

**A Social Sense of Justice:
The Power of Relationships in the Interaction of
Procedural and Distributive Justice**

by

Robert Dennis Huxtable
B.A., University of Victoria, 1972
M.A., Carleton University, 1974

A Dissertation Submitted in Partial Fulfillment of the
Requirements for the Degree of

DOCTOR OF PHILOSOPHY

in the Department of Psychology

We accept this dissertation as conforming
to the required standard

Dr. Ron Höpffe, Supervisor (Department of Psychology)

Dr. Lorne Rosenblood, Departmental Member

Dr. Elizabeth Brimacombe, Departmental Member

Dr. Joseph Kess, Outside Member (Department of Linguistics)

Dr. Beverly Riddell, External Examiner (Ministry of the Attorney General)

© Robert Dennis Huxtable, 1996
University of Victoria

All rights reserved. This dissertation may not be reproduced in whole or in part, by photocopying or other means, without the permission of the author.

Supervisor: Dr. Ron Hoppe

ABSTRACT

Research on justice has produced two literatures, procedural justice and distributive justice. Procedural justice research has focused on the psychology of procedural preference, establishing reliable preferences for adjudication over other dispute resolution procedures. Procedural justice theories suggest these preferences are based on the concern of participants with decision and process control. Distributive justice theories have examined the justice rules that decision-makers use to determine the appropriate distribution of resources, emphasizing the interpersonal relationships among participants in determination of the “fair” rule for that dispute. Research distinguishing these two justice literatures has concluded that procedural justice concerns are the more robust: that procedural manipulations are more determinative of fairness perceptions than are the rules used for allocation outcomes. This research re-examines that conclusion, using M. J. Lerner’s justice motive theories (1977, 1981) as the bases of analysis for distributive justice while assessing the importance of interpersonal relationship characteristics on procedural justice phenomena. Three studies tested fairness perceptions of conflict scenarios constructed

to describe the relational characteristics of Lerner's theories. Study 1 examines procedural preferences among adjudication, negotiations and joint problem-solving under different interpersonal relationships outlined in Lerner's original forms of justice (1977), and assesses the distribution rule preferences associated with those relationships. Study 2 tests the evaluations of fairness of those justice procedures and distribution rules across Lerner's interpersonal relationship characteristics. Study 3 investigates the impact of Lerner's revised forms of justice (1981) on fairness of distribution rules and on participant concern for process and decision control. Few consistent results for procedural justice emerged across the first 2 studies: Psychological relations of identity/unit/nonunit influenced procedural preference, with joint problem-solving most robust. Adjudication was not the preferred justice procedure. Distributive justice rule preference and fairness ratings in studies 1 and 2 offered only inconsistent and partial support for Lerner's original forms of justice. Studies 1 and 2 suggested that people preferred a cooperative justice procedure (joint problem-solving) but a competitive distribution rule (justified self-interest). Results from Study 3 similarly presented only partial support for Lerner's revised justice theory: Only two of six justice

rules tested matched a relationship characteristic theorized as determinative of perceived fairness, those being utilitarian decisions and legal contest. Study 3 results showed process and decision control influenced by relationship characteristics: Nonunit relationships were associated with both third-party process control and third-party decision control. Results of the three studies are discussed in terms of their implications for Lerner's theories and the interaction of distributive and procedural justice literatures. It is apparent that while interpersonal relationships influence both procedural fairness and distribution rule fairness, the power of procedural and distributive justice theories in predicting fairness is weak.

Examiners:

Dr. Ron ~~Hoppe~~ Supervisor (Department of Psychology)

Dr. Lorne ~~Rosenblood~~, Departmental Member

Dr. Liz Brimacombe, Departmental Member

Dr. Joseph Kess, Outside Member (Department of Linguistics)

Dr. Beverly Riddell, External Examiner (Ministry of the Attorney General)

Contents

Abstract / ii

Table of Contents / v

List of Tables / vii

List of Figures / viii

Acknowledgments / ix

Introduction / 1

Chapter 1. Contextual Considerations of Power and Language / 8

Chapter 2. The Phenomena of Distributive and Procedural Justice / 19

Chapter 3. A Synthesis: The Interaction of Procedural and Distributive
Justice / 44

Chapter 4. Research Design and Hypotheses / 51

Chapter 5. Study One: The Choices of Justice / 56

Chapter 6. Study Two: Forms of Justice / 67

Chapter 7. Study Three: Emergent Activities as Justice Rules / 91

Chapter 8. General Discussion / 112

References / 119

Appendices / 135-230

Appendices List / 135

Appendix A: Study One Conflict Scenarios / 136-161

Appendix B: Study Two Conflict Scenarios / 162-202

- Identity-Person Manipulation / 163-172
- Identity-Position Manipulation / 173-178
- Unit-Person Manipulation / 179-184
- Unit-Position Manipulation / 185-190
- Nonunit-Person Manipulation / 191-196
- Nonunit-Position Manipulation / 197-202

Appendix C: Study Three Conflict Scenarios / 203-230

- Identity, Emergent Relations Manipulation / 204-210
- Identity, Emergent Process Manipulation / 211-214
- Unit, Emergent Relations Manipulation / 215-218
- Unit, Emergent Process Manipulation / 219-222
- Nonunit, Emergent Relations Manipulation / 223-226
- Nonunit, Emergent Process Manipulation / 227-230

Tables

1. Forms of Justice / 24
2. Frequency Count of Chosen Procedure / 61
3. Frequency Count of Distribution Rules / 63
4. Multivariate Analysis of Variance for the Effects of Relationship on Procedure Fairness / 70
5. Means of Justice Procedure Fairness Ratings / 71
6. Multivariate Analysis of Variance for the Effects of Relationship on Distribution Rule Fairness / 73-74
7. Means of Distribution Rule Fairness Ratings / 75
8. Conflict One: Multivariate Analysis of Variance for the Effects of Relationship on Procedure Fairness / 80
9. Conflict Two: Multivariate Analysis of Variance for the Effects of Relationship on Procedure Fairness / 82
10. Conflict Three: Multivariate Analysis of Variance for the Effects of Relationship on Procedure Fairness / 83
11. Conflict One: Multivariate Analysis of Variance for the Effects of Relationship on Distribution Rule Fairness / 84
12. Conflict Two: Multivariate Analysis of Variance for the Effects of Relationship on Distribution Rule Fairness / 86
13. Conflict Three: Multivariate Analysis of Variance for the Effects of Relationship on Distribution Rule Fairness / 87
14. Lerner's Revised Justice Theory: Emergent Properties / 95
15. Multivariate Analysis of Variance for the Effects of Relationship on Emergent Activity Fairness / 101
16. Conflict One: Multivariate Analysis of Variance for the Effects of Psychological Relations and Emergent Properties on Distribution Rule Fairness / 104
17. Conflict Two: Multivariate Analysis of Variance for the Effects of Psychological Relations and Emergent Properties on Distribution Rule Fairness / 105
18. Mean Measures of Control Across Conflicts / 106

Figures

1. Frequency count of justice procedure preferences / 60
2. Mean ratings of fairness for justice procedures across different relationships / 72
3. Mean measures of process control, averaged across conflicts / 107
4. Mean measures of decision control, averaged across conflicts / 108

Acknowledgments

The author wishes to thank the members of his advisory committee for their assistance during the planning and implementation stages of this research: Dr. Elizabeth Brimacombe, for her unselfish willingness to step into her position at a later stage of the process; Dr. Joseph Kess, who is a consistent source of intellectual stimulation and expanded perspective; and Dr. Lorne Rosenblood, whose continued support and invaluable advice lent energy and momentum to this project. The author is most grateful, however, to Dr. Ron Hoppe, his supervisor, whose mentorship and persistent encouragement provided repeated opportunity for professional growth throughout the assorted stages of academic life.

The author would also like to acknowledge the support provided by the Extended Study Leave Committee, the Professional Development Committee, and the Scholarly Activity Grants-In-Aid Committee of Okanagan University College.

A SOCIAL SENSE OF JUSTICE:

THE POWER OF RELATIONSHIPS IN THE INTERACTION OF PROCEDURAL AND DISTRIBUTIVE JUSTICE

Introduction

The administration of justice is a central feature of an individual's experience in society. Whether one considers the experience of family members ("Am I being treated fairly by my parents? By my teachers?"), workers ("Do we get the respect and remuneration we deserve from our employer?"), taxpayers ("Is my share a fair share of the taxes necessary for the delivery of social services?"), minority groups ("Shouldn't we have the same economic and cultural power as other groups in society?") or litigants in virtually any legal dispute ("Is this court proceeding, and is this court decision, fair?"), the concern is the same: we rely on the administration of fair and just treatment of self and others in order to feel we have a chance to secure the respect and recognition that is deserved. We each need to believe that social groups allow for a complete presentation of the facts surrounding a justice issue, that the facts are considered so as to render a decision in an unbiased fashion, and that the outcome of the justice procedure properly reflects our interpersonal or social identity -- what we "deserve". Confirmation of these characteristics in the operation of justice is necessary if we are to believe that justice has been administered, if we are to see "justice done," if we are to receive justice.

The studies on the administration of justice have taken these needs and organized them around two dimensions. On the one hand, perceptions of justice involve some agreement on the appropriate *decision process* used

in determining fair ways of making allocation decisions (processes to present the facts, explore the dispute, and outline a means of dispute resolution). On the other hand, it involves determining the standard or definition of just what IS an appropriate level of *outcome*, or decision, that is deserved by the participants in the justice decision (decisions about relative rewards, costs, resources, judicial ruling and so on). To administer justice not only must one provide a fair and unbiased forum to hear facts and promote decisions about the issue at hand, but along the way one must also determine a fair or just level of outcome distribution among persons participating in the forum. The process of administering justice, and the rules used to determine the nature or outcome of the decision being administered, are each influential variables in the perception of social justice.

The psychology of justice has been a dominant theme in social psychology for decades. Two areas of research dominating the literature and reflecting this dual nature of justice are procedural justice and distributive justice. *Procedural justice* concerns the procedures that are used in the settlements of disputes or the allocation of resource outcomes (procedural justice concerned with the "process" of justice). *Distributive justice* examines the rules (sometimes called "justice rules" or "distribution rules") that decision-makers use within these procedures to determine the appropriate distribution of resources (distributive justice being concerned with the determination of outcomes of justice).

Research on these two dimensions of social justice, albeit all too often separate bodies of research, has sought to predict under which

procedures (procedural justice) and in accordance with which distribution rules (distributive justice) will participants judge the event fair or just. It has mostly relied on the perspective of individual reactions and judgments: the individual's preference of procedure, the individual's choice of distribution rule, the individual's reactions to outcome, the individual's judgment of justice, and so on. Individual preferences of justice procedure have consistently revealed a preference for adversarial (adjudicative) procedures over mediation and bargaining, and over other less adversarial styles of conflict resolution. Individual choices of outcome distribution rules have favored distributions based on equity over such norms as equality, need, entitlement, or other social norms of resource allocation.

Research distinguishing the phenomena of procedural and distributive justice has attempted to weigh their relative importance as causal variables in the perception of fairness. Generally and for some time, the conclusion reached is that procedural justice concerns are the more robust: that procedural manipulations are more determinative of fairness perceptions than are the rules used for allocation outcomes. This conclusion, though, has exclusively relied on a comparison of the importance of procedure against the favorability of the outcome of the distribution: "(w)ith few exceptions the effects of these procedural manipulations emerge *regardless of the outcome of the procedure*" (Lind & Lissak, 1985, italics added). Nowhere have researchers sought to examine how the choice of and reaction to distribution rules (rather than distribution outcomes) interacts with the choice of and reaction to justice procedure.

The following work is designed to refine the understanding of how

distribution rules interact with procedural mechanisms, and as a result provide a more exact model for reconsidering the relatively unchallenged assertion of the overall robustness of the procedural manipulations in general and the adversarial, adjudicative process in particular. This work will seek to establish the role played by interpersonal relationships among participants to the justice enterprise in determining a procedure-by-distribution rule interaction.

Distribution rules are known to be chosen on the basis of perceived relationships among participants. Interpersonal relationships of the participants is a necessary contextual consideration when predicting preference for and reactions to distribution rules. The claim of this dissertation research is that interpersonal relationship characteristics are similarly necessary considerations when predicting the preferences for procedural manipulations and their effects on judgments of justice.

The contention of this work is that perception of social justice is determined by a "goodness-of-fit" between procedure **and** distribution rule. The determination of "fit" is based on the participants' views of their relationships (these relationships dynamic to the justice interaction itself as well as the pre-interaction relationship history). Different interpersonal relationships are expected to drive different judgments of the appropriate procedural mechanism, and they are at the same time expected to drive different judgments of the appropriate distribution rule. A judgment of fairness is dependent upon the appropriate procedural mechanism, employing the appropriate distribution rule, given the particulars of the interpersonal relationships.

Assessment of "justice done" (assessment of fairness) will be determined by that propriety. Alternatively, a perception of injustice will be determined by a poor fit between procedure and distribution rule when analyzed to consider the historical, ongoing and changing relationships among participants.

It is the nature of the interaction between procedural processes that allocate rewards and the decision rules that determine the actual distributions produced by those processes, then, that is the central focus herein. The perspective of this work has particular interest in the relation between perceived justice and the interpersonal dynamics of participants. Two aspects of the interpersonal dynamics are of interest: the relative power among participants to the interaction, and the role played by verbal behaviour between participants. These two aspects of interaction are expected to both reveal and establish the relations among participants themselves.

A greater interest than previous research in the importance of exchanged language for both revealing and shaping the nature of participant relationships is a base perspective behind this work. The verbal exchanges taking place in the resolution of justice issues are seen for their causal and consequential properties, both revealing and influencing participant perception of their relations to one another. The verbal exchange of communication is strongly influenced by the particular procedural vehicle used in the justice process, but it is also sensitive to the social identity needs of participants as they search for appropriate justice rules in their quest for justice and deservingness.

In short, the perspective of this research is a perspective that considers the social contexts surrounding disputants in the justice exchange as causal in the determination of fair procedural justice process and fair distributive justice rules. The social context that establishes the disputant relationships is the same context that drives a sense of justice.

Summary Overview

Debates continue in the literature. Does the process of administering justice play a more important role than the rules used in the determination of outcome allocation, and if so, what are the psychological processes involved? What is the importance of interpersonal relationships and power as context variables of the justice event, and how might they intrude on the event and subsequent perceptions of justice? Are the psychological processes evidently at work in the phenomena of distributive justice absent when issues of procedural justice arise? Or if they are present, is it "need," "equity," "equality" or something else that is the determinative rule in determining outcomes and distributing justice? Are these distribution rules suited to only particular procedural justice resolution mechanisms? Can we learn more about the phenomenon of justice by integrating the psychologies of procedural and distributive justice?

Existing literatures have not offered a comprehensive theoretical framework to explain the psychological dynamics of both procedural and distributive justice in an integrated fashion. Research concludes that procedural judgments are more important than distribution outcome judgments (a conclusion this dissertation will qualify), all the while calling

for a new model to describe why such procedural justice preferences predominate. Contribution toward such a new model is offered by this work.

This paper, then, serves to examine the interaction between procedural and distributive justice -- between the process of administering justice and the distribution rule(s) used in determining the outcome of administering justice. It reviews the literatures on distributive justice and on procedural justice, with an aim to analyzing the importance of interpersonal relationships when judging the propriety and fairness of both distribution rules and procedural characteristics. In this analysis, considerations of power and exchanged language are introduced and weighed for their contributions in understanding the interaction between both dimensions of justice. These analyses are expected to provide answers to the continuing debate noted above.

CHAPTER 1.
CONTEXTUAL CONSIDERATIONS
OF POWER AND LANGUAGE

A. Power and Social Exchange

When one discusses justice, one must consider the phenomenon of power. To allocate rewards, to settle disputes, to ensure the just treatment of society's members -- in short, to establish justice in the world -- some person or persons must have the authority and power to make and impose decisions, either in a collegial or adversarial fashion.

"The fundamental concept in social sciences is power, in the same sense in which energy is the fundamental concept in physics" (Russell, 1938). Power is seen by many theorists as a central feature of social exchange (Weber, 1948; Adler, 1966; Dahl, 1957; Heider, 1958; French & Raven, 1959; White, 1959; Emerson, 1962; Raven, 1965, 1974; deCharms, 1968; Gamson, 1974; Lukes, 1974; Kelman, 1974; Schopler & Layton, 1974; Pruitt & Gahagan, 1974; Eckstein & Gurr, 1975; McClelland, 1975; Bandura, 1977; Henley, 1977; Salancik & Pfeffer, 1977; Foucault, 1980; Ng, 1980; Doob, 1983; Wartenberg, 1990).

Pitkin (1972) is a social theorist who focuses on two different aspects of the concept power, and distinguishes between "has power to" and "has power over." These two aspects of power suggest that one meaning of power ("power to") refers to the stable attributes of a person or entity (in that an entity may have the ability to do something), and is seen

as the characteristic of a particular set of attributes residing in that entity. The other aspect of power is more relational ("power over") where one person may have the ability to dominate or influence others. This latter assessment of power is not focused on the exclusive attributes of the particular, but more dependent upon the relative powers among participants. This view of what can be called "situated power" considers the structural features of the relationship that define the relative power between the actors, and is argued to be a central attribute in interpersonal exchange. It is this latter type of power, a relative "power over," that is of relevance to the study of justice.

As with any form of power, social power of this relational kind can be typed into both negative and positive categories. It is seen as having potentially negative features when it is used to intimidate and coerce. A negative type of relational power is "coercive power," where one person dominates a subordinate agent in order to secure benefits deemed positive by (and sometimes for) the dominant one him or herself. A sports team captain who uses his or her position to set the plays so as to maximize the captain's personal success is an example here. Utilization of coercive power often has as a secondary goal, the maintenance or reassurance of the power imbalance in the relationship. That way, by establishing roles of unequal power the dominant person can predict relative gain in the future. The team captain, by virtue of the highest scores and "strongest" performance, will increase his/her likelihood of maintaining the position of captain. This situated power can gain the legitimacy of social sanction through institutionalizing the distribution of unequal power allocations

(team leaders often receive special treatment). Indeed, it has been long claimed that power inequalities and the ability to have power over others are communicated through socialization and promoted by benefiting insiders to legitimize class structure, social boundaries and social closure (Weber, 1948; Postman, 1980).

"Transformative" power, in contrast, is the term used to refer to a more positive social concept in both intent and application (Wartenberg, 1990). Transformative power can be viewed as a necessary and beneficial feature of society when it serves to regulate and harmonize the mutual lives of society members. When using power of this type, a dominant agent exercises power over a subordinate (as he/she does with coercive power), but has as an aim the undercutting of the power differential between the dominant and subordinate. The goal is not maintenance of the power differential for future dominant agent benefit as is so characteristic of coercive power; rather, it is some transformation of the relative powers so that the subordinate person gains power in the relationship (and/or the dominant loses power), thus transforming the actors' relationship to reflect increasing equality of power. A parent who brings up an adolescent child is an example here. The desire of the parent is to produce less dependence upon the parent by the adolescent, and more personal volition and personal control in the adolescent. The process is intended to "transform" the relationships towards relationships of more equality between two adult persons. The application of transformative power is more sensitive to the particular personal needs of the subordinate in order to bring about effective change toward equality with the dominant person. It is easier to

transform the person in the role than it is to transform the very nature of the social role itself.

Coercive power, then, is more status-quo oriented and most sensitive to the social positions or roles of the participants. On the other hand, transformative power is more change oriented, and most sensitive to the individual occupying the social role, rather than the role itself.

When one considers the dynamics of an interpersonal exchange employing power in some form or another, these forms of power are important considerations if one wishes to review the exchange at a motivational level of the participants. The justice process is an exchange that undoubtedly reflects the use of power, and one might search the dynamics of the justice phenomena for the different forms of power. If one does, the question arises: if there are aspects of the justice process that reflect power, is there evidence of the coercive power / transformative power distinction?

B. Power and Justice

The interrelationship between power and justice must be developed further. Some researchers have criticized the literature for its lack of inclusion of "power" in the study of justice, even though recognizing that an analysis of power seems crucial for an understanding of how justice operates (Blau, 1964; Cook & Emerson, 1978; Austin & Hatfield, 1980; Greenberg, 1981; Greenberg & Cohen, 1982). Hogan and Emler (1981) suggest that the emphasis on distributive justice, typical of the early decade of research in this area, was an emphasis on the "power holders" of the world. They state:

How to distribute resources defensibly is a problem that concerns deans, parents, political leaders, and other persons who must keep peace among the flock that they tend. They are concerned with keeping the system running. (p. 129)

This analysis is typical of the "coercive power" perspectives noted above. To "keep peace" is to maintain status quo, to maintain the social structure that makes up the system. Coercive power tactics in distributive justice decisions would be seen, according to this analysis, to maintain the preferential status of the powerful and the less-advantageous status of the dominated. In other words, these tactics (the prerogative of the powerful) would be selfish (or of self-interest to the powerful) in orientation. The "just distribution" of the outcomes is seen simply as an image of the distribution of power.

It is no surprise that this assumption of selfishness is fundamental to major theoretical perspectives on distributive justice (note equity theory, below). A minority number of justice researchers (Edelman, 1977; Cohen, 1986) challenge the priority role of the self-interest power motive as outlined above, concluding an analysis that reveals a power structure in justice arenas that is "in the common interest of all" rather than in the interests of self (Cohen, 1986, p. 82). In Cohen's analysis, coercive power tactics to support the advantage of the powerful clearly threaten the well-being of the power-disadvantaged. High levels of attention to this imbalance is "risky" to the stability of society in that it leads to questions about the legitimacy of the powerful's advantage and provokes coalition building among the power-disadvantaged. To avoid this, society develops mechanisms to constrict the use of coercive power. Society creates dispute

resolution procedures as both problem-solving forums and as "symbols of justice" to cloud recognition of conflicting interests and to reduce the likelihood of social change. This social view of justice is one that views the procedures to be "in the cause of the community" rather than in the cause of individual selfishness.¹

These mechanisms, according to this analysis, are procedural justice processes. The processes of procedural justice are designed to reaffirm the values of the community. To "see justice done" at the level of the justice process is a means of reassuring the values of the community and social system. "Equal treatment under law," where every person -- whether power advantaged or power disadvantaged -- has a right to be heard in an unbiased forum with unbiased decision makers, is a means of maintaining social order.

It becomes apparent, then, that these justice processes have as one intention to ensure the same thing as was apparent in the analysis of power and distributive justice. They are intended to reaffirm the status quo of community standards -- to reaffirm "the current power structure between groups as agreed upon and in the common interest of all" (Cohen, 1986, p.82).

It is evident in this analysis that justice theorists concern themselves with only one aspect of power: coercive power, designed to maintain

¹ Rawls' Theory of Justice (1971) posits a similar concept, a "veil of ignorance". This concept describes the idea that after societies have drawn up principles of justice, they meet behind a veil of ignorance that conceals from them "the particular circumstances of their own society [and] its power and strength in comparison with other nations" (p. 378).

(indeed, to justify) relative inequities in the social system. This is the type of power used in arbitration procedures, or in justice forums where there is an imposed (adjudicated) decision by an impartial third party. Adjudicated decisions -- the stereotyped vision of justice procedures where an impartial party weighs information in a dispassionate way and renders a "just decision" -- clearly rely on the characteristics of power that are coercive. But what of transformative power, and of justice procedures other than adjudication? Is there no relevance of other forms of power to the justice phenomena of distributive and procedural justice? Are there no justice situations where the ambition is to provide a change to inequalities among participants, as one would expect from use of transformative power tactics?

Consider the justice procedures of mediation and bargaining. In these procedures, the parties themselves must come to agreement about the distribution of rewards or justice. The outcomes are not imposed by an impartial third party, and the processes are designed to produce change in (not maintain status quo of) the relative advantages of participants. Each of these justice procedures has as its aim some modification of the relative advantages of both participating parties, even though the parties might disagree about where those modifications should occur. The essence of mediation is compromise, where both parties move from initial positions to a position that blends the polarity of initial stances. The nature of bargaining is also change, where the power disadvantaged seek further indices of power from the power advantaged, or the power advantaged seek further concessions from the power disadvantaged.

While there is an obvious role for coercive power tactics in both non-adjudicative processes, a resolution within the process necessarily relies on some transformation of the initial positions of the participants. Another way to state this is to say that they rely on some transformation of the historical relationships among participants. They rely on the tactics of transformative power. Where two parties with resource and power differentials existed prior to bargaining or mediation, two parties with a different distribution of resources and/or power exist after the processes. One can understand, therefore, why protocol, self-image, and strong feelings about relationships during and after mediation or bargaining are salient concerns. Transformative power is more change oriented, and most sensitive to the individuals occupying the social roles rather than the roles themselves. Indeed, when negotiations tactics include the use of coercive power tactics (threats or demands), the negotiations outcome is less integrative than when such power tactics are not used (Shapiro & Bies, 1994). This focus on the individual participants and their reaction to transformative power defines a wholly different psychological context than the one defined by coercive or adjudicative procedures.

In summary, the analysis of the justice process from the perspective of power yields a prediction that there are important differences between adjudicative and non-adjudicative justice procedures, and that these differences have something to do with the nature of the dynamic relationships among participants. Where adjudicative procedures are reliant on coercive power and on role and authority, non-adjudicative procedures are reliant on transformative power, on personal relationships

and a willingness to change.

C. Power and Language

When analyzing the justice process and looking for forms of power, it is important to determine how power is employed in the exchange. What are the vehicles of the encounter that are used to create or display power? The answer clearly involves the language of the interaction.

To the degree that individuals engage in communication, the concept of power is a pervasive characteristic of every social interaction. Kress and Fowler (1979) recognize this and focus on the significance of language for power:

"All language is addressed to someone, and involves an addressee as well as an addresser; it is relational. We suggest that communicative relationships are generally asymmetrical, in the sense that one participant has more authority than the other(s); that differences of class or status are at issue in discourse; the relationship is more or less competitive, *a negotiation for power*. In conversation, any appearance of intimacy, solidarity and co-operation is generally illusory. Speakers act out their socially ascribed roles in contending for attention, for the right to initiate new segments of the conversation, to introduce new topics, to *hold the floor*." (p.63, italics added)

Power is created and displayed in interpersonal encounters; it does so through the medium of verbal communication.

Until recently modern social psychologists have paid little attention to language use (cf. Clark, 1985). The study of language had been left mainly to cognitive and developmental psychologists and, outside psychology, to linguists, philosophers, and computer scientists.

A social psychological approach to the study of language is advocated here. Such a perspective is one where the fundamental premise is that language is socially situated behaviour (cf. Gumperz, 1977). The "situation" referred to is the whole gamut of relationships possible in a social interaction. The minimal condition that must be fulfilled is that there be an opportunity for the receiver to react to the sender -- a true social interaction. One must recognize that a speaker is both sender and receiver; not only of the other but of him or herself as well. One must recognize the mutual influence of encoder and decoder in the social interaction.

While there are both verbal and nonverbal indices of power, it is the verbal communications that are of interest to this work.²

Both the content and process of verbiage are important cues in displaying, maintaining and determining power. Major works and reviews such as Lakoff (1975), Fowler (1985), Bradac and Mulac (1984), Sacks, Schegloff and Jefferson (1974), Doob (1983), Henley (1977), Burgoon (1985), Street & Brady (1982), and Forsyth (1990) converge on the same point. What is common in those literatures is the notion that language is a practice that actually contributes to social inequalities -- it plays a causal role in the discrepancies between persons along a power dimension. As Fowler (1985) argued, the traditional view that language is simply the "innocent medium" that reflects inequality, is inaccurate. Social institutions

² The major nonverbal indices of power include body relaxation (Mehrabian, 1981), the prerogative to approach (Henley, 1973, 1974, 1977), touching (Goffman, 1967; Henley, 1977), eye contact (Argyle & Kendon, 1967; Argyle & Williams, 1969), and facial expression (Henley, 1977; Keating, Mazur & Segall, 1981).

and roles of power do not originate independently of language: rather, language is an actual instrument of power and inequality in that it creates the realities of power that predominate. Language is used to both (1) enforce and exploit existing positions of authority and privilege with the use of commands and regulations, and (2) continuously constitute the statuses and roles upon which people base their claim to exercise power (as well as confirming the roles of subservience and dependence). Fowler recognizes the point that language maintains the inner coherence of groups (thus promoting exclusivity) and clearly defines the boundaries between groups (differentiating "like-minded beliefs" and establishing the authority of the one AND the powerlessness of the other).³

In short, language establishes relationships among participants in a social interaction, especially power relations. Both power relations, and participant relationships in general, are issues of importance in the analysis of justice. The ways in which people concretely describe their relationships are expected to not only reflect, but to actively create those relationship characteristics. Such analysis of how disputants establish their relationship through language-based description will extend the understanding of current findings in the justice literature. This contextual understanding will provide more exact predictions about perceptions of "just" and "fair". The following review of justice seeks to establish that fact.

³ Note Mueller, 1973, who draws out the political implications of this notion: "The language of the hard-core poor is a restricted speech code. The categories of his language allow for a grasp of the here and now; but they cannot be used in a reflective way and they do not permit an analysis, hence a transcendence, of his social context" (p. 21).

CHAPTER 2.

THE PHENOMENA OF DISTRIBUTIVE AND PROCEDURAL JUSTICE

A. Distributive Justice

Distributive justice is based on an "outcomes-based" model in that it focuses on the rules decision-makers use when determining the allocation of resources to the participants of social exchange. There are many models of this interaction, most of which have developed out of social exchange theory (Adams, 1963; 1965; Blau, 1964; Homans, 1961). The central premise of these models is that when people are faced with determining how to distribute resources (or costs) to a person or persons, they reveal some decision scheme (or schemes) for determining the extent and nature of that distribution. Different models posit different decision schemes. Many standards have been posited as the basis for these decisions: equity (just allocations reflect the relative ratio of contribution or "inputs" to receipts or "outcomes"), equality or "parity" (just allocation based on equivalent treatment of each individual, regardless of contribution), need (just allocations based on the need level of the individual recipients), entitlement (allocation based on what the role or position of the individual warrants), and so on.⁴

Two major models with more than fifteen years of empirical

⁴ As many as 17 different distribution rules have been posited by Reis (1984) and 18 by Lerner (1981). Reviews of this research tends to identify three main criteria or rules: equity, equality (parity) and need (Furby, 1986).

support include equity theory (Adams, 1963, 1965; Walster, Berscheid & Walster, 1973; Walster, Walster & Berscheid, 1978) and justice motive theory (Lerner, 1975, 1977, 1981; Lerner, Miller & Holmes, 1976).

Equity theory has been a dominant perspective in theory and research on justice, and has attempted to provide a "general theory of social interaction" (Berkowitz & Walster, 1976). One of the more concise presentations of equity theory is the presentation by Walster, Berscheid and Walster (1973), wherein the theory was presented in terms of a set of formal propositions. These propositions are designed to predict when individuals will perceive that they are justly treated in such an exchange, and to predict how they will behave when they find themselves enmeshed in an unjust or inequitable relationship.

Proposition I simply states that individuals will try to maximize their outcomes. This assertion rests on the assumption that people are selfish in the sense that they seek to maximize reward and minimize cost.

Proposition II outlines the social control over this selfish behaviour. The second proposition states that groups maximize collective reward by evolving accepted systems for equitably apportioning rewards and costs among members. Groups evolve such systems of equity and attempt to induce members to accept and adhere to these systems. If social control is to be effective, given the reward-oriented nature described by proposition one, there must be some profit or reward in systems of equity if individuals are to adhere to them. Accordingly, Proposition IIb declares that groups will generally reward members who treat others equitably, and generally punish (or increase costs for) those members who treat others inequitably.

Proposition III proposes that when individuals find themselves participating in an inequitable relationship, they become distressed. The more inequitable the relationship, the more distress they feel. This distress occurs in inequitable relationships regardless of whether the individuals are the victims of the inequity, or the beneficiaries of the inequity. When victimized, individuals feel "retaliation distress" which may often be experienced in some form of anger. When beneficiaries of inequity, individuals may experience "self-concept distress" which may often be in the form of guilt.

Proposition IV declares that individuals who discover they are in an inequitable relationship (either as victim or beneficiary), they try to eliminate their distress by restoring equity. The greater the inequity that exists, the more distress they feel, and the harder they try to restore equity.

In sum, equity theory characterizes fairness judgments in terms of interpersonal comparisons along dimensions of "inputs" and "outcomes". An equitable relationship exists when the participants to a social exchange are receiving equal relative outcomes from the relationship. "Equal relative outcomes" means that the total rewards and costs, relative to the inputs (contributions) to the exchange, are equivalent to those of the other person given that other's contributions.

Critics of equity theory declare that this perspective presents an incomplete description of justice and fairness. An attempt is made to see equity as only one form of justice among many different forms. Deutsch (1975), Lerner (1975, 1977) and Leventhal (1976) each present models that outline different principles or forms of justice. They argue that equity

is just one possible norm of justice, one that arises in specifiable relationships and fails to arise in others.⁵ Consider the work of Lerner's justice motive theory, for example.

Justice Motive theory is the work of Lerner (Lerner, 1975, 1977, 1981). The theory's application to distribution rules has developed through two phases: the original work on "forms of justice" which outlined six different distribution rules, to the later "emergent activities" model which describes eighteen different modes of responding to justice decisions. The central characteristic of this rather complex approach to justice, common to both elements of Lerner's work, is the notion that the relations to others is the central determining factor distinguishing among different determinations of fair, just or appropriate distribution rules. As Lerner (1981) notes, "the common observation that what is considered just can vary radically is derived from an analysis of the templates people use to organize their experiences in terms of kinds of people and processes involved in acting on the environment" (p. 33).

There are three types of psychological relations highlighted by Lerner: identity relations (where there is minimal psychological separation

⁵ Essentially, the literature presents two opposing points of view concerning the number of distribution rules. One claim is that equity principles encompass all distribution rules: that all conceivable principles of justice can be reduced to this one rule. The other claim is from a number of theorists who stress the necessity of outlining a number of different rules, equity being only one of those rules. Sampson (1969, 1975) and Kahn (1972) separate the equality principle from equity; Deutsch (1975) and Leventhal (1976) include the need principle with equality (parity) and equity; Lerner, Miller and Holmes (1976) added justified self-interest, Darwinian justice, and social obligations to these three. As noted, aside from Lerner (1981) the number of distribution rules has gone as high as seventeen (Reis, 1984), claiming that even this list "is hardly exhaustive" (Reis, 1986, p.200).

or distinction between participants; "what happens to one happens empathically to the other"), unit relations (people involved do not see themselves in each other, but there is a sense of "belonging to" one another, a strong perception of similarity or interdependence), and non-unit relations (participants are bound together such that the fate of one is tied to the fate of the other, but they are bound together as contestants or adversaries).

Lerner's work emphasizes the relational qualities of the interaction as determinants of the various forms which deserving and justice can take. He asserts that the psychological relations characteristics cause the individual to see a particular justice rule (used in determining the allocation of reward) as appropriate or "just": that people determine different forms of justice under different relational characteristics of the social interaction.

In his earlier works (up to 1979) Lerner outlined the forms of justice and the important characteristics of the relationship on the basis of two relational factors: psychological relationships (above) and role relations. Role relations refer to the perception of others as *persons* or as *positions*. To relate to another as "person" is to recognize that other as an individual object with particular attributes: to see him or her for their personal qualities. To relate to another in terms of his or her "position" is similar to that of recognizing role qualities of behaviour: a way of relating to the place or position typified by the other, a relational concept most often derived from our functions and place in a societal organization.

Lerner's earlier works give equal importance to psychological relationships and role relations as social context variables determining a

sense of fairness. The forms of justice that result from the interaction of three levels of psychological relationship and two levels of role relations is as follows (adapted from Lerner, 1977):

TABLE 1.
Forms of Justice

OBJECT OF RELATIONSHIP (Role Relations)	PERCEIVED RELATIONSHIP (Psychological Relationship)		
	IDENTITY	UNIT	NONUNIT
PERSON	Perception of O as Self	Perception of similarity; Belonging with O	Perception of contesting interests and personal differences related to claims
	Rule = Needs	Rule = Parity	Rule = Law, Darwinian Justice
POSITION	Perception of Self in O's circumstance of need	Perception of equivalence with O	Scarce resources with equally legitimate claims within the 'rules'
	Rule = Entitlement, Social Obligations	Rule = Equity	Rule = Justified Self-Interest

The justice rules that emerge from the interaction are:

Needs - the justice of need refers to person attempting to reduce the sum total of pain, increase the well-being of all members with whom he has this relation. Since there is an emotional bond of empathy, the perceiver acts toward others as he or she would do for oneself.

Entitlement (Social Obligations) - this justice rule occurs when we empathize with someone, anyone in that position, and do not feel impelled to react to immediate suffering of that person. Rather, the dominant consideration is in terms of what anyone in that position would be entitled to receive. Often "what would be most beneficial in the long run" is the perspective typical of this distribution rule.

Parity - this rule is described by the allocation of equal reward to each individual person by virtue of their "belongingness" relation to the perceiver, regardless of that person's individual inputs. An example is where one defines another as a "team or family member" and this individual is seen for their personal qualities, he or she is entitled to equal rewards by virtue of that unit relation, no matter what his or her input.

Equity - the distribution rule of equity is described when allocated reward is dependent upon individuals' input. When one defines a partner as 'co-worker' (a less personal and more positional view than team or family member) Lerner argues that this implies an assessment of the equivalence of roles. When this is the case, justice allocation is said to occur when the reward of others in their roles is dependent upon their inputs in that position.

Law, Darwinian Justice - Lerner describes this distribution rule as one of Darwinian justice, where there is a contest for dominance, a personal contest. Lerner argues that in this competitive forum, personal power will be determinative of the allocation outcome.

Justified Self-Interest - the distribution rule here occurs when there is an impersonal contest among people who are in a positional relation with each other. Using this distribution rule, considerations of justice and fairness are impersonal, based more on the positional characteristics of the participants. The desired goals of these participants will be justified and argued in a competitive forum with justification stemming from the role entitlement of participants.

Lerner (1980, 1981) revised his "forms of justice" with considerations that

led him to reconfigure the notions of "role relations" as well as to reconsider the dynamic process of the social interaction itself. The later work moves from nine forms of justice to eighteen modes of responding to justice decisions, which he refers to as emergent activities.

Lerner's revision, however, has received no discernible empirical support. Nor has it garnered significant references in the justice literature. What Lerner himself described as both a "fresh look" and as "crude definitional statements and propositions" (Lerner, 1981) is not judged to be of primary value in the first two studies of this dissertation.

B. The First Step in Integrating Distributive and Procedural Justice

The original forms of justice will serve as the theoretical perspective for an analysis of relations perceptions in justice forums. Three kinds of psychological relations (identity, unit, and non-unit relations) have an established base for construct validity and empirical reliability in both the helping and attribution literatures (see Lerner & Miller, 1978 for a detailed review). It is the original formulation, without the "fresh look" of emergent activities, that is predicted to clarify the role played by relations among participants in the formulation of justice rules under different justice procedures.

In contrast to equity theory, Lerner's forms of justice provide more discrimination among motives for different allocation rules in different types of perceived relationships. Lerner shows equity to be only one form of justice, distinguished from other forms by characteristics of different perceived relationships among those who interact. If such perceptions are operative in justice forums (as the present work predicts), then Lerner's

work is expected to provide more exact predictions about the preferred distribution rule given the characteristic of the perceived relationship among participants. It remains an open question whether this relationship-based perspective can help us more fully understand reactions to various procedural variables of justice decisions.

The bulk of studies have focused on the situational determinants of justice, and a number of studies have pursued the importance of interpersonal relations as social context in issues of justice. As Reis (1986) concludes, "justice rules describe patterns of social interdependence" (p. 200). That research, however, has focused on distributive justice, not on procedural justice. As noted by Bierhoff, Buck and Klein (1986) the typical laboratory design for studying the role of relationships on perceived justice involves providing subjects with knowledge of the contributions of the parties of the justice forum, with information on the relationship among parties, and then assessing preferences for allocation rules. Such a paradigm demonstrates a consistent finding that the type of interpersonal relationship influences the choice of an outcome distribution rule (Austin, 1980; Austin & McGinn, 1977; Benton, 1971; Debusschere & van Avermaet, 1984; Lerner, 1974; Major & Adams, 1983; Reis & Gruzen, 1976; Sagan & Pondel, 1981; Schmitt & Montada, 1982; Shapiro, 1975). For example, Brockner and Tyler (1992) examined the effects of individuals' prior commitment to an institution (their relationship history) on their reactions to perceived fairness of various decisions rendered by that institution. This relationship variable influenced perceptions of fairness: Highly committed persons were found to react most strongly to

unfair decisions.

However, very little consideration is given to the importance of social relationships in the phenomenon of procedural justice, outside of the extended theoretical analyses provided by Lerner and his colleagues (Lerner, 1981; Lerner & Whitehead, 1980). That analysis calls for a perspective where the same set of psychological processes at work in the phenomenon of distributive justice be considered for the phenomenon of procedural justice. Only recently has the need to assess the interpersonal context of the justice procedure been recognized (Bies & Moag, 1986; Tyler & Bies, 1990; Tyler & Lind, 1992; Tyler, 1994), and only recently has the literature begun to recognize that "justice-making is a process rooted in collective social life and cannot meaningfully be reduced to individual psychological dynamics" (Sampson, 1986, p.88).

In their analysis of procedural justice, Tyler and Lind (1992) have proposed a relational model of authority in groups where justice procedures "are evaluated in terms of their implications for group values and for what they seem to say about how one is viewed by the group using the procedure" (pp 139-140). They suggest that procedural justice evaluations primarily reflect a person's judgments about his or her relationship to authorities. Tyler (1994) demonstrated that relational concerns (neutrality of the decision-maker, trust in the decision-maker's motives, and identity-based status of the respondent within the group) influence *both* distributive and procedural justice concerns, for the first time in his research on procedural justice applying relationship variables as independent variables. Tyler and DeGoey (1995) found procedural justice

effects to be based on relational bonds to authorities during a naturalistic social dilemma situation (the 1991 California water shortage), concluding that the effectiveness of authorities is linked to the effectiveness of bonds with community members. Those who identify more strongly with their community are more concerned about procedural justice issues than those who do not, according to this research. People with strong community identities (a “relational” identity) learn more about their community identification from procedurally fair treatment.

While others have recognized the need to review the procedural justice phenomena from the psychological perspective of distributive justice (Leventhal, 1980) and the emphasis on interpersonal relations, the research to date has been minimal.⁶ The following review and research are in response to that need, under the claim that nowhere have researchers sought to establish the relationship between the psychological dynamics of distributive and procedural justice by applying Lerner's theory, and

⁶ Brockner and Greenberg (1990) devised the term *interactional justice* to refer to the fairness of the interpersonal treatment people receive during the implementation of resource allocations, and come closest to this perspective. However, they do not apply the psychological processes of distributive justice described by Lerner to the dynamics of procedural justice. They focus on how justice participants react to the way in which information is presented to them during justice allocations. Their research, and that of Bies (1987), Bies and Moag (1986), Bies and Shapiro (1987) and Greenberg (1987, 1988, 1990) reveals that the offer of explanations of administrative actions promotes judgments that the decision maker's actions were fair and just.

Leventhal (1980) also suggested that the interpersonal aspects of procedures may be important elements in judgments about procedural fairness. This line of research examines interpersonal procedural elements such as consistency, bias, and representativeness, claiming that such procedural characteristics may be more or less salient than reward distributions under certain conditions (see Sweeney & McFarlin, 1993).

None of this research attempted to apply the psychological processes of distributive justice, as outlined in the works cited in this work, to the dynamics of procedural justice.

nowhere have researchers established how the perception of interpersonal relations of Lerner's type influence fairness ratings of various procedural processes, or how such relations become salient in the exchange.⁷

Unless such a new perspective is adopted, the classic orientation separating distributive justice from procedural justice is limited by focusing its attention solely on matters of "relative holdings" of individuals, making no reference to the mechanisms or processes used.

A number of critics of this classic orientation (indeed, of all theories of distributive justice) have argued in a manner similar to Lerner (Folger, 1977, 1984; Folger, Rosenfield, Grove & Corkran, 1979; Greenberg & Folger, 1983; Tyler, 1994; Tyler & Degoey, 1995; Tyler & Folger, 1980; Tyler & Lind, 1992). They say that by relying on only relative amounts of the outcome received by participants (the distribution of resources), the theory ignores questions about the process by which the justice decisions are made. These questions are issues of procedural justice, and are behind the relatively recent growth of procedural justice research.

C. Procedural Justice

The criteria used to judge the fairness of procedural systems which allocate resources (whether the resources be rewards, costs, punishments, benefits, discipline, support and so on) have been subject to intensive review since 1975 (e.g., Deutsch, 1975; Thibaut & Walker, 1975). The

⁷ Given the analysis of the causal role played by language in the interpersonal exchanges of power, it is logical to expect language to be the vehicle used in the interaction to both display and produce the characteristics of interpersonal relations. The perceptions of "person", "position," "identity," "unit," and "non-unit" must be determined by some combination of historical expectation and description / understanding of the relationship.

work on procedural justice followed the height of activity of distributive justice research, and as noted earlier has since gone on to claim that of the two, procedural justice variables are more fundamental to justice judgments than are distributive justice rules. Process that constitutes fair ways of making allocation decisions is judged to be more influential to justice judgments than is pattern of distributions (the outcome itself).

The formative works on procedural justice is that of Thibaut and Walker (1975). These authors use the term "procedural justice" to refer to fair, peaceful methods of managing, moderating or resolving disputes. Their research is notable for distinguishing certain procedures of conflict resolution and discerning procedural characteristics behind reactions of just/unjust treatment (a judgment of "fairness" by participants and observers).

Types of Procedures. Thibaut and Walker researched a number of different nonviolent methods of conflict resolution, distinguishing them along dimensions of both "process" and "outcome" control. These procedures included (in decreasing order of participant control over process and outcome):

Bargaining - participants (disputing parties) submit, explain and support individual positions about a 'dispute' to one another; participants jointly reach a decision about the allocation of resources, thus providing them with maximal control over both the process and outcome of decision making.

Mediation - participants submit, explain and support individual positions to a third party of a dispute; the third party makes a recommendation to participants who

nevertheless must reach the decision themselves.

Moot - participants submit, explain and support individual positions to one another and a third party; each of the participants and the third party jointly reach the decision about allocation.

Arbitration (Adversarial) - participants submit, explain and support individual positions to a third party; the third party makes the decision about allocation.

Autocratic (Inquisitorial) - participants submit only their individual positions to a third party; the third party makes the decision, thus leaving participants with least control over both process and outcome.

Determinants of "Justice". With regard to these procedures Thibaut and Walker assessed reactions of fairness and preference, determining causal variables behind such reactions. According to their research, it was the distribution of both "process control" and "decision control" that lay behind fairness ratings and hence procedural preference. Process control refers to control over the presentation of evidence and arguments to be considered in dispute resolution; decision control refers to the power to specify and enforce a resolution of the conflict (cf. Lind, Walker, Kurtz, Musante and Thibaut, 1980). Recently, this notion of process control has been expanded to highlight the role of the opportunity to express one's views, and is frequently referred to as "voice" (Lind & Tyler, 1988).

Decision control refers to the ability to determine the actual decision with regard to the dispute. It can include having control over the

judgment itself (Thibaut & Walker, 1975), a joint say in the outcome, as well as the opportunity to accept or reject a decision put forth by a third-party (Lind, Lissak & Conlon, 1983).

It has been theorized by Thibaut and Walker that conflict resolution procedures of the inquisitorial style will be seen as most fair for disputes in which cognitive conflicts predominate. Procedures of the adversarial style will be seen as most fair for disputes in which conflicts of interest are dominant. For these disputes, participants feel justice can be achieved when process control is placed in the hands of participants and decision control is in the grasp of an impartial third party. They argue that such a combination maximizes accuracy of information (who more than disputants would have more relevant individualized information for the decision?) and fairness (less self-serving bias on the part of the decision maker). Degrees of variation from this pattern will lead to a decreasing sense of procedural justice when the dispute involves a conflict of interest among disputants.

Accordingly, the data from Thibaut and Walker's program of research revealed a consistent preference for the adversarial mode of conflict resolution -- that mode where a third party has decision control and yet the participants to the dispute control their presentation of argument and evidence (process control). Studies by Walker, LaTour, Lind, and Thibaut (1974) and LaTour (1978) found the same: subjects whose disputes were resolved with an adversary procedure felt that the process was more fair than did subjects whose disputes were resolved with non-adversary procedures. As noted by Lind et al. (1980), the procedural preference of adversarial process is robust: it has been noted with a variety

of stimulus materials and with subjects from nations with different procedural justice practices (e.g., Kurtz, 1978; Lind, Erickson, Friedland, & Dickenberger, 1978; Thibaut, Walker, LaTour, & Houlden, 1974). As noted in the review of Lind and Tyler (1988), this finding has withstood the test of subsequent research, both in the laboratory (Holden, 1980; Musante, Gilbert & Thibaut, 1983; Tyler, Rasiniski & Spodick, 1985, Studies 2 and 3; Leung & Lind, 1986; Greenberg, 1986; Earley & Lind, 1987; Kanfer, Sawyer, Earley & Lind, 1987, Study 1) and in the field (Adler, Hensler & Nelson, 1983; Lissak, 1983; Earley 1984; Tyler, Rasiniski & Spodick, 1985, Study 1; Earley & Lind, 1987, Study 2). The summary conclusion of these literatures is to conclude there is a process control enhancement of the procedural preference phenomenon (the priority importance of process over decision content).

Procedural preference as outlined above, then, is found to be more important to justice judgments than is the outcome of the distribution itself. Within that preference is an argument that process control is more important than decision control when evaluating the justice of the event. These phenomena are persistent. However, the interpretation as to how these phenomena operate psychologically is not resolved. There are three major interpretations of the psychological dynamic underlying the phenomena.

The first analysis stems from the original work of Thibaut and Walker is simple: when the procedure is corrupt or unfair, whether by reason of process control (if the disputant is kept out of the process) or decision control (if there is a bias on the part of third-party decision

makers), the outcome is deemed unjust -- even though it may be judged personally favorable.⁸ Of these two, according to Thibaut and Walker, process control was said to be the more important procedural consideration and the major determinant of the fairness evaluations because a fair process is a precondition for consideration of distribution rules for a fair outcome. They argued that participant control over the evidence and arguments (whether through an advocate or by oneself, depending on the mode of dispute resolution) promotes a confidence about the forum's consideration of individualized arguments. This confidence in turn leads to a sense that the outcomes will be more just and fair because of the procedure itself: hence, greater sensitivity of fairness evaluations to procedural manipulations than to distribution outcomes.

A second interpretation of the priority importance of justice procedures over distribution outcomes comes from Lind and Tyler (1988). Lind and Tyler have argued that "procedures are widely viewed as essential elements of any lasting group and that perceptions of procedures are therefore key cognitions about groups" (cited in Tyler & Lind, 1992, p. 134). It is believed that procedures have greater impact on justice evaluations than do perceptions of outcomes because "outcomes are generally viewed as one-time responses to particular situations, whereas

⁸ It is important to distinguish between personal satisfaction of the outcome and judgments of fairness or justice. Rating an outcome as "favorable" to oneself can be an isolated evaluation of personal benefit resulting from the allocation; rating an outcome as "just" is evaluating that outcome against some social standard or norms of fairness. See Lind and Earley (1992) and Messick and Sentis (1983) for a review of the distinction between satisfaction and fairness.

procedures have an enduring quality; this makes an unfair procedure much more threatening than a single unfair outcome" (p. 134). This interpretation does not challenge the Thibaut and Walker argument for the priority importance of process control over decision control.

A third interpretation centers on the difficulty experienced by participants as they analyze the justice forum. Lind and Early (1992) and Tyler and Lind (1992) claim that procedural fairness is robust because it serves as a social heuristic, allowing participants to judge whether a decision is just without really weighing all the costs and benefits associated with the decision. In other words, it is less difficult to assess procedural fairness than it is to assess distributive fairness: as exclaimed by Tyler and Lind, "imagine the difficulty of managing a psychological equation . . . to determine the extent to which one's outcomes are fair" (p. 134). Again, this argument does not challenge the priority importance of process control over decision control in determining the procedural preference phenomenon. Nor does it recognize the decades of research that demonstrate that such equations are regularly used in determining appropriate distribution rules.

Adding to the unanswered questions surrounding these phenomena, there have been more recently a limited number of studies that have not demonstrated either the main effect of process control enhancement of procedural justice judgments (Austin, Williams, Worchel, Wentzel & Siegel, 1981) or the underlying preference for procedural control over decision control (Kaplan & Miller, 1987; Mannix, Thompson & Bazerman, 1989). This research has shown that procedural effects may not be simple

main effects, but rather may interact with the characteristics of the decision environment (especially those factors associated with relevant social norms and decision task attributes, such as the importance of the task and the urgency of the decision, and so on). In both Tyler (1990) and Tyler, Casper and Fisher (1989), outcome considerations were found to influence procedural fairness judgments: those who "won" were more likely to think the process was fair. Pruitt, Peirce, McGillicuddy, Welton and Castrianno (1990) found that long-term compliance with mediation outcomes was linked to judgments of the fairness of the mediation procedure. Lind and Huo (1994) demonstrated a preference for persuasion and negotiations over other procedural options, while supporting the notion that process fairness most strongly predicts preference of procedure.

Nevertheless, research and reviewers of that research still claim that procedural justice concerns are more psychologically important than distribution rules, outcomes or the personal control over those outcomes. Brochner and Wiesenfeld (1995) tested the hypothesis that decision outcome favorability would interact with procedural fairness to predict reactions to layoff. They found that outcome had no effect on reactions when procedure was fair. Outcome had effects on reactions only when procedural fairness was low, replicating earlier findings (Brockner & Konovsky, 1994). Similarly, Bies and Christopher (1993) found perceived fairness related to procedure. The layoff *process* was the primary factor influencing whether individuals remained "good citizens" in the workplace after notice of termination. As noted by Tyler, "neither outcome factor (distributive fairness nor favorability of the decision) is nearly as important

as procedural justice in determining whether an authority is perceived as legitimate" (Tyler, 1991; parentheses added), even though both are occasionally found to influence procedural fairness judgments.

Limitations of the procedural justice phenomenon are becoming recognized. Bies and Tyler (1993), while reinforcing the claim that procedural justice was the primary factor influencing whether employees sue their employers, do recognize this. Their research implied that employer emphasis on procedural justice alone may undermine the intended goal of ensuring fairness if self-interest of employees is not taken into consideration.

Surely, however, one can provide a more adequate analysis of the relationship between procedural and distributive justice than the "occasionally found" perspective of Tyler and colleagues. It is too simplistic to conclude an analysis at that point. Consider the following.

D. Toward An Integrated Perspective

First, consider the explanations for the robustness of procedural justice. There are two models of procedural justice proposed (Lind & Tyler, 1988; Tyler & Lind, 1992): a "self-interest model" and a "group value model" (sometimes referred to as a "relational model").

The self-interest model is a derivative of the original Thibaut and Walker perspective that emphasized the fundamental concern people have for their own outcomes. This Skinnerian feature is common to a number of social science and behavioral models of the person, and similarly has a "long term" and a "short term" dimension to outcomes. In the short term, individuals seek to maximize reward and minimize cost; in the long term

and because of group membership, they come to understand that through cooperation with others their egoistic outcomes can be best maintained. It is this feature of "group membership" that drives the concern for procedural justice, according to Lind and Tyler (1988):

"But having decided to seek long-term gain from group membership, how can people assure that they actually will benefit in the long run from group membership? One way is to demand fairness in the procedures by which decisions are made. If procedures for decision making and dispute resolution are fair, then it is reasonable to expect long-term gains, even in the absence of short-term gains." (pp. 223-224)

This self-interest perspective is evident in another form -- the avoidance of group member conflict. To the degree that procedures are clearly established and socially condoned, conflict is avoided in the resolution of disputes. The group remains harmonious (cf. Thibaut & Faucheux, 1965; Lind & Tyler, 1988).

The group value model of procedural justice poses the notion that individuals in groups are more likely to set aside self-interests than the advocates of the preceding egoistic model would be likely to predict. A group value perspective argues that the group identification process influences individual behaviour "above and beyond questions of self-interest" (Lind & Tyler, 1988, p. 230; cf. Dawes, 1986). The assumption is that group membership is a powerful dimension of personal life. Group identity (distinguishing features allowing for a distinction of one's own group from other groups) and group procedures (the formal and informal procedures that regulate the group's activity) play central roles in group

dynamics.

According to Lind and Tyler, this group value model predicts a priority preference for procedural justice over distributive justice. Research on political leaders and on political institutions has demonstrated that "procedural fairness exercise[s] a stronger influence upon evaluations than do judgments of outcomes" (Tyler, 1984, p. 215). Group procedures are viewed as "being among the most important features of social life," and "are viewed as linked very closely in the perceiver's perception to the group that mandates the procedure" (p. 238). Procedural preferences are thus strongly correlated with the importance of the group to the individual in question. Procedural importance is a means of affirming the individual's status and adherence to traditional group values. Accordingly, procedures have a powerful potential to produce considerable emotion or affect for this reason, and are thus dominant issues of concern for the individuals in the justice forum.

These features of group life are socialized into individuals, according to this perspective, as societal or group values. This being the case, procedural justice is predicted to be important because it appeals to the group's reliance on procedures that regulate and harmonize its activities, according to Lind and Tyler. By extension, procedural preferences themselves are socialized, and may be acquired during childhood:

"The socialization perspective raised by the group value model suggests that at least some procedural preferences can be viewed as socialized attitudes. Like other such attitudes, for example, liberalism, racism, or

authoritarianism, procedural preferences might be acquired during the childhood socialization process and come to acquire their own affective base." (Lind & Tyler, 1988, p. 235)

It is apparent from Lind and Tyler's analysis that both the self-interest model and the group value model serve to provide support for a shift of emphasis away from distributive justice ("outcomes") to that of procedural justice ("the process of social interaction"). Both models serve to predict the robustness of procedural justice. Nevertheless, however, they "are so different with respect to the processes they hypothesize and the predictions they make that there does not seem to be any straightforward way to synthesize them into a single unified theory" (p. 240). Lind and Tyler suggest that future theory and research must either explain how they work together, or search for a new model to describe the phenomena of procedural justice observed to date.

This paper suggests the answer to the reconciliation between self-interest and group value lies within the analysis of Lind and Tyler itself, and becomes obvious when one considers the work of Lerner cited earlier. What is interesting for the purposes of this paper is that Lind and Tyler's discussion of socialization as an explanation for the robustness of procedural justice downplays the other characteristic of group dynamics outlined by them -- group identity. Identity and the interrelationship of group member roles, even though identified by Lind and Tyler as central features of group dynamics along with procedural process, strangely enough do not enter into the analysis of procedural justice preference. This is somewhat surprising, unless the authors believe that group identity

concerns are not as powerful determinants of socialization as are concerns about group process and procedures.⁹

As noted in the review of distributive justice, identity and interpersonal relations are the fundamental considerations of Lerner. Procedural justice forums involve distribution of outcomes (they involve distributive justice phenomena). If one searches procedural justice phenomena for the psychological processes typical of distributive justice, it becomes obvious that one should attend to the "group identity" notion to a greater extent than did Lind and Tyler's 1988 analysis.

Both Tyler and Lind have begun to move in the direction of giving more consideration to group relations factors in procedural justice phenomena. Tyler (1994) and Tyler & DeGoey (1995) claim that relational bonds are of primary importance for procedural justice judgments. Tyler outlines only three relational variables of importance: neutrality of the adjudicator, trust in the decision-maker's motives, and standing or "status" of the respondent in the group. Lind and Huo (1994) and Lind and Earley (1992) also pursue the importance of group-oriented concerns such as gender and ethnic relations. None of that research, however, employs the detail of relationships outlined by Lerner's theories.

Lind and Tyler are correct: there are two centrally important

⁹ It is no surprise this claim on the predominant importance of group process concerns is avoided, given the prominence of identity issues in such classic works as Erikson (1968), Festinger (1954) and other major theorists who each stress the importance of socialization for the process of personal identity. Lind and Tyler recognize the long history of this phenomenon within social psychology, citing the works of Tajfel (1969, 1978) on social categorization as a powerful example of this fact.

aspects to group dynamics, identity and interpersonal relations on the one hand and group procedures on the other. A consideration of the psychology of interpersonal relations, central to the explanation of distributive justice, is not expected to explain the primacy of procedural justice, however. Interpersonal relations have been found predictive of distributive justice judgments, and lead one to conclude that both relationship issues and procedural issues should be involved in justice judgments in a strongly interactive way. When one considers both, perhaps the claim of procedural justice robustness will fall away.

If one applies Lerner's analysis, then, it is such group identity concerns (or interpersonal relations concerns in the vernacular of that literature) that would certainly be of interest if one is to use the psychological perspective of distributive justice to a new analysis of procedural justice.

CHAPTER 3.
A SYNTHESIS: THE INTERACTION
OF PROCEDURAL AND DISTRIBUTIVE JUSTICE

Procedural justice effects may not be simple main effects as suggested by the research demonstrating robustness of procedural manipulations. Procedural effects may interact with factors associated with personal and group identity expectations, the very expectations involved in the psychological processes of distributive justice phenomena.

While there is limited recognition in the procedural justice literature itself that one's concern for identity in the group is an issue of importance, there is only minimal consideration of the role of more broadly defined participant interpersonal relationships in procedural justice phenomena. Only recently has research assessed distributive justice variables together with procedural fairness, and even then only viewing distributive justice from a social-exchange-based resource model perspective (Tyler, 1994; Tyler & DeGoey, 1995), focusing mostly on identity-based status within a group. There is no application of the distributive justice literature's insights into the role of personal and social identity beyond the status and group membership dimension. There is no consideration of the complex interpersonal relationship characteristics outlined by Lerner for the phenomenon of procedural preference.¹⁰

¹⁰ Tyler and Lind (1992) refer to Lerner's works when establishing the group values model of justice, presenting Lerner as an alternative. They do not refer to the importance of the specific interpersonal relations in Lerner's 1981 version of justice theory,

In other words, the recognition that arguably dominates the literature of distributive justice -- that complex interpersonal relationships determine perceptions of justice outcomes -- is not emphasized in the procedural justice research. There are few works, outside of Tyler's and Lind's research, which demonstrate a successful attempt to integrate the psychological processes of both procedural and distributive justice.¹¹

Instead, in the procedural justice literature there is a focus on the group procedures which define the internal operating features of the decision process, and a pronounced importance of procedural justice issues over any and all distributive justice concerns about outcome.

however. Instead, Tyler and Lind refer to Lerner's "deservingness and justice" motives as intrinsic motives underlying social behaviour. These motives are identified as the essence of Lerner's "alternative," in that they contrast with concerns for group values (Tyler and Lind's relational model) or concerns for self-interest (Thibaut and Walker's control issue) as motives behind concerns for justice.

¹¹ The closest analysis of this kind is in the small-groups research area, which has been outside the procedural justice or distributive justice literatures. Small-groups research reveals an historical claim of procedural main effects, and recent claims of an *interaction* between group procedure and various characteristics of the decision environments. Historically, social scientists have long recognized that certain features of small groups interaction (such as quorum rules, voting procedures, agenda structure, rules of order) can influence group decision outcomes (cf. Arrow, 1963; Black, 1958; Fishburn, 1973; as cited in Kameda, 1991). Such features are not neutral characteristics in group deliberations, they can lead to decisions that are at least in part a function of those procedures themselves. More recently, however, the robustness of procedural influence is questioned. When examining normative and informational influence in group decision making, Kaplan and Miller (1987) demonstrate that such procedural effects interact with, among other things, *relevant social norms*. Kameda (1991) similarly shows that in small-group decision making, group decision procedures (such as the unanimity rule in juror deliberations, or the majority rule in group polarization research) interact with characteristics of the decision task (eg. complexity, group size). Both of these studies question the reliability of the historic claim of procedural main effects in group decision making research.

The qualifications emerging in the small-groups research are strikingly similar to those contended in this work.

Conversely, in the distributive justice literature there is an emphasis on identity and participant relationship issues, and a downplay of the importance of justice procedure in favor of emphasizing the importance of allocation outcomes.

It is desirable to combine these two justice research areas, theoretically and empirically. Consider the dynamics of the justice forum in terms of consequences to participants. What are the consequences of the allocator's choice of decision process (the specific operating feature: the justice procedure)? In addition to influencing the favorability of outcome, the consequences undoubtedly include some impact on the (subsequent) perceived interpersonal relations among participants. How do people feel about themselves (their own sense of what they deserve) and their relationship with the others during and after the justice decision? It is claimed here that this is an important concern in both choice of procedure and choice of distribution rule. The choice of justice procedure and the choice of the appropriate justice distribution rule serve to re-affirm OR modify the perceived relationships among participants. This confirmation or modification has direct impact on the judgments of fairness and justice.

As outlined earlier, the justice procedure of arbitration (adjudication) is a competitive procedure for dispute resolution between persons in an adversarial relationship. Their positions are divergent, compromise is not attainable, and they must seek a third party to decide their relative outcomes (coercive power). A free choice of this procedure would reveal that perception of the relationship; an imposition of this procedure might well produce that perception of non-unit adversariness.

In Lerner's analysis the arbitration event would be suited for competitive, non-unit relations, either between persons or between social positions. Lerner's work would predict that law (in the case of non-unit person relations) or justified self-interest (in non-unit position relations) would be the appropriate distribution rule to use in such a procedure for just allocation of outcome. Participants would be expected to find the justice event fair and just when both the procedure and the rule fit their perception of identity and relationships. If either procedure or rule do not suit identity and relationships, participants would judge the event unfair and unjust.

Negotiations (bargaining) is a competitive procedure as well, but one designed to seek compromise and a change in the initial positions of the participants (transformative power). The parties' positions are at odds with each other, but they share the task of reaching agreement and avoiding locked-in positions and lasting dispute. They "belong together" for the purposes of bargaining, and must attend to each other's position if resolution through negotiations is to occur. A free choice of this justice procedure would reveal that "belongingness" view of the relationships; an imposition of this procedure might well produce that perception of unit relations.

In Lerner's analysis, this event is suited for competitive unit relations, again either between persons or positions. The appropriate distribution rule would be parity if the participants relate in a person-to-person fashion, or equity if they relate on the basis of their social positions or roles. Participants would be expected to find the justice event fair and

just when both the procedure and the distribution rule match their perception of themselves and the relationships. If either procedure (bargaining) or distribution rule (parity or equity) do not match their expectations, participants would judge the event unfair and unjust.

Lerner's analysis of identity relations leads one to look for a third important distinction of procedural justice. This procedure would be one where the parties empathize or sympathize with each other ("identification" in one or the other mode) and seek to resolve the justice issue on that relationship basis. No justice procedure that matches these relationship characteristics was outlined by Thibaut and Walker, yet it is evident that such a procedure exists. That procedure is one of "joint problem-solving," or "single team bargaining". Joint problem-solving strategies are intended to work from, or create, the relationships of identity among participants. They are common strategies in those rare environments that have created such interpersonal relations between parties and among party members.

Joint problem-solving forums would demand identity-person or identity-positions relations, and would employ the distribution rules of needs or entitlement, respectively, if there is to be a perception of justice and fairness assessed against the process and outcome.

Language used in the exchanges would serve a dual role here. On the one hand, language would be expected to reflect the on-going perceptions of the participant relationship identities (given the descriptive role played by language in interpersonal exchange). On the other hand, it would be expected to have the power to actually shape the recognized nature of those perceived relationships (given the causal role played by

language).

Language and power tactics are expected to be effective vehicles for the creation of these process and relationship perceptions. As reviewed earlier, specific verbal language has the potential to cause properties of perceived relationships. It is possible to use relational pronouns ("we," "they") or descriptive nouns ("the accused," "the employer") and so on and overt descriptions of the parties' relationship ("you and I are the same in . . ."; "you and I are similar in . . ."; "you and I are antagonistic in . . .") in a strategic way in order to shape the perception of the relationships and as a result to re-characterize the perception of the required procedure. Strategists could use identity-person language to create an acceptance of joint problem-solving strategies; they could use unit-person language to drive an acceptance of bargaining strategies; they could use non-unit person language to call for adjudicative procedures. Such strategies could be employed no matter what the initial procedure of the forum, with the intent to redefine the event and move the resolution in the predicted direction.

Used in a conjunctive fashion, the same is true of power tactics. Coercive power tactics are suited to adversarial relationships which rely on adjudicative processes of dispute resolution. Transformative power tactics are best suited to bargaining styles of dispute resolution, whether adversarial or single-team approaches. A suitable power tactic should contribute to perceptions of fairness and justice. The wrong power tactic will be expected to produce dissatisfaction with the process and the outcome, leading to judgments of unfairness and injustice.

What is critical to satisfactory dispute resolution is adherence to a goodness-of-fit among justice procedure, distribution rule and perceived relationships among participants. Judgments of fairness and justice are expected to be most evident when that goodness-of-fit is present, and absent when not.

CHAPTER 4.

RESEARCH DESIGN AND HYPOTHESES

The psychological study of justice has employed a number of different research designs: laboratory experiments, active and passive role-playing or "scenario" studies, field experiments, and survey research as well as other correlational designs. The findings of studies using different methods are fairly consistent, suggesting that the phenomena of justice are not design artifacts.

Laboratory experiments on distributive justice typically bring together a small group of strangers, have them work on some task where they are able to compare information about their own performance and that of the others, and asked to determine how they would distribute the payoffs or rewards among their co-workers or competitors. Usually, the individuals do not actively work together, they are given bogus feedback on the characteristics and performances of the others, and the levels of payoff are not significant (to self, or to society).

Laboratory experiments on procedural justice were guided by the early research by Thibaut and Walker, and involved more active role-playing. This research typically took a group of people (often law students and young lawyers, sometimes typical open sample volunteers) through a simulated set of pre-trial, trial, or dispute resolution procedures. Experimenters would manipulate the variable of interest (discrepancy between litigant outcome; the conflict-resolution procedure such as bargaining, mediation, arbitration, autocratic adjudication) and measure

preferences for procedure and / or perceptions of fairness and justice. Sometimes subjects were told the issue was a real one and their discovery of facts and arguments would be presented to a "real" decision maker (with alleged potential influence on real-life parties to a dispute), and other times they were not. In these designs, subjects worked together and the dynamic of the justice forum resulted from active simulation of real world justice events.

Role-playing designs have also been used in research on distributive justice. The typical methodology here involves a choice of either passive role-playing (where subjects are presented with a written description of someone's condition of need, then asked to determine, hypothetically, whether and how much help or reward to allocate the person in need) or active role-playing (where subjects are presented with a scenario description of someone's condition of need, then asked to determine whether and how much real help or real benefits they would personally allocate to the person so described).

Field experiments are mostly evident in distributive justice literatures. When studying distributive justice, researchers typically take the scenarios described in role-playing procedures and create a live (but staged) opportunity to intervene for naive passers-by. This field research has difficulty varying the characteristic relationships among the potential helpers and the staged victims, doing so (if at all) by varying the victim characteristics (social class, sex, group membership, personal responsibility, etc.). Distributive justice field work has not staged the justice forum. They tend to locate an ongoing dispute and study it as it unfolds, measuring

perceptions of justice and correlating those measures to the procedural characteristics of the event. This research tends to be non-experimental in nature.

The research contained herein makes use of the experimental component of the passive role-playing designs, relying on cognitive assessment of justice cases (passive role-playing) in the simulation of dispute resolution (a written scenario of a conflict) in such cases. The designs allow for the control of scenario characteristics relevant to both procedural and distributive justice and are able to address the outstanding questions about social justice raised in the body of this work. The designs outlined below overlap both procedural and distributive justice literatures, and allow for the appropriate tests of perceived fairness.

The research isolates three distinct justice procedures -- adjudication, bargaining and joint problem-solving -- and tests them for their suitability (perceptions of "just" and "fair") to the forms of justice identified by Lerner (1977, 1981). First, it is necessary to establish whether the interpersonal relations described by Lerner are differentially suited to the justice procedures. Second, a goodness-of-fit between these procedure-and-relationship combinations and specific distribution rules derived from the distributive justice literature is expected to be associated with perceptions of fairness and justice: A lack of fit is expected to be associated with perceptions of unfairness and injustice.

A. Designs and Procedure: Overview

There are three stages to this research. Study One involves passive role-playing, where subjects freely respond to various scenarios of dispute

resolution cases written to describe essential characteristics of procedural justice and participant interpersonal relationships. Twelve scenarios are prepared to describe the interpersonal relations described in Lerner's original justice motive theory (person or positional emphasis, in either identity, unit or non-unit relationships). Subjects are asked to review these different scenarios in a questionnaire booklet, and (i) indicate their perception of the appropriate procedural justice rule (arbitration, bargaining, joint problem-solving) for a just resolution of the justice issue, and (ii) indicate their expectation of the appropriate and fair outcome (the distribution rule) that should result from that procedure. Subjects are asked to freely generate the distribution rule appropriate to the described justice issue, within their choice of justice procedure. This questionnaire (with the conflict scenarios and dependent measures) offers an empirical test of the full interaction of procedural and distributive justice, together with coordinate perceptions of justice, something not evident in the literature to date. It is designed to provide participants with a "free choice" format for determination of the fair distribution rule, and provides an evaluation of the preferred justice procedures (adjudication, negotiation, or joint problem-solving) used in that decision rule.

In Study Two, from the data produced in study one a subset of the scenarios (those conflict scenarios displaying the most agreement on choice of procedure and distribution rule) were used to construct a questionnaire comprised of a smaller number of conflict scenarios, each scenario still manipulated to describe the different interpersonal relationships outlined by Lerner (1977) and of interest to this research. In Study Two, responses

change from the open-ended response in Study One to a forced-choice format, where participants evaluated the fairness of each of Thibaut and Walker's justice procedures and all of Lerner's distributive justice rules. This questionnaire allows for additional assessment of the fairness of all procedural and distribution rules, evaluating the importance of participant relationships for both procedure and distribution rule. Study Two searches for converging evidence on the results of Study One, testing the reliability of the phenomena, manipulating the interpersonal characteristics deemed of importance while holding the actual conflict constant. Study Two tests the specificity of the predictions of distribution rules, evaluating perceived degrees of fairness and unfairness, from the interaction of procedural and distributive justice as contended by this dissertation.

Study Three employs a subset of the conflict scenarios of the previous studies, but changes the description of interpersonal relationships of conflict participants to describe the relational characteristics described in Lerner's most recent work (Lerner, 1981; Lerner & Whitehead, 1980). These interpersonal characteristics are assessed for their importance in fairness ratings of the revised distribution rules outlined by Lerner, and for their impact on procedural justice concerns. In Study Three, the psychological underpinnings behind the preferences of justice procedures (preferences for "control") are presented directly to research participants. The evaluation of desirability of first-person and third-party control over both the *process* and the *decision* components of dispute resolution is contained in Study Three, allowing a test of the role of interpersonal relations on the psychological basis of procedural justice preference.

CHAPTER 5.

STUDY ONE: THE CHOICES OF JUSTICE

The first study tests the importance of particular relationship characteristics for the evaluation of justice under different justice procedures, and will do so using the passive role-playing methodology identified in stage one above, using a "free choice" response format.¹² Twelve scenario-like descriptions of conflict situations were provided, each scenario operationalizing the essential characteristics of one relationship identified by Lerner's original Justice Theory. Subjects selected the justice procedure they deemed best suited to the scenario and freely generated (in written form) the fair outcome that should result from that procedure.

A. Hypotheses

Prediction 1. It is hypothesized that adjudication procedures are not always the preferred ("just") mode of procedural justice. Adjudication is suited to competitive, non-unit relations between participants (whether personal or positional relations), and it is with this match that

¹² The scenarios described in Study One are in Appendix A. They do not specify the characterization of distribution rules. The purpose of Study One is to establish the empirical validity of the importance of interpersonal relations in procedural justice phenomena. Predictions of the appropriate distribution rule would follow from that demonstration, and that is the purpose of Study Two. However, it is straightforward to predict the distribution rules associated with perceptions of justice under the different justice procedures and different relationships. Arbitration procedures in non-unit relations are matched with rules of law and justified self-interest (personal and positional relations, respectively). Bargaining procedures in unit relations are matched with rules of parity and equity (personal and positional relations, respectively). Joint problem-solving procedures in identity relations are matched with rules of need and entitlement (personal and positional relations, respectively).

perceptions of fairness and justice result. When adjudication is evaluated in identity or unit relations (established through the relationship of disputants in the conflict), the procedure should be judged unfair and unjust.

Prediction 2. Bargaining is a justice procedure suited to unit relations between participants (whether personal or positional relations). When these relations are established in bargaining, perceptions of fairness and justice will result. When Bargaining is evaluated in identity relations or non-unit relations, the perception of unfairness and injustice results.

Prediction 3. Joint problem-solving is appropriate for identity relations between participants. When the exchange is characterized by identity relations (whether personal or positional) and joint problem-solving procedures are used, perceptions of fairness and justice result. When joint problem-solving strategies are evaluated in unit or non-unit relations the result is a sense of unfairness and injustice.

Prediction 4. The perception of fair outcome is predicted to follow the schema outlined by Lerner. Subjects are expected to identify fair outcomes, without prompting, to reflect the following pattern: identity/person relations = needs; identity/position relations = entitlement; unit/person relations = parity; unit/position relations = equity; nonunit/person relations = law; nonunit/position = justified self-

interest.

B. Design and Procedure

Eighty-three research participants were recruited from undergraduate psychology classes at Okanagan University College, and were asked to review twelve conflict scenarios and then to respond to four questions. The twelve conflicts were written to provide two conflicts in each of Lerner's six Forms of Justice relationships. The order of presentation of the conflicts was varied so that every condition occurred in different placement in the twelve scenario questionnaire. Appendix A (pp. 136-161) presents one order of presentation in a complete questionnaire.

Participants worked on their own, either in individual or group settings. The first two of the four questions amounted to manipulation checks. Question One asked participants to "Rate the relationship between (disputant A) and (disputant B)" by choosing one of three options describing the relationship as either identity ("identify with each other"), unit ("each other as belonging together"), or nonunit ("as adversaries, associated as contestants"). Question Two asked participants to "Rate the relationship between (disputant A) and (disputant B)" by indicating which of two options described the relationship as either person-based ("relate to each other on a personal level") or position-based ("relate to each other on the basis of the roles as [role relationship described in the conflict]").

Questions Three and Four addressed the hypotheses. Question Three asked participants to choose one procedure that should be used to resolve the matter of the conflict (options of adjudication, negotiations, and joint problem-solving, the order of presentation varied). This dependent

variable provided for the choice of one of the three justice procedures under review in this research. Question Four asked participants to briefly describe the best outcome that they thought should emerge as the settlement of the conflict issue. This measure asked subjects to choose the “most fair solution to the (conflict) issue” as a result of the justice procedure they identified in Question Three. Question Four provides an open ended, free response for participants to generate their own distribution rule.

C. Results of Study One

The twelve scenario-like descriptions of a conflict event were presented to eighty-three research participants. These twelve scenarios were devised to describe six particular relationships: three levels of Lerner’s psychological relationship characteristics (identity, unit and nonunit relations) and two levels of Lerner’s role relationship characteristics (person and position). Two different disputes were presented for each of the six possible relationships.

Study One was designed to test two sets of perceptions -- ratings of fairness for both procedural and distributive justice. With regard to procedural justice, the study was designed to test the importance of the psychological relationship characteristics for the evaluation of justice under the different justice procedures of adjudication, negotiation, joint problem-solving. With regard to distributive justice, Study One was to test the choice of distributive justice rule under the six different psychological relationship characteristics outlined by Lerner (1977).

The first three predictions of Study One claim that adjudication

procedures are not always the preferred (“just”) mode of procedural justice as argued by the procedural justice literature, and addressed the procedural justice aspect of the research. In response to each of the twelve conflict events, subjects indicated their choice of justice procedure the disputants should use to resolve each conflict. As is evident in the chart below in Figure 1, the overall preference for adjudication was not different from other modes of justice procedure.

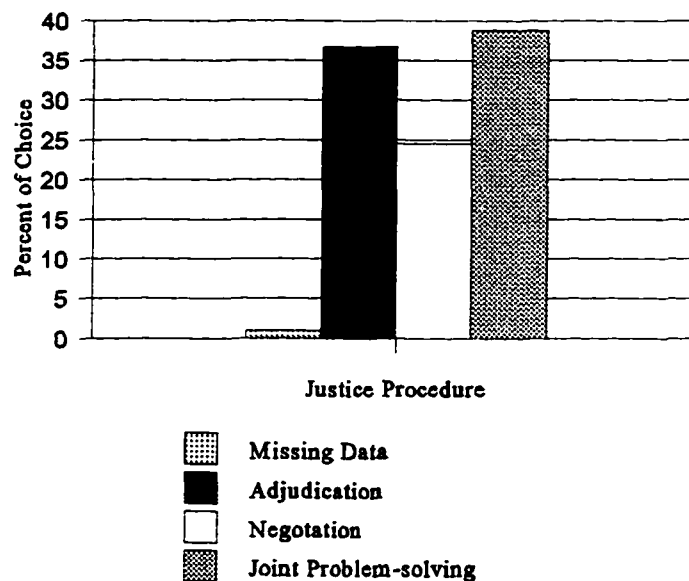


Figure 1. Frequency Count of Justice Procedure Preferences

More specifically and as previously outlined, the first three predictions of Study One are that adjudication is predicted to be suited to competitive nonunit relations between participants (whether personal or positional relations), bargaining suited to unit relations, and joint problem-

solving for identity relations. The number of choices of each justice procedure across those relationship characteristics are indicated in Table 2. This is a table of simple frequencies.¹³ Subjects chose which one of the three justice procedures they judged best for the particular conflict scenario. Preference data of this kind are nominal data, and the design constitutes a repeated measures design. Accordingly, analyses of these data are not suited to a chi-square analysis, since the chi statistic assumes independence of each response.

TABLE 2.

Frequency Count of Chosen Procedure			
Justice Procedure	Psychological Relationship		
	Identity	Unit	Nonunit
Adjudication	66	50	151
Negotiation	51	51	76
Joint Problem-solve	112	136	34

It is evident from a review of Table 2 that the preference for justice procedure interacts with the type of psychological relationship, although not all of the predicted associations to relationships are noted. As predicted, participants preferred adjudication for nonunit relationship disputes (56.6%) and joint problem-solving for identity relationships (39.7%). However, participants preferred joint problem-solving for unit

¹³ The total number of responses exceeds the number of subjects because each subject was given the opportunity to choose the procedure for each of the twelve scenarios (four scenarios per relationship characteristic). Not all subjects finished the task (only 37% completed all twelve) and thus the number of responses per relationship varies.

relationship disputes (48.2%), not bargaining as predicted (only 28.7% choosing bargaining in the unit relationships).¹⁴ This pattern was not influenced by consideration of the person-position variable. Negotiation, it can be seen, was not differentially influenced by identity-unit-nonunit relationships.

The fourth prediction was specific to the preference of distribution rules in each of the six relationships. Analyses of those data required a content analysis of each written response and an assessment of whether or not participant response to the question, "what is the most fair solution to the issue . . . Describe the best outcome that you think should emerge as the settlement . . ." was one of Lerner's six distribution rules (needs, entitlement, parity, equity, Darwinian justice, justified self-interest). Five judges reviewed each subject's response to the conflict scenarios, evaluating the response for a goodness of fit to Lerner's distribution rules.¹⁵ Judges assessed the responses and identified them as one (or more) of Lerner's rules, or as some "other" rule not identified by Lerner, or as a

¹⁴ Treating the repeated measures as independent responses and completing a chi-square on the nominal data (clearly violating assumptions of this statistic) does yield significance beyond $p < .00001$. This is of little surprise given the distribution of responses and the number of subject responses (number of responses inflated due to repeated measures from each subject). Nevertheless, a visual inspection of the relative frequencies across relationships indicates that choice of procedure is not independent of relationship. No statistical analysis is yet identified as suited to the data and design as described by Study One.

¹⁵ It was required that three judges agree on the rule before a label was affixed to the subject response. If there was no majority agreement, an assignment of "other" was made.

restatement of the procedure (no distribution rule of any kind).¹⁶

The frequency distribution of distribution rules across conditions is outlined in Table 3.

TABLE 3.
Frequency Count of Distribution Rules

	DISTRIBUTION RULE					
	Needs	Entitlement	Parity	Equity	Darwinian Justice	Justified Self-Interest
PSYCHOLOGICAL RELATIONSHIP						
Identity-Person	5 4.9%	22 21.6%	7 6.9%	33 32.4%	0 0%	2 2.0%
Identity-Position	5 4.7%	41 38.7%	2 1.9%	11 10.4%	2 1.9%	4 3.8%
Unit-Person	14 12.1%	1 .9%	65 56.0%	6 5.2%	1 .9%	0 0%
Unit-Position	1 1.0%	9 8.9%	15 14.9%	17 16.8%	2 2.0%	22 21.8%
Nonunit-Person	21 16.3%	8 6.2%	30 23.3%	15 11.6%	16 12.4%	13 10.1%
Nonunit-Position	0 0%	4 3.5%	16 14.0%	9 7.9%	10 8.8%	39 34.2%

Note: Cell numbers indicate frequency counts and percentages across Psychological Relations. Percentages do not total 100% across relations because two other categories of distribution rule – “Other” and “Restated Procedure” were tabulated into the frequency distribution.

¹⁶ This category was of interest because the procedural justice literature, as noted earlier, claims that procedural justice is robust in comparison to distributive justice. Accordingly, participants who failed to describe a distribution rule but who instead only restated the justice procedure they identified as the fair solution to the conflict were identified by judges in their content analysis of participant responses.

Inspection of the frequency distribution reveals that equity was the preferred rule for determining outcomes in Identity-Person relationships (32.4% of all identity conflicts), and parity was the preferred rule for both Unit-Person (56.0%) and Nonunit-Person (23.3%) relationships. In contrast, entitlement was the preferred rule for determining outcomes in Identity-Position relationships (38.7%), and justified self-interest the preferred rule for both Unit-Position (21.8%) and Nonunit-Position (34.2%) relationships.¹⁷ The distribution rules of needs and Darwinian justice failed to demonstrate preferred choices in any of the six relationship characteristics, although needs was the second most frequent choice in the nonunit-person relationships.

D. Discussion

Study One was designed to provide subjects with a free choice of justice procedure and a free choice of distribution rule to the resolution of the conflict. Each conflict event was constructed to describe one of the six relationships described in this work. There were two conflicts for each of the six relationships. This design served the purpose of assessing the stimulus materials (determining which scenarios provoked the most

¹⁷ As with the dependent measures on justice procedure, a chi-square analysis on these nominal data fails to account for the lack of independence within subjects across conflict scenarios. Notwithstanding this problem, it is noteworthy that a chi-square analysis yields significance beyond $p < .000001$. The unevenness of the distribution of rules across the six relationship conditions is evident, too, with the cursory visual inspection of the frequencies in Table 2.

consistent responses from participants)¹⁸ and assessing (in however a crude fashion) the potential interaction between procedural / distributive justice and interpersonal relationships.

The results of both procedural and distributive justice preference data indicate that something clearly was “going on” in this design, although it is difficult to assess the significance of the pattern given the fact that data are nominal scale and not independent. Visual inspection of the data is convincing that procedural justice interacts with Psychological Relations (Identity-Unit-Nonunit relationships), and that distributive justice rules interact both with Psychological Relationship characteristics and with Role Relations (Person-Position). This general pattern is in line with the literature review, although the specifics failed to demonstrate the level of precision evident in the hypotheses.

It is evident that the procedural justice literature, which predicts the “robustness” of adjudication procedures for conflict resolution, is not supported by these data. There is no overall preference for adjudication. The joint problem-solving procedure is at least as often chosen, and under some relationship characteristics chosen more often than adjudication.

Similarly, the choices of distribution rules offer only tentative (and incomplete) support of the hypotheses. Entitlement was the preferred distribution rule for identity-positions relationships, as predicted. Parity was indeed the preferred choice for unit-person relationships, but it was

¹⁸ The twelve scenarios used in Study One were compiled from a total of eighteen scenarios used in a small pilot (4 S's) of the stimulus materials. The twelve used were chosen on the basis of their comprehensibility and realism to participants in the pilot.

also the preferred choice for nonunit-person relationships as well. Justified self-interest was the preferred choice for nonunit-position relations, but it was also preferred in unit-position relations. Equity was preferred in relationships that were not predicted, and both needs and Darwinian justice demonstrated no trends of preference at all.

Confidence about the reliability of these patterns is limited, though. As noted, the nature of the data makes it difficult to assess either the strength and power of these effects, or their significance. Study Two is proposed to validate these trends, and to provide a more exact test of these potential phenomena in a way that is amenable to statistical analysis.

CHAPTER 6.

STUDY TWO: FORMS OF JUSTICE

The second study builds from the results of the first. Of the twelve scenarios used in Study One, three conflicts were identified as provoking a greater than two-thirds level of agreement among participants as to choice of justice procedure (81.3% choosing adjudication, 81.0% choosing joint problem-solving, and 66.7% choosing joint problem-solving for scenarios Nonunit-Person, Unit-Person, and Identity-Person respectively). Judging these conflicts to be the most “powerful” in eliciting justice preferences, they were chosen as the bases for further manipulation of relationships to assess the robustness of both procedural and distributive justice interactions with disputant interpersonal relations.

Each of the scenarios was manipulated to describe all of the six relationships of interest to this dissertation: identity-person, identity-position, unit-person, unit-position, nonunit-person, nonunit-position.¹⁹ Following each scenario are nine dependent variables. The first three measures ask subjects to evaluate the fairness of each of the three justice procedures of interest (joint problem-solving, negotiating, adjudicating) across a seven-point scale from “not at all fair” to “very fair”. The next six measures ask subjects to evaluate the fairness of each of the six justice

¹⁹ The conflict scenarios are presented in Appendix B --” Nash & Strachan” (damages), “Elizabeth & Judy” (inheritance), and “Fisher & Pearce” (childcare). Those scenarios are further identified as IP (Identity-Person), IPOS (Identity-Position), UP (Unit-Person), UPOS (Unit-Position), NP (Nonunit Person), and NPOS (Nonunit Position).

rules identified by Lerner (needs, entitlement, parity, equity, “Darwinian” justice, justified self-interest).

A. Design and Procedure

Two hundred and seven participants, recruited from undergraduate psychology classes, were presented with three scenarios describing different conflict events. Each conflict event is written to describe one of the six relationship characteristics identified in this research project (three Psychological Relations by two Role Relations). Appendix B, pp 161-201, presents a complete questionnaire and details of the manipulation of relationship characteristics. Each participant was presented with three scenarios, all with the same relationship characteristics (the same manipulation of relationship characteristics). Each scenario was followed by the same nine questions, tailored to match the issue of the particular event. In total, twenty-seven measures were compiled from each participant. This produces a design with two between factors (Psychological Relations and Role Relations) and one repeated measure factors (procedural and distributive justice measures across the three conflicts).

B. Hypotheses

The hypotheses of Study Two are as follows:

- (1) Fairness ratings of the procedural justice options are expected to be influenced by the Identity/Unit/Nonunit characteristics of the disputes. Identity relations will cause ratings of “fair” for joint problem-solving, and ratings of “unfair” for both bargaining and adjudication. Unit relations will cause ratings of “fair” for only bargaining; Nonunit relations will cause

ratings of “fair” only for adjudication.

(2) Fairness ratings of the distribution rule options are expected to be influenced by the interaction of the psychological relations (Identity/Unit/Nonunit) and role relations (Person/Position). Specifically, the following pattern of fairness ratings are predicted:

Relationships	Rule Rated as Most Fair
Identity-Person relations	- <i>Needs</i> rule
Identity-Position relations	- <i>Entitlement</i> rule
Unit-Person relations	- <i>Parity (equality)</i> rule
Unit-Position relations	- <i>Equity</i> rule
Nonunit-Person relations	- <i>Darwinian justice</i> rule
Nonunit-Position relations	- <i>Justified Self-Interest</i>

C. Results

a. Procedural Justice

The predictions for procedural justice rules calls for a main effect of Psychological Relations on ratings of the justice procedures. A repeated measures MANOVA on procedural justice measures revealed a significant main effect for Psychological Relations, but it also found a significant main effect for Role Relations as well (see Table 4).

TABLE 4
 MULTIVARIATE ANALYSIS OF VARIANCE
 FOR THE EFFECTS OF RELATIONSHIP
 ON PROCEDURE FAIRNESS

Between Subjects Effects				
	Hotellings F	df Hyp	df Err	p less than
Psychological Relations	2.952	6	390	.008
Role Relations	3.539	3	196	.016
Psychological by Role Relations Interaction	1.042	6	390	.398
Within Subjects Effects				
	Hotellings F	df Hyp	df Err	p less than
Conflict	22.271	6	193	.000
Psychological Relations by Conflict	2.766	12	384	.001
Role Relations by Conflict	1.10	6	193	.362
Psychological by Role Relations by Conflict	1.709	12	384	.063

Univariate F tests: Psychological Relations

Dependent Variables	df	MS	F	p less than
Adjudication	2	3.56	2.47	.087
Within Groups	201	1.44		
Negotiation	2	3.71	2.313	.102
Within Groups	201	1.604		
Joint Problem-Solving	2	7.654	5.248	.006
Within Groups	201	1.46		

Univariate F tests: Role Relations

Dependent Variables	df	MS	F	p less than
Adjudication	1	2.982	2.05	.154
Within Groups	202	1.46		
Negotiation	1	5.56	3.46	.064
Within Groups	202	1.61		
Joint Problem-Solve	1	5.56	3.71	.056
Within Groups	202	1.50		

With regard to the Psychological Relations main effect, the identity-unit-nonunit characteristics did influence the perceived fairness of different justice procedures ($F = 2.95, p < .008$), but not in the patterns predicted. Inspection of the univariate analyses and cell means reveal that the multivariate effect is due primarily to the robust effect of the joint problem-solving procedure. Joint problem-solving fairness ratings were greater in the unit relationships ($\bar{x} = 5.86$) than in both identity ($\bar{x} = 5.34$) and nonunit ($\bar{x} = 5.23$), using post-hoc multiple range test (Bonferroni) with a significance level of .05. Individual cell means, collapsed across Conflicts, are presented in Table 5 and Figure 2.

TABLE 5
 MEANS OF JUSTICE PROCEDURE FAIRNESS RATINGS

Role Relationship	Psychological Relationship			
	Identity	Unit	Nonunit	
Person	(a)	4.24	4.62	4.77
	(b)	4.58	4.61	4.83
	(c)	5.57	6.01	5.33
Position	(a)	4.73	4.54	5.09
	(b)	3.92	4.61	4.53
	(c)	5.12	5.70	5.13

Note. The dependent measures of fairness are identified as follows:
 (a) Adjudication (b) Negotiations (c) Joint Problem-solving.

Figure 2 displays the means of Table 5 in graphic form.

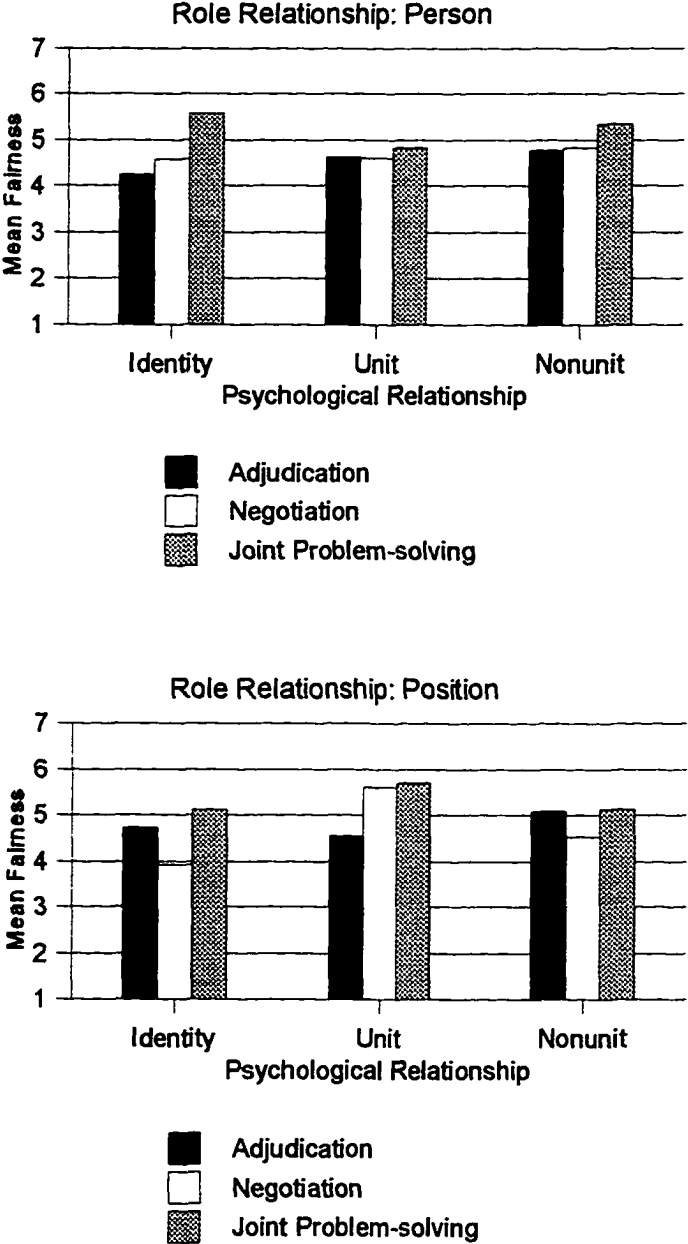


Figure 2. Mean Ratings of Fairness for Justice Procedures Across Different Relationships

Analyses of the Role Relations main effect (the person-position variable) was not as informative. While this multivariate test was significant ($F = 2.95, p < .016$), univariate analyses on the three justice procedures yielded no significance for joint problem-solving ($F = 3.71, p < .056$), negotiations ($F = 3.46, p < .064$) or adjudication ($F = 2.05, p < .154$). No multiple range tests reached a significance level of .05.

b. Distributive Justice

Tests of the hypotheses concerning distributive justice rules, using a repeated measures MANOVA on Lerner's six justice rules, revealed that the predictions were only partially borne out by the data. The analyses of variance are presented in Table 6.

TABLE 6
 MULTIVARIATE ANALYSIS OF VARIANCE
 FOR THE EFFECTS OF RELATIONSHIP
 ON DISTRIBUTION RULE FAIRNESS

Between Subjects Effects				
	Hotellings F	df Hyp	df Err	p less than
Psychological Relations	3.946	12	380	.000
Role Relations	1.409	6	191	.213
Psychological by Role Relations Interaction	0.599	12	380	.843
Within Subjects Effects				
	Hotellings F	df Hyp	df Err	p less than
Conflict	32.890	12	185	.000
Psychological Relations by Conflict	6.679	24	368	.000
Role Relations by Conflict	1.057	12	185	.399
Psychological by Role Relations by Conflict	0.583	24	368	.943

TABLE 6 (contd. from previous page)

Univariate F tests: Psychological Relations				
Dependent Variables	df	MS	F	p less than
Needs	2	1.06	0.76	.471
Within Groups	201	1.41		
Entitlement	2	12.24	11.279	.0000
Within Groups	201	1.085		
Parity	2	1.872	1.561	.213
Within Groups	201	1.20		
Equity	2	1.33	1.046	.353
Within Groups	201	1.27		
Darwinian Justice	2	0.262	0.420	.658
Within Groups	201	0.624		
Justified Self-Interest	2	6.34	3.952	.021
Within Groups	201	1.61		

Univariate F tests: Role Relations				
Dependent Variables	df	MS	F	p less than
Needs	1	9.78	7.169	.008
Within Groups	202	1.364		
Entitlement	1	1.648	1.381	.241
Within Groups	202	1.193		
Parity	1	0.49	0.410	.525
Within Groups	202	1.21		
Equity	1	0.014	0.011	.918
Within Groups	202	1.279		
Darwinian Justice	1	0.314	0.504	.478
Within Groups	202	0.622		
Justified Self-Interest	1	0.427	0.258	.612
Within Groups	202	1.658		

Instead of the Psychological by Role Relations interaction that was predicted (indicating a highly specific pattern to the perceived fairness of justice rules), analyses revealed only a significant Psychological Relations main effect ($F = 3.95$, $p < .0001$). Subsequent univariate analyses of

variance revealed that this effect was derived from only two distribution rules -- entitlement ($F = 11.28, p < .00001$) and justified self-interest ($F = 3.95, p < .02$). Post-hoc tests of mean differences (modified LSD, Bonferroni, test with significance level of .05) shows that the entitlement rule in nonunit relations ($\bar{x} = 4.09$) was rated as more fair than in both identity ($\bar{x} = 3.27$) and unit relations ($\bar{x} = 3.52$). Justified self-interest in nonunit relations ($\bar{x} = 4.00$) was rated as more fair than in identity relations ($\bar{x} = 3.41$). No other distribution rules distinguished themselves across the Psychological Relations or the Role Relations factors. Means for distribution rules, across conditions, are presented in Table 7.

TABLE 7
 MEANS OF DISTRIBUTION RULE FAIRNESS RATINGS

Role Relationship	Psychological Relationship			
	Identity	Unit	Nonunit	
Person	(a)	4.10	3.93	3.88
	(b)	3.17	3.39	4.04
	(c)	5.37	5.21	5.09
	(d)	3.92	4.14	4.34
	(e)	1.45	1.44	1.60
	(f)	3.33	3.60	3.93
Position	(a)	4.51	4.46	4.24
	(b)	3.35	3.66	4.14
	(c)	5.07	5.42	4.89
	(d)	4.02	4.22	4.13
	(e)	1.59	1.45	1.21
	(f)	3.48	3.60	4.08

Note. The dependent variables of distribution rule fairness ratings are as follows:
 (a) Needs (b) Entitlement (c) Parity (d) Equity (e) Darwinian Justice
 (f) Justified Self-Interest.

D. Discussion

As predicted, psychological relationships had impact on perceived fairness ratings of justice procedures. However, the pattern of that impact was different from the predictions. The justice procedure sensitive to psychological relationships was joint problem-solving; other procedures were insensitive to psychological relationship manipulations. Moreover, joint problem-solving was expected to be most fair in identity relations. However, the data revealed that joint problem-solving was more fair in unit relations than in either identity or nonunit relations.

With reference to the predictions concerning distributive justice rules, it is evident that the interaction of psychological relationship (identity-unit-nonunit) and role relations (person-position) is not predictive of distribution rule. Indeed, role relations contribute nothing of significance to preference of distribution rules, only psychological relationships do. Only psychological relationship had impact on distribution rule fairness ratings. That impact was evident only in two rules -- justified self-interest and entitlement. Other rules were not differentially influenced by relationship manipulations. And similarly unexpected was the finding that both entitlement and justified self-interest are most fair in nonunit relations (where Darwinian justice and justified self-interest were expected to predominate).

These results are partially consistent with the tentative findings of Study One. With regard to justice procedure, the sensitivity of joint problem-solving to psychological relationships is evident in both studies, as is the insensitivity of the negotiation procedure. In both Study One and

Two, an adjudicative procedure fails to emerge as the dominant justice procedure.

Regarding the impact of psychological relationships on distribution rules, however, preference data of Study One are distinguished from fairness ratings of Study Two. Study One revealed justified self-interest as the preferred rule for nonunit relations (but also as the preferred rule for unit-position relations). Study Two also demonstrated nonunit relations related to justified self-interest. Unlike Study Two, however, Study One also revealed preferences for equity (identity-person relationships), parity (unit- and nonunit-person relationships), and entitlement (identity-position relationship). Study Two only found entitlement as sensitive to psychological relationships, and that due to the fairness ratings of entitlement in nonunit relationships.

The only distributive justice effect common to both studies, then, concerns justified self-interest, and the consistency of this effect is only partial. Justified self-interest is perceived fair or more preferred in nonunit relations (as predicted) but fails to distinguish itself from unit relations in Study Two and is also preferred in some unit relations in Study One. Justified self-interest, then, is sensitive and of importance in a more disparate number of relationships than Lerner suggests.

The combined salience of joint problem-solving procedures and justified self-interest distribution rules evident in the data is reasonable, however. This procedure and this distribution rule are very different along the dimension of "cooperativeness". Joint problem-solving is a cooperative effort, not well suited to a competitive relationship according to Lerner.

We find joint problem-solving preferred and fair in unit relations (relations where disputants “belong together” with a sense of interdependence). In contrast, the distribution rule of justified self-interest is a competitive rule, one used when disputants are in some degree of contesting interests. We find justified self-interest preferred and fair in nonunit relations (relations where disputants are clearly adversaries).

The findings that a competitive distribution rule is related to an adversarial relationship, and that a cooperative procedure is related to relationships where disputants are held together with a sense of belongingness, are consistent with the proposed interaction of procedural and distributive justice literatures. The failure of this pattern of relationship between distribution rule and justice procedure to be evident across all levels of psychological and role relations, however, is indicative of some problems in the design or the lack of power of these relationship characteristics to influence both procedural and distributive justice phenomena.

What was most evident in the findings of Study Two was the significant effect of the actual conflict itself (significant within-variable effect). Perhaps the actual conflict event differentially influenced the effects of relationships on procedural and distributive justice measures. To explore that possibility, the following post-hoc analyses were completed.

E. Post-hoc Analyses

Study Two employed three conflicts from Study One, chosen on the basis of their abilities to generate agreement as to choice of justice procedure. Analyses specific to the hypotheses of Study Two treated

conflicts as a repeated measures variable, as each conflict was written and re-written to reflect the relationships characteristics presumed influential in the perceived fairness of both justice procedures and distribution rules. The interest was not in the specific conflict event itself; rather, the interest was in the potential of the manipulated relationship characteristics to influence perceptions of justice. To the degree that the actual conflict served to differentially influence ratings beyond the influence of manipulated relationship characteristics embedded in that conflict, “compound” fairness ratings (averages across the three conflict events) will not reveal those differences.

The data from Study Two reveal a significant Conflict effect for both Procedural Justice Rules ($F = 2.37, p < .0001$) and Distributive Justice Rules ($F = 32.89, p < .0001$). Moreover, the conflicts themselves interacted with both Psychological Relationships and Role Relations ($F = 1.83, p < .04$) for Procedural Justice Rules, and with Psychological Relationships for Distributive Justice Rules ($F = 6.68, p < .0001$). Inspection of these conflict effects might explain why some of the predictions of Study Two were not supported. Post-hoc analyses were broken down to a “conflict-by-conflict” assessment.

a. Procedural Justice

Conflict One. The pattern of results for Conflict One, although different in its specifics, is much like the overall results across conflicts. See Table 8 for the results of the MANOVA for Conflict One. Again, there is no interaction between Psychological Relationship and Role Relations: Instead, there are two main effects. For Psychological

Relationship, joint problem-solving (significant in the combined design) is again the procedure contributing to the effect ($p < .025$). Moreover, the joint problem-solving procedure was rated again as more fair than both adjudication and negotiations procedures, mean differences reaching statistical significance in comparison to adjudication ($t = 6.39, p < .001$) and negotiations ($t = 7.82, p < .001$).

TABLE 8

CONFLICT ONE:
 MULTIVARIATE ANALYSIS OF VARIANCE
 FOR THE EFFECTS OF RELATIONSHIP
 ON PROCEDURE FAIRNESS

	Hotellings F	df Hyp	df Err	p less than
Psychological Relations	2.261	6	390	.037
Role Relations	3.680	3	196	.013
Psychological by Role Relations Interaction	0.675	6	390	.670

Univariate F tests: Psychological Relations

Dependent Variables	F (2,198)	MS Hyp	MS Err	p less than
Adjudication	2.106	5.49	2.61	.124
Negotiation	1.590	3.92	2.46	.206
Joint Problem-Solving	3.763	7.478	1.99	.025

Univariate F tests: Role Relations

Dependent Variables	F (1,198)	MS Hyp	MS Err	p less than
Adjudication	1.336	3.48	2.61	.249
Negotiation	5.456	13.44	2.46	.021
Joint Problem-Solving	3.563	7.08	1.99	.061

Post-hoc contrasts (Bonferroni multiple range tests) revealed that

the joint problem-solving in the unit relationship ($\bar{x} = 6.06$) was significantly different from both identity ($\bar{x} = 5.56$) and nonunit ($\bar{x} = 5.43$) relationships at $p < .05$ level. Joint problem-solving in Conflict One is the procedure rated as most fair in unit relations, as in the analyses across all three conflicts.

With regard to Role Relations, inspection of the individual justice procedures reveals that unlike the overall effect across conflicts, in Conflict One there is a significant negotiations procedure effect ($F = 5.56, p < .02$). Inspection of the means shows that this difference, while statistically significant, is very small (Person $\bar{x} = 4.88$, Position $\bar{x} = 4.36$).

Conflict Two. Separate analysis of this conflict produced a different pattern from the overall analyses. Table 9 presents the analyses of variance. As evident in Table 9, Conflict Two failed to demonstrate a significant Role Relations effect; instead it demonstrates only a significant Psychological Relationship effect ($F = 4.28, p < .0001$). Unlike the overall analysis, this effect is due to significant effects for all three justice procedures [a significant adjudication effect ($F = 6.3, p < .002$), a significant negotiations effect ($F = 6.63, p < .002$), and a significant joint problem-solving effect ($F = 3.85, p < .02$)]. Adjudication in nonunit relations ($\bar{x} = 4.74$) is rated as more fair than in identity relations ($\bar{x} = 3.72$: Bonferroni multiple range test, $p < .05$). Negotiations in nonunit relations ($\bar{x} = 4.9$) is rated as more fair than in identity relations ($\bar{x} = 3.94$). Joint problem-solving in unit relations ($\bar{x} = 6.27$) is more fair than in nonunit relations ($\bar{x} = 5.65$: Bonferroni $p < .05$).

Conflict Two preferences, then, show that for unit relations joint

problem-solving is the more fair justice procedure (as in the analyses across all three conflicts); for nonunit relations, both adjudication and negotiations are both seen as more fair (unlike analyses across all three conflicts).

TABLE 9
CONFLICT TWO:
 MULTIVARIATE ANALYSIS OF VARIANCE
 FOR THE EFFECTS OF RELATIONSHIP
 ON PROCEDURE FAIRNESS

	Hotellings F	df Hyp	df Err	p less than
Psychological Relations	4.283	6	390	.000
Role Relations	0.657	3	196	.580
Psychological by Role Relations Interaction	0.034	6	390	.356

Univariate F tests: Psychological Relations				
Dependent Variables	F (2,198)	MS Hyp	MS Err	p less than
Adjudication	6.380	18.13	2.84	.002
Negotiation	6.485	15.73	2.43	.002
Joint Problem-Solving	3.783	6.52	1.72	.024

Univariate F tests: Role Relations				
Dependent Variables	F (1,198)	MS Hyp	MS Err	p less than
Adjudication	0.427	1.21	2.84	.514
Negotiation	0.731	1.77	2.43	.394
Joint Problem-Solving	0.378	0.65	1.72	.539

Conflict Three. Conflict Three also demonstrated a pattern different from the overall analyses, in that repeated measures MANOVA failed to reach significance for any factor in the design (Psychological

Relationship $F = 1.99$, $p < .067$; Role Relations $F = 2.40$, $p < .069$). Table 10 presents those analyses of variance.

TABLE 10
CONFLICT THREE:
 MULTIVARIATE ANALYSIS OF VARIANCE
 FOR THE EFFECTS OF RELATIONSHIP
 ON PROCEDURE FAIRNESS

	Hotellings F	df Hyp	df Err	p less than
Psychological Relations	1.985	6	390	.067
Role Relations	2.403	3	196	.056
Psychological by Role Relations Interaction	1.684	6	390	.123

Univariate F tests: Psychological Relations

Dependent Variables	F (2,198)	MS Hyp	MS Err	p less than
Adjudication	1.371	3.26	2.38	.256
Negotiation	1.129	2.96	2.62	.325
Joint Problem-Solving	3.843	11.98	3.12	.023

Univariate F tests: Role Relations

Dependent Variables	F (1,198)	MS Hyp	MS Err	p less than
Adjudication	2.129	5.06	2.38	.146
Negotiation	1.411	3.70	2.62	.236
Joint Problem-Solving	3.681	11.48	3.12	.056

b. Distributive Justice Rules

The repeated measures analyses across all three conflicts demonstrated that entitlement and self-interest were most fair in nonunit relations.

Conflict One: Distributive Justice Rules. The pattern of results for Conflict One was different than the pattern averaged across all three conflicts. The multivariate analysis of variance is presented in Table 11.

TABLE 11

CONFLICT ONE:
MULTIVARIATE ANALYSIS OF VARIANCE
FOR THE EFFECTS OF RELATIONSHIP
ON DISTRIBUTION RULE FAIRNESS

	Hotellings F	df Hyp	df Err	p less than
Psychological Relations	2.865	12	382	.001
Role Relations	0.285	6	192	.944
Psychological by Role Relations Interaction	0.723	12	382	.729

Univariate F tests: Psychological Relations

Dependent Variables	F (2,197)	MS Hyp	MS Err	p less than
Needs	1.45	4.36	3.01	.237
Entitlement	1.20	2.83	2.36	.304
Parity	7.75	28.75	3.71	.001
Equity	2.27	4.84	2.14	.106
Darwinian Justice	0.11	0.08	0.74	.893
Justified Self-Interest	3.79	11.62	3.07	.024

Univariate F tests: Role Relations

Dependent Variables	F (1,197)	MS Hyp	MS Err	p less than
Needs	0.19	0.56	3.01	.665
Entitlement	0.19	0.45	0.19	.662
Parity	0.48	1.79	0.48	.488
Equity	0.03	0.05	0.03	.874
Darwinian Justice	0.62	0.46	0.62	.432
Justified Self-Interest	0.03	0.09	0.03	.861

Conflict One demonstrated a significant Psychological Relationship effect ($F = 2.87, p < .001$), but this time the effect was due to parity and justified self-interest distribution rules (unlike the entitlement and justified self-interest which appeared in the overall analyses). The parity rule in both identity and unit relations ($\bar{x} = 4.37$ and $\bar{x} = 4.67$, respectively) was more fair than in nonunit relations ($\bar{x} = 3.43; p < .05$). The justified self-interest rule in nonunit relations ($\bar{x} = 4.40$) was more fair than in both identity ($\bar{x} = 3.65$) and unit relations ($\bar{x} = 3.66; p < .05$ for both). Conflict One, then, demonstrated a preference for justified self-interest in nonunit relations (as in the results across conflicts) and preferences for parity in both identity and unit relations (unlike the results across conflicts).

Conflict Two: Distributive Justice Rules. Separate analysis of this conflict (see Table 12) produced a pattern very different from the overall effects, revealing both Psychological Relationship and a Role Relations main effects ($F = 13.9, p < .0001$ and $F = 2.71, p < .015$ respectively).

Entitlement and justified self-interest were the sources of the Psychological Relationship effect. Entitlement in nonunit relations ($\bar{x} = 4.35$) was more fair than in both identity ($\bar{x} = 2.10$) and unit relations ($\bar{x} = 2.13$). Justified self-interest in nonunit relations ($\bar{x} = 3.5$) was more fair than in identity relations ($\bar{x} = 2.90$).

For the Role Relations factor, needs was the only dependent variable found significant in this effect ($F = 12.06, p < .001$). Inspection of the means reveals that need fairness ratings in Position ($\bar{x} = 4.30$) were greater than in Person conditions ($\bar{x} = 3.52$).

TABLE 12
CONFLICT TWO:
MULTIVARIATE ANALYSIS OF VARIANCE
FOR THE EFFECTS OF RELATIONSHIP
ON DISTRIBUTION RULE FAIRNESS

	Hotellings F	df Hyp	df Err	p less than
Psychological Relations	13.903	12	384	.000
Role Relations	2.713	6	193	.015
Psychological by Role Relations Interaction	0.330	12	384	.984

Univariate F tests: Psychological Relations

Dependent Variables	F (2,197)	MS Hyp	MS Err	p less than
Needs	1.880	4.88	2.60	.155
Entitlement	63.512	113.20	1.78	.000
Parity	0.026	0.04	1.41	.974
Equity	0.430	1.06	2.46	.651
Darwinian Justice	0.280	0.25	0.89	.756
Justified Self-Interest	3.020	6.93	2.29	.051

Univariate F tests: Role Relations

Dependent Variables	F (1,197)	MS Hyp	MS Err	p less than
Needs	12.055	31.33	2.60	.001
Entitlement	4.868	8.68	1.78	.662
Parity	0.033	0.05	1.41	.488
Equity	0.504	1.24	2.46	.874
Darwinian Justice	0.960	0.85	0.89	.432
Justified Self-Interest	0.514	1.18	2.29	.861

Conflict Two, then, shows both entitlement and justified self-interest highlighted in nonunit relations, and needs most related to the role relation of position.

Conflict Three: Distributive Justice Rules. Conflict Three demonstrated no significant differences among factors of the design, on both multivariate and univariate analyses. Table 13 presents the multivariate analysis.

TABLE 13

**CONFLICT THREE:
MULTIVARIATE ANALYSIS OF VARIANCE
FOR THE EFFECTS OF RELATIONSHIP
ON DISTRIBUTION RULE FAIRNESS**

	Hotellings F	df Hyp	df Err	p less than
Psychological Relations	1.024	12	382	.425
Role Relations	0.559	6	192	.763
Psychological by Role Relations Interaction	0.840	12	382	.617

F. Discussion of Post-hoc Analyses

The fact that the conflict events themselves produced different patterns of justice preferences is troublesome. Conflict Three produced no significant effects, for either procedural or distributive justice rules. Conflicts One and Two, clearly the sources of the overall effects across repeated measures (conflict events), produced somewhat different but generally the same patterns of results for justice procedure rules. Joint problem-solving was identified as most fair in unit relationships in both conflicts, while adjudication and negotiations were most fair in the nonunit relationship of Conflict Two.

Similarly it is the combination of Conflicts One and Two that produced the repeated measures effects for Distributive Justice Rules,

although again from somewhat different results in the two conflicts. A common effect in both conflicts was the perceived fairness of justified self-interest in nonunit relations. Unique to one conflict or the other was (1) the perceived fairness of parity in both identity and unit relations (Conflict One) and (2) the perceived fairness of entitlement in nonunit relations (Conflict Two).

Clearly, then, the relationship characteristics of the conflicts' disputants (hypothesized as causal) are not the only variables at work in this research. Other characteristics of the conflict events seem to be operative, and given the relative size of the effects even more influential than the independent variables identified in the hypotheses. Further analysis of those conflicts is needed, and the lack of the data's fit to the complex pattern of the predictions needs to be explained.

The pattern of results averaged across all three conflicts (the repeated measures design) highlights a pattern derived from the strongest effects within the individual conflicts. How can one make sense of these results? One explanation is that the literatures are incorrect, that justice perceptions are not influenced by the relationship characteristics in the manner predicted. Another explanation is that the results of this research are spurious. Yet the results regarding joint problem-solving and justified self-interest are common to both Study One and Study Two, indicating at least some degree of reliability.

How, then, to explain the effects common to both studies? Consider the following speculation. A cooperative process for dispute resolution (in this case, joint problem-solving) ensures that both parties in

the dispute seek some common approach to resolving the issue. If so, the facts from both parties will be “on the table” and available for further consideration by both parties in dispute resolution. A cooperative process in dispute resolution can maximize the chances of a full exploration of the issue. When a competitive decision rule is added to dispute resolution, such as argumentation through presentation of justified self-interest, a new balance is reached. With the broad facts on the table, a competition of “justification” will ensure that the relative merits of the positions will determine the outcome -- the persuasive facts will win out.

This is similar to Thibaut and Walker’s analysis of dispute resolution. As noted, these researchers claimed that the psychological processes at work in the resolution of a dispute relate to both input control and decision control. First-person control over input is preferred, according to Thibaut and Walker. While they did not consider joint problem-solving procedures, such a procedure can be seen to have maximal first-person control over input. Third-party control over the decision outcome, on the other hand, is intended to provide an objective assessment of the relative merits of the contesting positions, and is more likely in a competitive justice process than a cooperative. Thibaut and Walker claim this pattern is most evident in adjudicative procedures. This can explain, then, the justified self-interest preferences in nonunit relations found in Study One and Two results.

It is possible to look at justified self-interest for its “adjudicative” process properties. Lerner claims that justified self-interest is a competitive rule, one where the outcomes are assigned “on the basis of impersonal

considerations of relative merit as decided by the rules of the contest” (Lerner, 1975, p. 17). This is similar to Thibaut and Walker’s analysis of adjudication -- a process where the parties have control over the input to the dispute (“contest” with each other) and an impartial third-party makes the concluding decision (“impersonal considerations”).

The view of justified self-interest as a justice procedure, rather than as a distributive justice rule, is consistent with Lerner’s revisions to his Justice Theory (Lerner & Whitehead, 1980). This revised approach, as noted and rejected earlier for a lack of empirical support, claims that it is the revised theory that serves to explain both distributive and procedural justice phenomena. The experience of justice is more suitably understood on the basis of these revisions, according to Lerner, than are the literatures used to predict Study One and Two.

It may be that Lerner is correct. Certainly the first two studies fail to demonstrate the complex pattern of results the classic literatures suggest. In order to evaluate the utility of Lerner’s revised Justice Theory and test the reliability of the findings of Study Two, Study Three was conducted.

CHAPTER 7.

STUDY THREE: EMERGENT ACTIVITIES AS JUSTICE RULES

The theoretical significance of Lerner's most recent formulation is that while it continues to raise the distinction between interpersonal relation and justice process (as did his earlier work), it implies a larger social and collective context for justice decisions. It emphasizes, as does the earlier model, that there are "interactive determinants" of justice principles (cf. Folger, 1984, p. 21). Yet in this revised approach, Lerner more clearly attempts to integrate procedural justice and distributive justice phenomena as components of those interactive determinants. The so-called "distributive justice rules" are seen more for their justice *process* properties -- they offer not only a description of the just outcome, but a means of reaching that outcome. For example, making "utilitarian decisions" (determining how to secure a resolution to the issue that is most beneficial for both disputants), engaging in a "legal" or "friendly" contest to resolve the issue between participants, devising a resolution where one party "self-sacrifices" or acts on the basis of "justified self-interest," or initiating a "fight" with the other party, are all described in a way that recognizes their active process properties in the resolution of a dispute and generating a fair outcome. Lerner argues that these processes may emerge during the interaction, hence the term "emergent activities".

The empirical basis for this revision is weak. The empirical support and published reviews have found this work, though challenging to theories of justice and a "most thorough treatment of the panorama of justice"

(Folger, p. 18), embedded with "puzzling" and "odd" examples. In the years since its publication, there has been little to no empirical support for these new emergent activities and little demonstration that they offer a useful perspective for the study of justice. The modifications Lerner and Whitehead described as both a "fresh look" at justice and as "crude definitional statements and propositions" have not overwhelmed the literature or redefined recognized predominant justice procedure or distributions rules.

It is possible, however, that Lerner's revisions will offer more power in predicting the responses of participants in this research project. Studies One and Two offer only marginal support for Lerner's earlier forms of justice. Lerner's emergent properties perspective offers a new analysis of what is important in the perception of fairness (revised analyses of the interpersonal relationships), a new set of outcomes for those interpersonal relations (new or revised justice rules, now called emergent activities), and the recognition that distributive justice and procedural justice phenomena are not separate processes (the perspective taken in this research).

A. Overview of Lerner's Revised Theory

In his revised work on the justice motive, Lerner maintains the three relational categories (identity, unit and non-unit), but eliminates specific references to the "object of perception" on either its personal or positional properties. Lerner emphasizes the view of "people as occupants of positions," seeming to dismiss the perception of others "as unique persons" other than the perception of the person taking place in

determining identity, unit or non-unit relations. He claims that as the child becomes wise, he/she learns to view the outcomes as the end product of processes that are impersonal, or as the result of occupants of positions in the sequences of cause and effect in the environment. They are impersonal "in the sense that anyone with the requisite abilities" could engage in the activities and produce that outcome (Lerner, 1981, p. 24).

Lerner introduces the concept of emergent activities as a description of the activities perceived by decision-makers as necessary to allow one to accomplish his/her goals in the encounter. The encounter is one where an individual is engaged with another as they perceive self and other as impersonal participants in the justice process designed to accomplish a given end (the just distribution of outcomes, the resolution of a dispute over resources). These ends or goals are categorized as either goals of vicarious dependency, of convergence, or of divergence. *Vicarious dependency* refers to the experience of vicariously experiencing the other's fate, an empathic or sympathetic experience of sharing in another's experience. Concern is for "their-our" sense of well-being, and a necessary relation between participants is one of "sameness" (identity relations). *Convergent goals* are those goals that are mutually facilitative for both participants. Seeing the other person as similar (but not the same as in identity relations) promotes activities where participants share in a manner that moves toward enabling desired goals for both. *Divergent goals* refer to those situations where participants perceive each other for their differences (a non-unit relation) and the activities are to hinder the other's attainment of the desired resources. The outcome here is described

by the judgment of sharing in a way where one has more or less than the other.

Judgments of justice, according to this revised model of Lerner, take place by the consideration of the perceptual properties of the interaction and the emergent goals made salient during that exchange. The interpersonal encounter is defined in terms of the perceptual properties of identity / unit / non-unit, together with the considerations of the salience of the process of gaining the expected outcomes of the exchange (whether goals of vicarious dependency, convergence or divergence). As these two variables interact, either the relation variables ("dominant relation") are salient or the process necessary to achieve the desired goals becomes salient ("dominant process") -- a "figure-ground" principle, according to Lerner. The result is 3 X 3 X 2 model, with eighteen different "emergent activities" that define the considerations used to judge justice and fairness.

A review of this model (see Table 14) reveals a number of differences from Lerner's earlier (1979) forms of justice. While needs, equity, parity, entitlement, justified self-interest and a legally-based distribution rule are each described or listed as emergent activities, there are a number of new orientations (correspondence evaluations, individual and collective orientations, utilitarian decisions, heroic self-sacrifice, for example) and a number of shifted placement of certain distribution rules. For example, social entitlement was seen as based on identity relations in the earlier theory; now, if equivalent to "status-based division of labour", it is seen as based on non-unit relations; justified self-interest was described as operative in non-unit relations, now it is seen as based on unit relations.

TABLE 14
 Lerner's Revised Justice Theory: Emergent Properties

RELATION TO OTHERS	VICARIOUS DEPENDENCY (Identity)		PROCESS CONVERGENT GOALS (Unit)		DIVERGENT GOALS (Non-unit)	
	Dominant Process	Dominant Relation	Dominant Process	Dominant Relation	Dominant Process	Dominant Relation
IDENTITY	Nurturant O's Welfare	O's Needs	Collective Orientation	Individual Orientation	Utilitarian Decisions	Self- Sacrifice
UNIT	Mutually Responsive	Reciprocity	Equity	Parity	Justified Self-interest	Contest
NON-UNIT	Correspondence O's Acts P's goals	Correspondence O's worth P's values	Mock Equity	Status- based Division	Legal Contest	Fight

B. Application to Studies One and Two

Lerner dismisses the causal properties of "person-position" as an independent factor in interpersonal relationships and as a determining variable in distinguishing different forms of justice. The results of Study Two failed to demonstrate the interaction of "Role Relations" (the person-position factor of studies one and two) and "Psychological Relations" (the identity-unit-nonunit factor), and demonstrated weak Role Relations effects at best (a very small mean difference between person and position on the negotiations procedure, and only one Role Relations effects for the distributive justice rule of needs). Research in this project, then, failed to demonstrate the statistical or psychological significance of this person-position factor. Its dismissal is warranted.

Lerner redefines the interpersonal characteristics necessary for perceptions of fairness for entitlement and justified self-interest, the two rules found associated with significant differences across the identity-unit-nonunit factor in Study Two. One redefinition fits with these data: entitlement was rated more fair in nonunit relationships in Study Two. Another redefinition does not, however. Justified self-interest was rated more fair in nonunit relationships in Study Two, consistent with Lerner's earlier work. Now Lerner claims justified self-interest is best suited to unit relations. However, these are "unit relations" as they interact with the emerging properties of the interaction (dominant process) that were undefined in the earlier works.

It remains to be seen whether these new emerging properties, and this new scheme for predicting what had been described as fair distribution rules, improve the predictive power of interpersonal relationship characteristics in the perception of justice.

Such revisions to Lerner's Justice Theory warrant empirical assessment, and as noted may serve to provide more powerful predictive analyses than demonstrated in Studies One and Two. To properly test these revisions, the conflict events must reflect the new "emergent properties" of the interpersonal dispute and the available "justice rules" must reflect the revised and new "emergent activities" outlined by Lerner.

Of the three conflict scenarios employed in Study Two, two were chosen for use in Study Three. Conflict One ("Nash and Strachan") demonstrated the effects significant in the repeated measures design, as well as additional effects for procedural justice (the small "persons"

preference for negotiations) and distributive justice (parity preferences in both identity and unit relations). Conflict One, then, offered a base of results that if replicated where Lerner's theories overlap, and altered where Lerner's new relationship characteristics predict differences, would serve to extend support to Lerner's revisions. In contrast, Conflict Three ("Fisher and Pearce") failed to demonstrate any significant effects in Study Two. Conflict Three offers a rigorous test of the phenomena. Perhaps the new relationships characteristics of Lerner's revised work would produce the predicted effects.

The actual conflicts in the scenarios were kept the same (offering the same issue of dispute common to studies one and two), only the relationship characteristics of the parties engaged in the dispute were revised to properly reflect Lerner's re-analysis. Appendix C presents those conflict scenarios.

Lerner's revisions outline eighteen relationship patterns that are linked to eighteen emergent activities ("justice rules," as described in this research). This research will not attempt to investigate all eighteen. A review of the conflict scenarios suggested that one emergent properties variable is evident in the conflicts, namely the "divergent properties" variable. Each of the conflicts characterizes competition over a limited resource, and each conflict characterizes participants with competing (divergent) interests.²⁰ Limiting the research to the third column of

²⁰ Study Three, examines only six of the eighteen possible rules outlined by Lerner's revised work. As such, the research offers a less-than-complete test of Lerner's theory. It is designed to further explain results, and lack of results, of Studies One and Two.

Lerner's design ("Divergent Goals") provides both a manageable number of disputes and a set of conditions suited to the actual conflicts used in Studies One and Two.

Both conflict scenarios, then, were rewritten to portray the relationship variables outlined by Lerner and Whitehead's Divergent Properties relationships. Each particular conflict event was kept the same to that used in the first two studies, only the relational properties of the disputants were changed, and changed so as to describe the variables used by Lerner's revision. New alternatives for perceptions of justice were prepared and attached as dependent variables to each conflict (the six emergent activities of the Divergent Goals column: utilitarian, self-sacrifice, justified self-interest, friendly contest, legal contest, fight).

The procedural justice options (adjudication, negotiations, joint problem-solving) were dropped from the design. Lerner's revised justice rules amount to clear alternative choices of justice procedure, and inclusion of Thibaut and Walker's procedures overlaps with Lerner's rules. Nevertheless, the assessment of the psychological underpinnings of procedure preferences was deemed still of interest, and measures were developed to provide those data in a manner that would not conflict with the choice of justice rule. Instead of the procedural justice options of studies one and two, participants were asked to rate the psychological components deemed causal in reactions to these procedures (first-person and third-party control over both the decision process and first-person and third-party control over the decision outcome).

C. Design and Procedure

Two hundred and seven research participants were recruited from undergraduate psychology courses, and presented with two conflict scenarios. Participants worked on their own, in individual and group settings. The two conflicts were devised to describe the six interpersonal relations of Lerner's emergent activities condition, "Divergent Goals." Appendix C (pp 203-230) presents one complete questionnaire, and details of the manipulation of relationship characteristics across conditions.

Each participant was exposed to the two conflicts written in one of the six conditions (identity-process, identity-relation, unit-process, unit-relation, nonunit-process, or nonunit-relation).

Each conflict scenario led participants to rate six "outcomes" to the conflict on the basis of perceived fairness. These dependent measures match the six emergent activities appropriate to the divergent goals relationships (utilitarian decision, self-sacrifice, justified self-interest, friendly contest, legal contest, and fight). Following those six measures, four questions enabled participants to respond to the perceived fairness of first-person and third-party decision and outcome control.

The design is a repeated measures multivariate design with one within factor (two conflict scenarios) and two between factors: three levels of psychological relations (identity, unit, nonunit) and two levels of emergent properties (dominant process, dominant relation).

D. Hypotheses

The hypotheses of Study Three are as follows:

- (1) Justice Rules: Fairness ratings of the emergent activities (justice

rules) are influenced by the interaction of psychological relations and emergent properties. Specifically, the following pattern of justice rule preferences, demonstrated by fairness ratings, are predicted:

Relationship	Justice Rule (Emergent Activity)
Identity, Dominant Process	- Utilitarian Decision
Identity, Dominant Relation	- Self-Sacrifice
Unit, Dominant Process	- Justified Self-Interest
Unit, Dominant Relation	- Friendly Contest
Nonunit, Dominant Process	- Legal Contest
Nonunit, Dominant Relation	- Fight

(2) **Process Control:** While the procedural justice literature predicts that first-person control over the process of resolving the dispute is more fair than third-party control, consideration of Lerner's relationship characteristics to process control preferences predicts that this preference is only evident in nonunit relations.

(3) **Decision (Outcome) Control:** The procedural justice literature predicts that third-party (unbiased) control over the outcome is more fair than first-person (biased) control over the outcome. Application of Lerner's relationship characteristics predicts, in contrast, that first-person control over the decision outcome is more fair than third-party control when the relationship is not competitive (identity and unit relationships): third-party control over the final decision is more fair than first-person control only when the relationship is competitive (nonunit relationships).

E. Results

(1) Justice Rules

Table 15 presents the analysis of variance.

TABLE 15
MULTIVARIATE ANALYSIS OF VARIANCE FOR THE EFFECTS
OF RELATIONSHIP ON EMERGENT ACTIVITY FAIRNESS

Between Subjects Effects				
	Hotellings F	df Hyp	df Err	p less than
Psychological Relations	3.512	12	390	.000
Emergent Properties	1.480	6	196	.187
Psychological Relations by Emerg. Prop. Interaction	1.504	12	390	.120
Within Subjects Effects				
	Hotellings F	df Hyp	df Err	p less than
Conflict	20.563	6	196	.000
Psychological Relations by Conflict	2.082	12	390	.020
Emergent Properties by Conflict	1.080	6	196	.375
Psychological Rel. by Emerg. Prop. by Conflict	1.365	12	390	.180
Univariate F tests: Psychological Relations				
Dependent Variables	df	MS	F	p less than
Utilitarian Decision	2	7.05	4.951	.0079
Within Groups	204	1.42		
Self-Sacrifice	2	0.86	0.40	.674
Within Groups	204	2.17		
Justified Self-Interest	2	8.70	3.741	.025
Within Groups	204	2.33		
Friendly Contest	2	4.25	2.037	.133
Within Groups	204	2.09		
Legal Contest	2	15.40	8.058	.0004
Within Groups	204	1.91		
Fight	2	1.719	3.572	.030
Within Groups	204	0.48		

Hypotheses outlined a specific pattern of perceived fairness of justice rules, the predictions for justice rules calling for an interaction between Psychological Relations and Emergent Properties. A repeated

measures MANOVA revealed no significant interaction; instead, analysis demonstrated a significant Psychological Relations effect and a significant Conflict (within variable) effect.

The Relations main effect is due to significant differences on four justice rules, as evident in Table 15. Post-hoc analyses of the mean differences reveals that the rule of *justified self-interest* was rated as more fair in nonunit ($\bar{x} = 4.56$) than in identity relations ($\bar{x} = 3.88$), *legal contest* was more fair in nonunit ($\bar{x} = 3.82$) than both identity ($\bar{x} = 2.93$) and unit ($\bar{x} = 3.10$) relations, *utilitarian* decisions more fair in identity ($\bar{x} = 6.20$) than nonunit ($\bar{x} = 4.57$) relations, and the *fight* rule more fair in unit ($\bar{x} = 1.59$) than identity ($\bar{x} = 1.28$) relations (Bonferroni tests, $p < .05$ in all contrasts of means listed).

Identity relations, then, distinguish themselves from the other relations on reactions to all four rules: to utilitarian decision rules (more fair in identity than unit and nonunit), justified self-interest (less fair in identity than in nonunit), legal contest (less fair in identity than in nonunit), and fight (less fair in identity than unit). Unit relations are distinguished by fight (more fair in unit than identity) and legal contest (less fair than nonunit). Nonunit relations, on the other hand, are distinguished by justified self-interest (more fair than identity), legal contest (more fair than both identity and unit), and utilitarian decisions (less fair than identity).

More simply and looking only at relationship effects on the basis of “more fair” justice rules, (a) identity relations are distinguished by utilitarian decisions, (b) unit relations are distinguished by the rule of fight (while more fair in unit relations, still demonstrable “unfair”), and (c)

nonunit relations are distinguished by both justified self-interest and legal contest.

(2) Conflict Scenario Differences.

The within factor of Conflict Scenario was again significant in Study Three ($F = 20.56, p < .0001$). Each conflict was analyzed for its effects to determine how the pattern of results varied across conflict.

Conflict One

The analyses of variance for Conflict One are presented in Table 16. It is evident that Conflict One demonstrates only a significant Psychological Relations effect ($F = 3.66, p < .0001$). Inspection of the univariate analyses reveals that this effect was derived from three dependent measures: justified self-interest, legal contest, and utilitarian decisions. Post-hoc analyses showed that justified self-interest ratings were greater in nonunit ($\bar{x} = 4.81$) than both identity ($\bar{x} = 3.97$) and unit relations ($\bar{x} = 4.0$). Legal contest ratings in nonunit relations ($\bar{x} = 4.67$) were greater than ratings in both identity ($\bar{x} = 3.43$) and unit ($\bar{x} = 3.59$). Utilitarian decisions in identity and unit relations ($\bar{x} = 6.22$ and $\bar{x} = 5.86$, respectively) were greater than ratings in nonunit ($\bar{x} = 4.20$).

TABLE 16

CONFLICT ONE:
 MULTIVARIATE ANALYSIS OF VARIANCE FOR THE EFFECTS OF
 PSYCHOLOGICAL RELATIONS AND EMERGENT PROPERTIES ON
 DISTRIBUTION RULE FAIRNESS

	Hotellings F	df Hyp	df Err	p less than
Psychological Relations	3.663	12	390	.000
Emergent Properties	0.877	6	196	.513
Psychological Rel. by Emerg. Prop. Interaction	1.582	12	390	.094

Univariate F tests: Psychological Relations

Dependent Variables	F (2,201)	MS Hyp	MS Err	p less than
Utilitarian Decision	7.320	18.22	2.49	.001
Self-Sacrifice	1.156	3.49	3.02	.317
Justified Self-Interest	5.305	15.82	2.98	.006
Friendly Contest	2.102	6.92	3.28	.124
Legal Contest	12.052	31.32	2.60	.000
Fight	3.020	0.31	0.60	.364

Univariate F tests: Emergent Properties

Dependent Variables	F (1,201)	MS Hyp	MS Err	p less than
Utilitarian Decision	0.054	0.134	2.49	.816
Self-Sacrifice	0.151	0.456	3.02	.698
Justified Self-Interest	0.188	0.562	2.98	.665
Friendly Contest	2.191	7.192	3.28	.140
Legal Contest	1.325	3.444	2.60	.251
Fight	0.946	0.568	0.60	.332

Conflict Two

Conflict Two demonstrated only a significant effect for Psychological Relationship ($F = 2.02, p < .022$). Univariate F-tests

indicated that this multivariate effect was largely due to the “fight” dependent variable ($F = 5.24, p < .006$). Fight ratings were found greater

TABLE 17

CONFLICT TWO:
 MULTIVARIATE ANALYSIS OF VARIANCE FOR THE EFFECTS OF
 PSYCHOLOGICAL RELATIONS AND EMERGENT PROPERTIES ON
 DISTRIBUTION RULE FAIRNESS

	Hotellings F	df Hyp	df Err	p less than
Psychological Relations	2.015	12	390	.022
Emergent Properties	1.650	6	196	.135
Psychological Rel. by Emerg. Prop. Interaction	1.221	12	390	.264

Univariate F tests: Psychological Relations

Dependent Variables	F (2,201)	MS Hyp	MS Err	p less than
Utilitarian Decision	1.288	2.25	1.75	.278
Self-Sacrifice	0.012	0.03	2.83	.988
Justified Self-Interest	1.384	4.61	3.33	.253
Friendly Contest	1.157	2.87	2.48	.317
Legal Contest	2.154	5.32	2.47	.119
Fight	5.238	3.58	0.68	.006

Univariate F tests: Emergent Properties

Dependent Variables	F (1,201)	MS Hyp	MS Err	p less than
Utilitarian Decision	0.338	0.589	1.75	.562
Self-Sacrifice	0.068	0.193	2.83	.794
Justified Self-Interest	0.570	1.899	3.33	.451
Friendly Contest	0.436	1.081	2.48	.510
Legal Contest	0.782	1.933	2.47	.378
Fight	6.666	4.553	0.68	.011

in unity ($\bar{x} = 1.70$) than in both identity ($\bar{x} = 1.28$) and nonunit relations (\bar{x}

= 1.33). Nevertheless, ratings of fight were consistently near zero (“unfair”). The analyses of variance for Conflict Two are presented in Table 17.

(3) Control Measures

Hypotheses two and three were specific, directional predictions for the effects of Psychological Relations on preferences for first-person or third-party control over both justice process and justice outcome. The means for dependent measures on control, combined across conflict scenarios, are presented in Table 18.

TABLE 18
MEAN MEASURES OF CONTROL ACROSS CONFLICTS

Psychological Relation	Process Control		Decision Control	
	First-Person	Third-Party	First-Person	Third-Party
Identity	5.09	4.85	4.98	4.91
Unit	4.93	5.12	4.72	5.07
Nonunit	4.59	5.41	4.36	5.36
Across Relations	4.87	5.13	4.69	5.11

Note: The higher the number, the more fair that mechanism of control.

Process Control

Hypothesis two predicted that first-person process control is perceived fair and is important only in nonunit relationships (whereas the

procedural justice literature predicts first-person more preferred than third-party process control in all relationships). Comparisons of the means across levels of the Psychological Relationship factor do not confirm either prediction. First, with regard to Thibaut and Walker's prediction, there is no significant difference between the process control variables across all relationship conditions (first-person $\bar{x} = 4.87$, third-party $\bar{x} = 5.13$, $t = n.s.$). Second, with regard to hypothesis two, even though there are no significant differences in identity or unit conditions (as an analysis of Lerner would predict), first-person process control ($\bar{x} = 4.59$) is perceived as LESS fair ($t = 2.7$, $p < .009$) than third-party control in nonunit relations ($\bar{x} = 5.41$). While the significant difference is in the predicted relationship condition (nonunit), the difference is in the opposite direction. Mean measures of process control across conflicts are graphically displayed in Figure 3.

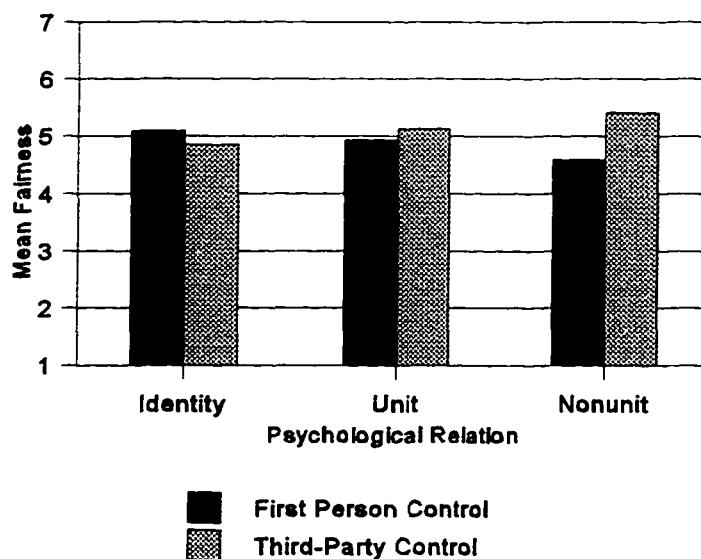


Figure 3. Mean measures of process control, averaged across conflicts

Decision (Outcome) Control

Hypothesis three predicts that third-party decision control is preferred to first-person decision control only in nonunit relations, while first-person is preferred to third-party in both identity and unit relations. Inspection of the mean differences reveals partial support for this hypothesis. While the prediction that third-party decision control is more fair than first-person control only in nonunit relations is supported (third-party $\bar{x} = 5.36$, first-person $\bar{x} = 4.36$; $t = 3.52$, $p < .001$), the prediction that this reverses for identity and unit relations is not. Mean measures of decision control, averaged across conflicts, are graphically presented in Figure 4.

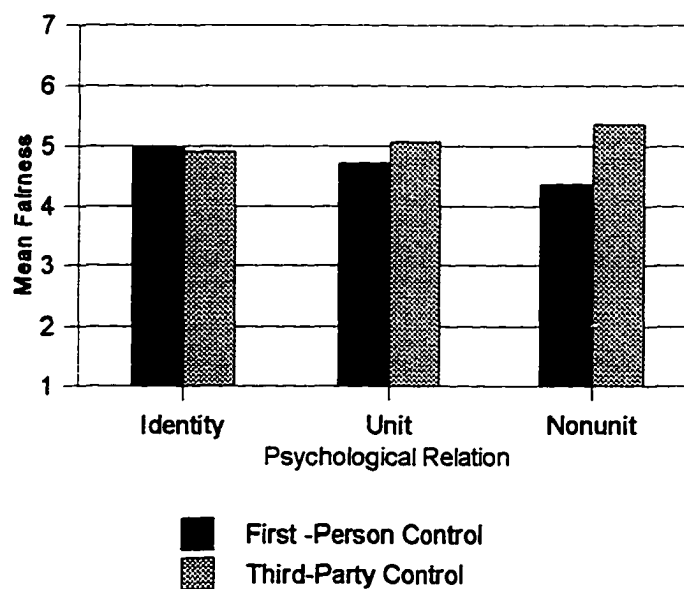


Figure 4. Mean measures of decision control, averaged across conflicts

G. Discussion

The results of Study Three offer at best only equivocal support for the distributive justice theory used to generate the hypotheses. Only two of six justice rules matched a relationship variable theorized as determinative of perceived fairness -- utilitarian decisions and legal contest. And these rules were matched with the psychological relations characteristics only, not the emergent properties variable as it interacts with these characteristics. The emergent properties aspect of interpersonal exchange, as operationalized in this research, did not meaningfully influence perceptions of justice.

Identity relations differed from other relations on the basis of utilitarian decisions. Nonunit relations differed from others on the basis of legal contest. Working to provide a mutually beneficial outcome (utilitarian) is deemed more fair in close relationships (identity) than less close or antagonistic relationships. The resolution of a dispute through a legally sanctioned power (legal contest) is judged more fair in competitive relationships (nonunit) than closer, less antagonistic ones. Those results are logical, and notwithstanding the lack of emergent properties effects, consistent with Lerner's basic analyses.

In some conditions, however, consideration must be given to the meaningfulness of the mean differences. For example, *fight* mean differences of 0.31 reached statistical significance because of the extraordinarily low levels of variance and the large sample size. Almost all participants rated *fight* as "unfair" so small amounts of condition differences produced significance. What is noteworthy is that the emergent

activity of *fight* is never seen as even approaching “fair,” and that holds true in all conditions.

The procedural justice variables of process control and decision / outcome control are at odds with the generalizations of classic justice theory. The bold claims that first-person process control and third-party decision control are the most preferred combinations for conflict resolution are not supported by these data. Participants in this study saw a difference between first-person and third-party process control only in nonunit (competitive) relationships. In such relationships they rate third-party control as more fair than first-person control -- the opposite of the predicted preferences. A logical analysis of this result suggests that people judge others who are in a competitive relationship to be less reliable in regulating the process of their own dispute's resolution than they do a (presumably unbiased) third-party.

Decision control is similarly influenced by the psychological relationships. Here, too, the perceived fairness of third-party control is greatest in nonunit relationships (even though still “fair” in both identity and nonunit relations). Reviewers of a dispute are more likely to see a need for objective adjudicators to judge and determine a fair outcome in conflicts between antagonistic parties.

The conflict-scenarios once more produced different effects. The second conflict event failed to produce any meaningful differences among or between distribution rules, even with the new relationship characteristics of Lerner's revised theory built in. It would seem that the actual conflict itself is an important consideration. Some conflicts, such as the “Fisher and

Pearce” dispute over childcare space, appear insensitive to manipulations of social relationship. This is a reliable finding in the three studies of this research, and a troubling one. That the specific characteristics of the dispute can produce differential preferences for procedural justice and different evaluations of distribution rules -- independent of the manipulated relational characteristics -- is indicative of either ineffective manipulations of relationship characteristics or a situational dependency of justice perceptions that is not explained by the justice literatures.

Further work is needed to determine the power of theoretical orientations over situational variables in the conflicts tested in Studies One, Two, and Three. That work needs to consider the fact that the conflict events used in this dissertation all involved different issues of resource allocation. The “Fisher and Pearce” allocation of childcare space, the “Nash and Strachan” award of damages, and the “Elizabeth and Judy” distribution of inherited items, for example, each describe different types of allocation decisions and different types of resource judgments. One cannot easily divide childcare space, but damages for lost wages is more easily quantified and divided. Inherited items are not evenly distributed in terms of emotional significance, and while divisible and distributable, are not so easily ordered in relative personal importance. This research does suggest that these different resource judgments are important considerations for both distributive and procedural justice phenomena. What it is about these different conflicts and different resource allocations, however, is not answered by this research and warrants further pursuit.

CHAPTER 8.

GENERAL DISCUSSION

The emergent properties variable in Study Three failed to interact with the psychological relations factor and predict the pattern of emergent activities (justice rules) outlined by Lerner's revised theory. The role relations variable in Study Two similarly contributed little to the predictive power of the relationship characteristics for perceptions of justice. These variables are key considerations in Lerner's distributive justice theory if one is to predict when particular distribution rules are suited to various interpersonal relationships. Indeed, it was the refinement of this variable, whether one calls it role relations or emergent properties, that led to Lerner's reconsideration of his own forms of justice theory. The weakness of this variable in predicting justice rules, over two studies with large sample sizes, is problematic for the justice theory and suggests that further revision is required.

Generally speaking the social bases for perceptions of justice are more influenced by psychological relations of "closeness" with others (identifying, belonging, or competing). These psychological relations were found important considerations in perceptions of fairness in each of the three studies. The pattern of this influence varied somewhat across studies, however. The only pattern common to all three studies was the relationship between justified self-interest and nonunit relations -- psychological relations of the nonunit type consistently demonstrated more fairness in justified self-interest rules than they did in either identity

relations or unit relations.

Studies One and Two test Lerner's earlier forms of justice. In addition to the nonunit / justified self-interest relationship, there was a reliable effect across these two studies in the relationship between parity and unit relations. Treating others equally (parity) is judged as more fair between disputing individuals who belong together (unit relationship) than between others who are extremely close (identify) or more distant and apart (nonunit).

Study Three was designed to evaluate the predictive power of Lerner's revisions to justice theory, given the lack of precision in Study Two. The relative power of Lerner's earlier and revised theories is evident in the comparison of Study Three to the other two. A greater number of justice rules were associated with relationship variables in the third study, suggesting that those relationship variables are indeed relevant to revised perceptions of fairness (new justice rules, called emergent activities). However, only two of the six justice rules matched the relationship predicted by Lerner's theory, so one must question the utility of the revised theory when predicting each of the specific perceptions of justice and fairness outlined in the theory.

The concern about the accuracy of Lerner's revisions is increased when one notes that the emergent properties variable of Study Three did not improve the predictive power of relationship characteristics in perceptions of justice. One of the major differences between Lerner's earlier works and the revised theory was the inclusion of emergent properties as a product of interpersonal exchange. This variable replaced

the role relations of “person-position”, and led to the formulation of a host of new distribution rules. The fact that this variable, as operationalized, did not interact with other relationship characteristics shows that emergent properties do not act as Lerner’s work predicts.

The procedural justice literature is similarly brought into reconsideration on the basis of these studies’ results. It is evident across the first two designs that adjudication is *not* a predominantly preferred justice process, and that the psychological relationship characteristics do influence the preferences. Joint problem-solving (a process not identified by Thibaut and Walker) is a credible alternative to adjudication, and is most preferred in unit relationships. Further, where adjudication is preferred and seen as fair, it seems that this preference is limited to nonunit relations where disputants are in a more antagonistic relationship.

Summary Implications.

The general approach of this research -- that perceptions of fairness and justice are best understood by an integration of both procedural and distributive justice literatures -- is supported by the data across the three studies. The limitations of the research conducted are identified throughout the dissertation. Nonetheless, where there are differences in perceived fairness of different justice procedures, these differences are related to psychological relations between the parties to the dispute. And where there are differences in the fairness of different distribution rules, these differences are also tied to the psychological relations between disputants. A consideration of justice without taking into consideration that component of social relations is less than adequate. Fairness and

justice are clearly relationship specific.

The call for a specific interaction between the literature based procedural and distributive justice factors for a more full understanding of justice perceptions was not supported in any of the studies. While relationship characteristics do drive some procedural preferences, and while relationship characteristics do demand particular distribution rules, no interaction is evident. The “goodness-of-fit” between procedure and distribution rule, where certain distribution rules are limited to certain justice procedures, and where that association is driven by the relationship variables, is not shaped by the literatures reviewed.

A new model of justice is called for. A model where relationship characteristics as causal variables are integrated into the procedural justice phenomena. A model where procedural justice processes include joint problem-solving. A model where the identity-unit-nonunit relationship characteristics are maintained, but where role relations (person-position) are eliminated. The emergent properties notion of Lerner’s revised Justice Theory suggests that this new model must recognize the interaction between disputants as a dynamic activity, one where the view of the relationship itself is shaped by the ongoing exchanges taking place. However, it is doubtful these emerging properties are the ones outlined by Lerner.

A key component in this dynamic exchange is the very nature of the conflict event itself. It must not be overlooked that the particular conflict event was a factor in this research. The “Fisher and Pearce” dispute over childcare space was consistently resistant to the manipulations of

relationships. It would appear that some conflicts are insensitive to differences in interpersonal relations, or at least insensitive to the relations manipulated in this research. Further research is needed to understand what makes such conflicts distinct. Nevertheless, it is evident that a new model of justice must accommodate the power of situational characteristics of the conflict event to overwhelm the influence of relationship characteristics. What are the limits of a social basis for justice perceptions, and how is it that some conflicts are so striking that the relational characteristics of disputants can vary and still the perceptions of justice do not?

The most comprehensive procedural justice modeling is offered by Tyler and his colleagues. Tyler, who outlines various models of the justice motive (discussed in Chapters 2 and 3) and who concludes that relational issues can dominate definitions of justice, maintains that distributive justice concerns (resource allocation concerns) and procedural justice concerns (even the “relational” or group-value model of the psychology of procedural justice) are sufficiently distinct that each has a unique impact on justice judgments. Resource judgments, he claims, do not impact on procedural justice.

This dissertation research has implications for Tyler’s modeling of justice. The significant conflict effects in Study Two suggest that resource allocations in specific conflict events DO have effects on procedural justice as well as on distributive justice. In addition, the impact of psychological relationship characteristics in Studies One, Two and Three suggest that relational variables of the kind tested here DO have effects on both

procedural justice and distributive justice. These relational variables are not relational characteristics considered by Tyler's models of justice (he identifies three relational issues of neutrality of the parties, interpersonal trust, and personal status recognition of the disputants). The various significant effects of Lerner's relationship characteristics across the three studies imply that future models of the psychology of justice take the relationships of identity, unit and nonunit into consideration when assessing the social basis for a sense of justice.

A sense of social justice *is* often rooted in a sense of social relationship. If people are to receive justice, they will receive more than just the rule of law. They will compare that rule of law to their relationship with the other party to the dispute, and that relationship has the capacity to influence their sense of fair treatment and fair outcome.

To a large extent the legal system is insensitive to this understanding. Rarely does judicial decision take into consideration the particular relationship characteristics of disputants in presentation of a ruling. Rarely does that system formalize a process where alternatives to adjudication are investigated, and rarely is the nature of the psychological relationship between disputants determinative in choice of that alternative.

Where there are institutionalized alternatives to adjudication, those alternatives appear dominated by legal mediation wherein the parties engage with a facilitator and attempt to address the dispute in a less adversarial, less litigious way. This research project suggests that when such an alternative is considered the mediation should go beyond a bargaining style of mediation to include a more joint problem-solving style.

This joint problem-solving style is most important for disputants who are in a close relationship. Further, such mediation should seek a “utilitarian” decision as the appropriate distribution rule, where an outcome maximally beneficial to both disputants is sought and imposed by some unbiased third-party.

The rule of law is said to be “everyone is treated equally under the law” where personal characteristics are judged to be irrelevant. One must question not only the reality of this image but its utility as well. The administration of justice, when it comes to the perception of fairness, is a rule-based social event. While justice decision rules and justice process rules have been researched for decades, still one must search for greater understanding of how those rules interact with and tie in to the psychology of individuals caught in the process of dispute resolution.

References

- Adams, J. S. (1963). Toward an understanding of inequity. Journal of Abnormal and Social Psychology, 67, 422-436.
- Adams, J. S. (1965). Inequity in social exchange. In L. Berkowitz (Ed.), Advances in experimental social psychology. (Vol. 2, pp. 267-299). New York: Academic Press.
- Adler, A. (1956). The psychology of power. (1928). Journal of Individual Psychology, 22, 166-172.
- Adler, J. W., Hensler, D. R., & Nelson, C. E. (1983). Simple justice: How litigants fare in the Pittsburgh Court Arbitration Program. Santa Monica, CA: RAND Corporation.
- Argyle, M., & Kendon, A. (1967). The experimental analysis of social performance. In L. Berkowitz (Ed.), Advances in experimental social psychology. (Vol. 3, pp. 55-98). New York: Academic Press.
- Argyle, M., & Williams, M. (1969). Observer or observed? A reversible perspective in person perception. Sociometry, 32, 396-412.
- Arrow, K. J. (1963). Social choice and individual values (2nd ed.). New Haven, CT: Yale University Press.
- Austin, W. G. (1980). Friendship and fairness: Effects of type of relationship and task performance on choice of distribution rule. Personality and Social Psychology Bulletin, 6, 402-407.
- Austin, W., & Hatfield, E. (1980). Equity theory, power, and social justice. In G. Mikula (Ed.), Justice and social interaction (pp 25-61). New York: Springer-Verlag.
- Austin, W., & McGinn, N. C. (1977). Sex differences in choice of distribution rules. Journal of Personality, 45, 379-394.

- Austin, W., Williams, T. A., III, Worchel, S., Wentzel, A. A., & Siegel, D. (1981). Effect of mode of adjudication, presence of defense counsel, and favorability of verdict on observers' evaluation of a criminal trial. Journal of Applied Social Psychology, 11, 281-300.
- Bandura, A. (1977). Social learning theory. Englewood Cliffs, NJ: Prentice-Hall.
- Benton, A. A. (1971). Productivity, distributive justice, and bargaining among children. Journal of Personality and Social Psychology, 18, 68-78.
- Berkowitz, L. & Walster, E. (Eds.). (1976). Equity theory: Toward a general theory of social action. Advances in experimental social psychology. (Vol. 9). New York: Academic Press.
- Bierhoff, H. W., Buck, E., & Klein, R. (1986). Social context and perceived justice. In H. W. Bierhoff, R. L. Cohen & J. Greenberg (Eds.), Justice in social relations (pp. 165-185). New York: Plenum Press.
- Bies, R. J. (1987). The predicament of injustice: The management of moral outrage. In L. L. Cummings & B. M. Staw (Eds.), Research in organizational behavior (Vol. 9, pp. 289-319). Greenwich, CT: JAI Press.
- Bies, R. J., & Christopher, L. (1993). Just laid off, but still a "good citizen?" Only if the process is fair. Special Issue: Organizational justice-citizenship behavior. Employee Responsibilities and Rights Journal, 6, 227-238.
- Bies, R. J., & Moag, J. S. (1986). Interactional justice: Communication criteria of fairness. In R. J. Lewicki, B. H. Sheppard, & M. H. Bazerman (Eds.), Research on negotiations in organizations (Vol. 1, pp. 43-55). Greenwich, CT: JAI Press.
- Bies, R. J., & Shapiro, D. L. (1987). Interaction fairness judgments: The influence of causal accounts. Social Justice Research, 1, 199-218.

- Bies, R. J., & Tyler, T. R. (1993). The "litigation mentality" in organizations: A test of alternative psychological explanations. Focused issue: The legalistic organization. Organization Science, 4, 352-366.
- Black, D. (1958). The theory of committees and elections. Cambridge, England: Cambridge University Press.
- Blau, P. M. (1964). Exchange and power in social life. New York: Wiley Press.
- Bradac, J., & Mulac, A. (1984). Attributional consequences of powerful and powerless speech styles in a crisis-intervention context. Journal of Language and Social Psychology, 3, 1-20.
- Brockner, J., & Greenberg, J. (1990). The impact of layoffs on survivors: An organizational justice perspective. In J. H. Carroll (Ed.), Applied social psychology and organizational settings (pp. 45-75). Hillsdale, NJ: Erlbaum.
- Brockner, J., & Konovsky, M. (1994). Interactive effects of procedural justice and outcome negativity on victims and survivors of job loss. Academy of Management Journal, 37, 397-409.
- Brockner, J., & Tyler, T. R. (1992). The influence of prior commitment to an institution on reactions to perceived unfairness: The higher they are, the harder they fall. Special Issue: Process and outcome: Perspectives on the distribution of rewards in organizations. Administrative Science Quarterly, 37, 241-261.
- Brockner, J., & Wiesenfeld, B. M. (1995). Decision frame, procedural justice, and survivors' reactions to job layoffs. Organizational Behavior and Human Decision Processes, 63, 59-68.
- Burgoon, J. K. (1985). Nonverbal signals. In M. L. Knapp & G. R. Miller (Eds.), Handbook of interpersonal communication (pp. 344-390). Beverly Hills: Sage Publications.

- Clark, H. H. (1985). Language use and language users. In G. Lindzey & E. Aronson (Eds.), Handbook of social psychology Third Edition (Vol. 2), 179-232. New York: Random House.
- Cohen, R. L. (1986). Power and justice in intergroup relations. In H. W. Bierhoff, R. L. Cohen & J. Greenberg (Eds.), Justice in social relations (pp. 65-84). New York: Plenum Press.
- Cook, K. S., & Emerson, R. M. (1978). Power, equity and commitment in exchange networks. American Sociological Review, 43, 721-739.
- Dahl, R. A. (1957). The concept of power. Behavioral Science, 2, 201-215.
- Dawes, R. (1986). Group identification and collective action. Paper delivered at the Nag's Head Conference on Social Dilemmas. Nag's Head: NC.
- Debusschere, M. & van Avermaet, E. (1984). Compromising between equity and equality: The effects of situational ambiguity and computational complexity. European Journal of Social Psychology, 14, 323-333.
- De Charms, R. (1968). Personal causation. New York: Academic Press.
- Deutsch, M. (1975). Equity, equality, and need: What determines which value will be used as the basis of distributive justice? Journal of Social Issues, 31, 137-150.
- Doob, L. W. (1983). Personality, power, and authority. Westport, Connecticut: Greenwood Press.
- Earley, P. C. (1984). Informational mechanisms of participation influencing goal acceptance, satisfaction and performance. Unpublished doctoral dissertation, University of Illinois, Champaign.

- Earley, P. C., & Lind, E. A. (1987). Procedural justice and participation in task selection: The role of control in mediating justice judgments. Journal of Personality and Social Psychology, 52, 1148-1160.
- Eckstein, H. & Gurr, T. R. (1975). Patterns of authority. New York: Wiley Press.
- Edelman, M. (1977). Political language: Words that succeed and policies that fail. New York: Academic Press.
- Emerson, R. M. (1962). Power-dependence relations. American Sociological Review, 27, 31-41.
- Erikson, E. E. (1968). Identity, youth, and crisis. New York: Norton Press.
- Festinger, L. (1954). A theory of social comparison processes. Human Relations, 7, 117-140.
- Fishburn, P. (1973). The theory of social choice. Princeton, NJ: Princeton University Press.
- Folger, R. (1977). Distributive and procedural justice: Combined impact of "voice" and improvement on experienced inequity. Journal of Personality and Social Psychology, 35, 108-119.
- Folger, R. (1984). Emerging issues in the social psychology of justice. In R. Folger (Ed.), The sense of injustice: Social psychological perspectives (pp. 3-24). New York: Plenum Press.
- Folger, R., Rosenfield, D., Grove, J., & Corkran, L. (1979). Effects of "voice" and peer opinions on responses to inequity. Journal of Personality and Social Psychology, 37, 2253-2261.
- Forsyth, D. R. (1990). Group dynamics (2nd ed.). Pacific Grove, CA: Brooks/Cole.

- Foucault, M. (1980). The eye of power. In C. Gordon (Ed.), Power/Knowledge: Selected interviews and other writings 1972-1977 (pp. 146-165). New York: Pantheon Books.
- Fowler, R. (1985). Power. In T. Van Dijk (Ed.), Handbook of discourse analysis, 4, (pp. 61-82). London: Academic Press.
- French, J. R. P., & Raven, B. H. (1959). The bases of social power. In D. Cartwright (Ed.), Studies in social power (pp. 150-167). Ann Arbor: Institute of Social research.
- Furby, L. (1986). Psychology and justice. In R. L. Cohen (Ed.), Justice: Views from the social sciences (pp. 153-203). New York: Plenum Press.
- Gamson, W. A. (1974). Power and probability. In J. T. Tedeschi (Ed.), Perspectives on social power (pp. 34-60). Chicago: Aldine Press.
- Goffman, E. (1967). Interactural ritual. Garden City, NY: Doubleday.
- Greenberg, J. (1981). The justice of distributing scarce and abundant resources. In M. J. Lerner & S. C. Lerner (Eds.), The justice motive in social behavior (pp 289-316). New York: Plenum Press.
- Greenberg, J. (1986). Determinants of perceived fairness of performance evaluations. Journal of Applied Psychology, 71, 340-342.
- Greenberg, J. (1987). Reactions to procedural injustice in payment distributions: Do the means justify the ends? Journal of Applied Psychology, 72, 55-71.
- Greenberg, J. (1988). Equity and workplace status: A field experiment. Journal of Applied Psychology, 73, 606-613.
- Greenberg, J. (1990). Looking fair vs. being fair: Managing impressions of organizational justice. In B. M. Staw and L. L. Cummings (Eds.), Research in organizational behavior (Vol. 12, pp. 111-157). Greenwich, CT: JAI Press.

- Greenberg, J., & Cohen, R. L. (1982). Why justice? Normative and instrumental interpretations. In J. Greenberg & R. L. Cohen (Eds.), Equity and justice in social behavior (pp. 437-470). New York: Academic Press.
- Greenberg, J., & Folger, R. (1983). Procedural justice, participation, and the fair process effect in groups and organizations. In P. Paulos (Ed.), Basic group processes (pp. 235-266). New York: Springer-Verlag.
- Gumperz, J. J. (1977). Sociocultural knowledge in conversational influence. In M. Saville-Troike (Ed.), Georgetown University roundtable on languages and linguistics (pp 213-230). Washington: Georgetown University Press.
- Heider, F. (1958). The psychology of interpersonal relations. New York: John Wiley & Sons, Inc..
- Henley, N. M. (1973). Status and sex: Some touching observations. Bulletin of the Psychonomic Society, 2, 91-93.
- Henley, N. M. (1974). Power, sex, and nonverbal communication. Berkeley Journal of Sociology, 18, 1-26.
- Henley, N. M. (1977). Body politics: Power, sex, and nonverbal communication. Englewood Cliffs, NJ: Prentice-Hall.
- Hogan, R., & Emler, N.P. (1981). Retributive justice. In M. J. Lerner & S. C. Lerner (Eds.), The justice motive in social behavior: Adapting to times of scarcity and change (pp. 125-144). New York: Plenum Press.
- Houlden, P. (1980). The impact of procedural modifications on evaluations of plea bargaining. Law and Society Review, 15, 267-292.
- Homans, G. C. (1961). Social behavior: Its elementary forms. New York: Harcourt, Brace & World.

- Kameda, T. (1991). Procedural influence in small-group decision making: Deliberation style and assigned decision rule. Journal of Personality and Social Psychology, 61, 245-256.
- Kanfer, R., Sawyer, J., Earley, P. C., & Lind, E. A. (1987). Fairness and participation in evaluation procedures: Effects of task attitudes and performance. Social Justice Research, 1, 235-249.
- Kaplan, M. F., & Miller, C. E. (1987). Group decision making and normative versus informational influence: Effects of type of issue and assigned decision rule. Journal of Personality and Social Psychology, 53, 306-313.
- Keating, C. F., Mazur, A., & Segall, M. H. (1981). A cross-cultural exploration of physiognomic traits of dominance and happiness. Ethology and Sociobiology, 2, 41-48.
- Kelman, H. C. (1974). Further thoughts on the processes of compliance, identification, and internalization. In J. Tedeschi (Ed.), Perspectives on social power (pp. 125-171). Chicago, Illinois: Albany Publishing Company.
- Kress, G., & Fowler, R. (1979). Interviews. In R. Fowler, B. Hodge, G. Kress, & T. Trew (Eds.), Language and control (pp. 63-80). London: Routledge & Kegan Paul.
- Kurtz, S. T. (1978). Preference and determinants of preference for modes of conflict resolution by post court-martial military personnel. Unpublished master's thesis, University of North Carolina. Cited in Lind, E. A., Walker, L., Kurtz, S., Musante, L., & Thibaut, J. W., (1980). Procedure and outcome effects on reactions to adjudicated resolution of conflicts of interest. Journal of Personality and Social Psychology, 39, 643-653.
- Lakoff, R. (1975). Language and the woman's place. New York, NY: Harper & Row.

- LaTour, S. (1978). Determinants of participant and observer satisfaction with adversary and inquisitorial modes of adjudication. Journal of Personal and Social Psychology, 36, 1531-1545.
- Lerner, M. J. (1974). The justice motive: "Equity" and "parity" among children. Journal of Personality and Social Psychology, 29, 539-550.
- Lerner, M. J. (1975). The justice motive in social behavior: Introduction. Journal of Social Issues, 31, 1-19.
- Lerner, M. J. (1977). The justice motive in social behaviour: Some hypotheses as to its origins and forms. Journal of Personality, 45, 1-52.
- Lerner, M. J. (1980). The belief in a just world: A fundamental delusion. New York: Plenum Press.
- Lerner, M. J. (1981). The justice motive in human relations: Some thoughts on what we know and need to know about justice. In M. J. Lerner & S. C. Lerner (Eds), The justice motive in social behavior: Adapting to times of scarcity and change (pp. 11-35). New York: Plenum Press.
- Lerner, M.J., & Miller, D. T. (1978). Just world research and the attribution process: Looking back and ahead. Psychological Bulletin, 85, 1031-1051.
- Lerner, M. J., Miller, D. T., & Holmes, J. G. (1976). Deserving and the emergence of forms of justice. In L. Berkowitz & E. Walster (Eds.), Advances in experimental social psychology. (Vol. 9, pp. 134-162). New York: Academic Press.
- Lerner, M.J., & Whitehead, L. A. (1980). Procedural justice viewed in the context of Justice Motive Theory. In G. Mikula (Ed.), Justice in social interaction (pp. 219-256). New York: Springer Verlag.

- Leung, K., & Lind, E. A. (1986). Procedural justice and culture: Effects of culture, gender, and investigator status on procedural preferences. Journal of Personality and Social Psychology, 50, 1134-1140.
- Leventhal, G. S. (1976). Fairness in social relationships. Morristown, NJ: General Learning Press.
- Leventhal, G. S. (1980). What should be done with equity theory? In K. Gergen, M. Greenberg, and R. Willis (Eds.), Social Exchange: Advances in theory and research (pp. 27-55). New York: Plenum Press.
- Lind, E. A. & Earley, P. (1992). Procedural justice and culture. Special Issue: Social psychological approaches to responsibility and justice: The view across cultures. International Journal of Psychology, 27, 227-242.
- Lind, E. A., Erickson, B. E., Friedland, N., & Dickenberger, M. (1978). Reactions to procedural models for adjudicative conflict resolution: A cross-national study. Journal of Conflict Resolution, 22, 318-341.
- Lind, E. A., & Huo, Y. J. (1994). . . . And justice for all: Ethnicity, gender and preferences for dispute resolution procedures. Special Issue: Race, ethnicity, and the law. Law and Human Behavior, 18, 269-290.
- Lind, E. A., & Lissak, R. I. (1985). Apparent impropriety and procedural fairness judgments. Journal of Experimental Social Psychology, 21, 19-29.
- Lind, E. A., Lissak, R., & Conlon, D. (1983). Decision control and process control effects on procedural fairness judgments. Journal of Applied Social Psychology, 13, 338-350.
- Lind, E. A., & Tyler, T. R. (1988). The social psychology of procedural justice. New York: Plenum Press.

- Lind, E. A., Walker, L., Kurtz, S., Musante, L., & Thibaut, J. W. (1980). Procedure and outcome effects on reactions to adjudicated resolution of conflicts of interest. Journal of Personality and Social Psychology, 39, 643-653.
- Lissak, R. I. (1983). Procedural fairness: How employees evaluate procedures. Unpublished doctoral dissertation, University of Illinois, Champaign.
- Lukes, S. (1974). Power: A radical view. London: Macmillan.
- Major, B., & Adams, J. B. (1983). Role of gender, interpersonal orientation, and self-presentation in distributive-justice behavior. Journal of Personality and Social Psychology, 45, 598-608.
- Mannix, E. A., & Thompson, L. L. (1989). Negotiation in small groups. Journal of Applied Psychology, 74, 508-517.
- McClelland, D. C. (1975). Power: The inner experience. New York, NY: Irvington.
- Mehrabian, A. (1983). Silent messages: Implicit communication of emotions and attitudes (2nd edition). Belmont, CA: Wadsworth Publishing.
- Messick, D. M., & Sentis, K. P. (1983). Fairness, preference and fairness biases. In D. M. Messick, & K. S. Cook (Eds.), Equity theory: Psychological and sociological perspectives (pp. 61-94). New York: Praeger Press.
- Mueller, J. E. (1973). War, presidents and public opinion. New York: Wiley Press.
- Musante, L., Gilbert, M. A., & Thibaut, J. (1983). The effects of control on perceived fairness of procedures and outcomes. Journal of Experimental Social Psychology, 19, 223-238.

- Ng, S. H. (1980). The social psychology of power. London: Academic Press.
- Pitkin, H. (1972). Wittgenstein and Justice. Berkeley, LA: University of California Press.
- Postman, N. (1980). The politics of reading. In M. Wolf, M. McQuilland & E. Radwin (Eds.), Thought and Language: Language and Reading (pp. 355-362). Harvard Education Review Reprints: Reprint Series No. 14.
- Pruitt, D. G., & Gahagan, J. P. (1974). Campus crisis: The search for power. In J. Tedeschi (Ed.), Perspectives on social power (pp. 349-392). Chicago: Aldine Publishing Company.
- Pruitt, D. G., Peirce, R. S., McGillicuddy, N. B., Welton, G. L., & Castrianno, L. M. (1990). Long-term success in mediation. Unpublished manuscript, State University of New York at Buffalo. Cited in T. R. Tyler & E. A. Lind, (1992), A relational model of authority in groups. Advances in Experimental Social Psychology, 25, 115-191.
- Raven, B. H. (1965). Social influence and power. In I. D. Steiner and M. Fishbein (Eds.), Current studies in social psychology (pp. 371-382). New York: Holt, Rinehart and Winston.
- Raven, B. H. (1974). Power and power preference. In J. Tedeschi (Ed.), Perspectives on social power (pp. 172-198). Chicago: Aldine Publishing Company.
- Rawls, J. (1971). A theory of justice. Cambridge, MA: Belknap Press.
- Reis, H. T. (1984) The multi dimensionality of justice. In R. Folger (Ed.), The sense of injustice: Social psychological perspectives (pp. 25-61). New York: Plenum Press.

- Reis, H. T. (1986). Levels of interest in the study of interpersonal justice. In H. W. Bierhoff, R. L. Cohen, & J. Greenberg (Eds.), Justice in social relations (pp. 187-210). New York: Plenum Press.
- Reis, H. T., & Gruzen, J. (1976). On mediating equity, equality, and self-interest: The role of self-presentation in social exchange. Journal of Experimental Social Psychology, 12, 487-503.
- Russell, B. (1938). Power: A new social analysis. London: George Allen and Unwin.
- Sacks, H., Schegloff, E. A., & Jefferson, G. (1974). A simplest systematics for the organization of turn-taking for conversation. Language, 50, 696-735.
- Sagan, K., & Pondel, M. (1981). The effect of anticipated future interaction on reward allocation in same- and opposite-sex dyads. Journal of Personality, 49, 438-449.
- Salancik, G. R., & Pfeffer, J. (1977). Who gets power -- and how they hold on to it: A strategic-contingency model of power. Organizational Dynamics, 5, 3-21.
- Sampson, E. E. (1969). Studies of status congruence. In L. Berkowitz (Ed.), Advances in experimental social psychology (Vol. 4, pp. 225-270). New York: Academic Press.
- Sampson, E. E. (1975). On justice as equality. Journal of Social Issues, 31, 45-64.
- Sampson, E. E. (1986). Justice ideology and social legitimation. In H. W. Bierhoff, R. L. Cohen, & J. Greenberg (Eds.), Justice in social relations (pp. 87-102). New York: Plenum Press.
- Schmitt, M. & Montada, L. (1982). Determinants of experienced justice. Zeitschrift fur Sozialpsychologie, 13, 32-44.

- Schopler, J., & Layton, B. D. (1974). Attributions of interpersonal power. In J. T. Tedeschi (Ed.), Perspectives on social power (pp. 34-60). Chicago: Aldine Publishing Company.
- Shapiro, E. G. (1975). The effect of expectations of future interaction on reward allocations in dyads: Equity vs. equality. Journal of Personality and Social Psychology, 31, 873-880.
- Shapiro, D. L., & Bies, R. J. (1994). Threats, bluffs, and disclaimers in negotiations. Organizational Behavior and Human Decision Processes, 60, 14-35.
- Street, R. L. & Brady, R. M. (1982). Speech rate acceptance ranges as a function of evaluative domain, listener speech rate, and communication context. Communication Monographs, 49, 290-308.
- Sweeney, P. D. & McFarlin, D. B. (1993). Workers' evaluations of the "ends" and the "means": An examination of four models of distributive and procedural justice. Organizational Behavior and Human Decision Processes, 55, 23-40.
- Tajfel, H. (1969). Cognitive aspects of prejudice. Journal of Social Issues, 25, 79-97.
- Tajfel, H. (1978). Differentiation between social groups: Studies in the social psychology of intergroup relations. London: Academic Press.
- Thibaut, J., & Faucheux, C. (1965). The development of contractual norms in a bargaining situation under two types of stress. Journal of Experimental Social Psychology, 1, 89-102.
- Thibaut, J., & Walker, L. (1975). Procedural justice: A psychological analysis. Hillsdale, N.J.: Erlbaum.
- Thibaut, J., Walker, L., LaTour, S., & Houlden, P. (1974). Procedural justice as fairness. Stanford Law Review, 26, 1271-1289.

- Tyler, T. R. (1984). Justice in the political arena. In R. Folger, (Ed.), The sense of injustice: Social psychological perspectives (pp. 189-225). New York: Plenum Press.
- Tyler, T. R. (1989). The psychology of procedural justice: A test of the group-value model. Journal of Personality and Social Psychology, 57, 830-838.
- Tyler, T. R. (1990). Why people obey the law: Procedural justice, legitimacy, and compliance. New Haven: Yale Press.
- Tyler, T. R. (1991). Using procedures to justify outcomes: Testing the viability of a procedural justice strategy for managing conflict and allocating resources in work organization. Basic and Applied Social Psychology, 12, 259-279.
- Tyler, T. R. (1994) Psychological models of the justice motive: Antecedents of distributive and procedural justice. Journal of Personality and Social Psychology, 67, 850-863.
- Tyler, T. R., & Bies, R. (1990). Interpersonal aspects of procedural justice. In J. S. Carroll (Ed.), Applied social psychology in business settings (pp. 77-98). Hillsdale, NJ: Erlbaum Press.
- Tyler, T. R., & Degoey, P. (1995). Collective restraint in social dilemmas: Procedural justice and social identification effects on support for authorities. Journal of Personality and Social Psychology, 69, 482-497.
- Tyler, T. R., & Folger, R. (1980). Distributional and procedural aspects of satisfaction with citizen-police encounters. Basic and Applied Social Psychology, I, 281-292.
- Tyler, T. R., & Lind, E. A. (1990). Intrinsic versus community-based justice models: When does group membership matter? Journal of Social Issues, 46, 83-94.

- Tyler, T. R. & Lind, E. A. (1992). A relational model of authority in groups. In M. Zanna (Ed.), Advances In Experimental Social Psychology: Vol. 25 (pp. 115-191). Academic Press, Inc.
- Tyler, T. R., Rasiniski, K., & Spodick, N. (1985). The influence of voice on satisfaction with leaders: Exploring the meaning of process control. Journal of Personality and Social Psychology, 48, 72-81.
- Walker, L., LaTour, S., Lind, E. A., & Thibaut, J. (1974). Reactions of participants and observers to modes of adjudication. Journal of Applied Social Psychology, 4, 295-310.
- Walster, E., Berscheid, E., & Walster, G. W. (1973). New directions in equity research. Journal of Personality and Social Psychology, 25, 151-176.
- Walster, E., Walster, G. W., & Berscheid, E. (1978). Equity: Theory and research. Boston: Allyn & Bacon.
- Wartenberg, T. E. (1990). The forms of power: From domination to transformation. Philadelphia: Temple University Press.
- Weber, M. (1948). From Max Weber: Essays in sociology. Translated and edited by H. H. Gerth and C. W. Mills. London: Routledge and Kegan Paul. Cited in S. H. Ng, (1980), The social psychology of power. London: Academic Press.
- White, R. W. (1959). Motivation reconsidered: The concepts of competence. Psychological Review, 66, 297-333.

APPENDICES

Appendix A. Conflict Scenarios for Study One

Appendix B. Conflict Scenarios for Study Two

Appendix C. Conflict Scenarios for Study Three

APPENDIX A

STUDY ONE CONFLICT SCENARIOS

A number of scenarios are described which provide the basis for evaluations of justice, both procedural and distributive justice. These scenarios are based on reviews of New Zealand law journals and wherever possible stay close to the key elements of the real world dispute. The scenarios are built to describe the six relationships posited by Lerner's (1977) forms of justice. The nature of the relationship is identified in the identification label (Case Number) preceding each dispute.

Key to Identification:

NUP & NP = Nonunit Person Relationship

NUPOS & NPOS = Nonunit Position Relationship

UP = Unit Person Relationship

UPOS & UPS = Unit Position Relationship

IP = Identity Person Relationship

IPOS & IPS = Identity Position Relationship

Each case presents:

- 1) an overview of the issue under dispute (establishing the relationship between the parties to the dispute) in accordance to the six relationships described in the Key;
- 2) the background detail of the dispute;
- 3) a concise summary statement of the dispute;
- 4) a measure of the perceived relationship properties: nonunit, unit, or identity;
- 5) a measure of the perceived relationship properties: person or position;
- 6) **dependent variable one** -- selection of a style of procedural justice (mixed orders of adjudication, bargaining, and joint problem-solving); and
- 7) **dependent variable two** -- a free response describing the "most fair solution" to the issue under dispute (providing subjects an opportunity to describe the just distribution or justice outcome: these statements will be rated for their similarity to Lerner's six forms of justice).

DIRECTIONS:

The following cases each describe a conflict event. A brief overview is given in the first paragraph, then the background to the conflict is presented, and finally a brief summary of the dispute is outlined. On the following page are four questions to which you are asked to respond.

You are asked to read each case, and to respond to Questions #1 through Question #4. Questions 1, 2 and 3 ask you to select one alternative by identifying the appropriate letter-designate. Question #4 asks you to write a brief answer to the question (no more than a paragraph at most).

Please indicate the question number (1, 2, 3 or 4) when providing your response to each question.

Use the accompanying booklet for your responses, clearly indicating the question number together with your answer.

Thank you for your participation.

Case #NUPA.

Ms. Fisher and Ms. Pearce are working parents of single preschool children. Each woman is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both individuals require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce are competing for the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very competitive in this community. Personal needs have to be the determining factor in the allocation of such scarce resources. Each of us is in competition with the other person for the child care space." Each claims the most need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce do not know one another, but they are applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are competing for the last opening, and there are no expectations of further spaces.

Dispute:

Each person, Ms. Fisher and Ms Pearce, want the last childcare space at Noah's. They are in competition for that space.

1. Rate the relationship between Fisher and Pearce by indicating ONE of the following three options which is most descriptive:

- A. Fisher and Pearce see each other as adversaries, associated as contestants.
- B. Fisher and Pearce see each other as belonging together, as part of a unit.
- C. Fisher and Pearce identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between Fisher and Pearce by indicating ONE of the following two options which is most descriptive:

- A. Fisher and Pearce relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. Fisher and Pearce relate to each other on the basis of their roles as parents, recognizing the role qualities of that position.

3. In what manner should this matter of the childcare space be resolved?
Choose one procedure by circling A, B, or C:

- A. Fisher and Pearce should meet to discuss the issue with one another, and jointly come to a mutual decision as to which child should be placed in Noah's Child Care Facility.
- B. Fisher and Pearce should each, but separately, make their cases to Noah's Child Care Facility and wait for Noah's to decide which of the two children they accept.
- C. Fisher and Pearce should engage in a formal process of bargaining, where they attempt to negotiate some resolution to the decision as to which child should be placed in Noah's and where each is bound by the outcome of the negotiations process.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the childcare space, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between Fisher and Pearce.

Case #NUPOSA.

McGrady and Nelson both represent two large companies who want to claim ownership of the one remaining stream that is habitable to West Coast salmon in the San Juan Islands. Each company claims the legitimate rights to the stream. The companies are the only two large competitors in the fishing industry. Both businesses seek to establish themselves as the dominant corporation, believing that the short and long-term economy allows for the financial survival of only one business. Both companies want control over the last freshwater fish estuary in the region. Says one, "Our business can provide both employment for local workers and protection of the regional environment. The competition is out to maximize short-term profits at the expense of the ecosystem. They should not be allowed to be in the business."

Background.

Nelson and McGrady are Chief Executive Officers of the only two large fishing companies on the west coast of Canada. Each company is in fish farming and has been diversifying into the seeding of salmon eggs into local stream habitats. The companies are business competitors.

The Provincial Government has strict controls on the use of natural resources for business purposes, and has made one stream available for commercial use. For purposes of clearly defining legal liability for environmental protection, Government regulations demand that only one business enterprise can have commercial use of the resource at any one time.

Both Nelson's company and McGrady's company is interested in securing the rights of that stream to enhance the availability of spawning stock for salmon breeding. Both CEO's have been instructed to secure the rights to that stream, and both companies claim that they have a legitimate claim to use of that water. The allocation of natural resources for commercial use is the decision of Government. Applicants must meet environmental protection standards and show a net gain to the surrounding community. Both companies can show satisfaction of environmental standards, and both companies claim a comparable benefit to the local community.

Dispute:

Where there is one applicant who meets environmental and economy criteria, the Government is required to grant the application. Where there is more than one applicant, the issue of the awarding of the site license is in dispute. Both companies are seeking the license. Each position of Chief Executive Officer is charged with securing ownership.

1. Rate the relationship between McGrady and Nelson by indicating ONE of the following three options which is most descriptive:

- A. McGrady and Nelson see each other as adversaries, associated as contestants.
- B. McGrady and Nelson see each other as belonging together, as part of a unit.
- C. McGrady and Nelson identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between McGrady and Nelson by indicating ONE of the following two options which is most descriptive:

- A. McGrady and Nelson relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. McGrady and Nelson relate to each other on the basis of their roles as chief executive officers, recognizing the role qualities of that position.

3. In what manner should this matter of the rights to the stream be resolved?
Choose one procedure by circling A, B, or C:

- A. Seek the judgment of the Government officer who will hear petitions from both parties' lawyers, under the direction of the chief executive officers Nelson and McGrady, and determine allocation of the stream's license based on the entitlement of each position.
- B. The chief executive officers, Nelson and McGrady, should meet and engage in joint problem-solving to determine which company will apply to Government for the stream's license.
- C. Engage in a process of formal negotiations with the other company in which both chief executive officers secure the services of a professional negotiator and agree to use the process of negotiations to decide which company will apply to Government for the stream's license.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the stream's license, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between the two company representatives, Nelson and McGrady.

Case Number UPA.

Doug and Michael belong to the same sports team and have played well together as partners for some period of time. Each individual has developed a financial reliance on institutional funding (sports scholarship), but due to cutbacks the university is forced to reduce the amount of the awards. Doug and Michael each have needs for the support, and neither can easily afford a reduction in the scholarship. Says Michael to another friend, "We both seem to belong together in many of the things we do, but neither expected to be in a situation where we have to justify what we need and deserve."

Background:

Doug and Michael are both members of the university badminton team, and have been for a number of years. Doug and Michael are nearly equivalent in skill level, and share a common attitude toward competition. As a result and to the pleasure of both Doug and Michael, they play together as partner's and represent the university in men's badminton. Doug and Michael have been described as 'natural partners,' in that they appear to anticipate the behaviour of one another and have become closely aware of each other's feelings and judgments.

Until recently, the university was heavily subsidized for its athletics program and each athlete in the institution received an athletic scholarship and was fully reimbursed for their personal expenses incurred during tournaments (travel, lodging, meals, personal expenses). However, recently a limited amount of funding has been made available to the institution for competitive sports programs. The badminton program, as other programs, has been allotted a thirty percent reduction of funds and for the first time there will be significant curtailment on the amount of money expended by athletes.

Doug and Michael will continue to play badminton as partners. Neither person can afford a reduction of his financial support from the university, and yet the university is forced to cut back and reduce the amount of its support. There is a sizable amount of money involved, and both Doug and Michael rely on the funding to maintain their education and enable their playing badminton.

Dispute:

Each person wishes to remain together as partners, but each relies on his current level of funding to do so. Nevertheless, the cutbacks will occur.

1. Rate the relationship between Doug and Michael by indicating ONE of the following three options which is most descriptive:

- A. Doug and Michael see each other as adversaries, associated as contestants.
- B. Doug and Michael see each other as belonging together, as part of a unit.
- C. Doug and Michael identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between Doug and Michael by indicating ONE of the following two options which is most descriptive:

- A. Doug and Michael relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. Doug and Michael relate to each other on the basis of their roles as badminton partners, recognizing the role qualities of that position.

3. In what manner should this matter of the cutbacks and the distribution of funds be resolved?

Choose one procedure by circling A, B, or C:

- A. Doug and Michael should seek the decision of the Athletics Director who will make the binding decisions about scholarships and expenses, upon reviewing the personal cases of the badminton partners.
- B. Doug and Michael should engage the assistance of mediation services at the university, whereupon they can formally negotiate through their advocates to determine the allocation of scholarships and expenses.
- C. Sit down and engage in joint problem-solving and determine an allocation of scholarships and expenses for each person, and request that the institution allocate the funds accordingly.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the distribution of funds, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between Doug and Michael.

Case #UPSB.

A father and son have a dispute over a contract for ownership of the family farm. The son has been leasing the farm from the father, who with his wife has moved to town, and the son had an agreement with the father to purchase the farm any time in the near future. The father changed his mind, and the son was stopped from making a profit from purchase and subsequent sale of the property. Says the son, "Sure, he's my dad and I'll always be the dutiful son. But fathers shouldn't do this to their own flesh and blood."

Background:

Walter Green owned a 300 acre farm known as Gravel Hill Farm. His elder son, Geoffrey, had a tenancy of the farm from his father at a rent of \$9000 per annum. In March, father and son came to an arrangement under which the son was to be entitled to an option to purchase the land at a price of \$300 per acre, exercisable at any time during the next 10 years. In order to put this into a regular and enforceable form they together visited a firm of solicitors (Briggs and Stubbs). There they saw the senior partner, Briggs, draw up a formal option agreement which was signed by both father and son.

It was necessary to complete the transaction by registering the option to purchase as an estate contract under the provisions of the Land Charges Act. For some reason, whether by neglect or whether he thought in a family matter it was practically unnecessary, lawyer Briggs omitted to do so immediately, nor did he register the son's purchase option at any time subsequently.

The father, for some reason, decided to deny the grant of the option and, through some other solicitors he consulted, discovered that the option had not yet been registered against him by his former solicitors Briggs and Stubbs. The father, determined to defeat the transfer of the farm to his son, conveyed the farm to his wife, Geoffrey's mother, for a small consideration of \$2000.

The son, Geoffrey acted to complete his option to purchase the property, unaware of his father's change of mind and unaware of the change of title of ownership. Geoffrey's solicitor discovered the problem when he filed for a title change on Geoffrey's behalf. As a result of his inability to acquire the property, the son was denied the opportunity of a sale and lease back of the property -- which was what he had intended -- which would have brought him a profit of approximately \$40,000.

Dispute:

The father claims he does not have to sell the land, and that he is not responsible for the son's lost profit. The son disagrees, claiming that the father must sell or be held accountable for the son's lost profit.

1. Rate the relationship between the son and the father by indicating ONE of the following three options which is most descriptive:

- A. The son and the father see each other as adversaries, associated as contestants.
- B. The son and the father see each other as belonging together, as part of a unit.
- C. The son and the father identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between the son and the father by indicating ONE of the following two options which is most descriptive:

- A. The son and the father relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. The son and the father relate to each other on the basis of their roles as father and son, recognizing the role qualities of those positions.

3. In what manner should this matter of property/profit be resolved?
Choose one procedure by circling A, B, or C:

- A. The son and father should hire the services of two lawyers to act on each of their behalf. Under the direction of the son and father, and together with each, the lawyers should bargain with the parties to formally negotiate a resolution of the issue over the status of the property and the allocation of \$40,000 damages to the son.
- B. The son should engage the services of a lawyer, and submit the dispute to court for a binding decision by a magistrate regarding the disposition of the property and the allocation of \$40,000 damages to the son.
- C. The son and father should meet for joint problem-solving and discuss the issue, engaging in discussion until they reach a mutually satisfactory decision as to the disposition of the property or the allocation of \$40,000 damages to the son.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the property and/or the lost profit, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between the father, Walter Green, and his son Geoffrey.

Case #IPA.

Jim and Donny are identical twins, and emotionally close to one another. The feelings of one twin are most often mirrored in the feelings of the other. Jim finds himself in a situation where the instructor of a class is yelling at him for the class's noise. Jim is trembling, pasty-faced, sweating and crying: he is anxious and embarrassed. Donny observes this situation and observes Jim's response to the encounter and, feeling for Jim, wants to terminate the exchange and relieve Jim's discomfort. Says Donny of Jim's experience, "This is really hurtful to be treated like this by an instructor of the course." The instructor, however, has not only yelled at one twin, but he has confused the twins with each other and is about to falsely attribute the poor behaviour to Donny rather than to Jim.

Background:

Jim and his twin sibling, Donny, share a room at university and take many of the same courses at the same time. Jim and Donny have always been emotionally close to one another, to such a degree that when one of them is upset or happy the other is similarly emotional. Both Jim and Donny are highly motivated to secure high marks in the course, and the course is one where final grades are assigned "on the curve" (such that one's relative standing in the class is the determining factor in the final assigned letter grade). Jim's standing is reduced should Donny's performance exceed his, and vice versa if Jim's performance should exceed Donny's. In this foreign language class where both individuals are enrolled, Donny notices that the language instructor is yelling at his twin and chastising him for not participating in the oral discussion and for generally displaying a poor attitude toward speech displays in that foreign language.

Looking at his twin, Donny notices that Jim is very upset and embarrassed. He is very white-faced, his lower lip is trembling and he is unable to make eye contact with anyone. Donny is empathizing with his twin and is motivated to reduce the emotional discomfort produced by the situation.

The instructor often confuses himself in distinguishing between the twins on the basis of person-to-person interaction. Donny overhears the instructor refer to Jim as "Donny," clearly indicating that the assessment of Jim's behaviour will be recorded to Donny's grade, having impact on Donny's letter grade rather than the twin (Jim) who warranted the tirade. Neither person wants the negative mark on their grade

Dispute:

The twins each empathize with the other's well-being. Neither wants the negative evaluation of the instructor to negatively influence his grade. Yet it is clear the instructor is going to do so.

1. Rate the relationship between Donny and his twin, Jim, by indicating ONE of the following three options which is most descriptive:

- A. Donny and his twin, Jim, see each other as adversaries, associated as contestants.
- B. Donny and his twin, Jim, see each other as belonging together, as part of a unit.
- C. Donny and his twin, Jim, identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between Donny and his twin, Jim, by indicating ONE of the following two options which is most descriptive:

- A. Donny and his twin, Jim, relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. Donny and his twin, Jim, relate to each other on the basis of their roles as twins, recognizing the role qualities of that position.

3. In what manner should this matter of falsely assigned assessment be resolved?
Choose one procedure by circling A, B, or C:

- A. Donny and his twin, Jim, should refer the issue to their instructor, who will hear the arguments of each and make a binding determination on what to do in the situation to ensure that the assessment of classroom behaviour is attributed to the appropriate twin.
- B. Donny and his twin, Jim, should seek a formal opportunity to bargain a solution with one another, assessing their relative positions on academic standing and grade placement, trading favors and obligations until they have negotiated a mutually agreed upon way to deal with the situation and ensure that the assessment of classroom behaviour is attributed to the appropriate twin.
- C. Donny and his twin, Jim, should engage in joint problem-solving and discuss the matter with each other to arrive at an agreed upon way to deal with the situation and ensure that the assessment of classroom behaviour is attributed to the appropriate twin.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the record of inappropriate behavior, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between Donny and Jim.

Case #IPOS1.

Karen is a new instructor who has recently assumed responsibility for a group of students. It is easy for Karen to identify with the position of student represented by those in her class, and she is very able to sympathize with the issues concerning her students. Recently, one of her students wishes to modify her grade in Karen's course, but the request would involve Karen working for no pay since she would be "off contract" with her employer. Says Karen, "I identify with my students. While I can see myself in the situation of my students, and of this student's needs in particular, what about my position and my needs?"

Background:

Karen is the instructor of a group of university students who are graduating from the institution upon completion of their final course. The group of students remind Karen of herself at that point in her professional development, just prior to moving on to professional training. One of her students, Jeanine, is typical of the class of students. Jeanine, however, wants to rewrite a term paper and submit it for a revised grade since her first submission received a low first-class mark and Jeanine wants a high first-class mark.

Karen established a date for submission of term papers that is very late in the term, and has been available for students to review rough drafts of term papers throughout the semester. Jeanine handed her paper in on time, and had made use of the discussions with Karen over her rough drafts.

Karen is now "off-contract." Her employment contract has elapsed, and she is not receiving any payment from the university. Jeanine wants Karen to take her personal time over the weekend to review the new paper and use the revised paper for the submission of a new final grade for the course.

Karen does not want to work for no pay, and therefore does not want to regrade Jeanine by marking a new term paper. Jeanine wants her new paper reevaluated by Karen.

Dispute:

Karen can identify with the position of students, and Jeanine can understand the position of an unemployed new instructor. Yet the student wants the paper reevaluated, while the instructor does not.

1. Rate the relationship between Karen and Jeanine by indicating ONE of the following three options which is most descriptive:

- A. Karen and Jeanine see each other as adversaries, associated as contestants.
- B. Karen and Jeanine see each other as belonging together, as part of a unit.
- C. Karen and Jeanine identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between Karen and Jeanine by indicating ONE of the following two options which is most descriptive:

- A. Karen and Jeanine relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. Karen and Jeanine relate to each other on the basis of their roles as instructor and student, recognizing the role qualities of those positions.

3. In what manner should this matter of the paper and grade be resolved?
Choose one procedure by circling A, B, or C:

- A. Karen should direct the matter to the Academic Dean who will hear the facts as presented by Karen and Jeanine and make a binding decision on the matter of the paper and grade.
- B. Karen and Jeanine should meet to discuss the problem, and engage in joint problem-solving until they arrive at a mutually acceptable solution to the issue of the paper and grade.
- C. Karen should direct the matter to her supervisor, Jeanine should direct the matter to the Student Ombudsperson hired by the institution to act on behalf of students. The two agents of Karen and Jeanine should act on each of their behalf and formally negotiate some mutually acceptable solution to the issue of the paper and grade.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the paper and grade, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between the instructor (Karen) and her student (Jeanine).

Case #NPB.

Clark and Sampson were both involved in the damage of some tele-communications cables, amounting to a cost of \$3598. The telecommunications company is suing for recovery of their costs. Neither Clark nor Sampson feels they should have to pay for damages. Sampson was quoted as saying, "This other guy is just interested in off-loading his personal responsibility onto me. He made mistakes during his work, and now he thinks to convince you that it is my fault."

Background:

Clark was employed by P. Oliver Contracting Ltd. to drive a ditch-digging machine. His employer instructed him to go to a job for Sampson, for whom the company had carried out most subcontracting jobs in the past. On this day Clark was told by his employer to report to Sampson and dig a ditch where Sampson instructed him to do so. Clark contends that on this occasion he asked Sampson where he wanted the ditch dug. He says that they walked over to where somebody else had been digging in the yard before, and Sampson told him to carry on from there to another point by the side of the road. Sampson was said to show Clark the area he wanted dug, from where the trench had ended at the back of the yard to where it was supposed to go to a point up to the side of the road. When asked to confirm where it was supposed to go Sampson is alleged to say "Dig up to the road." Clark says he asked Sampson if there were any cables, and Sampson said "No, there is only a water main on the other side of the road."

Clark commenced digging, and went to dig up to where he says Sampson had told him to dig. When he finished up to the side of the road and inspected his work, he noticed that he had damaged some Telecommunications cables beside the road. Damage for the cables amounted to \$3598, and the Telecommunications company sued for compensation.

Sampson contends that he was in charge of the job that day, in that he had told Clark where to dig the trench. Sampson says that in response to Clark's request for instructions where to dig, he showed him and told him in what direction to dig, and that he was to "dig up to the road from the end of the last area already dug." Then in answer to Clark's inquiry if there were any cables in the way, Sampson claims he said to Clark that there were none in the yard, but that when he reached near the road he was to be careful. Sampson says that he made it clear to Clark that when he said there were no cables, he was referring only to the grounds within the yard.

Dispute:

Clark says that Sampson is liable for the damages. Sampson says that Clark is liable for the damages. Each person believes he is in the right.

1. Rate the relationship between Clark and Sampson by indicating ONE of the following three options which is most descriptive:

- A. Clark and Sampson see each other as adversaries, associated as contestants.
- B. Clark and Sampson see each other as belonging together, as part of a unit.
- C. Clark and Sampson identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between Clark and Sampson by indicating ONE of the following two options which is most descriptive:

- A. Clark and Sampson relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. Clark and Sampson relate to each other on the basis of their roles as construction workers, recognizing the role qualities of that position.

3. In what manner should this matter of the damages be resolved?
Choose one procedure by circling A, B, or C:

- A. Clark and Sampson should ask their respective unions to negotiate a resolution to the dispute, having the unions use their chief negotiators to bargain an acceptable solution to the issue of damages.
- B. Clark and Sampson should sit and jointly discuss the issue and come to an acceptable resolution of the dispute over liability for damages.
- C. Clark and Sampson should each engage the services of an advocate, preferably a lawyer, and pursue the issue of liability for damages through adjudication in court.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the damages, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between Clark and Sampson.

Case #NPOSB.

Two employees are applying for a permanent position at their place of work. One employee (female) is a temporary part-time worker, the other employee (male) is a temporary full-time worker. The male full-time employee secures the position, and the female part-time employee says that the company discriminates against female employees, which is illegal. Both employees contend for the position. Says the part-time worker, "The law entitles women to advantages in employment as a remedy for historical discrimination and job segregation." The full-time, male worker was quoted as saying, "Men are being discriminated against by employer's fear of being seen as politically incorrect. As a result, men everywhere feel threatened and are in a position of not getting necessary employment."

Background:

Mr. Harris and Ms. Dyer both apply for the same full-time position at a health care facility. Both Harris and Dyer have employment histories as workers in health at that facility, and both have a similar levels of training and education. There are no obvious factors distinguishing Harris from Dyer on the basis of competence to perform the full-time position, the only distinction is the nature of their employment history. While both have accumulated two years full-time equivalent work experience at the health facility, Mr. Harris has been employed full-time for the past two years while Ms. Dyer has been employed half-time for the past four years. Both prospective candidates were interviewed by the health care facility and found to be qualified to do the job. Mr. Harris was offered the position on the basis that he has more experience in a full-time position than had Ms. Dyer.

The part-time worker, Ms. Dyer, complains that the health care facility is discriminating against her on the basis of sex. She cites reliable evidence that 90% of part-time health-care workers are women, and the Equal Opportunities Commission has taken the view that the unfavorable treatment of part-time workers has the effect of discriminating against women, which conflicts with the obligations of the employer under the provisions of the Canadian Charter of Individual Rights and Freedoms. The employer is an Equal Opportunity employer. The passed over part-time worker claims that the position should be awarded to a female candidate over a male candidate, if both candidates are judged equally competent to fulfill the job. She says the employer should be required to vary its decision, and award the part-time female worker the job.

Dispute:

The part-time worker represents the position of female underemployed. The employer represents the position of equal opportunity employers. Each has a different view about whether the decision should stand (work to Mr. Harris) or the decision should be varied (work to Ms. Dyer).

1. Rate the relationship between Harris and Dyer by indicating ONE of the following three options which is most descriptive:

- A. Harris and Dyer see each other as adversaries, associated as contestants.
- B. Harris and Dyer see each other as belonging together, as part of a unit.
- C. Harris and Dyer identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between Harris and Dyer by indicating ONE of the following two options which is most descriptive:

- A. Harris and Dyer relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. Harris and Dyer relate to each other on the basis of their roles as male or female temporary workers, recognizing the role qualities of that position.

3. In what manner should this matter of the permanent position be resolved?
Choose one procedure by circling A, B, or C:

- A. The female part-time employee should engage the services of an advocate from the Equal Opportunities Commission who can bargain with the male full-time employee's advocate from the Company and formally negotiate a mutually binding decision as to who will be awarded the permanent position.
- B. The female part-time employee and the male full-time employee should ask the company to submit the issue to a Human Rights Tribunal, who can take evidence and make a summary and binding ruling on the issue as to who will be awarded the permanent position.
- C. The two employees should meet with the employer, and through the process of discussion and joint problem-solving resolve the matter as to who will be awarded the permanent position.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the work status of Harris and Dyer, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between the male employee Harris and the female employee Dyer.

Case #UP2.

Two sisters are required to determine allocation of inherited items between themselves, with no direction provided from the will of the deceased parents. The items to be divided are loaded with emotional significance for each sister, and not easily divisible. Each sister expresses discomfort with the issue, claiming "we had hoped never to be faced with a situation like this. It is terribly hard to make decisions about family matters over material things."

Background:

Elizabeth and Judy are sisters and have some months ago experienced the loss of both parents due to a tragic car accident. Always close to one another during childhood, the sisters have come together as adults for mutual emotional support and remain with a strong identity as sisters, even as adults. With the formalities of the funerals behind them, the sisters are now faced with the task of determining what to do about the estate of the deceased parents.

The parents had established a legal Will and Testament about the disposition of their estate, and the executor of the estate has provided for a distribution of monetary assets of the parents. However, the will directed the sisters to divide the considerable number of personal household items "howsoever Elizabeth and Judy see fit." These household items have strong emotional significance to both sisters, as well as having considerable monetary value as well.

Dispute:

Elizabeth and Judy both want a surprising number of the same items, and there is no agreement on ownership of those disputed items.

1. Rate the relationship between Elizabeth and Judy by indicating ONE of the following three options which is most descriptive:

- A. Elizabeth and Judy see each other as adversaries, associated as contestants.
- B. Elizabeth and Judy see each other as belonging together, as part of a unit.
- C. Elizabeth and Judy identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between Elizabeth and Judy by indicating ONE of the following two options which is most descriptive:

- A. Elizabeth and Judy relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. Elizabeth and Judy relate to each other on the basis of their roles as sisters, recognizing the role qualities of that position.

3. In what manner should this matter of the disputed items be resolved?
Choose one procedure by circling A, B, or C:

- A. Elizabeth and Judy should discuss with one another the personal significance and emotional importance of the various items, and jointly determine some division that is acceptable to both.
- B. Elizabeth and Judy should prepare individual arguments and submit them to the executor, who will consider the arguments and determine a binding allocation of items between the two sisters that he considers an acceptable division.
- C. The various items should be randomly assigned to each individual sister in a manner determined by the executor to be roughly equivalent on a monetary value basis. Elizabeth and Judy should then prepare individual arguments for their claims on various items, and formally negotiate exchanges with one another on the basis of their arguments, the value of the items, and their power to bargain some division of items that is acceptable to both.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the disputed items, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between the sisters, Elizabeth and Judy.

Case #UPOSA.

Slater and Davidson both work at the same store: both are salaried salespersons and the senior clerks of their respective departments, and each represent their departments in store-wide meetings. The clerks work for the same group of senior managers, and have done so for a comparable length of time. Both have risen to the level of area supervisors and enjoy some degree of managerial discretion within their respective departments. Both Slater and Davidson are seeking a financial bonus from their employer. Says Slater, "He is my co-worker, roughly in the same position as me."

Background:

Slater and Davidson are both senior employees and co-workers at a department store. The store is non-union, and individuals must negotiate for their own salary with the employer. This year, the store secured a surprise annual profit, mostly due to the hard work of its employees who constructed a massive productivity and efficiency campaign. Slater and Davidson are those employees who initiated and completed this campaign. As a result of these efforts, the company has determined that it will distribute a portion of the profit among the two employees who are responsible for the marketing decisions -- a one time cash bonus.

Dispute:

The company is interested in having the issue resolved. Both supervisors will continue in their positions with the store. Both supervisors believe their position merits the bonus.

1. Rate the relationship between Slater and Davidson by indicating ONE of the following three options which is most descriptive:

- A. Slater and Davidson see each other as adversaries, associated as contestants.
- B. Slater and Davidson see each other as belonging together, as part of a unit.
- C. Slater and Davidson identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between Slater and Davidson by indicating ONE of the following two options which is most descriptive:

- A. Slater and Davidson relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. Slater and Davidson relate to each other on the basis of their roles as senior clerks, recognizing the role qualities of that position.

3. In what manner should this matter of the bonuses be resolved?
Choose one procedure by circling A, B, or C:

- A. The company should assess the work records of both Davidson and Slater, hear arguments from both employees, determine how much work each contributed to the productivity and efficiency campaign, and allocate the (potentially different) amount of bonus in proportion to the amount of work each contributed.
- B. Davidson and Slater should engage in joint problem-solving to seek agreement between themselves about how much money they individually need to feel suitably rewarded, and arrange for the company to award those (potentially different) amounts in bonus.
- C. The company should convene a process of formal negotiations where both Davidson and Slater are invited to bargain the allocation of the bonuses on the basis of how much work each contributed to the productivity and efficiency campaign.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the bonuses, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between worker Slater and worker Davidson.

Case #IPB.

Nash and Strachan are very close friends, and identify with each other in almost every way. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this is an awful situation. We can understand what the other individual feels." But the rent has to be paid.

Background:

Nash and Strachan are close friends and roommates. Both are enrolled in a graduate program at the University: Nash studying Sociology, Strachan studying Dentistry. Strachan recently held a graduate student party attended by Nash. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank some the entire glass; Nash then proceeded to pour the remainder of the contents of the bottle into the glass when the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close friend Strachan to be liable for those damages, claiming Strachan should assume Nash's portion of that month's rent represented by Nash's lost income. Strachan doesn't think so.

Dispute:

Nash and Strachan each understand what the other feels. They disagree how the damages of lost income should be accounted for.

1. Rate the relationship between Nash and Strachan by indicating ONE of the following three options which is most descriptive:

- A. Nash and Strachan see each other as adversaries, associated as contestants.
- B. Nash and Strachan see each other as belonging together, as part of a unit.
- C. Nash and Strachan identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between Nash and Strachan by indicating ONE of the following two options which is most descriptive:

- A. Nash and Strachan relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. Nash and Strachan relate to each other on the basis of their roles as fellow graduate students and friends, recognizing the role qualities of those positions.

3. In what manner should this matter of the damages be resolved?
Choose one procedure by circling A, B, or C:

- A. Nash and Strachan should engage the services of the Student Association Ombudsman, who will assign two agents to act on the behalf of each person and who will, under the direction and together with each individual, formally negotiate a resolution of the issue of the damages that is mutually acceptable to both.
- B. Nash and Strachan should engage in a discussion to jointly resolve the problem of the damages, seeking a solution that is mutually acceptable to both.
- C. Nash should submit his claim to small claims court, where a Magistrate will hear the facts of the case and make a binding ruling on the matter of the damages.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the damages, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between Nash and Strachan.

Case #IPSB.

Greenberg holds a position in Farney's department, and there is a dispute as to whether a merit pay increase is warranted. Says the supervisor Farney, "I am close to all members of my department -- I've been there when I was in that position, and I understand what he is experiencing. It is a difficult time, from his point of view." Nevertheless, Farney is recommending that no merit pay be made available to Greenberg.

Background:

Greenberg is eligible for a merit pay raise at his place of employment, where he has been employed for eight years. His employment contract states that it is the function of the Company to make determination of a salaried employee's position within an established rate range for the classification for which he is assigned, and it is the function of the Company to determine if a merit increase is warranted. Determination by the Company is based upon consideration of the merits of the position and the marketability of the those in that position who are seeking employment (the "market").

Greenberg's supervisor, Farney, is responsible for determining whether a merit pay increase for Greenberg is warranted, and if it is, to determine the size of that increase. Farney is required to solicit input from Greenberg regarding his views of the increase and give such input consideration in his decision, to provide Greenberg an opportunity to challenge or rebut Farney's determinations, and to be consistent in his treatment of Greenberg in comparison with other determinations of merit pay increase for other employees.

Farney concludes that Greenberg is not deserving of a pay increase; Greenberg contends that he is eligible and meritorious of a pay increase to the next wage step (a \$2.75 per hour increase).

Dispute:

The supervisor can relate to the position of the employee, and the employee can understand that the employer must make a decision. Nevertheless, they disagree about the issue of merit pay.

1. Rate the relationship between Farney and Greenberg by indicating ONE of the following three options which is most descriptive:

- A. Farney and Greenberg see each other as adversaries, associated as contestants.
- B. Farney and Greenberg see each other as belonging together, as part of a unit.
- C. Farney and Greenberg identify with each other, with minimal psychological separation between them.

2. Also rate the relationship between Farney and Greenberg by indicating ONE of the following two options which is most descriptive:

- A. Farney and Greenberg relate to each other on a personal level, seeing each other as individuals with particular personal qualities.
- B. Farney and Greenberg relate to each other on the basis of their roles as worker and supervisor, recognizing the role qualities of those positions.

3. In what manner should this matter of merit pay be resolved?
Choose one procedure by circling A, B, or C:

- A. Greenberg should engage the services of the union which will engage the services of an advocate to act on his behalf. Greenberg's advocate, under the direction of Greenberg, should formally negotiate with Farney a solution of the issue of merit pay.
- B. Greenberg should submit the facts of the case to President of the institution, who will hear the facts of the case and make a binding decision as to the issue of merit pay.
- C. Farney and Greenberg should arrange a meeting to discuss the issue. They should engage in joint problem-solving until a mutually acceptable resolution of the dispute over the merit pay is arrived at.

4. As the end result of the procedure you selected in question three above, what is the most fair solution to the issue of the merit pay, and why? Briefly describe the *best outcome* that you think should emerge as the settlement of this issue between the employee Greenberg and supervisor Farney.

APPENDIX B

STUDY TWO CONFLICT SCENARIOS

Key to identification of stimulus materials:

- Note 1.** The first questionnaire is a complete questionnaire, establishing the manipulations of the *IDENTITY-PERSON* manipulation and presenting all of the dependent variables. Subsequent questionnaires are presented in abbreviated form, omitting the directions and distribution rule dependent variables (they were the same in all questionnaires).
- Note 2.** The manipulations of relationship characteristics are identified by the highlighted sections of questionnaires subsequent to the identity-person questionnaire. The strike-outs show the identity-person manipulations; the greyed "highlights" show the manipulations for other relationship conditions, as indicated by the condition "key".
- Note 3.** The key for conditions is presented at the top right corner of all pages. Conflicts are identified as IP (Identity-Person), IPS (Identity-Position), UP (Unit-Person), UPS (Unit-Position), NP (Nonunit-Person), or NPS (Nonunit-Position).
- Note 4.** The order of presentation of conflicts was constant across conditions, but the order of presentation of dependent variables varied. Appendix B presents only one order.

DIRECTIONS:

The following is a questionnaire designed to assess your perceptions of fairness and justice.

On the following pages there are three cases presented, each case describing a conflict event. A brief overview of the case is given in the first paragraph, then the background to the conflict is presented, and finally a brief summary of the dispute is outlined. On the pages following each case are a series of questions to which you are asked to respond.

You are asked to read each case, and to respond to the questions asked by choosing the one best number on each rating scale.

Please indicate your responses on this booklet by circling the appropriate response.

Thank you for your participation.

CASE 1.

Nash and Strachan are very close friends, and identify with each other's personality in almost every way. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this is an awful situation. We understand what the other feels." But the rent has to be paid.

Background:

Nash and Strachan are close friends and roommates. Both are enrolled in a graduate program at the University: Nash studying Sociology, Strachan studying Anthropology. Strachan recently held a graduate student party attended by Nash. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then proceeded to pour the remainder of the contents of the bottle into the glass when the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close friend Strachan to be liable for those damages, claiming Strachan should assume Nash's portion of that month's rent represented by Nash's lost income. Strachan doesn't think so.

Dispute:

Nash and Strachan each empathize with what the other feels, and strongly identify with the other individual. They disagree, however, how the damages of lost income should be accounted for.

CASE 2.

Two sisters are very close, and identify with each other in almost every way. They are required to determine the allocation of inherited items between them, with no direction provided from the will of the deceased parents. The items to be divided are loaded with emotional significance for each sister, and not easily divisible. Each sister expresses discomfort with the issue, claiming "We had hoped never to be faced with a situation like this. We understand what each of us feels. It is terribly hard to make decisions about each other's feelings."

Background:

Elizabeth and Judy are close sisters and have some months ago experienced the loss of both parents due to a tragic car accident. Always close to one another during childhood, the sisters have come together as adults for the mutual emotional support they give and get from one another. With the formalities of the funerals behind them, the sisters are now faced with the task of determining what to do about the estate of the deceased parents.

The parents had established a legal Will And Testament about the disposition of their estate, and the executor of the estate has provided for a distribution of monetary assets of the parents. However, the Will directed the sisters to divide the considerable number of personal household items "howsoever Elizabeth and Judy see fit." These household items have strong emotional significance to both sisters, as well as having considerable monetary value as well.

Dispute:

Elizabeth and Judy each empathize with what the other feels, and strongly identifies with the other individual. Both want a surprising number of the same items, however, and there is no agreement on ownership of those disputed items.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Elizabeth and Judy.

SCENARIO A: Discussion - Joint Problem-Solve

Elizabeth and Judy, who strongly identify and empathize with each other, pursue the issue of dividing the inheritance through a joint problem-solving procedure. These two persons sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the inheritance's division and will engage in person-to-person discussion in order to establish a binding resolution of the issue.

	1	2	3	4	5	6	7
Not at all							Very
Fair							Fair

SCENARIO B: Bargaining - Negotiate

Elizabeth and Judy, who strongly identify and empathize with each other, pursue the division of the inheritance through a formal negotiations procedure. These two persons create two committees for adversarial bargaining. Elizabeth and Judy each engage the services of a different advocate who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the division of the inheritance through persuasion, compromise, and/or mutual accommodation.

	1	2	3	4	5	6	7
Not at all							Very
Fair							Fair

SCENARIO C: Third-party Judge - Adjudicate

Elizabeth and Judy, who strongly identify and empathize with each other, pursue the division of the inheritance through a formal legal proceeding with the Executor. These two persons submit their claims to the Executor, who hears the facts of the case, hears arguments from both, and makes a binding ruling on the matter of the inheritance's division. Elizabeth and Judy will meet in the Executor's office and engage in a legal dispute in order for the Executor to establish a binding resolution on the issue of the division of the inheritance.

	1	2	3	4	5	6	7
Not at all							Very
Fair							Fair

CASE 3.

Ms. Fisher and Ms. Pearce are working parents of single preschool children. They are very close friends, and identify with each other in almost every way. Each woman is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce in this community. Personal needs have to be the determining factor in the allocation of such scarce resources. Each of us wants and needs the child care space." Each parent claims the same level of need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce are very close and feel they share each other's emotions, but nevertheless they are both applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying for the last opening, and there are no expectations of further spaces.

Dispute:

Fisher and Pearce each empathize with what the other feels, and strongly identifies with the other individual. Each parent wants the last childcare space at Noah's, however, and there is no agreement on how to resolve the matter.

CASE 1.

Nash and Strachan are very close friends, and identify with ~~each other's personality~~ the other as a friend in almost every way. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this is an awful situation. We can understand what the other feels a friend would feel." But the rent has to be paid.

Background:

Nash and Strachan are close friends and, roommates, and fellow students. Both are enrolled in a graduate program at the University: Nash studying Sociology, Strachan studying Anthropology. Strachan recently held a graduate student party attended by Nash. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then proceeded to pour the remainder of the contents of the bottle into the glass when the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close friend Strachan to be liable for those damages, claiming Strachan should assume Nash's portion of that month's rent represented by Nash's lost income. Strachan doesn't think so.

Dispute:

Nash and Strachan each empathize with understand what the other feels a friend would feel in this circumstance, and strongly identify with the other individual can see themselves in the other's position. They disagree, however, how the damages of lost income should be accounted for.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Nash and Strachan.

SCENARIO A: Discussion - Joint Problem-Solve

Nash and Strachan, who strongly identify and empathize with each other their roles as roommates, pursue the dispute through a joint problem-solving procedure. These two persons close roommates sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the lost income and will engage in person-to-person discussion in order to establish a binding resolution of the issue of damages.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Nash and Strachan, who strongly identify and empathize with each other their roles as roommates, pursue the dispute through a formal negotiations procedure. These two persons close roommates create two committees for adversarial bargaining. Nash and Strachan each engage the services of a different Student Association Ombudsman who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the damages for lost income through persuasion, compromise and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: Third-party Judge - Adjudicate

Nash and Strachan, who strongly identify and empathize with each other their roles as roommates, pursue the dispute through a formal legal proceeding in court. These two persons close roommates submit their claims to Small Claims Court, where a Magistrate hears the facts of the case, hears argument from both, and makes a binding ruling on the matter of the damages. Nash and Strachan will meet in court and engage in a legal dispute in order for a Magistrate to establish a binding resolution on the issue of damages for lost income.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

CASE 2.

Two sisters are very close, and identify with each other as a sister in almost every way. They are required to determine the allocation of inherited items between them, with no direction provided from the will of the deceased parents. The items to be divided are loaded with emotional significance for each sister, and not easily divisible. Each sister expresses discomfort with the issue, claiming "We had hoped never to be faced with a situation like this. We can understand what each of us feels a sister would feel in this circumstance. It is terribly hard to make decisions about each other's a sister's feelings."

Background:

Elizabeth and Judy are close sisters and have some months ago experienced the loss of both parents due to a tragic car accident. Always close to one another identifying with the role of sister during childhood, the sisters have come together as adults for the mutual emotional support they give and get from one another the position as a "big" or "little" sister. With the formalities of the funerals behind them, the sisters are now faced with the task of determining what to do about the estate of the deceased parents.

The parents had established a legal Will And Testament about the disposition of their estate, and the executor of the estate has provided for a distribution of monetary assets of the parents. However, the Will directed the sisters to divide the considerable number of personal household items "howsoever Elizabeth and Judy see fit." These household items have strong emotional significance to both sisters, as well as having considerable monetary value as well.

Dispute:

Elizabeth and Judy each empathize with understand what the other feels a sister would feel in this circumstance, and strongly identifies with the other individual can see themselves in the other's position. Both want a surprising number of the same items, however, and there is no agreement on ownership of those disputed items.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Elizabeth and Judy.

SCENARIO A: Discussion - Joint Problem-Solve

Elizabeth and Judy, who strongly identify and empathize with each other their roles as sisters, pursue the issue of dividing the inheritance through a joint problem-solving procedure. These two persons sisters sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the inheritance's division and will engage in person-to-person discussion in order to establish a binding resolution of the issue.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Elizabeth and Judy, who strongly identify and empathize with each other their roles as sisters, pursue the division of the inheritance through a formal negotiations procedure. These two persons sisters create two committees for adversarial bargaining. Elizabeth and Judy each engage the services of a different advocate who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the division of the inheritance through persuasion, compromise, and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: Third-party Judge - Adjudicate

Elizabeth and Judy, who strongly identify and empathize with each other with their roles as sisters, pursue the division of the inheritance through a formal legal proceeding with the Executor. These two persons sisters submit their claims to the Executor, who hears the facts of the case, hears arguments from both, and makes a binding ruling on the matter of the inheritance's division. Elizabeth and Judy will meet in the Executor's office and engage in a legal dispute in order for the Executor to establish a binding resolution on the issue of the division of the inheritance.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

CASE 3.

Ms. Fisher and Ms. Pearce are working parents of single preschool children. They are very close friends, and both identify with each other as a working parent in almost every way. Each woman is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce in this community. Personal/Single parent needs have to be the determining factor in the allocation of such scarce resources. Each of us wants/Both parents want and needs/need the child care space." Each parent claims the same level of need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce are very close and feel they share each other's emotions/strongly identify with the position of single parents in society, but nevertheless they are both applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying for the last opening, and there are no expectations of further spaces.

Dispute:

Fisher and Pearce each empathize with/understand what the other feels/a single parent would feel in this circumstance, and strongly identifies with the other individual/can see themselves in the other's position. Each parent wants the last childcare space at Noah's, however, and there is no agreement on how to resolve the matter.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Fisher and Pearce.

SCENARIO A: Discussion - Joint Problem-Solve

Fisher and Pearce, who strongly identify and empathize with each other's role as single parents, pursue the issue of which child should be placed in Noah's Child Care Facility through a joint problem-solving procedure. These two mothers sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the childcare placement and will engage in person-to-person discussion in order to establish a binding resolution of the issue.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Fisher and Pearce, who strongly identify and empathize with each other's role as single parents, pursue the placement of the child in Noah's Child Care Facility through a formal negotiations procedure. These two mothers create two committees for adversarial bargaining. Fisher and Pearce each engage the services of an advocate who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the placement in the childcare space through persuasion, compromise, and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: A Third-party Judge - Adjudicate

Fisher and Pearce, who strongly identify and empathize with each other's role as single parents, pursue the placement of the child through a formal proceeding with the Director of the Child Care Facility. These two mothers submit their claims to the Director, who hears the facts of the case, hears arguments from both, and makes a binding ruling on the matter of the child placement. Fisher and Pearce will meet in the Director's office and engage in a formal hearing in order for the Director to establish a binding resolution on the issue of the placement of the child.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

CASE 1.

Nash and Strachan are very close personal friends, and identify with each other's personality in almost every way and roommates. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this is an awful situation. We understand what the other feels." But the rent has to be paid.

Background:

Nash and Strachan are close friends and as well as roommates. We belong together, and relate to one another on a personal basis. But the rent has to be paid.

Background:

Nash and Strachan are personal friends and roommates. Both are enrolled in a graduate program at the University: Nash studying Sociology, Strachan studying Anthropology. - Strachan recently held a graduate student party attended by Nash. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then proceeded to pour the remainder of the contents of the bottle into the glass when the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close personal friend Strachan to be liable for those damages, claiming Strachan should assume Nash's portion of that month's rent represented by Nash's lost income. Strachan doesn't think so.

Dispute:

Nash and Strachan each empathize with what the other feels remain in a friend relationship. They perceive themselves as similar to one another at a personal level, and strongly identify with the other individual feel they are well suited as friends. They disagree, however, how the damages of lost income should be accounted for.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Nash and Strachan.

SCENARIO A: Discussion - Joint Problem-Solve

Nash and Strachan, who strongly identify and empathize with each other perceive themselves as belonging together as personal friends, pursue the dispute through a joint problem-solving procedure. These two persons sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the lost income and will engage in person-to-person discussion in order to establish a binding resolution of the issue of damages.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Nash and Strachan, who strongly identify and empathize with each other perceive themselves as belonging together as personal friends, pursue the dispute through a formal negotiations procedure. These two persons create two committees for adversarial bargaining. Nash and Strachan each engage the services of a different Student Association Ombudsman who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the damages for lost income through persuasion, compromise and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: Third-party Judge - Adjudicate

Nash and Strachan, who strongly identify and empathize with each other perceive themselves as belonging together as personal friends, pursue the dispute through a formal legal proceeding in court. These two persons submit their claims to Small Claims Court, where a Magistrate hears the facts of the case, hears argument from both, and makes a binding ruling on the matter of the damages. Nash and Strachan will meet in court and engage in a legal dispute in order for a Magistrate to establish a binding resolution on the issue of damages for lost income.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

CASE 2.

Two sisters/cousins are very close/required to determine the allocation of inherited items between them, and identify with each other in almost every way/no direction provided from the will of the deceased relative. – They are required to determine the allocation of inherited items between them, with no direction provided from the will of the deceased parents. The items to be divided are loaded with emotional significance for each sister/individual cousin, and not easily divisible. Each cousin expresses discomfort with the issue, claiming "Each of us had hoped never to be faced with a situation like this. Each sister expresses discomfort with the issue, claiming "We had hoped never to be faced with a situation like this/are bound to each other because of how we have come to understand each other as well as being cousins, and will remain so no matter what. We understand what/it is terribly hard to make decisions like these when we relate to each of us/feel/other so well as persons." – **It is terribly hard to make decisions about each other's feelings."**

Background:

Elizabeth and Judy are close sisters/cousins and have some months ago experienced the loss of both parents/a shared relation (their uncle) due to a tragic car accident. Understanding they are bound together as distant family, the cousins are very familiar with each other's personal characteristics. Always close to one another during childhood/With the formalities of the funerals behind them, the sisters have come together as adults for/cousins are now faced with the mutual emotional support they give and get from one another/task of determining what to do about the estate of the deceased relative.

With the formalities of the funerals behind them, the sisters are now faced with the task of determining what to do about the estate of the/The deceased parents/had established a legal Will And Testament about the disposition of his estate, and the Executor of the estate has provided for a distribution of monetary assets.

The parents had established a legal Will And Testament about the disposition of their estate/However, the Will directed the cousins to divide the considerable number of personal household items "howsoever Elizabeth and the executor of the estate has provided for a distribution of monetary assets of the parents/Judy see fit." However, the Will directed the sisters to divide the considerable number of personal/These household items "howsoever Elizabeth and Judy see fit/have strong emotional significance to both cousins, as well as having considerable monetary value as well."

These household items have strong emotional significance to both sisters, as well as having considerable monetary value as well.

Dispute:

Elizabeth and Judy remain in contact as cousins. They perceive themselves as similar to one another at a personal level, and feel they understand each empathize with what the other feels, and strongly identifies with the other/individual/other as individuals. Both/Elizabeth and Judy both want a surprising number of the same items, however, and there is no agreement on ownership of those disputed items.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Elizabeth and Judy.

SCENARIO A: Discussion - Joint Problem-Solve

Elizabeth and Judy, who strongly identify and empathize with each other perceive themselves as belonging together as individual cousins, pursue the issue of dividing the inheritance through a joint problem-solving procedure. These two persons sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the inheritance's division and will engage in person-to-person discussion in order to establish a binding resolution of the issue.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Elizabeth and Judy, who strongly identify and empathize with each other perceive themselves as belonging together as individual cousins, pursue the division of the inheritance through a formal negotiations procedure. These two persons create two committees for adversarial bargaining. Elizabeth and Judy each engage the services of a different advocate who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the division of the inheritance through persuasion, compromise, and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: Third-party Judge - Adjudicate

Elizabeth and Judy, who strongly identify and empathize with each other perceive themselves as belonging together as individual cousins, pursue the division of the inheritance through a formal legal proceeding with the Executor. These two persons submit their claims to the Executor, who hears the facts of the case, hears arguments from both, and makes a binding ruling on the matter of the inheritance's division. Elizabeth and Judy will meet in the Executor's office and engage in a legal dispute in order for the Executor to establish a binding resolution on the issue of the division of the inheritance.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

CASE 3.

Ms. Fisher and Ms. Pearce are each working parents of single parents of a preschool children child. They are very close friends both belong to the same community organization designed to foster the role of working parents, and identify with have come to know each other in almost every way personally. They have become friends. Each woman is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce in this community. Personal A single parent's unique needs have to be the determining factor in the allocation of such scarce resources." Fisher and Pearce remain as friends, but both individuals want and need the child care space. Each of us wants and needs person claims the same level of need.

Fisher and Pearce are single parents of a young preschool child care space and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Each parent claims the same level of need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce are very close and feel they share each other's emotions both members of the same community single parents advocacy group, but nevertheless and are committed to staying as friends within that group. Nevertheless they are both applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying for the last opening, and there are no expectations of further spaces.

Dispute:

Fisher and Pearce each empathize with what the other feels, and strongly identifies with the other individual remain in a friend relationship. Each parent wants the last childcare space at Noah's, however, and there is no agreement on how they perceive themselves as similar to resolve the matter.

one another, at personal level, and feel they are well suited as friends. Each person, Ms. Fisher and Ms Pearce, want the last childcare space at Noah's. There is no agreement on which child should be granted that childcare space.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Fisher and Pearce.

SCENARIO A: Discussion - Joint Problem-Solve

Fisher and Pearce, who strongly identify and empathize with each other perceive themselves as belonging together as personal friends, pursue the issue of which child should be placed in Noah's Child Care Facility through a joint problem-solving procedure. These two persons sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the childcare placement and will engage in person-to-person discussion in order to establish a binding resolution of the issue.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Fisher and Pearce, who strongly identify and empathize with each other perceive themselves as belonging together as personal friends, pursue the placement of the child in Noah's Child Care Facility through a formal negotiations procedure. These two persons create two committees for adversarial bargaining. Fisher and Pearce each engage the services of an advocate who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the placement in the childcare space through persuasion, compromise, and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: A Third-party Judge - Adjudicate

Fisher and Pearce, who strongly identify and empathize with each other perceive themselves as belonging together as personal friends, pursue the placement of the child through a formal proceeding with the Director of the Child Care Facility. These two persons submit their claims to the Director, who hears the facts of the case, hears arguments from both, and makes a binding ruling on the matter of the child placement. Fisher and Pearce will meet in the Director's office and engage in a formal hearing in order for the Director to establish a binding resolution on the issue of the placement of the child.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

CASE 1.

Nash and Strachan are very close friends/roommates, joint co-signers to their apartment's lease, and identify with each other's personality in almost every way/fellow graduate students. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this is an awful situation. We understand what the other feels." But the rent has to be paid.

Nash and Strachan are close friends and roommates. We are bound together in that relationship." But the rent has to be paid.

Background

Nash and Strachan are roommates and together responsible for the lease at their apartment. Both are enrolled in a graduate program at the University: Nash studying Sociology, Strachan studying Anthropology. Strachan recently held a graduate student party attended by Nash. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then proceeded to pour the remainder of the contents of the bottle into the glass when the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close friend/roommate Strachan to be liable for those damages, claiming Strachan should assume Nash's portion of that month's rent represented by Nash's lost income. Strachan doesn't think so.

Dispute:

Nash and Strachan remain in a roommate relationship. They each empathize with what the other feels/see themselves as equivalent in their roles as tenants and as students who have to work for their expenses, and strongly identify with the other individual/have a real sense of "belongingness" that they share between them. They disagree, however, how the damages of lost income should be accounted for.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Nash and Strachan.

SCENARIO A: Discussion - Joint Problem-Solve

Nash and Strachan, who strongly identify and empathize with each other perceive themselves as related together in their roles as roommates, pursue the dispute through a joint problem-solving procedure. These two persons roommates sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the lost income and will engage in person-to-person discussion in order to establish a binding resolution of the issue of damages.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Nash and Strachan, who strongly identify and empathize with each other perceive themselves as related together in their roles as roommates, pursue the dispute through a formal negotiations procedure. These two persons roommates create two committees for adversarial bargaining. Nash and Strachan each engage the services of a different Student Association Ombudsman who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the damages for lost income through persuasion, compromise and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: Third-party Judge - Adjudicate

Nash and Strachan, who strongly identify and empathize with each other perceive themselves as related together in their roles as roommates, pursue the dispute through a formal legal proceeding in court. These two persons roommates submit their claims to Small Claims Court, where a Magistrate hears the facts of the case, hears argument from both, and makes a binding ruling on the matter of the damages. Nash and Strachan will meet in court and engage in a legal dispute in order for a Magistrate to establish a binding resolution on the issue of damages for lost income.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

CASE 2.

Two sisters are very close, and identify with each other in almost every way. They are required to determine the allocation of inherited items between them, with no direction provided from the will of the deceased parents. The items to be divided are loaded with emotional significance for each sister, and not easily divisible. Each sister expresses discomfort with the issue, claiming "We had hoped never to be faced with a situation like this. We understand are sisters, and will remain so no matter what each of us feels. It is terribly hard to make decisions about each other's feelings like these in such a relationship."

Background:

Elizabeth and Judy are close sisters and have some months ago experienced the loss of both parents due to a tragic car accident. Always close to one another during childhood, the sisters have come understanding they are bound together as adults for sisters, the sisters are very aware of their responsibilities they have in the mutual emotional support they give and get from one another role as "big" or "little" sister. With the formalities of the funerals behind them, the sisters are now faced with the task of determining what to do about the estate of the deceased parents.

The parents had established a legal Will And Testament about the disposition of their estate, and the executor of the estate has provided for a distribution of monetary assets of the parents. However, the Will directed the sisters to divide the considerable number of personal household items "howsoever Elizabeth and Judy see fit." These household items have strong emotional significance to both sisters, as well as having considerable monetary value as well.

Dispute:

Elizabeth and Judy each empathize with what the other feels, and strongly identifies with the other individual remain tied together as sisters. Both want a surprising number of the same items, however, they perceive themselves as equivalent in their roles as sisters and there is no agreement on ownership of those disputed items. have a real sense of "belongingness" that they share between them. Elizabeth and Judy both want a surprising number of the same items, however, and there is no agreement on ownership of those disputed items.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Elizabeth and Judy.

SCENARIO A: Discussion - Joint Problem-Solve

Elizabeth and Judy, who strongly identify and empathize with each other perceive themselves as related together in their roles as sisters, pursue the issue of dividing the inheritance through a joint problem-solving procedure. These two persons sisters sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the inheritance's division and will engage in person-to-person discussion in order to establish a binding resolution of the issue.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Elizabeth and Judy, who strongly identify and empathize with each other perceive themselves as related together in their roles as sisters, pursue the division of the inheritance through a formal negotiations procedure. These two persons sisters create two committees for adversarial bargaining. Elizabeth and Judy each engage the services of a different advocate who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the division of the inheritance through persuasion, compromise, and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: Third-party Judge - Adjudicate

Elizabeth and Judy, who strongly identify and empathize with each other perceive themselves as related together in their roles as sisters, pursue the division of the inheritance through a formal legal proceeding with the Executor. These two persons sisters submit their claims to the Executor, who hears the facts of the case, hears arguments from both, and makes a binding ruling on the matter of the inheritance's division. Elizabeth and Judy will meet in the Executor's office and engage in a legal dispute in order for the Executor to establish a binding resolution on the issue of the division of the inheritance.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

CASE 3.

Ms. Fisher and Ms. Pearce are working parents of single parents of a preschool child. They are very close friends, and identify with each other in almost every way both belong to a community organization designed to foster the role of working parents. Each woman is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce in this community. Personal As single parents in the same social group we recognize that needs have to be the determining factor in the allocation of such scarce resources. Each of us wants" Both parents want and need the child care space." Each parent claims the same level of need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce are very close and feel they share each other's emotions both members of the community single parents advocacy group, but nevertheless and are committed to that group as members in good standing. Nevertheless they are both applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying for the last opening, and there are no expectations of further spaces.

Dispute:

Fisher and Pearce each empathize with what the other feels, and strongly identifies with the other individual remain bound together as members of the community advocacy group for single parents. Each parent wants the last childcare space at Noah's, however, They perceive themselves as equivalent in their roles as single parents and there is no agreement on how to resolve the matter.

have a real sense of "belongingness" that they share between them. Each parent wants the last childcare space at Noah's, however, and there is no agreement on which child should be granted the childcare space.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Fisher and Pearce.

SCENARIO A: Discussion - Joint Problem-Solve

Fisher and Pearce, who strongly identify and empathize with each other perceive themselves as related together in their roles as single parents, pursue the issue of which child should be placed in Noah's Child Care Facility through a joint problem-solving procedure. These two persons single parents sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the childcare placement and will engage in person-to-person discussion in order to establish a binding resolution of the issue.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Fisher and Pearce, who strongly identify and empathize with each other perceive themselves as related together in their roles as single parents, pursue the placement of the child in Noah's Child Care Facility through a formal negotiations procedure. These two persons single parents create two committees for adversarial bargaining. Fisher and Pearce each engage the services of an advocate who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the placement in the childcare space through persuasion, compromise, and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: A Third-party Judge - Adjudicate

Fisher and Pearce, who strongly identify and empathize with each other perceive themselves as related together in their roles as single parents, pursue the placement of the child through a formal proceeding with the Director of the Child Care Facility. These two persons single parents submit their claims to the Director, who hears the facts of the case, hears arguments from both, and makes a binding ruling on the matter of the child placement. Fisher and Pearce will meet in the Director's office and engage in a formal hearing in order for the Director to establish a binding resolution on the issue of the placement of the child.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

CASE 1.

Nash and Strachan are very close friends, and identify with each other's personality personal competitors in almost every way graduate school, and antagonistic socially. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this This is an awful situation a competitive world. We understand what the other feels." But Strachan and I have contesting interests and personal differences related to the claims. And the rent has to be paid."

Background:

Nash and Strachan are close friends and roommates Strachan are highly competitive, both academically and personally. Both are Each is enrolled in a graduate program at the University: Nash studying Sociology, Strachan studying Anthropology. This program assigns grades "on the curve" so there can only be one top student. Each wants to be the top student, and as personal contestants are repeatedly thrown together in competition for academic, scholarship and career-placement honors. This competition has carried over into their personal lives.

Strachan recently held a graduate student party attended by Nash. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then. When Nash proceeded to pour the remainder of the contents of the bottle into the glass when, the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close friend competitor Strachan to be liable for those damages, claiming Strachan should assume Nash's portion of that month's rent represented by Nash's lost income. Strachan doesn't think so.

Dispute:

Nash and Strachan each empathize with what the other feels are aware of their personal differences and contesting personal interests related to the claim of damages, and strongly identify with the other are aware that they have different personal arguments related to their individual claims. They disagree, however, how the damages of lost income should be accounted for.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Nash and Strachan.

SCENARIO A: Discussion - Joint Problem-Solve

Nash and Strachan, who strongly identify and empathize with each other perceive their contesting interests and personal differences, pursue the dispute through a joint problem-solving procedure. These two persons personal competitors sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the lost income and will engage in person-to-person discussion in order to establish a binding resolution of the issue of damages.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Nash and Strachan, who strongly identify and empathize with each other perceive their contesting interests and personal differences, pursue the dispute through a formal negotiations procedure. These two persons personal competitors create two committees for adversarial bargaining. Nash and Strachan each engage the services of a different Student Association Ombudsman who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the damages for lost income through persuasion, compromise and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: Third-party Judge - Adjudicate

Nash and Strachan, who strongly identify and empathize with each other perceive their contesting interests and personal differences, pursue the dispute through a formal legal proceeding in court. These two persons personal competitors submit their claims to Small Claims Court, where a Magistrate hears the facts of the case, hears argument from both, and makes a binding ruling on the matter of the damages. Nash and Strachan will meet in court and engage in a legal dispute in order for a Magistrate to establish a binding resolution on the issue of damages for lost income.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

CASE 2.

Two sisters, unacquainted women are very close, required to determine the allocation of inherited items between them, and identify with each other in almost every way, no direction provided from the will of the deceased. They are required to determine the allocation of inherited items between them, with no direction provided from the will of the deceased parents. The items to be divided are loaded with emotional significance for each sister, individual, and not easily divisible. Each individual expresses discomfort with the issue, claiming "Neither of us had hoped never to be faced with a situation like this. Each sister expresses discomfort with the issue, claiming "We had hoped never have contesting interests and personal differences related to be faced with a situation like this, the claims we make over the inheritable items. We understand what each is terribly hard to make decisions like these when we have different personal reasons for our claim of us feel the inheritance." **It is terribly hard to make decisions about each other's feelings."**

Background:

Elizabeth and Judy are close sisters and have strangers to each other, but some months ago experienced the loss of both parents, a mutual benefactor due to a tragic car accident. Understanding that their mutual benefactor has left a Will that makes them individual competitors for particular items from the estate, they are faced with the dilemma of fulfilling their personal expectations about the inheritance in the face of some stranger's claims for the same property. Always close to one another during childhood, with the formalities of the funeral behind them, the sisters have come together as adults for the mutual emotional support they give Elizabeth and get from one another. Judy are now faced with the task of determining what to do about the estate of the deceased person.

With the formalities of the funerals behind them, the sisters are now faced with the task of determining what to do. The benefactor had established a legal Will And Testament about the estate, disposition of the deceased parent's estate, and the executor of the estate has provided for a distribution of monetary assets.

The parents had established a legal Will And Testament about the disposition of their estate. However, the Will directed the two strangers to divide the considerable number of personal household items "howsoever Elizabeth and the executor of the estate has provided for a distribution of monetary assets of the parents. Judy see fit." - However, the Will directed the sisters to divide the considerable number of personal household items "howsoever have strong emotional significance to both Elizabeth and Judy see fit, as well as having considerable monetary value as well."

These household items have strong emotional significance to Dispute:

Elizabeth and Judy both sisters want a surprising number of the same items, as well as having considerable monetary value as well, and there is no agreement on ownership of those disputed items.

Dispute: Both Elizabeth and Judy each empathize with what perceive contesting interests in the other feel, division of the household items, and strongly identifies with the other, are aware that they have different personal arguments related to their individual claims.

There are a number of possible ways of resolving the dispute. Both want a surprising number of the same items, however, and there is no agreement on ownership of those disputed items.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Elizabeth and Judy.

SCENARIO A: Discussion - Joint Problem-Solve

Elizabeth and Judy, who ~~strongly identify and empathize with each other~~ perceive their contesting interests and personal differences, pursue the issue of dividing the inheritance through a joint problem-solving procedure. These two ~~persons~~ personal contestants sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the inheritance's division and will engage in person-to-person discussion in order to establish a binding resolution of the issue.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Elizabeth and Judy, who ~~strongly identify and empathize with each other~~ perceive their contesting interests and personal differences, pursue the division of the inheritance through a formal negotiations procedure. These two ~~persons~~ personal contestants create two committees for adversarial bargaining. Elizabeth and Judy each engage the services of a different advocate who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the division of the inheritance through persuasion, compromise, and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: Third-party Judge - Adjudicate

Elizabeth and Judy, who ~~strongly identify and empathize with each other~~ perceive their contesting interests and personal differences, pursue the division of the inheritance through a formal legal proceeding with the Executor. These two ~~persons~~ personal contestants submit their claims to the Executor, who hears the facts of the case, hears arguments from both, and makes a binding ruling on the matter of the inheritance's division. Elizabeth and Judy will meet in the Executor's office and engage in a legal dispute in order for the Executor to establish a binding resolution on the issue of the division of the inheritance.

1 2 3 4 5 6 7
Not at all Fair Very Fair

CASE 3. -

Ms. Fisher and Ms. Pearce are each working parents of a preschool child. They are very close friends, have contesting personal interests and identify with each other in almost every way personal differences related to their claim for a childcare space for their children. Each woman is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both individuals require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want are competing for the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce competitive in this community. Personal needs have to be the determining factor in the allocation of such scarce resources. Each of us wants and needs the child care in competition with the other person for the childcare space." Each person claims the most need.

Background:

Fisher and Pearce are each single parents of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Each parent claims the same level of need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce are very close and feel they share each other's emotions do not know one another, but nevertheless they are both they are applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying competing for the last opening, and there are no expectations of further spaces.

Dispute:

Each person, Ms. Fisher and Ms. Pearce each empathize with what the other feels, and strongly identifies with the other individual, want the last childcare space at Noah's. Each parent wants the last childcare. Both Fisher and Pearce perceive contesting interests in the claiming of that space at Noah's, however, and there is no agreement on how to resolve the matter, and are aware that they have different personal arguments related to their individual needs. They are in competition for that space.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Fisher and Pearce.

SCENARIO A: Discussion - Joint Problem-Solve

Fisher and Pearce, who ~~strongly identify and empathize with each other~~ perceive their contesting interests and personal differences, pursue the issue of which child should be placed in Noah's Child Care Facility through a joint problem-solving procedure. These two ~~persons~~ ~~personal~~ contestants sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the childcare placement and will engage in person-to-person discussion in order to establish a binding resolution of the issue.

1 2 3 4 5 6 7
Not at all Fair Very Fair

SCENARIO B: Bargaining - Negotiate

Fisher and Pearce, who ~~strongly identify and empathize with each other~~ perceive their contesting interests and personal differences, pursue the placement of the child in Noah's Child Care Facility through a formal negotiations procedure. These two ~~persons~~ ~~personal~~ contestants create two committees for adversarial bargaining. Fisher and Pearce each engage the services of an advocate who acts as their agent, and with that agent each forms a bargaining committee of two. - Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the placement in the childcare space through persuasion, compromise, and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Fair Very Fair

SCENARIO C: A Third-party Judge - Adjudicate

Fisher and Pearce, who ~~strongly identify and empathize with each other~~ perceive their contesting interests and personal differences, pursue the placement of the child through a formal proceeding with the Director of the Child Care Facility. These two ~~persons~~ ~~personal~~ contestants submit their claims to the Director, who hears the facts of the case, hears arguments from both, and makes a binding ruling on the matter of the child placement. Fisher and Pearce will meet in the Director's office and engage in a formal hearing in order for the Director to establish a binding resolution on the issue of the placement of the child.

1 2 3 4 5 6 7
Not at all Fair Very Fair

CASE 1.

Nash and Strachan are very close friends, and identify with each other's personality competitive students in almost every way graduate school. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this This is an awful situation a competitive world. We understand what the other feels." But the rent has to be paid Students have limited resources, and as students we have claims of real need." Each claims their position as a student warrants the most legitimate need.

Nash and Strachan are close friends and roommates. Both are enrolled in a graduate program at But the University. Nash studying Sociology rent has to be paid.

Background:

Nash and Strachan are highly competitive in their roles as students, Strachan studying Anthropology each being chosen to represent their area of study. Strachan recently held a graduate Each student party attended by is enrolled in a graduate program at the University. Nash studying Sociology, Strachan studying Anthropology. The graduate school assigns grades "on the curve" so there can only be one top student in the Social Science program. Nash and Strachan represent the top students in their areas and as area representatives are repeatedly thrown together as contestants for academic, scholarship and career-placement honors Nash and Strachan were unacquainted with one another, other than seeing each other only as distant competitors, until they met for the first time at a graduate student party held by Strachan. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then. When Nash proceeded to pour the remainder of the contents of the bottle into the glass when, the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close friend Strachan the host of the party and brewer of the beer (Strachan) to be liable for those damages, claiming Strachan should assume Nash's portion of that the month's rent represented by Nash's lost income. Strachan doesn't think so.

Dispute:

Nash and Strachan each empathize with what the other feels are aware of the impersonal contest between them, and strongly identify with the other individual as students and as parties in this dispute over liability for lost income. They disagree, however, how Each believes his position is the damages most legitimate in the matter of lost income should be accounted for the claim of damages. They disagree how the damages of lost income should be accounted for.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Nash and Strachan.

SCENARIO A: Discussion - Joint Problem-Solve

Nash and Strachan, who ~~strongly identify and empathize with each other~~ perceive the impersonal contest between their positions, pursue the dispute through a joint problem-solving procedure. These two ~~persons~~ ~~contesting students~~ sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the lost income and will engage in person-to-person discussion in order to establish a binding resolution of the issue of damages.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Nash and Strachan, who ~~strongly identify and empathize with each other~~ perceive the impersonal contest between their positions, pursue the dispute through a formal negotiations procedure. These two ~~persons~~ ~~contesting students~~ create two committees for adversarial bargaining. Nash and Strachan each engage the services of a different Student Association Ombudsman who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the damages for lost income through persuasion, compromise and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: Third-party Judge - Adjudicate

Nash and Strachan, who ~~strongly identify and empathize with each other~~ perceive the impersonal contest between their positions, pursue the dispute through a formal legal proceeding in court. These two ~~persons~~ ~~contesting students~~ submit their claims to Small Claims Court, where a Magistrate hears the facts of the case, hears argument from both, and makes a binding ruling on the matter of the damages. Nash and Strachan will meet in court and engage in a legal dispute in order for a Magistrate to establish a binding resolution on the issue of damages for lost income.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

CASE 2.

Two sisters, unacquainted women are very close, required to determine the allocation of inherited items between them, and identify with each other in almost every way, no direction provided from the will of the deceased. They are required to determine the allocation of inherited items between them, with no direction provided from the will of the deceased parents. The items to be divided are loaded with emotional significance for each sister, inheritor, and not easily divisible. Each inheritor expresses discomfort with the issue, claiming "No one hopes to be faced with a situation like this. Each sister expresses discomfort with the issue, claiming "We had hoped never to be faced with this. This is a situation like this, a competitive world. We understand what each have, contesting claims as inheritors of someone's last will and testament." Each claims their position as an inheritor warrants the most legitimate need to particular items. -

It is terribly hard to make decisions about each other's feelings."

Background:

Elizabeth and Judy are close sisters and have strangers to each other, but some months ago experienced the loss of both parents, a mutual benefactor due to a tragic car accident. Understanding that their mutual benefactor has left a Will that makes them competitors for particular items from the estate, they are faced with the dilemma of fulfilling their expectations about the inheritance in the face of some stranger's claims for the same property. Always close to one another during childhood, with the formalities of the funeral behind them, the sisters have come together as adults for the mutual emotional support they give Elizabeth and get from one another. Judy are now faced with the task of determining what to do about the estate of the deceased person.

With the formalities of the funerals behind them, the sisters are now faced with the task of determining what to do. The benefactor had established a legal Will And Testament about the stated disposition of the deceased parent's estate, and the executor of the estate has provided for a distribution of monetary assets.

The parents had established a legal Will. However, the Will And Testament about the disposition of their estate, directed the two inheritors to divide the considerable number of personal household items "howsoever Elizabeth and the executor of the estate has provided for a distribution of monetary assets of the parents. Judy see fit, based on their legitimate claims to particular items." - However, the Will directed the sisters to divide the considerable number of personal household items "howsoever have strong emotional significance to both Elizabeth and Judy see fit, as well as having considerable monetary value as well." -

These household items have strong emotional significance to both sisters, as well as having considerable monetary value as well.

Dispute:

Elizabeth and Judy each empathize with what the other feels, both want a surprising number of the same items, and there is no agreement on ownership of those disputed items. Both Elizabeth and strongly identifies with the other individual. Judy are aware of the impersonal contest between them as inheritors. Both want a surprising number of the same items, however, and there. Each believes her position is no agreement on ownership of those disputed items. - the most legitimate argument in the matter of which items in dispute should be allotted to whom. They disagree over a significant number of valuable items.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Elizabeth and Judy.

SCENARIO A: Discussion - Joint Problem-Solve

Elizabeth and Judy, who strongly identify and empathize with each other perceive the impersonal contest between their positions, pursue the issue of dividing the inheritance through a joint problem-solving procedure. These two personscontesting inheritors sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the inheritance's division and will engage in person-to-person discussion in order to establish a binding resolution of the issue.

	1	2	3	4	5	6	7
Not at all							Very
Fair							Fair

SCENARIO B: Bargaining - Negotiate

Elizabeth and Judy, who strongly identify and empathize with each otherperceive the impersonal contest between their positions, pursue the division of the inheritance through a formal negotiations procedure. These two personscontesting inheritors create two committees for adversarial bargaining. Elizabeth and Judy each engage the services of a different advocate who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the division of the inheritance through persuasion, compromise, and/or mutual accommodation.

	1	2	3	4	5	6	7
Not at all							Very
Fair							Fair

SCENARIO C: Third-party Judge - Adjudicate

Elizabeth and Judy, who strongly identify and empathize with each otherperceive the impersonal contest between their positions, pursue the division of the inheritance through a formal legal proceeding with the Executor. These two personscontesting inheritors submit their claims to the Executor, who hears the facts of the case, hears arguments from both, and makes a binding ruling on the matter of the inheritance's division. Elizabeth and Judy will meet in the Executor's office and engage in a legal dispute in order for the Executor to establish a binding resolution on the issue of the division of the inheritance.

	1	2	3	4	5	6	7
Not at all							Very
Fair							Fair

CASE 3.

Ms. Fisher and Ms. Pearce are each working parents of single parents of a preschool child. They are very close friends, and identify with each other in their attempts to provide care for their children. They confront limited resources in almost every way in the community. Each woman parent is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both parents require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want are competing for the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce competitive in this community. Personal needs have to be the determining factor in the allocation of such scarce space. Single parents have limited resources and few options, and as responsible parents and providers for the family we have legitimate claim for childcare space." Each of us wants and needs the child care space." Each parent claims the same level of need. Each parent claims the most legitimate claim.

Background:

Fisher and Pearce are each single parents of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce are very close and feel they share each other's emotions do not know one another, but nevertheless they are both they are applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying competing for the last opening, and there are no expectations of further spaces.

Dispute:

Fisher and Pearce each empathize with what the other feels are aware of the impersonal contest between them, and strongly identifies with the other individual as working single parents in competition for childcare space in an acceptable facility. Each parent wants the last childcare space at Noah's, however, and there is no agreement on how to resolve the matter.

Each believes her position is the most legitimate argument in the matter of the child placement. They disagree which parent should be granted the space.

There are a number of possible ways of resolving the dispute. We would like you to review each of the following scenarios, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Fisher and Pearce.

SCENARIO A: Discussion - Joint Problem-Solve

Fisher and Pearce, who ~~strongly identify and empathize with each other~~ perceive the impersonal contest between their positions, pursue the issue of which child should be placed in Noah's Child Care Facility through a joint problem-solving procedure. These two ~~persons~~contesting mothers sit down together as a single team with the mutual goal of resolving the problem. They work together on the problem of the childcare placement and will engage in person-to-person discussion in order to establish a binding resolution of the issue.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO B: Bargaining - Negotiate

Fisher and Pearce, who ~~strongly identify and empathize with each other~~ perceive the impersonal contest between their positions, pursue the placement of the child in Noah's Child Care Facility through a formal negotiations procedure. These two ~~persons~~contesting mothers create two committees for adversarial bargaining. Fisher and Pearce each engage the services of an advocate who acts as their agent, and with that agent each forms a bargaining committee of two. Each committee prepares their position, and presents that position together with explanation, support and argument to the other committee during a formal process of adversarial bargaining. The two committees will bargain a binding resolution about the placement in the childcare space through persuasion, compromise, and/or mutual accommodation.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

SCENARIO C: A Third-party Judge - Adjudicate

Fisher and Pearce, who ~~strongly identify and empathize with each other~~ perceive the impersonal contest between their positions, pursue the placement of the child through a formal proceeding with the Director of the Child Care Facility. These two ~~persons~~contesting mothers submit their claims to the Director, who hears the facts of the case, hears arguments from both, and makes a binding ruling on the matter of the child placement. Fisher and Pearce will meet in the Director's office and engage in a formal hearing in order for the Director to establish a binding resolution on the issue of the placement of the child.

1 2 3 4 5 6 7
Not at all Very
Fair Fair

APPENDIX C

STUDY THREE CONFLICT SCENARIOS

Key to identification of stimulus materials:

- Note 1.** The first questionnaire is a complete questionnaire, establishing the manipulations of the *IDENTITY, DOMINANT RELATION* manipulation and presenting all of the dependent variables. Subsequent questionnaires are presented in abbreviated form, omitting the directions and dependent variables (they were the same in all questionnaires).
- Note 2.** The manipulations of relationship characteristics are identified by the highlighted sections of questionnaires subsequent to the identity-person questionnaire. The strike-outs show the *identity, dominant relation* manipulations; the greyed "highlights" show the manipulations for other relationship conditions, as indicated by the condition "key".
- Note 3.** The key for conditions is presented at the top right corner of all pages. Conflicts are identified as IR (Identity, Dominant Relation), IP (Identity, Dominant Process), UR (Unit, Dominant Relation), UP (Unit, Dominant Process), NR (Nonunit, Dominant Relation), or NP (Nonunit, Dominant Process).
- Note 4.** The order of presentation of conflicts was constant across conditions, but the order of presentation of dependent variables varied. Appendix C presents only one order.

DIRECTIONS:

The following is a questionnaire designed to assess your perceptions of fairness and justice.

On the following pages there are two cases presented, each case describing a conflict event. A brief overview of the case is given in the first paragraph, then the background to the conflict is presented as a brief summary of the dispute is outlined, then some guidelines for the resolution of the dispute are presented. On the pages following each case are a series of questions to which you are asked to respond.

You are asked to read each case, and to respond to the questions asked by choosing the one best number on each rating scale.

Please indicate your responses on this booklet by circling the appropriate response.

Thank you for your participation.

CASE 1.

Nash and Strachan are very close, and identify with each other in almost every way. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this is an awful situation. We understand what the other feels, but we have divergent goals on the matter of the rent." The rent has to be paid.

Background:

Nash and Strachan are close friends and roommates. Both are enrolled in a graduate program at the University: Nash studying Sociology, Strachan studying Anthropology. Strachan recently held a graduate student party attended by Nash. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then proceeded to pour the remainder of the contents of the bottle into the glass when the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close friend Strachan to be liable for those damages, claiming Strachan should assume Nash's portion of that month's rent represented by Nash's lost income. Strachan doesn't think so.

Guiding Orientations for Resolution of the Dispute:

Nash and Strachan, who strongly identify and empathize with each other, must see to it that they get what they deserve, and get what they are entitled to by virtue of the kind of people they are.

Nash and Strachan are focused on the type of relations each of them has with the other. In the issue of who is entitled to how much of the lost rent money, each considers "who" the other is, in terms of his personal attributes and individual character, given the particular arrangements between the two.

There are a number of possible outcomes to this issue that can resolve the dispute. We would like you to review each of the following, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Nash and Strachan.

Circle the number that best represents your judgment, where "Not At All Fair" = 1, and "Very Fair" = 7.

1. NASH SELF-SACRIFICES AND INSISTS THAT STRACHAN'S NEEDS BE MET. Nash recognizes this is a "no-win" situation where, in order to get what he wants, he must hurt Strachan. He decides to find some way to make up the money himself, and take pleasure out of Strachan's pleasure and gratification.

Not At All Fair 1 2 3 4 5 6 7 Very Fair

2. NASH DETERMINES HOW TO SECURE THE MONEY FOR RENT IN A WAY THAT IS THE MOST BENEFICIAL FOR BOTH HE AND STRACHAN.

Nash figures out how much each can afford to pay toward the needed rent, and how much Strachan can afford to pay. Both individuals sacrifice some of their interests so the rent can be paid.

Not At All Fair 1 2 3 4 5 6 7 Very Fair

3. NASH DEVISES A FRIENDLY CONTEST BETWEEN HIMSELF AND STRACHAN WHERE THE PRIZE IS THE VALUE OF THE MISSING RENT.

Nash and Strachan each brew some home-made beer, and have a party where their friends rate the beer for its quality. The one who makes the best beer is the winner of the beer-brewing contest, and at the party is awarded the prize of the rent money by the loser.

Not At All Fair 1 2 3 4 5 6 7 Very Fair

4. NASH ACTS ON THE BASIS OF "JUSTIFIED SELF-INTEREST". The desired rent money is the dominant consideration, and Nash and Strachan feel entitled to act on their own behalf without particular regard for consequences to one another. They engage in an impersonal contest based on the rights and obligations of each party. Whoever can justify their position's case and use established rules of liability will be persuasive in determining the payment of damages.

Not At All Fair 1 2 3 4 5 6 7 Very Fair

5. NASH "FIGHTS" WITH STRACHAN OVER THE LOST RENT. Strachan stands in Nash's way of obtaining the desired rent money. Nash attempts to establish his superiority over Strachan. Whoever wins the fight is the winner (and the loser pays the lost rent money).

Not At All Fair 1 2 3 4 5 6 7 Very Fair

6. NASH ENGAGES IN A LEGAL CONTEST WITH STRACHAN OVER THE LOST RENT. Nash seeks legally sanctioned power in order to contest the issue of the lost rent money. Nash is concerned with gaining sufficient legal power to dominate the issue and win the payment of damages from Strachan.

Not At All Fair 1 2 3 4 5 6 7 Very Fair

In whose hands should the process of resolving the dispute be placed? Should the way the dispute is resolved be placed under the control of Nash and Strachan? Or should the way the dispute is resolved be under the control of an independent, objective third-party?

Circle the number that best represents your judgment, where "Not At All Fair" = 1, and "Very Fair" = 7.

1. Nash and Strachan Control over the way they resolve the dispute:

Not At All Fair 1 2 3 4 5 6 7 Very Fair

2. Third-Party Control over the way the dispute is resolved:

Not At All Fair 1 2 3 4 5 6 7 Very Fair

Who should be the final authority in deciding on the actual amount of money either should pay? Should Nash and Strachan have the decision control to judge what is the fair and final distribution of the damages? Or should the final decision be under the control of an independent, objective third-party?

Circle the number that best represents your judgment, where "Not At All Fair" = 1, and "Very Fair" = 7.

1. Nash and Strachan Control over the final decision:

Not At All Fair 1 2 3 4 5 6 7 Very Fair

2. Third-Party Control over the final decision:

Not At All Fair 1 2 3 4 5 6 7 Very Fair

CASE 2.

Ms. Fisher and Ms. Pearce are working parents of single preschool children. They are very close friends, and identify with each other in almost every way. Each woman is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce in this community. We understand that personal needs have to be the determining factor in the allocation of such scarce resources, but we have divergent goals on the matter of which child gets placed. Each of us wants and needs the child care space." Each parent claims the same level of need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce are very close and feel they share each other's emotions, but nevertheless they are both applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying for the last opening, and there are no expectations of further spaces.

Guiding Orientations for Resolution of the Dispute:

Fisher and Pearce, who each empathize with what the other feels and strongly identifies with the other individual, must see to it that they get what they deserve, and get what they are entitled to by virtue of the kind of people they are.

Fisher and Pearce are focused on the type of relations each of them has with the other. In deciding who is entitled to the child care space, each considers "who" the other is, in terms of her personal attributes and individual character, given the particular relationship between the two.

There are a number of possible outcomes to this issue that can resolve the dispute. We would like you to review each of the following, and assess that particular means of resolving the dispute by evaluating how "fair" and "just" you consider the procedure as it is applied to the dispute between Fisher and Pearce.

Circle the number that best represents your judgment, where "Not At All Fair" = 1, and "Very Fair" = 7.

- 1. FISHER SELF-SACRIFICES AND INSISTS THAT PEARCE'S NEEDS BE MET.** Fisher recognizes this is a "no-win" situation where, in order to get what she wants, she must hurt Pearce. She decides to find some way to find her own child care somewhere else, and take pleasure out of Pearce's pleasure and gratification.
Not At All Fair 1 2 3 4 5 6 7 Very Fair
- 2. FISHER DETERMINES HOW TO LOOK AFTER THE CHILDREN IN A WAY THAT IS THE MOST BENEFICIAL FOR BOTH HER AND PEARCE.** Fisher figures out how much each can make alternate arrangements for different periods during the week, even though this will mean additional cost and hassle for each. Both individuals sacrifice some of their interests so the children can both be placed in the facility.
Not At All Fair 1 2 3 4 5 6 7 Very Fair
- 3. FISHER DEVISES A FRIENDLY CONTEST BETWEEN HERSELF AND PEARCE WHERE THE PRIZE IS THE PLACEMENT OF ONE CHILD IN THE CENTRE.** Fisher and Pearce each try to sell raffle tickets for the Noah's Ark Care Facility. The one who sells the most tickets is the winner, and the winner is awarded the placement of her child in the facility.
Not At All Fair 1 2 3 4 5 6 7 Very Fair
- 4. FISHER ACTS ON THE BASIS OF "JUSTIFIED SELF-INTEREST".** The desired child care space is the dominant consideration, and Fisher and Pearce feel entitled to act on their own behalf without particular regard for consequences to one another. They engage in an impersonal contest based on the rights and obligations of each party. Whoever can justify their position's case and use established rules of entitlement will be persuasive in determining the placement of the child.
Not At All Fair 1 2 3 4 5 6 7 Very Fair
- 5. FISHER "FIGHTS" WITH PEARCE OVER THE SPACE.** Pearce stands in Fisher's way of obtaining the desired child care placement. Fisher attempts to establish her superiority over Pearce. Whoever wins the fight is the winner (and the loser loses her right to the child care space).
Not At All Fair 1 2 3 4 5 6 7 Very Fair
- 6. FISHER ENGAGES IN A LEGAL CONTEST WITH PEARCE OVER THE SPACE.** Fisher seeks legally sanctioned power in order to contest the issue of the child care space. Fisher is concerned with gaining sufficient legal power to dominate the issue and win the placement of her child over Pearce.
Not At All Fair 1 2 3 4 5 6 7 Very Fair

In whose hands should the process of resolving the dispute be placed? Should the way the dispute is resolved be placed under the control of Fisher and Pearce? Or should the way the dispute is resolved be under the control of an independent, objective third-party?

Circle the number that best represents your judgment, where "Not At All Fair" = 1, and "Very Fair" = 7.

1. Fisher and Pearce Control over the way they resolve the dispute:

Not At All Fair 1 2 3 4 5 6 7 Very Fair

2. Third-Party Control over the way the dispute is resolved:

Not At All Fair 1 2 3 4 5 6 7 Very Fair

Who should be the final authority in deciding on the actual placement of the child? Should Fisher and Pearce have the decision control to judge what is the fair and final placement of the child? Or should the final decision be under the control of an independent, objective third-party?

Circle the number that best represents your judgment, where "Not At All Fair" = 1, and "Very Fair" = 7.

1. Fisher and Pearce Control over the final decision:

Not At All Fair 1 2 3 4 5 6 7 Very Fair

2. Third-Party Control over the final decision:

Not At All Fair 1 2 3 4 5 6 7 Very Fair

CASE 1.

Nash and Strachan are very close friends, and identify with each the other as a friend in almost every way. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this is an awful situation. We can understand what the other feels a friend would feel, but we have divergent goals on the matter of the rent." The rent has to be paid.

Background:

Nash and Strachan are close friends and, roommates, and fellow students. Both are enrolled in a graduate program at the University: Nash studying Sociology, Strachan studying Anthropology. Strachan recently held a graduate student party attended by Nash. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then proceeded to pour the remainder of the contents of the bottle into the glass when the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close friend Strachan to be liable for those damages, claiming Strachan should assume Nash's portion of that month's rent represented by Nash's lost income. Strachan doesn't think so.

Guiding Orientations for Resolution of the Dispute:

Nash and Strachan, who strongly identify and empathize with each other with their roles as roommates, must see to it that they get what they deserve, and get what they are entitled to by virtue of the kind of people they are.

Nash and Strachan are focused on the type of relations each of them has with the other themselves in the other's position. They must determine how they can resolve the problem. In the issue of who is entitled to how much of the lost rent money, each considers "who" the other is, in terms of his personal attributes Nash and individual character, given the particular arrangements between the two.

Strachan are a number of possible outcomes to focused on the process of resolving this issue that can resolve the dispute. They are wrapped up with determining "how" they are going to solve this problem.

In accomplishing the task of figuring out how the missing rent will be paid, each perceives himself in positional or impersonal terms, as participants in a process designed to accomplish the given end of restoring the lost rent money.

Nash and Strachan must determine how they can resolve the problem. They work on the problem of the lost income and try to determine what they are going to do.

CASE 2.

Ms. Fisher and Ms. Pearce are working parents of single preschool children. They ~~are very close friends, and both~~ identify with ~~each~~ the other as a ~~working parent~~ in almost every way. Each woman is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce in this community. ~~We understand that personal~~ Single parent needs have to be the determining factor in the allocation of such scarce resources, ~~but we have divergent goals on the matter of which child gets placed.~~ Each of us wants and needs the child care space." Each parent claims the same level of need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce ~~are very close and feel they share each other's emotions~~ strongly identify with the position of single parents in society, but nevertheless they are both applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying for the last opening, and there are no expectations of further spaces.

Guiding Orientations for Resolution of the Dispute:

Fisher and Pearce Dispute:

~~Each parent wants the last child care space at Noah's, who each empathize with what the other feels and strongly identifies with the other individual, must see to it that they get what they deserve, and get what they are entitled to by virtue of the kind of people they are.~~

~~Fisher and Pearce are focused and there is no agreement on the type of relations each of them has with the other how to resolve the matter.~~

Guiding Orientations for Resolution of the Dispute:

Fisher and Pearce each understand what a single parent would feel in this circumstance, and can see themselves in the other's position. In deciding who is entitled to the child-care space, each considers "who" the other is, in terms of her personal attributes and individual character, given the particular relationship between the two. They must determine how they can resolve the problem.

Fisher and Pearce are focused on the process of resolving the dispute. They are wrapped up with determining "how" they are going to solve this problem.

In accomplishing the task of figuring out which child will be placed, each perceives herself in positional or impersonal terms, as participants in a process designed to accomplish the given end of providing a parent with child care.

Fisher and Pearce must determine how they can resolve the problem. They work on the problem of the lost income and try to determine what they are going to do.

CASE 1.

Nash and Strachan are very close, and identify with each other in almost every way personal friends and roommates. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this is an awful situation. We understand what the other feels, but we have divergent goals on the matter of the rent." The rent has to be paid.

Background:

Nash and Strachan are close friends and as well as roommates. We belong together, and relate to one another on a personal basis, but we have divergent goals on the matter of the rent." The rent has to be paid.

Background:

Nash and Strachan are personal friends and roommates. Both are enrolled in a graduate program at the University: Nash studying Sociology, Strachan studying Anthropology. - Strachan recently held a graduate student party attended by Nash. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then proceeded to pour the remainder of the contents of the bottle into the glass when the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close personal friend Strachan to be liable for those damages, claiming Strachan should assume Nash's portion of that month's rent represented by Nash's lost income. Strachan doesn't think so.

Guiding Orientations for Resolution of the Dispute:

Nash and Strachan, who ~~strongly identify and empathize with each other~~ remain in a friend relationship, must see to it that they get what they deserve, and get what they are entitled to by virtue of the kind of people they are.

Nash and Strachan are focused on the type of relations each of them has with the other. In ~~the issue of deciding~~ who is entitled to how much of the lost rent money, each considers "who" the other is, in terms of his personal attributes and individual character, given the particular arrangements between the two.

CASE 2.

Ms. Fisher and Ms. Pearce are each working parents of single parents of a preschool child. They are very close friends both belong to the same community organization designed to foster the role of working parents, and identify with have come to know each other in almost every way personally. They have become friends. Each woman is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce in this community. We understand that personalA single parent's unique needs have to be the determining factor in the allocation of such scarce resources." Fisher and Pearce remain as friends, but we have divergent goals on both individuals want and need the matter of which child gets placed care space. Each of us wants and needs person claims the same level of need.

Background:

Fisher and Pearce are single parents of a young preschool child care space and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Each parent claims the same level of need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce are very close and feel they share each other's emotions both members of the same community single parents advocacy group, but nevertheless and are committed to staying as friends within that group. Nevertheless they are both applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying for the last opening, and there are no expectations of further spaces.

Guiding Orientations for Resolution of the Dispute:

Fisher and Pearce, who ~~each empathize with what the other feels and strongly identifies with the other individual~~ remain in a friend relationship, must see to it that they get what they deserve, and get what they are entitled to by virtue of the kind of people they are.

Fisher and Pearce are focused on the type of relations each of them has with the other. In deciding who is entitled to the child care space, each considers "who" the other is, in terms of her personal attributes and individual character, given the particular relationship between the two:

CASE 1.

Nash and Strachan are very close, and identify with each other in almost every way: roommates, joint co-signers to their apartment's lease, and fellow graduate students. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this is an awful situation. We understand what the other feels, but we have divergent goals: we are roommates, but on the matter of the rent—The we have diverging interests.. We are bound together in our relationship, but the rent has to be paid."

Background:

Nash and Strachan are close friends: roommates and roommates together responsible for the lease at their apartment. Both are enrolled in a graduate program at the University: Nash studying Sociology, Strachan studying Anthropology. Strachan recently held a graduate student party attended by Nash. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then proceeded to pour the remainder of the contents of the bottle into the glass when the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close friend roommate Strachan to be liable for those damages, claiming Strachan should assume Nash's portion of that month's rent represented by Nash's lost income. Strachan doesn't think so.

Guiding Orientations for Resolution of the Dispute:

Nash and Strachan, who strongly identify and empathize with each other, must remain in a roommate. They each see to it that they get what they deserve, and get what they are entitled to by virtue of the kind themselves as equivalent in their roles as tenants and as students who have to work for their expenses, and have a real sense of people they are.

Nash and Strachan are focused on the type of relations each of "belongingness" that they share between them has with the other. In the issue of who is entitled to They must determine how much of the lost rent money, each considers "who" the other is, in terms of his personal attributes and individual character, given the particular arrangements between the two they can resolve the problem.

Nash and Strachan are focused on the process of resolving this dispute. They are wrapped up with determining "how" they are going to solve this problem.

In accomplishing the task of figuring out how the missing rent will be paid, each perceives himself in positional or impersonal terms, as participants in a process designed to accomplish the given end of restoring the lost rent money.

Nash and Strachan must determine how they can resolve the problem. They work on the problem of the lost income and try to determine what they are going to do.

CASE 2.

Ms. Fisher and Ms. Pearce are working parents of single parents of a preschool child. They are very close friends, and identify with each other in almost every way both belong to a community organization designed to foster the role of working parents. Each woman is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce in this community. We understand that personal needs have to be the determining factor in the allocation of such scarce resources, but as single parents in the same social group we have divergent goals on the matter of which child gets placed recognize that needs have to be the determining factor in the allocation of such scarce resources. Each of us wants and needs the child care space." Each parent claims the same level of need.

Background:

Fisher and Pearce are single parents of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Each parent claims the same level of need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce are very close and feel they share each other's emotions both members of the community single parents advocacy group, but nevertheless and are committed to that group as members in good standing. Nevertheless they are both applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying for the last opening, and there are no expectations of further spaces.

Guiding Orientations for Resolution of the Dispute:

Fisher and Pearce, who each empathize with what remain bound together as members of the other feels and strongly identifies with the other individual, must see to it that they get what they deserve. community advocacy group for single parents. They perceive themselves as equivalent in their roles as single parents and get what they are entitled to by virtue of the kind of people they are.

Fisher and Pearce are focused on the type of relations each off have a real sense of "belongingness" that they share between them has with the other. In deciding who is entitled to the child care space, each considers "who" the other is, in terms of her personal attributes and individual character, given the particular relationship between the two They must determine how they can resolve the problem.

Fisher and Pearce are focused on the process of resolving the dispute. They are wrapped up with determining "how" they are going to solve this problem.

In accomplishing the task of figuring out which child will be placed, each perceives herself in positional or impersonal terms, as participants in a process designed to accomplish the given end of providing a parent with child care.

Fisher and Pearce must determine how they can resolve the problem. They work on the problem of the lost income and try to determine what they are going to do.

CASE 1.

Nash and Strachan are very close, and identify with each other personal competitors in almost every way graduate school, and antagonistic socially. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this This is an awful situation a competitive world. We understand what the other feels, but we Strachan and I have divergent goals on the matter of contesting interests and personal differences related to the claims. And the rent." "The rent has to be paid."

Background:

Nash and Strachan are close friends and roommates highly competitive, both academically and personally. Both are Each is enrolled in a graduate program at the University: Nash studying Sociology, Strachan studying Anthropology. This program assigns grades "on the curve" so there can only be one top student. Each wants to be the top student, and as personal contestants are repeatedly thrown together in competition for academic, scholarship and career-placement honors. This competition has carried over into their personal lives.

Strachan recently held a graduate student party attended by Nash. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then. When Nash proceeded to pour the remainder of the contents of the bottle into the glass when, the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close friend competitor Strachan to be liable for those damages, claiming Strachan should assume Nash's portion of that month's rent represented by Nash's lost income. Strachan doesn't think so.

Guiding Orientations for Resolution of the Dispute:

Nash and Strachan, who strongly identify and empathize with each other, are aware of their personal differences and contesting personal interests related to the claim of damages, and are aware that they have different personal arguments related to their individual claims. They disagree how the damages of lost income should be accounted for, and must see to it that they get what they deserve, and get what they are entitled to by virtue of the kind of people they are.

Nash and Strachan are focused on the type of relations each of them has with the other. In the issue of deciding who is entitled to how much of the lost rent money, each considers "who" the other is, in terms of his personal attributes and individual character, given the particular arrangements between the two.

CASE 2.

Ms. Fisher and Ms. Pearce are each working parents of single parents of a preschool child. They are very close friends, have contesting personal interests and identify with each other in almost every way personal differences related to their claim for a child care space for their children. Each woman is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both individuals require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want are competing for the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce competitive in this community. We understand that personal needs have to be the determining factor in the allocation of such scarce resources, but we have divergent goals on the matter of which child gets placed. Each of us wants and needs is in competition with the other person for the child care space." Each person claims the most need.

Background:

Fisher and Pearce are each single parents of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Each parent claims the same level of need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce are very close and feel they share each other's emotions do not know one another, but nevertheless they are both they are applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying competing for the last opening, and there are no expectations of further spaces.

Guiding Orientations for Resolution of the Dispute:

Fisher and Pearce, who each empathize with what the other feels are aware of their personal differences and strongly identifies with the other perceive contesting interests in the claiming of the child care space. They are aware that they have different personal arguments related to their individual needs, and must see to it that they get what they deserve, and get what they are entitled to by virtue of the kind of people they are.

Fisher and Pearce are focused on the type of relations each of them has with the other. In deciding who is entitled to the child care space, each considers "who" the other is, in terms of her personal attributes and individual character, given the particular relationship between the two.

CASE 1.

Nash and Strachan are very close, and identify with each other competitive students in almost every way graduate school. Recently, Nash was forced to miss ten days of work because of the actions of Strachan. Nash requires the income provided by the part-time job, and is unable to make it up. Nash seeks restitution of the lost wages, asserting, "We both agree that this is an awful situation a competitive world. We understand what the other feels. Students have limited resources, but as students we have divergent goals on the matter claims of the rent real need." The rent has to be paid. Each claims their position as a student warrants the most legitimate need.

Background:

Nash and Strachan are close friends and roommates. Both are enrolled in a graduate program at the University. Nash studying Sociology rent has to be paid.

Background:

Nash and Strachan are highly competitive in their roles as students, Strachan studying Anthropology each being chosen to represent their area of study. Strachan recently held a graduate Each student party attended by is enrolled in a graduate program at the University. Nash studying Sociology, Strachan studying Anthropology. The graduate school assigns grades "on the curve" so there can only be one top student in the Social Science program. Nash and Strachan represent the top students in their areas and as area representatives are repeatedly thrown together as contestants for academic, scholarship and career-placement honors.

Nash and Strachan were unacquainted with one another, other than seeing each other only as distant competitors, until they met for the first time at a graduate student party held by Strachan. At this party, Strachan served home brewed beer he had bottled at his parents' house.

During the course of the party, Nash was given and drank a bottle of beer bottled by Strachan. The bottle contained the decomposed remains of a snail which were not, and could not be, detected until the greater part of the contents of the bottle had been consumed. Nash poured some of the beer into a glass and drank the entire glass; Nash then. When Nash proceeded to pour the remainder of the contents of the bottle into the glass when, the snail floated out of the bottle. As a result of the nauseating sight of the snail in its state of decomposition, and in consequences of the impurities in the beer which Nash had already consumed, Nash suffered from shock and severe gastro-enteritis.

Nash is seeking damages that resulted from this experience. As a result of his reaction to the contaminated drink, Nash was unable to work at his part-time job as a tutor and is in danger of being unable to pay his portion of the rent for that month. Nash was hospitalized for three days and unable to work for a further seven days because of recurrent bouts of nausea. Nash judges his close friend Strachan the host of the party and brewer of the beer (Strachan) to be liable for those damages, claiming Strachan should assume Nash's portion of that the month's rent represented by Nash's lost income. Strachan doesn't think so.

Guiding Orientations for Resolution of the Dispute:

~~Nash and Strachan, who strongly identify and empathize with each other, must see to it that they get what they deserve, and get what they are entitled to by virtue of the kind of people they are.~~

Nash and Strachan are focused on the type of relations each of are aware of the impersonal contest between them has with the other (as students and as parties in this dispute over liability for lost income). They must determine how they can resolve the problem. In the issue of who is entitled to how much of the lost rent money, each considers "who" the other is, in terms of his personal attributes Nash and individual character, given the particular arrangements between the two Strachan are focused on the process of resolving this dispute.

They are wrapped up with determining "how" they are going to solve this problem. In accomplishing the task of figuring out how the missing rent will be paid, each perceives himself in positional or impersonal terms, as participants in a process designed to accomplish the given end of restoring the lost rent money..

Nash and Strachan must determine how they can resolve the problem. They work on the problem of the lost income and try to determine what they are going to do.

CASE 2.

Ms. Fisher and Ms. Pearce are each working parents of single parents of a preschool child. They are very close friends, and identify with each other in their attempts to provide care for their children. They confront limited resources in almost every way in the community. Each woman parent is seeking to admit her child to a community child care facility, but the facility has room to admit only one child. Both parents require that their child secure adequate care in order for the parent to work and provide necessary income for the family. Fisher and Pearce both want are competing for the last available space at the only child care facility they find adequate. Only one child can be admitted. Fisher and Pearce have been noted as saying, "Child care spaces are very scarce competitive in this community. We understand that personal needs single parents have to be the determining factor in the allocation of such scarce limited resources and few options, but as responsible parents and providers for the family we have divergent goals on the matter of which child gets placed legitimate claim for child care space. Each of us wants and needs the child care space." Each parent claims the most legitimate claim.

Background:

Fisher and Pearce are each single parents of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Each parent claims the same level of need.

Background:

Fisher and Pearce are each a single parent of a young preschool child and work full-time, Monday through Friday, eight a.m. to four p.m. in downtown offices. Both are single-income families and both require adequate child care facilities outside their homes as no available family or competent friends can mind their children on a reliable basis. Fisher and Pearce are very close and feel they share each other's emotions do not know one another, but nevertheless they are both they are applying to the same community child care facility for admission of their children.

There is only room for one more child in the Noah's Ark Child Care facility, and neither Fisher nor Pearce is aware of any other qualified child care where they would want to send their child. Noah's selects children according to simple capacity (licensed for twenty children) and on the basis of the personal, social and economic characteristics of the families. There are currently nineteen children at the child care facility. Fisher and Pearce are trying competing for the last opening, and there are no expectations of further spaces.

Guiding Orientations for Resolution of the Dispute:

Fisher and Pearce, who each empathize with what are aware of the other feels and strongly identifies with the other individual, must see to it that they get what they deserve, and get what they are entitled to by virtue of the kind of people they are.

Fisher and Pearce are focused on the type of relations each of impersonal contest between them has with the other, as working single parents in competition for Child care space in an acceptable facility. They must determine how they can resolve the problem. In deciding who is entitled to the child care space, each considers "who" the other is, in terms of her personal attributes Fisher and individual character, given the particular relationship between the two Pearce are focused on the process of resolving the dispute.

They are wrapped up with determining "how" they are going to solve this problem.

In accomplishing the task of figuring out which child will be placed, each perceives herself in positional or impersonal terms, as participants in a process designed to accomplish the given end of providing a parent with child care.

Fisher and Pearce must determine how they can resolve the problem. They work on the problem of the lost income and try to determine what they are going to do.