THE PARADOX OF "JUSTICE" FORMALIZATION: WHEN PROCEDURES ERODE PERCEPTIONS OF FAIRNESS[1]

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When organizations move toward the use of highly formalized procedures to guide their decision-making processes, they can inadvertently create higher feelings of entitlement among their employees and diminish their manager's ability to engage in fair decision-making processes, which can decrease perceptions of fairness. Theoretical and practical implications are discussed.

Law without justice-although this phrase appears to be inherently contradictory, it reflects a challenge that is currently facing an increasing number of organizations (Sitkin & Bies, 1994). Specifically, in an effort to increase fairness, organizations are adopting more highly formalized procedures to guide their decision-making. However, despite their efforts to increase fairness, organizations may inadvertently reduce perceptions of fairness. For instance, Sitkin and Bies (1994) attributed the increasing formalization of procedures and rules to the organization's desire to act in a fair and just manner. Ironically, the mere act of formalization may detract from the aspects of the procedure (e.g. its sense of interpersonal responsibility), which are important to its success.

Emphasizing rigid formalized procedures when making allocation decisions has a number of significant implications for the organization, especially when viewed in the context of organizational justice. Organizational justice refers to the fairness of decisions made by authorities, with respect to outcomes, procedures, or procedural implementation. Perceptions of fairness are positively related to job satisfaction (Folger & Konovsky, 1989), organizational commitment (McFarlin & Sweeney, 1992), trust (Tyler & Lind, 1992), and organizational citizenship behavior (OCBs) (e.g., Moorman, 1991). Perceptions of unfairness are related to intentions to leave the organization (e.g., Sweeney & McFarlin, 1997), turnover (e.g., Aquino, Griffeth, Allen, & Hom, 1997), employee theft (e.g., Greenberg, 1993a), and retaliatory behaviors (e.g., Skarlicki & Folger, 1997). A large body of research suggests that organizations and managers need to look for ways to increase organizational justice. Organizational decisions that involve resource allocation invariably raise concerns for justice. Resource allocation decisions can range from

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mergers and acquisitions, divestiture, and downsizing decisions at the organizational level, to hiring, reward, and promotion decisions at the human resources level.

A goal of the current paper is to further develop the ideas proposed by Sitkin and his colleagues regarding the formalization of procedures through the incorporation of recent advances in the justice literature. I argue that the formalization of procedural justice creates a paradox; although organizations adopt formalization in order to increase perceptions of procedural justice, they may actually be decreasing their employee's perceptions of fairness of managerial fairness. Formalization may increase employees' sense of entitlement for just treatment while at the same time decreasing their managers' ability to engage in fair decision-making behaviors. In other words, it will be argued that organizations may be unintentionally eroding the perceptions of managerial fairness when they formalize procedures. I conclude with a discussion of the implications for organizations and an appeal for justice theorists to devote more attention to macro-level variables.

This paper begins with a brief overview of organizational justice, with specific focus on the four-component model of procedural justice. The concepts of procedural formalization and the legalization of organizations will be introduced. Finally, drawing upon the four-component model of procedural justice, predictions for the effects of formalization on justice perceptions will be advanced, and implications discussed.

Organizational Justice

Organizational justice refers to people's perceptions of fairness in organizational settings. Fairness is deemed a "perception" because its assessment does not depend on how fairly an individual was actually treated, but rather on how fairly the individual perceives that s/he was treated (Greenberg, 1990). Assessments of unfairness typically occur when individuals believe that their expectations about treatment or outcomes are unmet. When people notice a situation where their expectations are not met, or an injustice has occurred, they are motivated to restore fairness (e.g. by engaging in retaliatory behaviors) or to reciprocate fair treatment (e.g. by engaging in citizenship behaviors) (e.g., Skarlicki & Folger, 1997; Moorman, 1991).

Organizational justice theories tend to include three forms of justice: distributive, procedural, and interactional (Bies & Moag, 1986). Distributive justice refers to a person's perceptions of fairness regarding the outcomes they received (Homans, 1961). For example, equity theory suggests that people compare the ratio of contributions and outcomes of relevant others against their own (Adams, 1965). When an inequity is perceived, individuals may attempt to restore equity, either cognitively or behaviorally.

Fairness perceptions depend not only on the outcomes individual's receive, but also on the procedures used to derive the outcomes, termed procedure justice (see Brockner & Wiesenfeld, 1996 for a review). Leventhal (1980) suggested that procedures are perceived as fair when they are implemented (a) consistently, (b) without self-interest, (c) on the basis of accurate information, (d) with opportunities to correct the decision, (e) with the interests of all concerned parties represented, and (f) following moral and ethical standards. These rules have been empirically supported in a number of studies (e.g. Folger & Konovsky, 1989, Tyler, 1989).

Studies indicate that procedural justice is highly predictive of attitudes and behaviors when outcomes are deemed unfair or low. Moreover, Brockner and Wiesenfeld (1996) proposed, "distributive justice is more influential than procedural justice in determining individual's satisfaction with the results of a decision, whereas procedural fairness is more important than outcome fairness in determining individual's evaluations of the system or institution that enacted the decision" (p. 189). Research suggests that procedural justice is associated with evaluations of the organization as well as with the decision-makers, or organization authorities. When procedures are perceived as fair, individuals tend to experience higher organizational commitment (e.g. McFarlin & Sweeney, 1992), greater trust (e.g. Konovsky & Pugh, 1994) and supervisory commitment (e.g Malatesta & Byrne, 1997).

Another form of procedural justice, termed interactional justice, pertains to interpersonal treatment received from a supervisor (Bies, 1987). Interactional justice relates to the manner in which procedures regarding relevant outcomes are implemented (Bies & Moag, 1986; Bies, 1987). Colquitt, Conlon, Wesson, Porter, and Ng (2001) provided empirical evidence suggesting that interactional justice could be further broken down into two forms: interpersonal and informational justice. Interpersonal justice reflects the

degree to which people are treated with politeness, dignity, and respect by authorities during the enactment of procedures and/or the allocation of outcomes (e.g. Folger, 1993; Folger & Bies, 1989; Greenberg, 1993b). Informational justice, on the other hand, focuses on the explanations provided to individuals that convey information pertains to why procedures were used in a certain way or why outcomes were distributed in a certain fashion (e.g. Bies, Shapiro, & Cummings, 1988).

Recently, Tyler and Blader (2000) proposed a four-component model of procedural justice in which elements of procedural and interactional justice are combined into one model. In this model, two procedural elements, quality of decision making processes and quality of treatment were crossed with two sources of justice, the rules of the group (formal) and the actions of the supervisor (informal) (see Figure 1 below, taken from Tyler & Blader, 2000).

Figure 1. The Four-Component Model of Procedural Justice

Source

Procedural Element

	Rules of the group (formal)	Actions of the supervisor (Informal)
Quality of Decision Making Processes	Formal quality of decision making	Informal quality of decision making
Quality of Treatment	Formal quality of treatment	Informal quality of treatment

In this model, the formal quality of decision-making refers to the fairness of the formal procedures that are prescribed by the rules of the group. These rules pertain to things such as making decisions about allocations, resolving conflicts, and the like. Informal decision-making refers to the aspects of the decision-making process that are impacted by the behaviors or specific group authorities. Authorities can influence the quality of decision-making when they implement the group rules and procedures or when they exercise discretion in decision making, such as when they tailor the procedures for a specific situation, or make a decision when no formal processes exist. Quality in these instances then, is defined as (a) whether the manager maintained the fairness of formal decision-making procedures during implementation and (b)

whether the manager properly exercised discretion in ensuring that the formal procedure fit the circumstances where it was being applied.

Formal quality of treatment refers to the role that the rules of the group have in determining how fairly individual group members feel that they are treated (Tyler & Blader, 2000). Informal quality of treatment, on the other hand, refers not only to the traditional components of interactional justice (e.g. the provision of an explanation and being treated with dignity and respect during the enactment of a procedure), but also encompasses individual's treatment during their general personal experiences with their supervisors.

One feature of Tyler and Blader's (2000) model is that it distinguishes between individuals' evaluations regarding both the formal and informal sources of procedural justice. Specifically, the authors found that individuals are able to recognize the level at which decision-making occurs, and make distinct evaluations between informal and formal bases such that individuals do not judge the organization in the same manner that they judge their supervisor. Although procedural fairness evaluations are dependent upon evaluations of both sources of justice, individuals can judge one aspect, e.g. the organization rules, as unfair but still think that their supervisor acted in a fair manner or vice versa. Procedural justice will be highest when both the supervisor and the organization are perceived to be acting in a procedurally fair manner. Moreover, when employees view the group's rules as fair but their supervisor as unfair, they may display loyalty to the organization but not to their supervisor.

Although several researchers (e.g., Lind & Tyler, 1988; James, 1993, Sheppard, Lewicki, & Minton, 1993) have argued that the larger social context in which organizational decisions occur may affect perceptions of fairness, traditionally, organizational justice research has focused on micro-level or individualistic (intrapsychic and interpersonal) aspects of fairness and has underemphasized macro-level variables such as culture, intergroup relations, and organizational structure (Schminke, Ambrose, & Cropanzano, 2000; James, 1993; Greenberg, 1990). For instance, Schminke et al. (2000) argued that, with the exception of their study, none of the previous justice work has considered organizational structure elements (e.g. centralization, formalization, and size). This is unfortunate because organizational structure

is associated with activities such as decision-making and fairness evaluations are a response to decision-making (e.g., Jelinek, Litterer, & Miles, 1981). Greenberg (1990) attributed the tendency to underemphasize macro-level variables to the type of research designs that have been adopted, in that few studies were conducted that measured employees' justice perceptions within the organization to which they belonged.

In the next section, I argue that the formalization of procedures can lead employees to expect higher levels of fair treatment from both the organization and their managers. However, formalization will also constrain the organization and its managers' ability to meet these expectations, and as such employee evaluations of managerial fairness may be limited by increased organizational structure.

Organizational Structure

Institutionalization involves the processes by which social processes, obligations, or actualities take on a rule-like status in social thought and action (Meyer and Rowan, 1977). Further, organizations often incorporate the practices and procedures defined by "prevailing rationalized concepts of organizational work and institutionalized society" (pg. 340) because organizations wish to obtain legitimacy. Recently, in response to a litigation-oriented mentality, organizations have been involved in a special form of institutionalization termed legalization, where they mimic the decision-making procedures, criteria, and language used in legal settings to gain institutional legitimacy for their actions (Bies & Tyler, 1993; Sitkin & Bies, 1993).

Three characteristics of legalization are particularly relevant to this discussion (Sitkin & Bies, 1993). First, legalization represents an increased use of formal, standardized policies, and procedures that reflects a legal emphasis on due process, formalization, and official written findings. Second, legal forms are adopted because they are already recognized as being culturally acceptable. In other words, these procedures are adopted because they symbolically represent institutional legitimacy and responsiveness (e.g., Meyer, 1983). Third, decision-making processes can be distorted as managers emphasize the legal ramifications of their decisions over other factors, such as economics and humanistic concerns, which are also relevant to decision-making processes.

The effects of legalization pose a number of paradoxes involving rationality, formalization, and justice (Sitkin & Bies, 1993). For instance, legal reasoning appears to be the epitome of rationality, and as such legalistic procedures and criteria should provide an authoritative basis for justifying managerial choices. Heavy reliance on legalistic procedures, however, can limit organizational flexibility and managerial discretion. Moreover, such reliance can undermine the legitimacy of managerial exercise of authority.

Legalization can also lead to a "formalization paradox" (Sitkin & Bies, 1993). Legalistic approaches are often used to institutionalize successful informal practices. Formalizing these practices, however, can reduce the sense of intimacy or interpersonal responsibility that may have contributed to the practice's success. This is related to the "justice paradox of legalization," which refers to the tendency for managerial decisions to emphasize what is legal at the expense of humanistic and social considerations. Although highly formalized legalistic procedures can protect managers legally, they also undermine the social goals of justice by focusing on legally accepted rationales rather than socially or economically rational decisions.

Macro-level factors such as procedural formalization can create a context in which justice operates, such that the larger social environment affects the actions of the organization and the organization's agents (i.e., managers) (Lind & Tyler, 1988). In other words, an individual's sense of justice is partially a product of the organization and its structure (Schminke et al., 2000). The effects of the procedural formalization (legalization) can have implications for how employees evaluate the fairness of both the organization and their supervisors. As noted earlier, the four-component model of procedural justice suggests that procedural fairness evaluations are dependent upon evaluations of both organizational and managerial sources of justice, such that individuals can judge one aspect, e.g. the organization rules, as unfair but still think that their supervisor acted in a fair manner or vice versa.

The process of legalization may have different effects on individuals depending on their place in the organization (supervisor/subordinate). Bies and Tyler (1993) suggested that a rising expectations dilemma exists, such that the increased use of formalized policies and procedures may create higher

aspirations and expectations among employees for fair treatment. Specifically, once formalized procedures are instituted, employees begin to expect further specification of their rights in these procedures (e.g. Selznick, 1969). Additionally, employees view the institutionalization of procedures as entailing further obligations for their managers to act in fair and ethical manners (e.g. Folger & Bies, 1989). Thus, the quest for law leads employees "to demand that the rules be legitimate, not only in emanating from established authority, but also in the manner of their formulation, in the way they are applied, and in their fidelity to valid institutional purposes" (Selznick, 1969, p. 29). Bies and Tyler (1993) also proposed that the rising expectations of employees due to the institutionalization of procedures results in employees perceiving more obligations on the part of their managers. Moreover, managers must meet higher standards of fairness in order to satisfy their employees, thereby leading to the potential for greater perceived unfairness (e.g. Folger, 1977).

Proposition 1a: Procedural formalization will be positively related to employee expectations for the fairness of the organization's decision-making procedures.

Proposition 1b: *Procedural formalization will be positively related to employees' expectations that their manager's will engage in behaviors that reflect procedural justice.*

The rising expectations dilemma associated with employees can be contrasted with the decrease in perceived managerial discretion. The formalization of procedures makes it more difficult for managers to tailor specific policies and procedures to the needs of their employees (Sheppard & Lewicki, 1987). Since these discretionary actions comprise the basis for employees to judge the procedural fairness of their managers, decreasing the opportunity for managers to engage in these behaviors will also decrease perceptions of managerial fairness. Thus, by restricting managers' flexibility, organizations are also limiting the opportunities that managers have for demonstrating their procedural fairness. For instance, when managers must adhere to a formal reward system based on equality principles, their hands become tied if they wish to reward a star performer according to equity principles.

Proposition 2: As the formalization of the organization increases, managers will perceive that they have less opportunity to engage in discretionary decision-making.

To my knowledge, only one study, (Schminke et al., 2000), has specifically examined the relationship between procedural formalization and perceptions of procedural justice. The authors predicted that an inverted U-shaped relationship should exist, with moderate levels of structural formalization associated with the highest levels of procedural fairness. Drawing on Leventhal's (1980) argument that consistency represents an important structural component of procedural justice, they argued that some level of formalization was required so that members of the organization would know that all individuals in the organization were subject to the same rules. However, high levels of formalization could have detrimental effects because the organization becomes so rule-bound that there is little discretion in decision-making processes. As noted above, discretion is important because it allows managers the opportunity to make "the sort of day-to-day judgment calls that may enhance net fairness perceptions" (Schminke et al., 2000 p. 296).

Schminke et al. (2000), however, did not find support for their hypothesis. It is possible that this was due to the operationalization of their construct. The authors did not examine the relationship between formalization and procedural fairness in the context of the four-component model of procedural justice. Specifically, they did not examine whether differences existed in perceptions of the formal and informal quality of decision-making processes with respect to formalization. Instead, the authors combined both informal and formal aspects into one overall measure.

Contrary to Schminke et al. (2000), I argue that two different patterns should exist between the degree of procedural formalization and the informal/formal quality of the decision. The rising expectations argument (e.g. Bies & Tyler, 1993) suggests that as the institutionalization of procedures increases, individuals will prefer even greater institutionalization to cover more of their concerns and rights, resulting in yet more highly formalized procedures and policies. Thus, as procedural formalization increases so do the individual's perceptions of procedural justice because more of his/her interests are taken into formal account by the organization.

A caveat to this argument is in order. It seems unreasonable to expect that additional formalization will always increase perceptions of procedural justice without restriction. Instead, it would be more

appropriate to assume that the amount of formalization that is appropriate would depend on the organization's environment and general operating features (e.g. Schminke et al., 2000). Thus, organizations that operate in a highly static market, which is characterized by a high degree of certainty and predictability, would have a higher threshold for formalization than an organization that operated in a fluid market where too many rules may constrain the organization's ability to respond to the dynamic environment. Thus, provided that procedural formalization are perceived as useful by the employee (e.g. demonstrating fairness, not onerous, and consisting of an appropriate level of detail), it is argued that increases in procedural formalization will be related to corresponding increases in perceptions of procedural justice.

> *Proposition 3: When the perceived usefulness of the level of formalization is controlled, procedural formalization will be positively related to the perceived fairness of the organization's decision-making procedures.*

The relationship between perceptions of the manager's decision-making fairness and formalization is likely to be quite different however. In cases where low formalization exists, individuals will experience more uncertainty regarding what procedures are being applied, how their manager's idiosyncrasies affect the outcomes that they will receive, and whether the same procedures are being applied to their colleagues. Formalization decreases this uncertainty by providing a consistent system in which individuals know that everyone is subject to the same rules. At moderate levels of formalization, individuals are subject to the same group rules; however the rules do entail some degree of discretion (Tyler & Blader, 2000). The discretion that an authority chooses to exercise in any particular situation will be dependent on their idiosyncratic characteristics as authorities, the particular characteristics of the person they are dealing with, and the nature of their unique relationship with that person. Although the idea that different group members may have different experiences with the same authorities might seem counterintuitive to the idea of justice, it is not so unrealistic when one considers the difference between everyone receiving the same formal procedure, and everyone being treated identically. When everyone receives the same treatment regardless of the unique circumstances of their situation, some important considerations can be overlooked. Rules cannot specify all possible situations in advance. Authorities must be able to exercise some discretion in the

application of rules so that the rules and procedures suit the elements of the situation and the persons involved. The presence of discretion suggests that the authority may enact the same formal procedure differently, depending on the circumstances of the situation.

As formalization increases, the decision-making power moves away from the supervisor and towards the procedures such that the rules do the allocating instead of the decision maker (Schminke et al., 2000). In this case, the rules do not allow for the consideration of individual needs. Given that the individual's interests and needs are best considered at moderate levels of formalization, it is predicted that an inverted U-shaped relationship will exist between the level of formalization and the informal quality of decision-making.

> *Proposition 4: The relationship between formalization and perceptions of a manager's decision-making fairness will be represented by an inverted U-shaped relationship, such that moderate levels of formalization will be associated with the highest levels of managerial decision-making fairness.*

Due to the fact that evaluations of managers are dependent on both the fairness of their decision-making and how they treat their employees (Tyler & Blader, 2000), the relative importance of the quality of the treatment one receives from a manager may depend, in part, on the ability of the manager to engage in discretionary decision-making. Managers who consistently behave respectfully toward their subordinates, and in ways that suggest they have their employees' needs in mind, will provide some degree of certainty to the employee that they will be treated in a fair manner (Skarlicki & Folger, 1997). Thus, when formalization is low and managers have the ability to engage in discretionary behaviors, individuals will care about the way that managers treat them because it provides information regarding the fairness that they can expect and that they are valued individually.

At high levels of formalization, procedures dictate the actions and procedures that managers must follow, and very little, if any managerial discretion is present. In these instances, employees are less able to evaluate the fairness of their supervisors because the supervisors' actions are attributed to the procedures. In these instances, favorable evaluations of managers may depend less on the quality of their decision-making (because it is constrained) and more upon the perceived quality of treatment. At moderate levels of

formalization, managers have the opportunity to demonstrate their decision quality through the exercise of discretionary actions. In these instances, managerial evaluations may be based less on the informal quality of treatment because individuals can use the informal quality of decision-making as a source of information on which they can judge managerial fairness.

> *Proposition 5: Informal treatment will be more predictive of overall managerial evaluations when formalization is low or high, and less predictive of overall managerial evaluations in the presence of moderate levels of formalization.*

Conclusions

This paper argues that the formalization of procedures can affect employees' expectations about the type of treatment they can expect to receive as well as influence their assessment of procedural fairness at both the formal (organizational) and informal (managerial) levels. The implications extending from these arguments are fivefold. First, organizational justice perceptions and managerial treatment do not occur in a vacuum; rather they take place against the backdrop of the organization and its structure. Thus, in order to understand justice we must understand the context in which it occurs. Second, the effects of structure are multi-level. For instance, increased structure may lead employees to feel that they are entitled to higher levels of procedural justice whereas it may lead managers to feel that they are less able to meet the expectations of their subordinates. Third, increased formalization may lead the organization to erroneously believe that they have created a fairer workplace for employees, when they may have only increased perceptions relating to the formal sources of justice but not those relating to their managers. Moreover, by emphasizing formal sources of justice, organizations may decrease managerial legitimacy and the ability of managers to engage in actions that will be perceived as fair by their subordinates. This may "sterilize" the workplace, thereby resulting in employees who are less committed and loyal to their managers. Fourth, in highly formalized organizations, the importance of fair treatment by managers may take on added importance for the way that their employees evaluate them. It is noted that in some instances, managers can skirt around the procedures in place, however when formal procedures do constrain their ability to demonstrate care and concern for employees, managers may wish to emphasize fair treatment so that the employees experience loyalty not only for the organization, but also for them. Finally, the arguments

presented in this paper suggest that in order to understand justice, we need to consider the context in which it occurs. The propositions presented in this paper await empirical testing and will hopefully act as a springboard for other organizational justice researchers to examine macro-level influences. The results of such research could have many important implications for the way that we understand organizational justice and the way that organizations can manage perceptions of fairness.

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