective: at roughly similar schools this agency has been very successful at producing positive effects]; participants in the low efficacy condition will be told that [retrospective: after one year of site visits and recommendations from this agency at this school, the school has been only modestly successful at
producing positive effects; prospective: this agency’s performance at roughly comparable schools has been only modestly successful at producing positive effects.

More than half of the manipulations to be employed in this study have already been piloted in our lab, and we have been very successful at showing effective manipulations that have primarily main effects on the appropriate manipulation checks. All three of the procedural manipulations are based on existing procedural justice theory and are consistent with similar manipulations employed by researchers studying similar constructs.

After reading the materials, participants will complete a questionnaire that includes checks on all manipulations and dependent measures including ratings of procedural fairness, satisfaction with the procedures (including the participants’ recommendation of whether to employ the agency in the upcoming year), measures of the fairness of the (actual or anticipated) outcomes of the agency’s intervention, and measures concerning each of the motivational constructs discussed above (these will be examined as potential mediators of the procedural and outcome effects on procedural fairness and procedural satisfaction). The measures of procedural fairness will be ones that are consistent with those employed by other procedural justice researchers and that have been successfully employed in our own prior research. Of the procedural manipulations, our manipulations of voice and accuracy have not been piloted in our own work with the educational vignette described above, so pilot testing will be required to assure that these manipulations have the intended effects. Measures of each of the key constructs will be based on multiple items so that reliability indices will be available.

Studies 2 & 3.

Studies 2 and 3 will employ procedures that are similar to those in Study 1, and they will be vignette studies designed to pose the same basic problem as the one posed in Study 1. These studies will differ from Study 1 in three important ways. First, the vignettes will employ vignettes that describe a problem in a different context than the one employed in Study 1. In order to extend our knowledge about the generalizability of these effects, these studies will be set in an organizational setting (which will be the setting we turn to in a field survey, proposed as Study 6). Of course this setting lends itself perfectly well to the same basic problem posed in Study 1. Second, we will target a sample that is drawn primarily from a population of working adults rather than undergraduate psychology majors (in our own work we have had considerable success administering surveys in various locations throughout New York City).

The third modification introduced in Studies 2 and 3 will be a change in the design. Anticipating that only a subset of the manipulated variables in Study 1 will result in significant interactions consistent with the anticipated DM-DR moderation effect, Studies 2 and 3 will involve fewer variables and completely factorial designs. These studies will permit a test of the reliability of the effects observed in Study 1. Furthermore, Studies 2 and 3 will permit tests of hypothesized 2-way and 3-way interactions that are orthogonal to all other main effects and interactions in the same study—thus permitting the disambiguation of any interactions that were confounded with other (higher-order) interactions in the fractional factorial design employed in Study 1. Each of the motivational variables described above will be measured in these studies as well, in order to permit tests of the motives that mediate the effect of the manipulated procedures among participants in different DM-DR component conditions.

Studies 4 and 5

Studies 4 and 5 are designed to engage undergraduate participants in a setting where they believe a procedure will be employed in order to confront a threat to their group. The design will permit the manipulation of each of the variables examined in Studies 1-3, but it has the advantage of obtaining measures of procedural fairness and satisfaction with procedures from individuals who believe these procedures have real implications, rather than from individuals responding to imaginary vignettes. Studies
4 and 5 will employ the same experimental paradigm—only the independent variables will change across the administrations according to the variables identified as prime candidates for additional experimentation based on Studies 1-3.

**Design.**

Both of these studies will employ factorial designs, and each can readily accommodate up to five 2-level variables (the participant compensation budget is based on two 32-cell designs with 10 participants per cell for a total N = 320 in each study). Thus, each of the experiments could include 1-2 DM-DR component variables, 1-3 procedure and outcome variables, and, if desirable, 1 context variable.

**Procedure.**

These studies will employ an adaptation of a procedure used by van den Bos, Vemunt, and Wilke (1997). Participants will be scheduled to arrive in groups of 4-persons in the common space of a laboratory that also has 4 private, sound-proof cubicles. The experimenter will explain that, we are studying the performance of individuals and groups on an estimation task. You will be escorted to separate rooms where each of you will view a monitor and estimate the number of black squares in a field of 180 black squares and white squares. You will have a chance to earn a cash bonus if their group performs well on this task. A lottery will be held for either $20 or $200 (see condition information below) and that the members of the top performing one-third of the groups participating in this experiment over the course of the semester will be eligible for the lottery. Therefore, it will be in each individual’s interest to perform the estimation task as accurately as possible.

The experimenter will then direct the participants’ attention to a computer monitor where a single trial of the estimation task will be demonstrated. The monitor will briefly display one test screen, after which the experimenter will ask the participants to discuss their estimations before providing them with the correct answer. After they are provided with the correct answer, the experimenter will instruct the group to spend 5 minutes discussing their ideas for the best estimation strategy before they separated to begin 2 10-trial test rounds (it is expected that this group discussion will increase the participants’ identification with their group—a variable that can also be manipulated if desirable).

After the 5-minute discussion period, the experimenter will explain, in order to keep everyone motivated, and to give each group a reasonable chance for the monetary prize, a procedure will be available after the first 5-trial practice period that would permit the elimination of one group member from each of the two 10-trial test phases. Your team’s performance score will be based on the average estimation performance of the participating members. Thus, eliminating a poor performing member might increase your team’s average score (and it will impose a reduction in the eliminated member’s chances for a lottery prize). After you are escorted to the separate cubicles, you will engage in a 5-trial practice round, after which each participant will see a summary of each group member’s accuracy score on each of the 5 trials. The experimenter will display an example of such a summary, and inform the participants that each of them will know which of these scores are their own, but the accuracy of the other participants’ performance will be presented anonymously.

The experimenter will then explain that, after the 5-trial practice period, one randomly selected member of your group will have the opportunity to implement the elimination procedure prior to the first 10-trial test period. After viewing everyone’s accuracy scores for the 5-trial practice period, you will be informed about how the elimination procedure would work, and all of you will be asked a series of questions about the procedure, although only one of you will decide whether or not to implement it. After everyone has completed their evaluation of the procedure, the first 10-trial test period will take place, with 3 or 4 participants, depending on the decision maker’s (DM) decision about whether or not to employ the elimination procedure. If the DM eliminates one person from the trial period, that person will
still participate in the estimation task, but their score will not count toward the group’s score, and their chances for winning the lottery will go down by one-half, as they will not be credited for that round even if the group qualifies for the lottery by finishing in the top one-third. Since there will be two trial periods, there will be a second opportunity for a randomly selected member of your group to eliminate one person from the second round (thus, if someone were eliminated from Round 1, they would have a chance to participate in Round 2).

At this point, the participants will be escorted to the four separate rooms, where they will engage in the 5-trial practice period. Feedback will be provided only in the form of a group summary at the end of the 5 trials. However, the nature of the feedback will be independent of each individual’s actual performance, in order to establish the desired experimental conditions. After seeing the performance summary, the participant will be told about how the elimination procedure will be conducted. After they have been instructed about the procedure, they will complete their ratings. Once these ratings are completed, the experiment will be over, and the experimenter will re-convene the four participants in the common area to explain the deception and the nature of the research.

This experimental paradigm should permit almost limitless experimental variations, including analogues for each of the variables described for Study 1 above. Below is a brief summary of some of the key manipulations that might be employed in Studies 4 & 5.

DM-DR component variables. (1) Status: Feedback to participants concerning their estimation accuracy on the 5 round trial period can establish each participant as ranking anywhere among the four, and placing quite well or quite poorly on an interval performance scale. With the restricted information about other participants available in this task, performance is likely to establish one as being a high- or low-status member of the group; (2) Source versus target: On any given round, participants could be told that they have been randomly awarded a “safe round”, meaning that they cannot be eliminated from the next round (thus, they would be unlikely to perceive themselves as the perspective of the “target” of the procedure under consideration); (3) Decision Authority: Participants are assigned to have decision authority or not by the feedback they receive concerning which group member was randomly assigned to decide whether or not to implement the elimination procedure after the upcoming trial period.

Procedure and Outcome variables. (1) Respect: The communication to participants concerning the elimination of a participant on the upcoming round will be described as one that will communicate their elimination in a more or less respectful or dignified manner (e.g., a broadcast to the entire group announcing, “Player 1, You’re fired!” versus a respectful announcement that their elimination, while regrettable, was unavoidable on this round. Of course, appropriate pilot testing would be required to ascertain the language that will accomplish the intended effects. Our own previous work (Heuer, Blumenthal, Douglas, & Weinblatt, 1999; Heuer & Stroessner, 2003) has employed a procedure like this with considerable success in multiple studies); (2) Accuracy: Participants would be informed that the procedure employed to identify which participant is eliminated on the next round is one that is based on the participants’ performance across all 10 trials (perfect accuracy) or one that is based on a sample of 2 of the 10 trials (low accuracy). This accuracy manipulation is an adaptation of the one employed by van den Bos, Vemunt, and Wilke (1997) on which the paradigm for Studies 4-5 is based; (3) Voice: Voice would be manipulated by leading participants to believe they have an opportunity to express their views to the entire group about their elimination, or not. This voice manipulation could be tinkered with to make the “voice” expression purely expressive (voice with no chance of altering the decision) or making voice more or less instrumental (allowing voice with a chance that an appeal to the other members of the group might prevent their elimination from the subsequent round); (4) Threat: the seriousness of the threat to the group would be varied by information about the value of the lottery at stake (a poor
performer is likely to be considered a considerably more serious threat when the lottery is for $200 than when the lottery is for $20); (5) Efficacy: this would be manipulated by information concerning the group’s standing vis-à-vis other groups that have already completed this experiment, and information about the likelihood that eliminating the weakest group performer will secure the groups success in entering the lottery (thus in a high efficacy condition, feedback to the participants would suggest that if one group member is eliminated, the group will have a very good chance of finishing in the top one-third; in a low efficacy condition, feedback would indicate that eliminating one group member is unlikely to alter the group’s chances of success).

These two studies will permit the same tests of the 2-way and 3-way interaction hypotheses described for Studies 1-3, but the tests in Studies 4 and 5 are expected to have greater ecological validity due to the realism of the task. Dependent measures and measures of the motivational mediators should transfer easily across the experiments.

Study 6.

Finally, we will conduct a field survey that incorporates the perspective effects that have been shown to be most likely to produce the moderation of the role of procedures and outcomes that have been determined to be most potent across our first 5 studies. This to will survey mid-level organizational employees (mid-level employees are desirable as they are likely to be able to recall allocation procedures in which they were the decision maker or the decision recipient) who are employed in settings that assure that they are able to think of a recent encounter in which they were either the decision maker or the decision recipient. This role variable will be manipulated by the instructions concerning the type of encounter we want the respondent to think about as they complete the survey. This study will also experimentally vary whether the encounter was one in which the outcomes at stake were ones that were positively or negatively valued. Virtually all of the other theoretical variables discussed in this proposal and varied in our five experiments can be measured in our survey with multiple-item composites. This study will survey 300 respondents—enough to permit structural equation modeling, a procedure that can enhance the power of interaction tests when latent models are employed.

Adding a field survey to the set of studies will strengthen our ability to extend our analysis of this problem to: (a) a broader population than undergraduate psychology majors; (b) a variety of real-world, complex allocation problems rather than the contrived problems typical of laboratory research; and, (c) naturalistic contexts rather than the highly controlled, and more sterile laboratory contexts. Among the additional advantages of a field survey are that it will also add to our ability to talk about the magnitude of the moderation effects in actual settings. In fact, much of the truly seminal research in the psychology of fairness in the past twenty years has been survey research conducted in field settings (Brockner, DeWitt, Grover, & Reed, 1990; Skitka, 2002; Tyler, 1984; Tyler, 1989; Tyler, 1990).

Summary and Conclusions

The importance of procedural concerns for satisfaction and fairness judgments has been established in a broad variety of settings, including legal (Tyler, 1984; Tyler, 1988; Tyler, 1990), organizational (Brockner & Wiesenfeld, 1996; Folger & Cropanzano, 1998; Greenberg, 1986, 1994) and political (e.g., Tyler & Degoej, 1995; Tyler, Rasinski, and McGraw, 1985) settings. In fact, this finding is so well established that Brockner et al. (2001) referred to it as “one of the most robust findings in the justice literature” (p. 301). The research being proposed here takes as its starting point a series of studies that reveal circumstances where this effect does not occur—ones in which decision makers are evaluating procedures employed to respond to a threat to a group. I described several studies that suggest a perspective shift in the importance of procedural criteria and outcome criteria for procedural satisfaction
and procedural fairness. Each of these studies indicate that, compared to DR’s, DMs’ (actual judges considering a legal case, or students in a judicial role considering a quasi-legal case) judgments of procedural fairness and their satisfaction with procedures is less influenced by relational criteria, and more influenced by outcome criteria than are decision recipients. More strikingly, in multiple instances, the DM’s judgments of procedural fairness were not significantly influenced by respectful treatment or voice, but they were considerably influenced by outcome concerns.

I have argued that a better understanding of the dynamics of this DM-DR interaction holds the prospect of important advances to justice theory as well as advances in the application of justice theory to applied settings. On the theoretical front, an exploration of (a) the settings where this effect occurs, combined with (b) an investigation of the procedural and outcome variables whose impact on procedural justice is moderated and (c) an appreciation of the components of the DM-DR distinction that are responsible for the moderation might suggest ways in which the moderation of impact of procedures and outcomes for procedural fairness might be produced among decision recipients. There is no obvious reason that outcomes couldn’t dominate procedural fairness among DR’s, if the appropriate context and motivational factors were in place; in fact, research by Skitka and colleagues (Mullen & Skitka, 2005; Skitka, 2002; Skitka & Houston, 2001) has produced such a result when the outcomes at stake pose a threat to individuals’ moral mandates—a process that seems quite different from the one responsible for the findings of our completed work described at the outset of this proposal.

On the applied front, our previous findings present a paradox: authorities’ best efforts to resolve conflicts in a fair manner might leave disputants dissatisfied because of the divergent notions of fairness held by authorities and subordinates. A better understanding of the psychological processes responsible for this effect might reduce some DM-DR tensions. On the theoretical front, a better understanding of these psychological processes is expected to yield insights about how the importance of procedures and outcomes can be influenced (or even reversed) independently of whether one is a decision maker or a decision recipient. If so, this would force a reconsideration of the assumptions of virtually all procedural justice theories, as they predict that procedural fairness is determined primarily by procedural variables rather than outcome variables.
References


