

**JUSTICE AND ORGANIZATION: CONFRONTING  
CONCEPTIONS / GIUSTIZIA E ORGANIZZAZIONE:  
CONCEZIONI A CONFRONTO**

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*Abstract*

This ebook proposes a reflection on justice within organizations. In all social areas and especially that of the workplace, people's experience is built around stories that refer to the notion of justice. This consideration is the basis of the present effort to analyze justice theories either used by organizational scholars or which can be utilized at an organizational level. After the presentation of the "conceptions of organization", the ebook proposes an original reading of the theoretical contributions on justice, which uses the aforementioned knowledge alternatives as reference. The essay ends with a confrontation between these different visions of justice, outlining research and managerial implications.

*Keywords*

Justice, Organizational conceptions, Organizational justice theory, Capability approach.

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# **Justice and organization: confronting conceptions**

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## **Introduction**

This essay offers a reflection on justice within organizations. This issue, one of an almost unfathomable complexity, concerns all fields of social interaction, given that people's lives are made up of experiences rooted in the notion of justice. In the world of organized labour, the issue of justice is today more pressing than ever.

Over the following pages, we present justice theories and definitions and we analyse them in relation to organizational theories. For this purpose, we base our reflection on the *conceptions of organizations* (Maggi, 1984/1990; 1991; 2003/2016), trying to identify an appropriate way to conceive justice for each of them.

We therefore recall the epistemological basis of the main alternatives of organizational investigation, before offering an analysis of the theories utilized by organization scholars while using the above-mentioned conceptions of organization as a constant point of reference.

The aim of this effort is to offer a systematic framework for confrontation. The argumentative strategy chosen is therefore one of a speculative nature, although we try to highlight the implications that the theoretical-methodological options may have on research activity and organizational practices.

## **The conceptions of organization**

Bruno Maggi used the notion of the "conception" of organization in order to express "the underlying epistemological choices and the paths for interpreting organized realities" (Maggi 1984/1990: 190). Conceptions are

“choices of scientific knowledge to which the theoretical contributions refer in various ways” (*ibid*: 182)<sup>1</sup>, are ideal-typical constructions, and in organizational theory they reflect “the underlying positions expressed in the epistemological debate of the social sciences, in turn conditioned by the philosophical debate of the 19<sup>th</sup> and 20<sup>th</sup> centuries” (*ibid*: 181).

Focusing on the analysis of the various theories of justice in the organizational field,<sup>2</sup> we prefer Maggi’s proposal of the “epistemology of organization”, to classifications commonly used in organization studies that are not based on the essential “debate over method”: the roots of the epistemological reflection on social sciences.

Therefore, in this essay, we refer to the conceptions of organization in order to analyse the various theories of justice in the organizational field to assess their internal coherence and to reflect on their greater or lesser comparability. The attempt to draw in theories from different disciplines – organizational, economic, sociological and philosophical – is carried out on the basis of the sharing of the epistemological mind-set that characterizes them.

The main vision that has distinguished organizational thought, ever since the early 20<sup>th</sup> century, interprets the organization as a *pre-determined system* with regard to the action of the subjects that take part in it. Pre-determination refers both to the plannability of the system – a concrete entity – and the notion of objective rationality which would characterize its functioning.

The theoretical perspectives that presuppose the conception of the organization as a pre-determined system is further distinguishable into two

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<sup>1</sup> “As a term equivalent to conception, the word logic [...] has often been used [...], meaning the way of thinking with the accent on the internal coherence of the conception” (Maggi, 1991: 31). The terms vision, “points of view” or “ways of seeing” may also be used.

<sup>2</sup> For example, Burrell and Morgan (1979) outline four paradigms (Radical Humanism and Interpretivism; Functionalist Sociology and Radical Structuralism), by crossing the subjective-objective dimensions with those of radical regulation-change. By using the term “perspectives”, Scott (1981) distinguishes between organization as a rational, natural and open system. Hatch (1997), beyond that of the (pre-historian) classics, identifies the Modern, Symbolist and Post-Modern outlooks. It is frequent to find the distinction between positivism (both old and new-school) and interpretationism (Corbetta, 2003), or between paradigms of the structure(-system) and action(-subject) (Cavalli, 2001), or even the distinction between holism and individualism (Cesareo, 1993; Coccozza, 2005).

different logics: that of the closed-mechanistic system and that of the open-organic one.

According to the logic of the closed-mechanistic system, the planning (of tasks, units, etc.) takes place in conditions in which uncertainty is supposedly eliminated, and the “one best way” is identified and adopted through absolute rationality: “in every organized reality, on the basis of the principles of optimization, the best programme may be defined” (Maggi, 1984/1990: 184).

According to the logic of the open-organic system, the emphasis is placed on the search for the internal-external equilibrium, which however, unlike what happens within the logic of the closed-mechanistic system, “may be guaranteed by different conditions and in different ways [...]. Equifinality entails programmes not being strict. Indeed, flexibility enhances the potential of the system” (*ibid*: 185). In this case, there are no tasks but roles, i.e. behavioural expectations and prescriptions which allow for a margin of discretion and are variable on the basis of the above-mentioned internal/external, environment/organization equilibrium. Variability of behaviour may be legitimized insofar as it is functional to the system.

In a vision contrasting with that of the pre-determined system, the system itself may be interpreted as an *entity emerging* from the behaviour of the actors of which it is made up. Such conception – otherwise known as the “logic of the actor and of the concrete system” (*ibid*: 186) – is based on the assumption that reality is a social construction. The interpretation of behaviour and social phenomena must be carried out first of all by making reference to the sense meant by the agent. The task of the scholar is therefore that of the “reconstruction of the lives of the actors, of their attitudes and values” (*ibid*: 188), as well as of the culture and the symbolic and linguistic universe of the actors themselves.

In this logic, the real structure emerges (*ex-post*) from the typification of behaviour rather than from the planning stage (*ex-ante*). The approach is descriptive, since both the possibility to foresee and prescribe social action, as well as the identification of universal laws, are not admitted. This matrix is

clearly anti-positivist, deriving in particular from social phenomenology as well as from symbolic interactionism.

The subjectivistic interpretation criticizes the actor-system relationship of the mainstream logic: the management's approach is top-down and produces a disequilibrium of power which limits the expression of the individual with regard to the functional requisites of the organization, taking for granted that the collaborators align their objectives to those of management. The actor's approach, instead, would appear to stimulate the passage from the ideas and practices of the management of human resources to those of facilitation and presiding over of contexts that may foster the emergence and development of individuality and of relationships between people, along with their growth and satisfaction. For example, in this approach, interpretable as a "constitutive" strategy – an alternative to the "instrumental" one (Costa, Giannecchini, 2005) – we should not speak of systems of training and assessment *sensu stricto*, but about the support of paths of development and processes of self-evaluation.

The conception of organization as a *process of actions and decisions* may be considered a third way in the study of organization. It is characterized by a greater distance from the other two visions of the pre-determined system and the emergent system: far from possibly being considered a syncretic attempt of the other two, it resolves the dilemma of the actor-system antinomy. The analysis does not concern entities, but actions and decisions. The central element in the study of organizational phenomena is not represented by reifications of the system or the subject, but is instead the action process itself.

The structure is not a concrete element, but "the ordering of the process" (Maggi, 1984/1990: 189); the subject is constrained by this order, but at the same time contributes continuously to produce it, to the point that it may be said that the organization "is" a dynamic, rather than saying that it "has" a dynamic (Masino, 1997). The analysis of organized labour and the assessment of the congruence of organizational choices – both past and future – is the fulcrum of this conception.

*Justice and organization*

Below, we propose a reflection about the relationship between justice and organization which will utilize as a reference the distinction between different conceptions of organizations, as outlined above.

Despite evidence that the organizational experience is characterized by situations closely linked to the experience of justice, rarely have organization scholars dealt with the issue explicitly and systematically, with the exception of the consistent research work carried out on the Organizational Justice Theory. In fact, the literature on organization, when referring to the assessment-justification of the action, largely draws on “neighbouring” constructions, such as organizational democracy, equity, ethics and values<sup>3</sup>.

Apart from the contributions that make explicit reference to the term justice, the following discussion will also take into consideration those that are believed to be relevant in the development or the critique of principles useful for judging whether a given action, in the organizational field, is right or wrong. Along these lines, we shall also try to associate the chosen contributions on justice in organized systems with the main philosophical-moral theories that the contributions reference, often implicitly.

This operation evidently constitutes an arbitrary exercise, both in the choice of contributions analysed and in the interpretation carried out below on the orientation of such contributions towards a given conception.<sup>4</sup> Nevertheless, we are convinced that this exercise is fundamental for the conscientious adoption of a point of view, and also for the concrete implications that may arise from it.

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<sup>3</sup> As regards the difficulty of definition, we believe there is nothing to add to the fact that the archetypal representations of justice, in part still rich in meaning, were developed in Ancient Greece and that, historically, philosophers have used *happiness, utility, freedom* and *peace* respectively as criteria of justice (Abbagnano, 1971: 439). As regards the distinction that exists between the notions of justice and equity and their use, be it coincident or alternative, an attempt at clarification is to be found in Neri, 2007.

<sup>4</sup> Instead, we differ from classification proposals, such, i.e., that of Johnson (2008) who uses the modern, symbolist-interpretativist and post-modern perspectives (Hatch, 1997) in order to classify the theoretical orientations about social justice.

**Justice in the conception of the pre-determined system: the distributive dimension.**

In the mechanistic conception of organization, dominated by the idea of optimizing rationality and offering universal explanations, the contribution of those who take part in the life of the organization is pervasively predetermined by programmes and procedures, to the point that historiographical reconstructions have often gone too far with the “man-machine” association.

However, it is not possible to state that concern for the just treatment of people may not also be found in the contributions of theorists whose vision of the organization assumes the conception of the pre-determined closed-mechanistic system.

It is since Taylor – founder of Scientific Management and usually considered the main proponent of organization as a closed-mechanistic system – that the need to behave in a fair manner towards workers has been underlined, also with the purpose of avoiding any opportunistic behaviour on their part. In Taylor’s writings, the relevance of social utility in the scientific approach emerges frequently. The scientific analysis and thorough control and measurement of the product of individual labour are deemed necessary both for the correct functioning of the system, to guarantee the absolute objectivity of supervisors, and for the elimination of any kind of subjective distortion of judgement. Furthermore, the fourth principle of Scientific Management explicitly expresses the tension towards the fair division of labour between management and workers<sup>5</sup>.

What’s more, in relation to the recent emergence in a key sector such as that of education of what has been defined as the second wave of Scientific

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<sup>5</sup> Taylor (1911/1947: 37) defines the fourth principle as follows: “There is an almost equal division of the work and the responsibility between the management and the workmen. The management take over all work for which they are better fitted than the workmen, while in the past almost all of the work and the greater part of the responsibility were thrown upon the men.” Further on (*ibid.*: 139) he states: “It [the public] will no longer tolerate the type of employer who has his eyes only on dividends alone, who refuses to do his share of the work and who merely cracks the whip over the heads of his workmen and attempts to drive them harder work for low pay. No more will it tolerate tyranny on the part of labour which demands one increase after another in pay and shorter hours while at the same time it becomes less instead of more efficient”.

Management, it is believed that an approach inspired by Taylorism is not incompatible with the modern notion of “social justice”<sup>6</sup>.

Even Gantt, previously a collaborator of Taylor and made famous by the elaboration of the diagram that bears his name to this day, offers a more humanistic version of Scientific Management,<sup>7</sup> paving the way for what would later be defined as corporate social responsibility: “the business system must accept its social responsibility and devote itself primarily to service, or the community will ultimately make the attempt to take it over” (Gantt, 1910: 15)<sup>8</sup>.

During the same period, Franklin Bobbit, initiator of the *curriculum vitae* research line, states that “So long as equally useful vocations have been so unequally honored and rewarded, and so long as labor conditions have offered such unequal opportunities for self-realization, this educational problem has been insoluble. The solution is coming, not through the impossible plan of lifting all people into the professions, but through lifting all vocations to the social level of the professions. The process is making the door to any useful vocation a door of opportunity”<sup>9</sup>.

Fayol, the main interpreter of the “administrative management” school, itself oriented to the mechanistic conception of organization, identifies 14 principles of general management, and among these (the eleventh) equity. Fayol (1918: 38) states: “For the personnel to be encouraged to carry out its duties with all the devotion and loyalty of which it is capable it must be treated with kindness and justice [...] [the manager] should strive to instil a sense of equity throughout all levels of the scalar chain.” In Fayol’s principle, there is thus another concern with regard to Taylor’s thinking: the “kind” treatment and therefore the respect within the interaction between management and staff.

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<sup>6</sup> Brooks, Miles, 2008.

<sup>7</sup> “The general policy of the past has been to drive; but the era of force must give way to that of knowledge, and the policy of the future will be to teach and lead, to the advantage of all concerned” (Gantt, 1910: 112).

<sup>8</sup> “Great attention to social and ethical issues certainly described Taylor’s efforts, but they were also typical of the American scientific community at large (Gantt, 1910) whose main goal was to demonstrate, according to a functional logic, how their theories or models could have collective utilitarian values [...]” (Zuffo 2011: 27).

<sup>9</sup> Bobbit, 1918: 63, cited in Xing, 2016.

With the advent of the Human Relations School, attention to the human factor was clearly present, as well as to informal dynamics and the forms of participation and cooperation between workers. An example is Roethlisberger's (1941) reflection on the search/need for a balance between the expectations of the employer and the expectations of the worker. Along the same lines, characterized by a greater attention to listening to workers, we also find the reflection of Mary Parker Follett (1930), not by chance likened to the approach of the Tavistock Institute, despite it being a few years previous to that of Mayo and colleagues. Follett in fact explicitly poses herself the problem of sharing a common idea of justice between managers and workers, based on an analysis of their reciprocal perceptions<sup>10</sup>.

It may therefore be stated that in the decades of the 20<sup>th</sup> century in which the organizational mainstream revolved around the conception of the pre-determined closed-mechanistic system, the issue of justice may be found – albeit with varying sensitivity – in researchers' reflections, although not explicitly modelled. In this vision, the attention towards justice and equity cannot but depend on the integrity of the manager, the sole interpreter of the universal principles that underpin its application (with the exception of the above-cited contribution by Follett). Coherently with the underlying approach the more or less explicit orientation towards justice is one of an “instrumental” nature: maintaining conditions of justice (equity) may contribute to the maintenance of organizational efficiency. “Sharing the gains of scientifically structured production (scientific management), instituting strict rules (bureaucratic theory), or managing in a more humanistic manner (human relations) were all understood to be consistent with greater organizational efficiency” (Van Buren, 2007: 638).

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<sup>10</sup> “Follett suggested that managers and employees should mutually construct their perceptions of justice and understand the nature of justice. [...] Mary P. Follett believes that it is not enough if managers understand the perceptions of employees and then decide on how to repair the violations of fairness. Thus, she deemed it appropriate to develop within the organization mechanisms such as one-on-one meetings, workshops, feedback sessions, through which managers and employees can jointly develop definitions of fairness and equity” (Negrușă, Ionescu, 2016: 279).

At the start of the 1960s, at the height of the establishment of the motivationalist epopee, spearheaded by the work of Maslow (1954), first Homans (1961), then Adams (1963) and Blau (1964) would put forward the theme of justice in the subject-organization exchange. The origins of the school of the Organizational Justice Theory, which will be examined further on, are retraceable to this period and these theoretical proposals, connecting sociology and psychology, explicitly contextualizing the issue of justice within an organizational setting.

According to Homans (1961: 75), “a man in an exchange relation with another will expect the rewards of each man will be proportional to his costs”. And when each of two men is being rewarded by a third party, each will expect the allocator to keep this same relation between the recipients in the allocation of rewards.

This is the rule of distributive justice, the so-called loyal exchange inherent to the *elementary forms of social behaviour*: distributive justice occurs when all the various elements of the investments and activities of a man, when compared according to a hierarchical order with those of other men, occupy the same position in all the various aspects.

The following work by Adams (1963) is undoubtedly the most used to represent this seminal phase of reflection on the theme of organizational justice: his Equity Theory in fact proposes an elementary and intuitive systematization of the organizational exchange which allowed for its broad diffusion. The basic assumptions that Adams proposes are:

- the subject tends to relate the contributions (inputs) made in the exchange with what is obtained (outcomes);
- equity in the exchange process is evaluated by comparing one's own input/outcome balance with that of a “referent”, for example a co-worker;
- the subject is motivated to maintain relationships perceived as just and, by contrast, attempts to alter any relationship that he sees as unjust.

Adams's innovation, beyond his simplified operationalization, lies in his emphasis on the perception of the subject and therefore on justice based on

his/her experience, at any rate linked to a series of predefined factors (working inputs and outcomes).

The attention towards the distributive dimension of justice, initially circumscribed to the reaction to retribution and the reward system (as shown by the work of Walster *et al.*, 1978; Cook, Hegtvedt, 1983; Mowday, 1983)<sup>11</sup>, then slowly spread to other substantial aspects, with particular interest in the identification of the correlations between distributive justice and work attitudes.

Other scholars, in particular Eckhoff (1974), Deutsch (1975) and Leventhal (1976), adopted a research line that, instead of focusing exclusively on the reaction arising from the perception of injustice, shifted the proposal to identifying the kind of behaviour best suited to the creation of justice. Aware of the importance of the principle of balancing (between inputs provided and outputs expected) in the economic field, yet convinced that the fair distribution of resources may be inspired by multiple and not necessarily mutually exclusive principles, they therefore included equality and need in their organizational analysis.

The legitimation of various principles of justice thus opens up to the possibility of their joint and contingent adoption, i.e. influenced by the characteristics of the context in which they are applied: the comparative analysis is based on the characteristics of the resources to be allocated, the subjects and the groups, the work situation and the consequences expected by their use.

In particular, it is purported that<sup>12</sup>:

- the principle of equality is usable when the resource to be distributed is

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<sup>11</sup> As concerns the same issue of the reaction to retribution systems, see also the works by Sweeney, 1990 and Welbourne *et al.*, 1995, even at the height of the Organizational Justice Theory era, as well as recent contributions of great current value such as those concerning the perception of inequity with regard to the disproportionate retribution allocated to CEOs, e.g. Wade *et al.*, 2006.

<sup>12</sup> A discussion on the comparative analysis of the principles of justice is to be found in Neri, 2007: chapter 3. An interesting research project by Parks *et al.* (1999) distinguishes between the use of distributive criteria functional to the fact they are applied to the allocation of resources (positive outcome) or to their recouping (negative outcome).

divisible; there is a high level of interdependence between the actors involved; the cost of the assessment process is higher than the differences between the shares to be allocated, with high informational complexity; with the expected result of highlighting similarities between actors and reducing the informational costs and tensions linked to the distribution process;

- the principle of input/output balancing (often identified with the principle of merit) can be used on the basis of the analysis of individual performance; when this is measurable and the resources distributed depend on the same individual contribution, with the consequence of increasing the motivation of individuals, underlining the differences that exist between them, in terms of potential such as behaviours and performance;

- the principle of need may be justified to underline the peculiarity of subjective conditions, at the social/work level, and may be applied in long-term relationships, when there is a desire to increase the sense of community, in situations characterized by the availability of key information on the nature and the intensity of the needs themselves, in order to allow a clear and complete assessment, while respecting actors' privacy.

In brief, over the span of time that stretches from the 1960s to the mid-1970s, in the period in which Henry Mintzberg (1971: 106) claimed that among the main roles of the manager there was that of the resource allocator<sup>13</sup>, the research into justice revolved around the *distributive* dimension: in order to underline the paternity of this dimension to the field of the social sciences, it is useful to recall that *distributive justice* has also been defined to all effects as *social justice* or *economic justice* (Fleischacker, 2004: 1).

Over the same period, the notion of perception was introduced in the process of assessment of the exchange, and the utility of an approach to distribution based on multiple allocation norms was proposed. The implicit premise that characterizes this research is that the analysis may be carried out

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<sup>13</sup> Mintzberg includes the role of "resource allocator" among the decisional roles, and distinguishes it in terms of the allocation of time on the basis of priorities, the planning of the work of collaborators, the authorisation of all the most important decisions, among which the distribution of the budget.

under conditions of negligible degrees of uncertainty, or to allow for the intelligibility of its terms of exchange. Such analysis, from this perspective, is evidently generalizable and useful for managers to identify the attitudes of their employees and the characteristics of effective personnel management.

In this predominance of the distributive dimension of justice, it is possible to retrace the influences of an ethical framework of a utilitarian type (Schminke *et al.*, 1997)<sup>14</sup>: this cannot be overlooked if it is true that “the utilitarians were happy with moral language, [...] they reduced all morality to one principle, and a principle by which the good of society was supposed to trump the good of individuals; they therefore had little room for the special virtue of justice” (Fleischacker, 2004: 110).

### **Justice in the conception of the pre-determined system: the procedural and interactional dimensions and the Organizational Justice Theory**

Between the end of the 1960s and the mid-1970s, the Contingency School (Burns, Stalker, 1961, Lawrence, Lorsch, 1967), the Socio-Technical School (Emery, Trist, 1960) just like the New Human Relations (McGregor, 1960; Herzberg, 1968) represent the most followed among the organizational theoretical contributions. Organization is conceived as (pre-determined) organic-open system, characterized by the awareness of having to go beyond the logic of planning entirely pre-defined tasks in which the expected input and output are clearly identifiable. It was in this context that the *procedural* dimension of organizational justice was introduced within the reflection on justice.

Here, the implicit premise is as follows: insofar as the outcome (the *quantum*) of the exchange is at least partly ambiguous, given the impossibility of defining it precisely in conditions of inevitable uncertainty (which firms face through flexible and adaptable organizations in a logic of functional explanation) the idea of justice to be shared also and above all concerns the

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<sup>14</sup> We might define the utilitarian approach as follows: an action is considered right insofar as it tends to produce the greatest happiness for the greatest number of people.

procedure capable of producing that particular outcome.

There are two motivational forces that influence the procedural dimension: the instrumental, linked to the possibility of influencing the result through the control of the decisional process, and the non-instrumental, tied to the consideration received and the scope for expression.

The most immediate philosophical reference is that of the early Rawls (1971)<sup>15</sup> and the (neo-)contractualism of the 1970s which critically opposes the utilitarian approach, drawing more or less explicitly on the categorical Kantian imperative: each person – the aim of and not the mere means by which to reach a higher order – must be treated in the same manner by the law, when s/he finds himself/herself before any kind of evaluation (or distribution) process. Basically, it is the notion of justice as correctness, concretized in terms of attention to the formal dimension of the system. It is important to underline that in Rawls's proposal it is presupposed that citizens must reach consensus (on the principles/procedures of justice to be adopted) without necessarily sharing the same ethical/content level. After all, if "justice is the first requisite of social institutions," (Rawls, 1971: 3) the declared goal has to be to propose a model of fair society.

Hence it is no coincidence if in the work that gave rise to the line of studies on procedural justice, Thibaut and Walker (1975) take the categories of analysis proposed by Rawls as the reference point for their research, i.e. those of the initial position and of his key component, such as the veil of ignorance. Thus, they are interested in giving a concrete foundation to the idea of the *fair trial*, in their work contextualized in the legal field identifying the control of the trial – the possibility to control the gathering, selection and management of the information and proof necessary for the resolution of the dispute – as an element separate from any control over the decision, the chance to determine the outcome of the dispute itself.

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<sup>15</sup> What's more, we might note what is said on the matter by Boudon, 2002: 61: "Rawls's theory of justice [...] although generally included in the field of moral philosophy, [...] directly concerns all the human sciences and in particular sociology, by virtue of its attempt to explain the sentiments of justice".

Later on, Leventhal *et al.* (1980)<sup>16</sup> defined guidelines for planning of procedures evaluable as right: the consistency and coherence of procedures; the suppression of distortions of a personal nature (neutrality); the correctability of decisions; precision in the system of gathering the necessary information; representativeness/participation of all stakeholders (both on the construction of the system and in the management of the process); the ethical nature of the system itself.

Focusing on the formal dimension of the procedures, this proposal had the merit of clearly systematizing the elements necessary for the structuration of the decision-making context preparatory to the perception of justice, inspiring numerous applications in the field of the Management of Human Resources.<sup>17</sup> Among the many studies and many applications linked to the system of rules proposed by Leventhal and his colleagues, we shall cite those concerning the system of selection (Singer, 1993; Gililand, 1993), remuneration (Welbourne *et al.*, 1995; Tremblay *et al.*, 1998; Cox, 2000; St-Onge, 2000), performance evaluation (Folger *et al.*, 1992; Williams, Levy, 1992) and company restructuring (Kernan, Hanges, 2002).

The formal aspect of procedures was then separated from the aspect of interaction by Bies and Moag (1986), who distinguished the judgement that people form about the architecture of the system of norms and rules, from the relational aspects that their adoption entails. In concrete terms, the interactional dimension of justice takes on the shape of correct behaviour both in terms of accurate explanations and justifications, and of respectful communication. In practice, it is the judgement developed on the quality of the relations (not only between employees and managers but also among co-workers) that characterizes the organizational processes<sup>18</sup> in terms of honesty, respect,

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<sup>16</sup> Leventhal (1980: 30) to him we owe the postulation of the term *justice rules* in the organizational field, according to Cropanzano *et al.*, 2015: 281.

<sup>17</sup> "Empirical research on these rules varies and some, such as representativeness, have been disproportionately studied. Nevertheless, there is evidence that each is important" (Cropanzano *et al.* 2015: 298).

<sup>18</sup> On the distinction between the procedural and interactional dimension and on the articulation of the latter, cf. in particular Bies, 2005.

appropriateness and the justification of harmful behaviour.

All this literature – characterized by integration between the distributive, procedural and interactional dimensions – came together under the term Organizational Justice Theory (Greenberg, 1987<sup>19</sup>; hereafter OJ Theory) and was consolidated in the 1990s and the early 2000s, with countless research projects in various fields and diverse applications, published in the main journals in the organizational and psychological fields.

### **A critical reading of the Organizational Justice Theory**

Within the logic of the organic system, while the contribution of those who take part in the life of the organization is predetermined by programmes and procedures, a (variable) field of discretion is legitimized in order to enhance organizational efficiency and efficacy. In this case, the integration and adaptation of the subject to the system are crucial, and the emotions, experiences and values of the subject may become resources for the organization, albeit functional to the dynamics of the system itself. The level of analysis used, coherently, is that of the organizational system. According to this vision, the path of analysis and intervention is guided by system's interests and objectives and proceeds in the following way, which is very often reflected also in the study programmes of universities and business schools: on the basis of factors considered critical, the system is designed in terms of structure and operative/coordinative mechanisms, before dealing with the articulation of systems of human resource management. In so doing, it entrusts the task of perfecting the conceptual/methodological tools useful for the adaptation-integration of individuals to the requisites of the system to the study of organizational behaviour.

In particular, the focus is on the study of the regularity of the

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<sup>19</sup> The term actually appears for the first time in a publication by French (1964), but it is the 1987 article by Greenberg, "A taxonomy of organizational justice theories", in the *Academy of Management Review*, that should be considered as the founding text in this line of study. Here, despite the variety of contributions which also justify the use of the plural *theories*, we prefer to make reference to the School as a whole and therefore the singular *theory*.

phenomena, and thus the procedures are largely based on quantitative techniques of a statistical nature. The role of the scholar (alien to the reality s/he studies, which exists independently of his/her observation) in this case is that of explaining reality in causal terms and thereby providing the scientific and managerial community with general laws and principles useful for management. In this logic, the management of human resources tends to come after the establishment of the system, with an approach that, despite the emphasis proposed by theorists and managers on the strategic value of human resources, cannot but be considered instrumental to the requisites of the system itself.

Consequentially, the study proposed on the quality of subject-system relations came to a head in a huge mass of studies, prevalently of a psychological kind, which set themselves the objective of putting in relation individual characteristics (e.g. structure of needs) or organizational (task variety) with the reactions of the subjects (e.g. work satisfaction) and the consequences in terms of behaviour (e.g. working performance) or attitudes (intention to change organization). It is also just as useful to note that the subjective dimension is necessarily lost in the generalizing process of correlation between variables, typical of the positivist approach that characterizes the conception of the pre-determined system.

On the basis of these presuppositions, the overall approach of OJ Theory may therefore be summed up as follows. The construct of justice is not defined *sensu stricto*, yet its multi-dimensional nature is acknowledged; operatively, the consequences of the perception of justice are considered (and thus observed *ex-post*), which once measured using a methodological framework of a quantitative nature<sup>20</sup> - in which the effects of/on the distributive, procedural and interactional dimensions are distinguished - are placed in relation with attitudinal outcomes (e.g.: job satisfaction, commitment, trust in management), behavioural outcomes (organizational citizenship behaviour, turnover), and organizational ones (performance) in order to deduce the managerial

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<sup>20</sup> On this theme, Colquitt, Shaw, 2005.

implications on a decision-making level, those of organizational design (of the formal configurations and most of all of HRM systems). These implications are thus useful for the creation of an organizational context *ex-ante*, suited to the perception of justice.

Basically, the study method adopted is based on cause-effect relationships, in which the independent variable (for example, the perception of scarce procedural justice) gives rise to emotional-attitudinal responses and consequent behaviours (for example fraudulent behaviours). It is worth noting that the causal explanation is often used in terms of need instead of probability and that the a-specific nature of the stimulus-reaction-behaviour relationship is not considered: in other words, “the problem is that the more we look into the detail, the more we find that causes are themselves effects of other causes, in what amounts to a complex spiral of relations” (Knights, Willmott, 2007: 97).

Despite the continuous references to the perception of justice and the cognitivist influences that would appear to affect it, the OJ Theory is both consistent with the functionalist theoretical perspective and with its development within the mainstream organizational behaviour theory and research. It is also clearly oriented towards the conception of the pre-determined organic-open system. This coherence may substantially be concretized in the two ways cited above: to supply elements for the choice of the most adequate (contingent) mix of distributive principles and guidelines for the design of HRM systems.

If we look critically at the use of the notion of justice in the literature and in mainstream practice, it may be stated that thanks to the establishment of studies based on OJ Theory, justice takes on a relevance hitherto unknown, developed along different lines: for example, the current formulations of corporate social responsibility often include references to justice borrowed from the OJ Theory approach. It is therefore reasonable to state that this line of research contributed to stimulating a sort of “moral grammar” within the

company, anchored specifically to the subject-organization relationship<sup>21</sup>.

Even if we are aware that such attention to justice may facilitate the positive outcome of organizational practices and in general of organizational action, it must be considered that many ideas presented and operationalized by Greenberg and his followers were already to be found in the previous literature, in particular motivationalist works, with the aim of mediating the mechanistic nature of Fordist organization. For example, this occurs in the field of Organizational Development, if we think that McGregor's (1960) philosophical principles – found in his proposal of *The human side of enterprise*– may be summed up as follows (Heil *et al.*, 2000): active participation; overcoming problems with a view to individual dignity, value and development; the re-examination and resolution of the conflict between individual needs and organizational aims carried out through effective interpersonal relationships between superiors and subordinates; reciprocal influence which is not based on coercion, compromise or horse-trading, on sidestepping, avoidance or pseudo-support, but on open comparison and the valorisation of differences; human growth interpreted as self-generated and supported by a context of trust, feedback and authentic interpersonal relations.

In design terms, the principles proposed seem to go little beyond the prescriptions that come, for example, from the movement on the quality of work, from its origins right up to the recent stipulations of the Good Work Code<sup>22</sup>, in particular with regard to the accent placed on the theme of participation, fundamental also for the field of Organizational Democracy (Cheney *et al.*, 2016).

Furthermore, the issue about the choice between organizational provisions of a general nature (and therefore proposed on the basis of a

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<sup>21</sup> In this sense, Nanteuil (2016: 152), who adds: “A la difference des demarches de RSE, la notion de « justice organisationelle » s’interesse, sinon au travail, du moins à la relation d’emploi”.

<sup>22</sup> The Good Work Code, proposed for online organizations by the National Domestic Workers’ Alliance, promotes the principles of safety, stability and flexibility, transparency, shared prosperity, liveable wages, inclusion and input, support and connection as well as growth and development (<http://www.goodworkcode.org>).

principle of equality and not discrimination) and “customized” organizational provisions emerges: the integrations of such different principles is a delicate problem, in the logic of the strategic human resources management, according to which the practices of HRM originate from an approach coherent with – and dependent on – strategic choices.

For example, there is no way to overlook the difficulty in creating coherence between the organizational instruments of diversity management (diversity tools), the strategy of human resource management and the notion of justice to be shared. Likewise, there appears to be clear difficulty in managing processes of work-life balance: to the point where – in compliance with the dominating objectivistic logic – the idea of entities in conflict (life *vs* work, conflict as a synonym of subject *vs* the system) is accepted; the healing of this fracture through the diktats of the OJ Theory cannot but be partial and strike the balance on one side or the other,<sup>23</sup> and does so, prevalently, on that of the requisites of the system.

Ultimately, the issue of the relationship between the customization and integration of human resource management policies is not resolved adequately. It should be noted that, when one invokes the notion of justice and people are stimulated to collaborate on projects and practices in its name, the likelihood of triggering an aversive reaction is very high if the result does not meet expectations.

Another element of critical reflection concerns one of the founding elements of the perspective of study of the OJ Theory, i.e. the distinction between the distributive, procedural and interactional dimensions of justice. Even though this distinction has been studied and validated in countless empirical research projects, we may still wonder how valid this distinction is, given that – in the actual organizational action – procedures, interactions and outcomes merge into a single experience: it is not by chance that in recent years a combined study of the various dimensions of justice has been proposed (the recent so-called *integrative wave* of the OJ Theory: Colquitt *et al.*, 2005) along

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<sup>23</sup> On this theme, see Neri, Rinaldini, 2016b.

with the idea of *overall justice* (Ambrose, Arnaud, 2005; Hauenstein *et al.*, 2001; Lind, 2001).

In conclusion, as far as the OJ Theory movement is substantially coherent with the structural-functionalist mainstream, it maintains the same limitations in its capability of interpreting organizational phenomena: the issue of justice contributes to maintaining the subject-system separation, concerning itself with recomposing the conflict of interests on the basis of the requisites of the system, albeit corrected as fairly as possible.

In fact, within this frame, knowledge is developed from the analysis of the *etic* type, with an approach which does not differ greatly from the nomothetical tradition: values, specifically the sense of justice, are considered exogenous factors independent from the experience of the subjects and, insofar as they are interiorized by the actors themselves, they are proposed as a factor of conservation of the system and, at the same time, elements of organizational constraint of individual action<sup>24</sup>.

It may even be stated that the modelling of the sense of justice *a priori*, coupled with the obsessive tendency towards the correlation with the organizational results that this is linked to, ends up sidestepping the real ethical issue, made up of the experience of the emergence of conflicts of value and their recomposition, which features the organizational actors as protagonists, both individually and in the development of the interdependences that may be observed in the constant and unforeseeable development of organizational processes<sup>25</sup>.

From here, the need to avoid the subject remaining on the backburner as regards the modelling framework emerges, and to place his/her experience at the heart of the analysis, so that it may regain the purpose rather than the means of the analysis itself.

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<sup>24</sup> About the concept of organizational constraint, see Maggi, 1984/1990.

<sup>25</sup> In this sense, see Nanteuil, 2016: 153.

### **Justice in the conception of the actor**

As already mentioned previously, unlike the conception of organization as a pre-determined system, that of the system emerging from the behaviour of social actors is based on the idea that reality is socially constructed, defined by subjective meanings. Thus, from this perspective, we may observe the experience of the actors, their values and their culture starting from the knowledge produced by them. The focus here is on the everyday lives of the actors that experience (and form through their interactions) the organization, and the interweaving of meanings that they contribute to create. We observe the reconstruction *a posteriori* (of the sense) of organizational decisions, and a sort of *ex-post* rationality is outlined, useful for an understanding of the sense attributed by the subjects involved in the action, which precedes the decision.

Crozier and Friedberg's theory on power (1973), Weick's theory on enactment and sense-making in organization (1995) and those on culture by Geertz (1973), Hatch (1993) and Czarniawska (1997) are among the leading contributions oriented towards this conception. The same may be said about the line of study referred to as *Critical* (Alvesson, Willmott, 1992).

Within the logic of the emerging system, the role of the actor is central, and the study of subjective strategies is fundamental for an understanding of reality, which does not pre-exist the construction of sense. The organization – once produced by the actors – limits them, yet never completely: there in fact remain “areas of uncertainty and spaces of freedom, thus of the exercise of power on the part of the actor in his/her relationship with other actors, and of opposition to the limitations of the system” (Nanteuil, 2016: 187). The study focuses on these individual strategies and on the social interactions that take place in a unique and unrepeatable manner. The level of analysis chosen is therefore that of the individual, also through his/her group interactions and dynamics. The main philosophical references are phenomenology and symbolic interactionism.

According to Husserl, for example, “the phenomenological method leads the philosopher to see phenomena such as the idea of justice or punishment [...]

as endowed with their own meaning [...]; these ideas must not be interpreted in terms of consideration of utility or pleasure”<sup>26</sup>.

The references in terms of a reflection of justice may be on the one hand the field of moral philosophy and, even more, the sociology that has examined the sources and the sense of ethical actions, in order to understand how the discourse on rightness may contribute first of all to reconstructing the relationships between subjects, possibly judging or judged, inserted in their cultural context of reference: think for example of Ricoeur and Levinas. On the other hand, this perspective of a phenomenological nature is rooted in the socio-psychology of Fritz Heider, who considers his research to be “an investigation of common-sense psychology” (Heider, 1958: 79), and who lays the basis for an approach to juridical psychology oriented towards a phenomenological analysis of the naïve conceptions of justice (Berti, 2002: 43). In the legal field, the research work by Finkel (1998) and Finkel *et al.* (2001), which followed the teachings of Heider focusing on the ways in which judgemental evaluations are formed, defined the characteristics of so-called *common-sense justice*, highlighting how the attitudes, experiences and styles of behaviour of jury members contribute to the forming of the story used to give a sense to the judgement formulated.

Another reference may be constituted by the reflection, particularly focused on punitive justice, by Mead, considered the father of Symbolic Interactionism. According to Mead “Our actions are always structured by our definition of ourselves (and of the other), as well as by the situation in which the subject is placed” (Rauty, 2012: 37). And the process of mental construction in the moment of the action in which we come face to face with the surrounding environment is the fundamental element of both the decision-making process and the prior assessment of conformity to rightness, coupled with the assumption of other people’s point of view, through the category of the *generalized other*: “The universality of our judgments [...] is a universality that arises from the fact that we take the attitude of the entire community, of all

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<sup>26</sup> Cited by Gadamer, 1997: 130-131.

rational beings. [...] Sociality gives the universality of ethical judgments and lies back of the popular statement that the voice of all is the universal voice” (Mead, 1934: 364). It is therefore the symbolic process underlying the communication between social actors that must be studied to understand the forms of valorisation of social action.

Another major contribution comes from John Dewey, especially in his clear-minded and heartfelt interpretation of democracy as a way of life, countering the one that emphasizes the importance of rules and procedures. By placing experience at the centre of his reflection, Dewey (1988: 229) states that “for to get rid of the habit of thinking of democracy as something institutional and external and to acquire the habit of treating it as a way of personal life is to realize that democracy is a moral ideal and so far as it becomes a fact is a moral fact”<sup>27</sup>.

Researchers whom, more or less explicitly, refer to this diverse tradition of studies, in facing the issue of justice in organization coherently brought out the limits produced by the static and aprioristic identification of the event/situation that arouses the perception of injustice, and therefore maintained that if the context is not taken into consideration – meant in relational, cultural terms etc. – in which individuals feel treated fairly (or unfairly), the interpretative potential of the analysis is impoverished.

This position, which may be defined as descriptive-interpretivist, rejects the universal-objective labels of justice and focuses rather on the convergence of meanings that emerges in a given moment and in a given social context, attempting to understand the cultural, symbolic and emotional processes etc., that have characterized such emergence.

Indeed, as we noted above, even in the OJ Theory literature, there is no proposal for a pre-determined definition of justice: Folger and Cropanzano (1998: XIV), two of the leading authors and promoters of the above-mentioned OJ Theory, state that “for social and organizational scientists, justice is defined

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<sup>27</sup> John Dewey wrote *Creative democracy: the task before us* in 1939; it was then also published in his *Later Works*.

phenomenologically. That is, an act is just because someone thinks it is just and responds accordingly. This definition is subjective and socially constructed.” As shown in the previous paragraph however, in these studies, despite the indeterminacy with which the definitional issue is addressed, the modalities used for the outline of research and the study of the phenomenon (the definition *a priori* of the distributive, procedural and interactional dimensions, operationalized objectively), like the explicit orientation to providing generalizable managerial implications, contribute to keeping OJ Theory within the objectivist mainstream: the studies themselves therefore result in a normative approach, in line with the functionalist approach of the Organizational Behaviour theories.

Below, we outline the most interesting contributions which – particularly over the last few years – have criticized the mainstreaming approach of the OJ Theory, opting for an interpretivist approach that rejects the assumption of what is just (or unjust) when abstracted from phenomenical reality.

The work of Mikula and his team effectively contributed to the critique of the approach adopted by the OJ Theory and inspired ensuing research work<sup>28</sup>. He states (Mikula, 1986: 104): “In typical social psychological studies of injustice, subjects are confronted with situations the experimenter believes to be unjust (e.g. inequitable payment). Even if subjects are later asked to rate the fairness or unfairness of the situation, very little is known about how relevant and common the situation is for the subjects”.

Mikula basically maintains the need to place the sense of justice within the experiential dimension of subjects, and puts forward proposals of method that aim to grasp the complexity of the theme without hindering their analysis: the aim is to study the real-life experiences of individuals as well as imagined ones, and the idea of justice that originates from these experiences.

The same author therefore sets out to interpret the experience of in/justice as a process made up of cognitive, emotional and action sequences, linked to one another, characterized on the basis of the specific event (for

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<sup>28</sup> Cf. Clayton, 1992.

example lack of acknowledgement perceived as being fair/unfair), the circumstances that qualify it (for example the power relationships between the subjects involved in the event/situation or the degree of unpredictability of the event/situation) and individual differences. The grounded approach must accordingly use methodologies – such as non-guided retrospective relationships and role play – that avoid assuming the event-situation that arouses a feeling of injustice to be a given fact, and thematise the issue of power within the experience itself.

Mikula therefore proposes a taxonomy of the most common types of events/situations that surround the sentiment of injustice, the typical contexts in which such events are situated and the influence of individual characteristics: in this way, it would seem to correct at least in part the descriptive character of his analysis, towards a more generalizing approach<sup>29</sup>.

Among the many elements of interest in the work of Mikula and his team, it must be underlined that “a considerable proportion of the injustices which were reported did not concern distributive or procedural issues in the narrow sense, but referred to the manner in which people were treated [...]” (Mikula *et al.*, 1990: 133).

Hollensbe, Khazanichi and Masterson (2008), again through a qualitative study, analyse the explicative potential of the assessment of justice in relation to the entities organization/supervisors compared to that relating to organizational activities (prevalently of HRM). Bisman and Highfield (2012: 7) proposed an innovative study (tellingly defined as “the road less travelled”), based on the constructivist outlook, in which the critique of the traditional approach of OJ Theory is expressed clearly: “the positivist alternative of reducing people to research ‘objects’, and their feelings to numerical

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<sup>29</sup> “First, we would have to develop a taxonomy of major types of events that elicit the perceptions of injustice. Second, we would have to analyse in detail the interrelationships existing between certain cognitions, emotions, and actions (or action tendencies), both within and between the three subsystems of the process. Third, we should try to identify typical sequential patterns of eliciting events (and circumstances given, as noted earlier), cognitions, feelings, and actions. Fourth, and finally, it would be useful to explore individual differences with regard to typical patterns of responding to an injustice” (Mikula, 1986: 122).

descriptions and statistical generalizations, was inconsonant with the aims of the research and may have alienated participants, discouraged trust, and resulted in superficial and/or inaccurate data”.

Through a research framework that may be considered an interesting example of the study of justice based on the logic of the actor, it has been highlighted how the indicators usually used in OJ Theory literature consider that the conscious component of what the subjects hypothesize should occur in an ideal world, characterized by the typical conditions of absolute rationality (complete information, no time constrictions, no cognitive or emotional distortion).

Furthermore, the tendency emerges – well known in non-deterministic perspectives – to modify one’s aims, values and sensitivity over time and in different situations (a characteristic that the authors define as “equity elasticity”): “The opinions and experiences shared by the participants in this study also made clear to the Researcher that organisational justice is not a two-dimensional, fair/not fair, black/white, right/wrong notion, but multifaceted, socially constructed way of making sense of workplace events and interactions. In addition, these social constructions of reality are malleable and mutable, as well as being contextually influenced, culturally guided, time-bound, and, at times, emotionally charged” (Highfield, 2013: 283).

Another study oriented towards the phenomenological tradition is the one that Smith (2010) carried out by analysing the meaning and the essence of justice through the words of penitentiary officials. The adopted methodology, in line with the epistemological presuppositions, aimed to bring out the categories of justice from the subjects interviewed rather than the valorisation of dimensions identified *a priori* by the interviewer; such categories allow room for more in-depth and context-bound knowledge, not generalizable yet useful for formulating adequate hypotheses for a deeper understanding of the phenomenon of organizational justice.

The study allowed for the identification of five properties of organizational justice (place, contribution, direction, relationship with others

and relationship with own work) and specific descriptors linked to such properties (for instance, time dedicated to the workplace and the environmental conditions that “frame” this presence). It also highlighted how the experience of organizational justice extends over time beyond the working day. Lastly, it established the relative independence of the judgement of subjects investigated compared to the efforts made and the activities deployed by the organization in order to intervene on the perception of justice.

Suer and Allard-Poesi (2013), using Weick’s notion of sense-making, put forward a reflection on the relationship that exists between the formation of the judgement of justice in the processes of organizational change, underlining in particular the role of social interaction, of ambiguity and uncertainty that characterizes such events. Indeed, a constructivist approach to the study of (the formation of the judgement of) justice might effectively link up to that of organizational culture, if the hypothesis of the relation between the two phenomena holds (Rupp, Thornton, 2014). The theme of the relationship between sense-making and justice is also investigated by Roberson (2006), paying particular attention to the processes of the activation of sense that emerge from work groups.

Bordoni and Neri (2008) carried out exploratory research, analysing the term “justice” through a study of contents, highlighting the variety of the meanings attributed to the concept and therefore the complexity in terms of its definition.

Furthermore, among the so-called *emerging perspectives in organizational justice and ethics* (Gililand *et al.*, 2011), we also find the “person-centric perspective” proposed by Guo, Rupp, Weiss and Trougakos (2011). Rather than predicting behaviour or attitudes, the aim of this approach is to investigate the meaning of justice, to map out the processes that make use of it and generate awareness of the experiences of injustice (Guo *et al.*, 2011: 5). The reification of the actors is opposed, as it makes them “containers of data” useful in their association with other constructs (*ibid.*: 6) and the focus is on the experience of justice, independently from its correlations with attitudes and behaviours.

Adopting a phenomenological framework and various methodologies (narrative methods, the analysis of verbal protocols, magnetic resonance imaging), the authors propose a set of critical questions to pose to the researchers' agenda, bound up in experiences (e.g. categorization, relations with emotions, etc.), mental representations (e.g. ways of codifying in memory), and means by which to recoup memory.

### **Justice in the conception of the actor: a critical reading**

If these attempts to illustrate the notion of justice oriented towards the conception of organization as an emerging system are analysed as a whole, we may identify the following common elements, useful for tracing the foundations of a subjectivistic theory of organizational justice.

First of all, these studies posit the individual and the groups in the multiform, daily organizational experiences as their units of analysis, instead of the procedures and the management systems of human resources. Using the narratives of subjects, the semi-structured interviews and other qualitative instrumentation as an investigation methodology, the quantitative method, based on the use of questionnaires promoted in OJ Theory literature, is abandoned, thus doing away with any generalizing approach. The results that emerge take a more complex and multifaceted notion of justice into account than that proposed by mainstream literature, through the distinction between distributive, procedural and interactional justice.

For the critics of this approach (e.g. Lupfer *et al.*, 2000), the other side of the coin is its excessive variety and the fragmentary nature of the results offered up by these studies, which therefore have not led to any systematic sedimentation of knowledge. However, it could not be otherwise, in the light of the epistemological presuppositions that guide this kind of research. Indeed the subjectivist perspective favours methods that make it possible to observe phenomena deemed unique and unrepeatable in depth. From this point of view, the researcher is a medium-participant integrated within observed reality, who sets out to decipher meanings and interpret them, making them

available to the scientific and social community in order to understand phenomena which may never be generalized and which therefore may not be translated into traditional managerial terms.

Basically, in these works, a study path is proposed in the idiographic tradition, which is at the same time critical and innovative, based on *emic* knowledge. The object of the study is the justice of the participants, not in the sense (rooted in the tradition of OJ Theory) of their judgement-perception of facts, identified (and codified in terms of measurement) by experts, but of their evaluation of an experience of which they are at the same time actors and interpreters, insofar as constructors of sense.

We would thus go as far as to say that, despite OJ Theory having entered the so-called “mature” stage, some 30 years after the term was first coined, any understanding of the phenomenon is still far off, given the need to rethink its foundations, rather than using an “incremental consensus-confirming” study strategy (Blanchet *et al.*, 2013).

In conclusion, an approach like this in which justice may not in any way be considered an antecedent capable of explaining courses of action, in some way bent to the integration processes of subjects within the system in the name of a (hypothetical) link with individual and organizational performances, should support the above-mentioned outlook found in Critical Management Studies: from this point of view, the operation of the social reconstruction of the meanings and practices associated with justice may in fact play a key role in revealing its rhetorical function in the legitimization of the role of management (Fournier, Gray, 2000: 10) and maintenance of the capitalist *status quo* (Legge, 1995; 1998) as it would appear to take on from a mainstream perspective.

### **Justice in the conception of the process of actions and decisions: Amartya Sen's idea of justice**

In the logic of the emerging system, from the (inter-)subjective interpretation on which the idea of justice is based, the relative-arbitrary and substantially naïve nature of the concept entails: radical subjectivism, taken to

its most extreme consequences, cannot but result in the idea that the notion of justice is different for each and every actor.

Even in the conception of organization as a process of actions and decisions, the subject is central, insofar as it is his/her action that is oriented towards aims and values, and it is of the utmost importance to understand the subjectively intentioned sense of acting. At the same time, unlike the subjectivistic conception, such centrality may be appreciated in the measure in which it is considered in relation to the conditions that made it objectively possible. It is therefore the process of action – in continuous development, never entirely knowable and always in relation to other processes of action – that constitutes the level of analysis. In this regard, Maggi (2011: 73) clarifies that “the action process does not coincide with the individual, with his conduct, behaviour or activity.” As constitutional elements, the organization does not have the system and the actor, but actions and decisions that are developed on a multiplicity of levels and along countless chains of means-ends.

In the processual logic, the scholar participates together with the subjects in the analysis of processes of organized work, to this end, making accurate analytical tools available, useful for the analysis of the process' components. The production of knowledge utilizes ideal-types, in order to develop explanation hypotheses in terms of adequate causation. Within this framework, we may reflect on the congruence of organizational choices and how they relate to expected outcomes.

Here, the rationality is not specified as an objective guide for the implementation of a decision-making strategy. The reference is that of limited and intentional rationality as proposed by Simon (1947; 1955). The awareness of the alternatives of choice is always incomplete and therefore it is not possible to calculate the ideal choice; at the same time, it is always possible to steer actions towards the outcomes-objectives held to be satisfactory. The path is continually correctable and modifiable, on the basis of new knowledge and new values: it is a heuristic path of decisions and research (Maggi, 2011: 67 and following).

In this context, the basic reference is the conditional explanation of social

action as proposed by Max Weber. For the reflection on justice, it is crucial the Weberian acknowledgement of the ethical foundations of actions (Weber, 1919) and Norbert Elias's undoubtedly useful idea of figuration (Elias, 1970), which furthermore fostered the notion of the figuration of the law<sup>30</sup>.

Other interesting contributions come from authors who, despite being whole-hearted supporters of the need to go beyond the subject-system dichotomy, don't seem to be oriented towards the processual logic of social action: we might think here of Bourdieu's reflection (Bourdieu, 1986) and his notion of the juridical field, or that of Boudon (1999) on the sense of values or that of Boltanski and Thevenot (1991).

On the other hand, the authors who may be seen as proponents of this vision of the world in the organizational field - Herbert Simon (1947), Anthony Giddens (1984) with the Structuration Theory<sup>31</sup> and Bruno Maggi (1984/1990; 2003/2016) with the proposal of the Theory of Organizational Action<sup>32</sup> - do not thematise the issue of justice in an explicit and in-depth manner. For example, Simon (1947, 1955) does not do so, despite being indirectly concerned with the ethical aspect of decision making<sup>33</sup>, and neither does Giddens, despite having dealt with deviance and social norms (Giddens, Sutton, 2010: 253 and following) as well as social and redistribution policy and global inequality (Giddens, 2009: 521 and following). According to Maggi (2016: 75-76), the use of a specific reflection on the concept of justice appears superfluous in a theory of social action in which the regulation is oriented towards the results expected, in order to achieve better efficacy, higher efficiency and promotion of the well-being of the acting subjects.

Indeed, according to the processual conception, the level of analysis chosen is the process of action, so it would be pointless to carry out a study on

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<sup>30</sup> Strazzeri, 2006: 272.

<sup>31</sup> On the structuration theory in the organizational field, see Albano, Masino and Maggi, 1998/2010.

<sup>32</sup> See also the theoretical contributions by Terssac, 1992 and Thoemmes, 2011.

<sup>33</sup> "If one accepts Herbert Simon's (1947) proposition that a science of administration is fundamentally about decision-making, and if one believes that all decisions have an ethical dimension, then the study of administration necessarily involves an understanding of ethical decision-making" (Wittmer, 2001: 481).

justice focalizing on the system or its subjectivistic expression. In other words, the idea of justice is not acceptable as an entity that intervenes from the outside, capable of steering the outcome of the process of action. At the same time, neither is an idea of justice given as the sole outcome of subjective experience, for it would not adequately take into account the autonomous and heteronomous rules which structure the action process.

At the same time, as Maggi (1991: 9) shows us once again, while it is true that every action, every knowledge, every capacity presupposes values and its own distinguishability, even just at an analytical level, it is possible and indeed reasonable to put forward a form of analysis (of values) of justice which is coherent with the epistemological presuppositions of the conception referred to.

With the aim of identifying a notion of justice and an analytical framework compatible with the conception of organization as a process, we refer to the reflection of Amartya Sen and his idea of justice<sup>34</sup>, found in his famous *The Idea of Justice* (Sen, 2009). The reference is therefore to an author who throughout his luminous career has developed his own knowledge without ever explicitly dealing with the issue of organization.

Sen's idea of justice, linked to the so-called Capability Approach (hereafter CA), has largely been interpreted as a political theory, belonging to the field of social justice and socio-economic development,<sup>35</sup> although the author himself, who – it is worth remembering – trained as an economist, has stated on various occasions that his work is not presented as a complete theory of justice, and that his reflection has never been limited to a macro-level analysis.

The use of Sen's idea of justice in very different fields and manners is therefore legitimate, being definable as an open idea. Indeed, the CA itself,

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<sup>34</sup> See also: Neri, Rinaldini, 2016a, 2016b.

<sup>35</sup> We might consider that the CA inspired the Development Programme of the United Nations when compiling the Human Development Index. "It is interesting to note how over the last few years, the capability approach formulated by Amartya Sen has been ever more cited and used by economists, sociologists and philosophers: it in fact constitutes at the same time a theory of economic development, of justice, an interpretational paradigm by which to define the quality of life and a proposal for public ethics" (Mocellin; 2016: 17).

rather than a complete theoretical model, is presented as a conceptual schema: “most generally, it is an evaluative space to assess well-being and quality of life and the freedom to pursue it. Deciding which capabilities matter is dependent on what aspects of well-being are being evaluated and for whom” (Hobson, 2011: 149).

There has been no shortage of attempts to develop Sen’s work even at the organizational level<sup>36</sup>, and along these lines, the following interpretation is proposed compatible with a processual organizational conception.

Sen criticizes the notion of *justice as equity*, put forward by Rawls (1971), according to whom the object on which fair distribution must be based on is that of primary goods: Sen concentrates on what an individual does and is capable of doing with these goods, thus on his/her so-called capabilities.<sup>37</sup> The equality of goods and resources is therefore substituted with the equality of the fundamental capabilities of individuals. Basically, the aspect on which the assessment of justice is based is the capability of converting the means available into functions deemed desirable in terms of well-being<sup>38</sup>.

Sen opposes the approach to the issue based on what he defines as *transcendental institutionalism*: this states that justice “should be conceptualized in terms of certain organizational arrangements – some institutions, some regulations, some behavioural rules – the active presence of which would indicate that justice is being done” (Sen, 2009: 10).

Fully aware that just national states, but also just organization systems (and formal structures), may produce unjust outcomes, Sen judges the reference to institutions as limiting: indeed, it is not a matter of identifying just principles in/for just institutions, but of analysing the kind of lives that “people can actually lead, given the institutions and rules” (*ibidem*). In other words, it is a matter of interpreting the relationships, the emotions, the reasons that, in the intertwining of social and normative conditionings, make choices possible and

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<sup>36</sup> Neri, Rinaldini, 2016b: 69-77.

<sup>37</sup> Sen uses the term capability in a general sense to refer to actual ability to function in various ways; see below.

<sup>38</sup> We shall return to the characteristics of CA in the following paragraph.

concrete. We must make the issue of justice first of all revolve around the implementation of concrete social achievements, on that which actually happens (instead of on the mere assessment of agreements and institutions) and, secondly, on the comparative analysis of the passages through which to promote justice (instead of on the definition of perfectly just agreements) (*ibid.*: 410). In yet other words, this idea of justice is based on reasoned (and negotiated) agreement instead of a social contract that guarantees the correctness of the state or of the organization, both guaranteed and imposed by these institutions at the same time.

Furthermore, when he distinguishes between conclusive and comprehensive outcomes of justice, Sen (*ibid.*: 215) states that: “the outcome is meant to be the state of affairs that results from whatever decision we are concerned with, such as action or rule or disposition. [...] There is no particular reason to insist on an impoverished account of a state of affairs in evaluating it. In particular, the state of affairs, or the outcome in the context under examination, can incorporate *processes* of choice, and not merely the narrowly defined ultimate result”. In other words, the contents of the outcome may be considered a reality that includes all the relevant information concerning the operation, as well as all the personal and impersonal relationships of any significance as far as they concern the choice in question.

There is a clear problematization of the object of analysis that Sen proposes. The discussion concerns the potential existence of “ethical objects”, and the question is posed in such a way as to make it the object of ethical judgement. Sen states that “There are, of course, ethical statements that presume the existence of some identifiable objects that can be observed (this would be a part of the exercise, for example, in looking for observable evidence to decide whether a person is courageous or compassionate), whereas the subject matter of other ethical statements may not have that association” (*ibid.*: 41). Thus in addressing the issue of what is described and evaluated in ontological terms, he implicitly refers to the dispute between entity approaches (such as, in the organizational discipline, the objectivist mainstream and the

subjectivist critique) and approaches that deal with studying organizational actions. Basically, at the heart of Sen's thought lies the faculty to act, and in this action, freedom (and thus justice) is seen as a process in which resources, opportunities, goals and choices are interpreted dynamically: "the approach to primary goods suffers from the fetishistic handicap in being concerned with goods, and even though the list of goods is specified in a broad and inclusive way [...] it is still concerned with good things rather than what these things *do* to human beings" (Sen, 1980: 218). The awareness of "what these things *do* to human beings" cannot but emerge in the process of action and decisions, from the analysis of work. From these elements, a vision is thus confirmed of the socio-economic phenomena interpretable as non-objectivist.

Another fundamental aspect of Sen's approach, in line with the processual view of the organization, is his underlining of the active role that subjects take on in realizing themselves and their values. Sen, in distinguishing between functionings and capabilities, deals with the distinction between the means to obtain what has value for the individual, the freedom to obtain it and the concrete results achieved, placing the faculty of choice of the subject at the heart of his analysis.

While it is true that capabilities are ones "that become actions and that do not stop at the potential stage"<sup>39</sup>, it appears necessary to reason about the role of the social and organizational subject and – starting from the conditions that make an individual an agent – reflecting for example on how, in the mainstream perspective, the relationship between the training of capabilities and the use that is required of them and which is made in society and in work is trivialized. After all, the idea that the individual is not the passive executor of the opportunities that are proposed on a contextual level (social, but also organizational) is translated into a subject-system relationship of co-determination. Sen (2009: 263) in fact states that in the Capabilities Approach, not only the possibility of an active use of the opportunities available is contemplated, but so is the orientation of their development.

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<sup>39</sup> In this sense, Mocellin, 2016.

What's more, the idea that people are characterized by activities and objectives is central not only to allow for realization in personal terms (individual freedom) but also to promote their development at a collective level. In fact, Sen explicitly distances himself from the accusation of methodological individualism (*ibid.*: 244 and following), and we might thus conclude that, also in this respect, his notion of justice is coherent with the idea of an action that structures the social and organizational context. Sen questions that sort of abstract and unifying rationality which over the course of the action would otherwise characterize institutions and individuals: the mysterious "ground zero" of pure reason according to which people should choose on an impartial basis, not conditioned by interests, prejudices, attitudes and experiences<sup>40</sup>. But at the same time, he excludes the idea that in the absence of verification, our instincts unconditionally have the last word (*ibid.*: 51), thus avoiding bowing out to the fickle winds of irrationality.<sup>41</sup> Sen (*ibid.*: 108; 177) cites Simon and the theory of limited rationality various times, and goes so far as to state (with regard to *The Idea of Justice*) that "what is important for the present work is not any presumption that people invariably act in a rational way, but rather the idea that people are not altogether alienated from the demands of rationality. [...] That is important for the purpose of the present exploration is the fact that people are, by and large, able to reason and scrutinize their own decisions just like those of others" (*ibid.*: 118).

The critique of the theory of rational choice and the support for an approach oriented towards the comparison of conditions, opportunities and outcomes based on a heuristic approach appears clear. First of all, Sen uses a

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<sup>40</sup> "Even if the characterization of rational behaviour in standard economics were accepted as just right, it might not necessarily make sense to assume that people would *actually* behave in the rational way characterized. There are many obvious difficulties with this route, especially since it is quite clear that we all do make mistakes, we often experiment, we get confused, and so forth." (Sen, 1987: 11).

<sup>41</sup> For example, again in *On Ethics and Economics*, Sen (1987: 11) states: "Why should it be uniquely rational to pursue one's own self-interest to the exclusion of everything else? It may not, of course, be at all absurd to claim that maximization of self-interest is not irrational, at least not necessarily so, but to argue that anything other than maximizing self-interest must be irrational seems altogether extraordinary. [...] Trying to do one's best to achieve what one would like to achieve can be a part of rationality, and this can include the promotion of non-self-interested goals which we may value and wish to aim at".

method of analysis<sup>42</sup> with which, starting from an acknowledgement of the legitimacy of different principles and positions, he analyses the practical reasons that come into play in individual and collective choices and decisions: on the basis of competing parameters, various alternative hierarchies will emerge, with some common and some divergent elements. The intersection between the various orders produced by the various priorities will give rise to a partial order, which will be expressed with clarity and coherence on various couples of options. “The capability approach is fully compatible with the adoption of partial hierarchies and limited agreements” (*ibid.*: 243).

What’s more, Sen’s proposal appears compatible with Weber’s idea of social action and his method of analysis. Satz (2013: 280) quotes indeed: “the comparative approach aims to be true to the human condition. We cannot escape from plural and conflicting values both among diverse people and even within ourselves. Sen very plausibly argues that there is no one single principle for ranking all alternatives and no standard of justice to which everyone will agree. Here, Sen follows those such as Max Weber who note that we live our lives among warring gods”.

Furthermore, again with reference to the method of study, Sen (2009: 324-325) focuses on the centrality of the public reflection through comparison, on the importance of the discussion and on persuasion, in the belief that conflicting positions that at first glance appear irrational may be reconciled. To this end, he in fact cites Habermas (1994) on more than one occasion, both in terms of acknowledgement but also of criticism, attributing to him the merit of having underlined the importance of justice as an intersubjective practice instead of as a deontological reference. In micro terms, this aspect is developed largely in legitimizing negotiating dynamics within companies.

It is by taking the analysis that Sen (2009: 42-44, 144) makes of Habermas’s criticism of Rawls as a reference, about the relationship between the substantive and procedural dimension, that we may state that his

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<sup>42</sup> Sen refers back to the theory of social choice, dedicating a long argumentation to the justification of its use in the field of the reflection on justice (Sen, 2009: 87 and following).

theoretical framework goes beyond the mere distinction between the two dimensions, which seems to hold true only in terms of analytical categories: indeed, the principle of respecting alterity which allows for confrontation and dialogue (and comparison) “generates justice and itself constitutes an expression of justice. At the same time, it enables discussion and influences the contents of the norms and the structure of the institutions. It constitutes a principle which is neither procedural nor substantial, but which conditions both the method and its contents” (Miglino, 2012: 117). In other words, the procedural approach of so-called formalist theories goes towards the direction of the reduction of inequalities, emphasizing the equal dignity of individuals, while the approach of the supporters of substantive theories emphasizes the value of the particular identities, in the respect of differences: Sen’s approach goes beyond this debate, towards the idea that just as the notion of justice in a choice does not exist *a priori*, neither does a procedure capable of guaranteeing it<sup>43</sup>.

Sen’s approach also puts forward an idea far from a static condition, defined by the resources obtained at a certain moment, an idea of process in which – through the notions of capability and functionings – time takes on a dynamic connotation. The very interactions between the dimensions of justice – both potential and implemented – and the external causes that influence it are constituted by a set of dynamic relationships that change over time by virtue of the activation of capabilities. In other words: “the internal dynamic, typical of the capability approach, makes reference on one hand to the interrelations that are set up between single functionings and which determine its evolution over time, and on the other hand, to the possible expansion of the capabilities dimension in terms both of the increase of the overall number of functionings, and their progressive complexification in the current time and/or on successive time horizons, also due to the reciprocal actions and retroactions that are

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<sup>43</sup> “In fact it represents a formal (but not formalistic) theory of the good life, i.e. – but it’s the same thing! – of a substantive (but of course not anti-modern) theory of justice” (Caruso, 2002: 61).

established between the single functionings” (Canova *et al.*, 2009: 9)<sup>44</sup>.

Another important aspect in Sen’s reflection concerns his original way of conceiving the notion of well-being, which he puts directly in relation with the ability to do and to be.<sup>45</sup> As said before, according to Sen, justice, well-being and development are not associable to a list of desirable resources/human states, but rather to the recognition of a space in which the subject contributes to the creation of value. When Veca (2002: 36) states that Sen’s is “the most ambitious attempt to hold together a notion of the good life and a perspective revolving around the rights and freedoms of people,” he highlights the link, which for Sen is of course inseparable, between well-being and justice<sup>46</sup>.

### **Studies and research inspired by Sen’s approach**

Before presenting our own proposal for the use of the Senian approach, a number of studies (both theoretical and empirical) found in the literature will be outlined; it is worth bearing in mind, as anticipated above, that by virtue of the characteristics of the open proposal, the CA and in general Sen’s ideas on justice (and well-being, in particular) have been subjected to various criticisms concerning the difficulty of their empirical translation, as well as countless applications, with a vast spectrum of operationalization on various levels of analysis<sup>47</sup>.

First of all, the CA has been used for the study of the development of

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<sup>44</sup> Canova *et al.* (2009: 9) continue thusly: “Not crystallizing the functionings and the space of capabilities, it in fact allows for its qualitative and quantitative adaptation as concerns the evolution of the lives of the individuals or groups that express them, but also to the changing external context. [...] In other words: by sterilizing all internal dynamics, Sen’s theoretical framework would be undermined at the very root. Since in fact human beings – whether deliberately or not – evolve, it is inevitable for their lives (which they have reason to value) to follow this evolution and transform as a consequence, and therefore for the range of substantive choices that they have to be modified and broadened”.

<sup>45</sup> “[Capability was chosen when] I tried to explore a particular approach to well-being and advantage in terms of a person’s ability to do valuable acts or reach valuable states of being: The expression was picked to represent the alternative combinations of things a person is able to do or be” (Sen, 1995: 30).

<sup>46</sup> It is no coincidence that the notion of wellness as fairness was even proposed by Prilleteltensky (2012), drawing on Sen’s work, albeit doubts remain about the coherence between Prilleteltensky’s and Sen’s epistemological posture.

<sup>47</sup> See Comim (2001) and Robeyns (2006) on this theme.

organizational subjects and their valorisation.

For example, Downs and Swayles (2013) dealt with the issue of the talent management in companies, which is enhanced, through the utilization of Sen's analytical framework, with the introduction of a more inclusive concept of skill, less rooted in the traditional assessment of performance expectations. Furthermore, differentiated staff development programmes are proposed in order to adapt to the multiple aspects to which employees attribute value.

The CA is used in reference to the analysis of career paths, in the attempt to identify the relation between protection policies, employment and professional choices (Verd and Lopez, 2011): the authors propose a narrative approach (which they purport it can be integrated with a quantitative methodology), stating that "context and agency are inseparable, and it is precisely the holistic perspective provided by life stories that allows them to be distinguished analytically" (*ibid.*: 13).

In a case study within the university sector, Bas, Nicholson and Subrahmanian (2013) put forward an original analytical schema through which they identify the social drivers that may prevent or enable individuals to use information and communication technology for development (ICT4D) systems.

An interesting piece of research (Shrivrastava *et al.*, 2016) compared the Senian and the Rawlsian visions in the context of multinational companies, and highlighted – this time with reference to retribution systems – how the solutions perceived as fairest by workers are not those hypothesized and implemented by managers, despite being mindful of the indications given in the literature on OJ Theory: in concrete terms, the importance that organizational subjects would attribute to management systems planned in respect of the principles of procedural justice is often overestimated.

Along the same lines and based on the hypothesis "that the employee perspective on the performance assessment and justice front, which often amplifies into resentment and resistance, is triggered by the contradiction between the employer claims of a 'perfectly just institution' and the lived

experiences of organizational injustice,” Joseph (2017: 354) analyses the conflict between evaluation systems based on an aspirational versus experimental methodology, also on the basis of a careful review of case studies. The first one (arrangement-focused) is based on the logic of having to be, and therefore on the search for idealistic behavioural measures and indicators, expressed in abstract terms; the second one (realization-focused) revolves around the search for explanations for clear-cut cases of injustice. The conclusions seem to indicate the suitability of orienting performance assessment systems towards a realization-focused positioning of measures and methods, in order to ensure that the systems themselves allow for a more in-depth understanding of both unjust situations experienced in the manager-worker relationship, and the actions useful for avoiding them, instead of remaining anchored to the mere acknowledgement of the positive and negative elements deriving from the measurement system and the ensuing “civil” management of the consequences.

Renouard (2010), drawing on the line of studies of relational anthropology and supporting the need to integrate the theoretical bases of corporate social responsibility beyond a merely utilitarian vision, hypothesized that the CA, to the degree it contributes to the development of relational capabilities, may improve the efficacy of social responsibility itself, acting on the quality of the social bonds within the socio-economic context.

A wide-ranging work on theoretical reflection supported by empirical studies is proposed by Hobson (2011) on the theme of Work-Life Balance, in which the Author states the usefulness of Sen’s approach in order to grasp the complexity of the phenomenon at various levels of analysis.

Even the analysis of these few examples<sup>48</sup> shows how the readings and applications themselves have (quite legitimately, as said) adopted different approaches, normative or descriptive studies, research with multivariate statistic techniques or case studies and reflections focused on the integration of mainstream theoretical bases, or at least oriented towards accounting for the complexity of the social phenomena under scrutiny.

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<sup>48</sup> A review of these studies is to be found in Shekarriz *et al.*, 2013.

Below, a possibly original use of Sen's approach is presented, in line with the processual conception of organization, oriented towards the analysis of justice in that context.

### **Justice as a process: an analytical framework based on Sen's *Idea of Justice***

Over the previous pages, an attempt was made to adequately legitimize an interpretation of Sen's theory oriented towards a processual conception of organization, in light of the Author's framework of reference (as mentioned before, political economy and social philosophy), and the diverse use of his theory made within the organizational field.<sup>49</sup> Below, the way in which Sen's notion of justice may be useful to study organizational phenomena in the logic of processual conception is specified.

Since the starting point is represented by his Capabilities Approach, it may be useful to go over its main characteristics through the brief definition of its so-called building blocks. First of all, we consider the goods, the resources that individuals may use, of any kind, whether monetary or not. The conversion factors are the environmental and social conditions that characterize the existence of every single individual. They represent the social structures (in the broadest sense, from infrastructures to social policy to organizational norms) in which the individuals themselves are integrated. In other words, they constitute the set of constraints and opportunities to be found in the space of action of the subject. The sum of these structural effects affects what and how (among the available resources) may be transformed into functionings. A set of capabilities are defined as the capabilities of an individual, referring to what the individual "can do and can be," thus they represent the potentials in the abstract availability of the individuals themselves: the capabilities of the person define the things that may be done, bearing everything in mind, including therefore external constraints and internal characteristics such as knowledge, values, needs etc. Agency is the specific decisional process that turns options

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<sup>49</sup> According to Mocellin (2005: 18), the Senian approach represents a third way between the perspectives of liberalism and communitarianism.

into concrete events, i.e. functionings<sup>50</sup>: this is what people really do and are, clearly representing a different set compared to goods as a sub-set of capabilities.

Within this analytical framework, it is clear that the relative superiority of capabilities compared to functionings lies in the possibility of choice by the individual and hence in his/her freedom to function through a set of opportunities. At the same time, such an analysis – based on the study of the relationships between goods, (socio-organizational) constraints, opportunities and aims as well as individual and group preferences – allows us in a way neither simplified nor deterministic to understand up to what point the functionings that such processes activate may also represent an opportunity for the improvement of justice.

We believe that what is proposed by Sen, and described above, may be considered a process of action. In this sense, it is quite legitimate to state that justice is a process and not a static or entity-based condition. Capabilities are “basic abilities to act” (Mocellin, 2017: 95); justice and well-being are expressed in terms of action, not in concrete or psychological state terms.

The justice-process itself is made up of interaction with other processes (of execution, evaluation, etc.): the above-mentioned building blocks (goods, conversion factors, capabilities, choices and functionings) are in fact in turn not interpretable in terms of entity. Furthermore, these elements are entirely distinguishable only at an analytical level and not actually separable<sup>51</sup>.

Although often interpreted in mono-directional terms<sup>52</sup>, the relationship

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<sup>50</sup> As regards the notion of functioning, the roots of which are claimed by Sen (1999) to be Aristotelian, Mocellin (2016: 19) states “what a person may realize (the life s/he is able to lead) reflects the meaning attributed by Aristotle to the Greek term *ergon*, i.e. the idea that in life there are a number of constituent elements [...] that make it essentially ‘human’”.

<sup>51</sup> Robeyns (2005: 95) says: “A key analytical distinction in the capability approach is that between the means and the ends of well-being and development. Only the ends have intrinsic importance, whereas means are instrumental to reach the goal of increased well-being, justice and development. However, in concrete situations these distinctions often blur, since some ends are simultaneously also means to other ends”.

<sup>52</sup> Often, on the other hand, the graphic representations of the CA, for example in Baldascino, Mosca (2015: 10) and Goerne (2010: 7), use “arrows” that, by linking elements (resources, conversion factors, capabilities, choices and functionings), tend towards a mono-directional orientation of a deterministic nature.

between the elements cited is not pre-determined. The elements in question are not placed in a cause-effect relationship, being linked by relationships of dynamic co-determination, and the overlapping and the sequences which may come about in concrete terms are limitless. It is worth repeating that the elements addressed are categories of an analytical schema which must not be confused with concrete actions or with subject agents.

Reasoning in terms of interdependent action processes, not separable but only distinguishable analytically in their dynamic relationship, makes it possible to observe the actions of social actors as guided by a multitude of needs, interests, values, at times even in conflict with one another. Deciding and acting in a state of limited rationality also has consequences on the level of ethics/values, linked to the cognitive level<sup>53</sup>. Justice, in this approach, is configured as one of the values capable of structuring social action, not the only nor the univocal one. Indeed, unlike the objectivist and subjectivist approaches, justice may take on a dissonant or disruptive nature, as well as a consonant and integrating one. It may therefore be further stated that justice stands both as a constraining element and a source of opportunity, and that such a dynamic should never be taken for granted, but instead always placed in relation with other conditions of the context, according to a schema which cannot be deterministic: “every choice in the action and decision process is at the same time enabling and constraining” (Maggi, 2011: 90).

Basically, the concrete expression of justice is not explainable *ex-ante* on the basis of its intrinsic and objective characteristics, but it may be analysed on the basis of the agents’ choices in relation to the characteristics themselves.

In order to underline the distance from an interpretation of Sen’s idea characterised by pre-determination, it is worth remembering that the Author himself (Sen, 1999: 76) states that “it is possible to attach importance to having opportunities that are *not* taken up. This is a natural direction to go if the

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<sup>53</sup> This is referred to as *bounded ethicality* (Chugh *et al.*, 2005) to describe the cognitive, psychological limits etc. that would appear to influence decisions of an ethical nature. Of these limits, nevertheless, one would seem to have less awareness due to the presumption of one’s own good faith: paradoxically, therefore, they may lead to particularly non-ethical decisions.

process though which outcomes are generated has significance on its own. Indeed, 'choosing' itself can be seen as a valuable functioning, and having an  $x$  when there is no alternative may be sensibly distinguished from choosing  $x$  when substantial alternatives exist".

What's more, it is also important to reject an implicitly normative and counter-intuitive approach with regard to the emphasis placed on an efficientist logics: the idea - linked to the positive rhetoric referencing concepts of diversity and individualism - that more customization and less standardization (for example in a work-life balance practice) must necessarily translates into better conditions for justice.

In fact, the study of the phenomena according to this conception considers *emic* knowledge, produced by subjects that act and regulate organizational processes, and methodological and disciplinary *etic* knowledge as complementary. The appropriation on the part of agent subjects of the categories proposed by Sen and their use in the assessment of justice intrinsic to working processes should produce a shift away both from the determinism of the mainstream and from radical subjectivism, allowing for a careful analysis of the value-based orientations of the processes themselves and potentially of their re-orientation. Consistently with this conception, the most suitable methodology for the analysis and practice on justice in organizations is the research-intervention, when interpreted in line with the epistemological presuppositions, obviously<sup>54</sup>.

Hence, to sum up, in this analytical scheme it is posited that in the study of the organizational phenomenon:

- various action and decision processes may be observed at the same time (judgement, assessment...) which take place continuously and inextricably; the regulation and orientation of every action process, and of its links with other action processes, is the result on the one hand of the influence of rules, norms, values, heteronomous criteria, in the interpretation of agent subjects, and on the other hand of their autonomous production;

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<sup>54</sup> On the theme, see Albano, 2012.

- among the action and decisional processes, we may also note those that highlight the development and change of the interpretational and ordering criteria of the courses of action themselves;
- among these processes, the process of justice may be recognized.

We believe that for an organizational study carried out according to the processual conception – consistently with the interpretation here proposed – it is analytically and interpretively useful to deal with justice. On the one hand, it is always necessary to acknowledge that the sense of justice is an element intrinsic to action and decision processes, for example a working process, and that they are not separable, just as values, preferences etc. are not. On the other hand, while the issue of the development, interpretation and change of justice itself is subject to analysis, the latter becomes the action and decision process under observation, and must in turn be analysed from a processual stance, possibly using the analytical tools proposed above, based on Sen's idea.

On the basis of this approach, the justice-process could be defined as one of the “secondary” processes, not because it is any less important (on the contrary), or consequent (or precedent), but because, unlike others, it is rarely placed under specific observation and therefore normally is less visible.

We argue that the use of an evocative and common notion such as that of justice – even when described in a way that it is oriented towards the processual conception – may notably facilitate the understanding of social phenomena, clarify the aims and directions of the various courses of action, effectively contributing – albeit not in an exclusive manner – to their regulation.

### **Justice and organization: a brief summary**

As argued above, depending on whether the organization is understood as a predetermined system with regard to the behaviour of agents, as a system emerging from their interactions, or as a process of actions and decisions, major differences emerge in the interpretation of the notion of justice and in its use in analytical and organizational practices. Below, the most relevant aspects of these differences will be summarized.

First of all, the postulation of the concept is different: in the logic of the pre-determined system this is founded on categories (dimensions) identified by researchers and measured on the basis of the perceptions of the actors, while in the subjectivist logic, justice emerges from the sense attributed to the experiences identified and undergone by the social actors themselves. In the conception of organization as actions and decisions, justice is itself a process which expresses an order not laid out in advance, interpretable according to the chain of relationships that exist between the resources, capabilities and concrete choices of subjects.

The level of analysis changes and therefore also the preferred form of investigation and operationalization changes: quantitative research, qualitative-participant research and intervention-research.

Lastly, the expected outcome of the analysis of justice changes: from the planning guidelines (in particular of systems of human resource management), to the description and interpretation of the phenomena of sense-building and the climate and culture of justice, to the interpretation of the value-based orientation of the processes of action (in particular of work) as well as any re-orientation towards the desired goals.

Within this framework, we cannot overlook the fact that the use of a conception of justice may have consequences in terms of the safeguarding of work. In fact, the OJ Theory approach and that of the mainstream in general is concretized in a system of rules that, if correctly negotiated (thus giving rise to further issues of distributive and procedural justice, as part of the negotiation process) may contribute to the maintenance and development of safeguards not otherwise guaranteed by law, with the advantages and constraints, in particular those concerning the protection approach. For these reasons, in the specific context of the US, the OJ approach has been defined as “the new industrial relations” (Gililand *et al.*, 2014).

From a critical perspective, it is assumed that potential dissent is always present in the actor-organization (and employee-employer) relation. Given the asymmetric pattern of power, it is simplistic to hypothesize a sort of natural

conformism, leading to the observance of rules, values, etc. as the expression of the will of top management; indeed, the expected result consists of more conflict in industrial relations.

On the contrary, a re-orientation in processual logic along with the concept of safeguarding – considered as an integral part of the notion of capability – also redefines that of work, dynamically conceived as both means and end at the same time<sup>55</sup>.

In conclusion, we might return to the invitation to reflect on the fact that the present work is presented with the aim of providing a tool useful for confrontation with, and not for the comparison of, theories based on various visions, i.e. not to identify one as “better” than others. The world views are indeed incommensurable. Hence, in this case, the theories of justice that presuppose various world views are not comparable and must be evaluated – like every theory – in terms of their own internal coherence.

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<sup>55</sup> An in-depth reflection on the implications of the various conceptions of justice in terms of work relations goes beyond the intentions of this systematizing proposal. On the theme, see: Del Punta, 2013: 214 and following.

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