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Procedural Justice

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Procedural justice is the study of people's subjective evaluations of the justice of procedures—whether they are fair or unfair, ethical or unethical, and whether they otherwise accord with people's standards of fair processes for interaction and decision making. Procedural justice is usually distinguished from subjective assessments of the fairness of outcomes (distributive justice) and the degree to which people feel that they are gaining or losing resources in the group (outcome favorability). Subjective procedural justice judgments have been the focus of a great deal of attention and research by psychologists because they are a key way to bring people's behavior into line with group rules and the decisions of group authorities.

One reason that people might comply with rules and authorities is that they receive desirable rewards for cooperating or fear sanctioning from the group for not cooperating. Such instrumental motivations are effective in motivating compliance in a wide variety of social settings. An alternative reason that people might comply is that they are motivated by their sense of justice to accept what they feel is fair, even if it is not what they want. The question is whether justice is effective in resolving conflicts and disagreements when people cannot have everything that they want. To the degree that people defer because allocation decisions are fair, justice is an important factor in creating and maintaining social harmony. Research on procedural justice suggests that social justice can act as a mechanism for resolving social conflicts.

John Thibaut and Laurens Walker presented the first systematic set of experiments designed to show the impact of procedural justice in 1975. Their studies demonstrate that people's assessments of the fairness of third-party decision-making procedures shape their satisfaction with the outcomes. This finding has been widely confirmed in subsequent laboratory and field studies of procedural justice. These studies support the finding that when third-party decisions are fairly made people are more willing to accept them voluntarily. It is striking that procedural justice effects are widely found in studies of real disputes and in real settings involving actual disputants. In addition, these effects have an especially important role in shaping adherence to agreements over time.

Beyond the acceptance of decisions, procedural justice also shapes people's values concerning the legitimacy of the authorities and institutions with which they are dealing and through such feelings their willingness to defer to those authorities and

institutions. Studies of the legitimacy of authority suggest that people decide how much to defer to authorities and to their decisions primarily by assessing the fairness of their decisionmaking procedures. Hence, using fair decision-making procedures is the key to developing, maintaining, and enhancing the legitimacy of rules and authorities and gaining voluntary deference to social rules.

What do people mean by a fair procedure? Four elements of procedures are the primary factors that contribute to judgments about their fairness: (1) opportunities for participation, (2) a neutral forum, (3) trustworthy authorities, and (4) treatment with dignity and respect.

People feel that they are treated more fairly if they are allowed to participate in the resolution of their problems or conflicts. The positive effects of participation have been widely found, beginning in the work of Thibaut and Walker. People are primarily interested in presenting their perspective and sharing in the discussion over the case, not in controlling decisions about how to handle it. Instead, people often look to authorities for resolutions. They expect authorities to make final decisions about how to act based on what they have said.

People are also influenced by judgments about neutrality—the honesty, impartiality, and objectivity of the authorities with whom they deal. They believe that authorities should not allow their personal values and [p. 1191 ↓] biases to enter into their decisions, which the authorities should make based on rules and facts. People seek a level playing field. If they believe that the authorities are following impartial rules and making factual, objective decisions, they think procedures are fairer.

Another factor shaping people's views about the fairness of a procedure is their assessment of the motives of the third-party authority responsible for resolving the case. People recognize that third parties typically have considerable discretion to implement formal procedures in varying ways, and they are concerned about the motivation underlying the decisions made by the authority with which they are dealing. They judge whether that person is benevolent and caring, is concerned about their situation and needs, considers their arguments, tries to do what is right for them, and tries to be fair.

Studies suggest that people also value that officials show respect for their rights and for their status within society. They want others to recognize and acknowledge their dignity as people and as members of the society. Since it is essentially unrelated to the outcomes they receive, the importance that people place on this affirmation of their status is especially relevant to conflict resolution. More than any other issue, treatment with dignity and respect is something that authorities can give to everyone with whom they deal.

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See also

- [Civil Court Procedures, Sociology of](#)
- [Compliance with Law](#)
- [Dispute Resolution, Alternative](#)
- [Dispute Resolution, Psychology of](#)
- [Legitimacy](#)
- [Legitimation](#)

Further Readings

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