Person perception in the heat of conflict: Negative trait attributions affect procedural preferences and account for situational and cultural differences

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Disputes by their nature involve contentious behavior. If one attributes such behavior to underlying personality traits, these attributions can be quite damning. The current research investigated negative trait attributions and their impact on dispute resolution decisions. We hypothesized that judging one's opponent to be low in agreeableness and high in emotionality (e.g. stubborn and volatile) shifts one's preference towards more formal procedures – formal in the sense that a third party judge controls the process and outcome. Drawing on the attribution literature, we hypothesized that two antecedents of these judgments (and consequent preferences) are the perceiver's level of prior information and the perceiver's cultural proclivity to explaining behavior in terms of personal dispositions. Results of an experiment measuring reactions to a hypothetical dispute found that prior information and culture (USA *vs* Hong Kong) increased trait attributions and preferences for formal procedures. Additionally, expectancy measures showed interaction effects suggesting that disputants dynamically construct expectancies in light of their personality impressions.

Key words: attribution, conflict resolution, culture, formality, procedural justice.

Introduction

Suppose you found yourself in a dispute about money after bumping into a bicyclist at an intersection. Would you prefer to meet informally to resolve the matter? Or would you prefer to handle it through a more formal process of arbitration or small claims court? What would your decision depend on? We propose that the pivotal factor might be your impression of

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the other person's character or personality. In the case of a calm and flexible personality, an informal meeting might seem the most painless, expedient option. However, in the case of an explosive and stubborn character, it may seem more appealing to meet in a more structured setting controlled by a judge. The present paper examines the link between trait attributions and dispute resolution procedure preferences, exploring its relevance in understanding situational and cultural variations in the ways people prefer to resolve disputes.

The impetus for this area of research is that people increasingly face dispute resolution procedure choices. In most communities, there are several options for resolving interpersonal disputes: bargaining, mediation, adjudication, or arbitration. The workplace presents similar choices, as firms increasingly offer ombudspersons who mediate disagreements and counsels to adjudicate grievances (Sheppard *et al.*, 1992). Key insights about the concerns guiding people in such choices have come from procedural justice theories, which have elucidated that disputants care not just about favorable outcomes but about fairness, control, and relationship harmony (Thibaut & Walker, 1975; Holden *et al.*, 1978; Lissak & Sheppard, 1983; Lind & Tyler, 1988). In these models, disputants' preferences depend on the extent to which they expect procedures will deliver favorability, fairness, control, and harmony.

But where do people's expectancies come from? Procedural justice theories originating in jurisprudence emphasize the structural features of procedures. Disputants have experience with these structures (either first-hand experience or indirect), which impart a sense of what to expect. Many propositions concerning the impact of procedural structure on expectancies and preferences have been thoroughly investigated (see review by Pruitt & Carnevale, 1993). Contrastingly, there has been relatively little research on how disputants' choices depend on their view of the other person. Our premise, as we have suggested, is that disputes involve salient interactions with the other person that leave vivid impressions of personality; these personality impressions may affect expectancies of and preferences for various procedures. Disputes are rife with behaviors that can be taken, or mistaken, as evidence for negatively valenced traits, in particular the trait poles of low agreeableness and high emotionality (Morris *et al.*, 1999). These attributions have a clear relevance to what can be expected of a person in various dispute resolution procedures. Perceivers who've judged their counterpart to be stubborn and emotional are unlikely to feel optimistic about informal bargaining; rather, they are more likely to prefer formal adjudicatory procedures, protecting them from the counterpart's antagonism or intransigence.

Trait attribution, then, may explain why formalized procedures are more preferred under some conditions but not others. In the current research, we investigated whether negative information about the other person shifts preference toward formality. We also investigated whether the greater American, as opposed to Chinese, cultural proclivity towards trait attributions is associated with the greater American preference for formal procedures. In a study of reactions to a hypothetical dispute, we varied these factors, and measured subjects' attributions and procedural preferences. Before deriving our hypotheses in detail, let us review some prior theories.

Dispute resolution procedures

Myriad procedures for resolving disputes exist in different settings, yet several basic structures recur ubiquitously. A key dimension on which these structures vary is formality, by which we mean the degree of structure imposed by the role of a third party (Thibaut & Walker, 1975). One end of the spectrum is marked by the informal procedure of bargaining, in which there is no third party. The next step is involvement of a third party in a limited role,

as in mediation, where the third party merely facilitates the bargaining process. Slightly more formal is adversary adjudication in which the disputants retain control over the process of presenting arguments, yet the third party takes control of the final decision. Finally, the most formalized procedure is inquisitional adjudication, where the third party controls the decision and the process, leaving the principal parties with only the role of answering questions.

Research on people's preference among procedures began with the economic view that people choose procedures they expect to deliver favorable outcomes. Procedural justice research contributed the insight that people are not driven solely by expectancies of outcome favorability. Thibaut and Walker (1975) argued that people have independent interests in resolving disputes fairly and in ways that preserve control. These latter two interests are often at odds, as increasing formality heightens fairness while reducing control. Thibaut and Walker argued that people prefer adversarial adjudication because it offers the optimal combination of these desired qualities. Studies of people's preferred ways of resolving hypothetical disputes consistently found preference for adversarial adjudication (Thibaut & Walker, 1975; LaTtour *et al.*, 1976; Holden *et al.*, 1978). This finding held not only in countries with legal systems founded on adversarial adjudication (where it may reflect an advantage in familiarity or social legitimacy), but also in countries such as France and Germany that have inquisitional legal systems (Lind *et al.*, 1978).

Subsequent research on dispute resolution has increasingly found that social or relationship concerns are also important drivers of preference among procedures. Procedures seem appealing to the extent that they seem capable of easing tensions, restoring harmony, or reaffirming valued relationships (Lissak & Sheppard, 1983; Lind & Tyler, 1988). Relational models of procedural justice elucidate the symbolic role of legal procedures in the resolution of conflicts. That is, people look forward to their 'day in court' because it symbolizes their standing as a valued member of the group and thereby helps to ease tensions in the dispute (Tyler, 1990).

The notion that people care about relationship harmony initially entered the literature on procedural justice in the form of critiques. The preference for adjudication driven by concerns for fairness and control had been documented in Western settings. Yet, ethnographic studies of many non-Western cultural contexts, such as Chinese cultures (Lubman, 1967; Doo, 1973), observed strong preferences for informal bargaining and mediation. Anthropologists argued that harmony is better served by more informal procedures requiring cooperation, and thus these procedures are preferred in cultures valuing harmony (Nader & Todd, 1978; Gulliver, 1979). Contrary to the universalistic claims of Thibaut and Walker, this challenge suggested that cultures differ in disputants' modal preferences and in the underlying values driving these preferences.

To test these claims, Leung (1987) compared United States and Hong Kong subjects' responses to a hypothetical dispute, measuring preferences and expectancies. Consistent with the anthropological arguments, Chinese subjects favored informal bargaining and mediation, whereas Americans favored adjudication. Yet, contrary to the anthropological claims, Chinese and Americans did not differ in priorities placed on harmony versus fairness; the weights placed on these values did not differ. Interestingly, Leung's (1987) results suggested that the source of the preference difference was not valued but expected. Americans expected that adjudication procedures would restore harmony; Chinese expected that informal bargaining and mediation would restore harmony.

Leung's (1987) findings suggest that procedural preference cannot be modeled simply in terms of structural features and expectancies rigidly entailed by them. Given that expectancies vary depending on the culture of the perceiver, they cannot simply be deduced from

procedural structures. Rather, perceivers must dynamically construct their expectancies through simulating how a procedure would unfold in relation to other assumptions, some of which differ by culture. In endeavoring to understand why harmony expectancies differ, we turn to research on culture and dispositional attribution.

Attributing the other's behavior to traits

Models of person perception posit two stages in making sense of another person, identifying their behavior on some dimension and then attributing it to a cause (Gilbert *et al.*, 1988). Many social behaviors, such as a flash of anger after a traffic accident, are attributionally ambiguous; they can be traced to an internal disposition (an aggressive personality) or to a transient situational cause (the stress of a frightening accident). The attribution drawn can be pivotal in determining one's response. Although behavior is ambiguous, this does not stop social perceivers from jumping to conclusions. One of the strongest findings in social psychology is that perceivers tend to attribute ambiguous behaviors to personality traits (Heider, 1958; Ross, 1977).

The consequences of personality attributions depend, of course, on which particular traits are attributed. A number of studies have elucidated trait attributions drawn in conflicts and disputes. Classic experiments, using the repeated-round Prisoner's Dilemma game to model an ongoing conflict, found that perceivers attribute the other player's moves to cooperative versus competitive strategies (Kelley & Stahelski, 1970).

Recent research has examined personality perceptions in terms of the five-factor model of trait semantics (Goldberg, 1990).[1] Studies of negotiations using role-play simulations have found that people make systematically biased attributions about opponents, because they mistake behavior driven by the other's bargaining position to be personality-diagnostic (Morris *et al.*, 1999). Conflicts resembling disputes, in that negotiators' alternatives were unattractive and uncertain, gave rise to biases on two dimensions – agreeableness (which contrasts traits such as 'cooperative' and 'inflexible') and emotionality (which contrasts traits such as 'unstable' and 'relaxed'). Negotiators misjudged their counterparts as being low in agreeableness and high in emotionality. This combination, in the context of conflicts, is captured by the terms such as 'antagonistic' or 'aggressive' with which disputants typically brand their opponents.

We contend that attributing this disposition to one's dispute opponent has a distinctive effect on one's preference with regard to the formality of procedures for resolving the dispute. It's not simply that one's negative judgment makes one less confident in any resolution procedure. Rather, it makes one more certain that harmony and other goals would be ill served by informal procedures (which hinge on close interaction and cooperation) and better served by formal procedures (which separate disputants and do not require cooperation). Effects should be most evident at the extremes. Impressions of an antagonistic, aggressive personality should make one most leery of informal bargaining, as this procedure leaves one most vulnerable to unpleasant outbursts, attacks, and intransigence. These impressions should most increase the appeal of inquisitorial procedure, which leaves little room for a disputant to be difficult. Choosing a highly formal procedure means giving up control, which prior research has indicated people cherish. The key to understanding this paradox may be that people 'escape from control' just as they 'escape from freedom' when it looks likely to prove uncomfortable.

Antecedents of trait attribution

Given our contention that trait attributions shift dispute resolution preferences, we asked whether the antecedent conditions that make perceivers more inclined to trait attributions have an influence, in this way, on dispute resolution preferences. Attribution theory suggests that prior information about actions of a particular type makes perceivers more likely to explain a current ambiguous behavior dispositionally. It makes them more likely to identify or encode the behavior along these semantic dimensions by making the dimensions accessible (Trope, 1986), and it provides covariational evidence for the relevance of the person as opposed to the situation (Kelley, 1973).

To illustrate how this works in the case of disputes, imagine that you have heard gossip about antagonistic behavior by someone who works in your building. Now, suppose you get into a fender-bender with this person in the parking lot after work. When he sees the dent in his otherwise pristine roadster, he sends an angry glare and a string of expletives in your direction. Personality or situation? You would be quicker to make a personality attribution having recently heard the gossip. In summary, prior negative information should foster negative trait attributions, and thereby shift preference in the direction of more formal procedures.

Another antecedent of attribution to personal dispositions is the perceiver's cultural socialization. The bias towards attribution to personal dispositions, which psychologists since Heider (1958) have described, seems to stem in part from Western cultural assumptions that exaggerate individual autonomy. Compared with Americans, Chinese are less likely to attribute ambiguous behaviors to internal traits as opposed to contextual factors (Morris and Peng, 1994; Morris *et al.*, 2001). The role of culture, as opposed to other differences across countries, is implicated by findings concerning within-country variance. Individuals higher in cognitive styles associated with conventionality are more likely to exemplify the culturally conferred attribution style – for Americans: attributions to personality traits, for Chinese: attributions to social contexts (Chiu *et al.*, 2000).

To illustrate how the perceiver's culture matters, let us return to our example. When viewed through the American cultural lens, the coworker who expressed anger 'in the heat of the moment' after you hit his car appears to be an angry, aggressive character who would inevitably show these same qualities in a future meeting to negotiate the matter of damages. Yet, through a Chinese cultural lens the person appears to be someone very affected by situations, someone likely to be reasonable if met in a calmer time and place.

To investigate the propositions about antecedents and the consequences of trait attributions in disputes, we assessed responses to a hypothetical dispute. Following prior studies (Leung, 1987), the context was an accident between a car and a pedestrian, an event familiar to students in the United States of America (US) and Hong Kong (HK). To test the hypothesis about prior information, we varied the presence of 'gossip' about past behaviors by this person. We checked whether participants encoded their counterpart's behavior along the expected semantic dimensions, and we assessed the degree to which they attributed it to the hypothesized traits. We then measured subjects' preference for the four procedures and their expectancies of favorability, control, fairness, and harmony, following the methods of Leung (1987).

Methods

Subjects

This study uses Hong Kong and the United States of America as sites to compare because they differ on the cultural dimensions of emphasis on individual autonomy. Nonetheless, they have similar legal systems based on adversary adjudication British law, a legacy of their common heritage as British colonies. The data were collected in 1995 when Hong Kong was still under British rule. One hundred and thirty-three students at the Chinese University of Hong Kong and 141 students from Stanford University participated. Samples from each country comprised roughly equal numbers of male and female subjects and ranged in age from 17 to 23 years. Subjects were paid for their participation.

Design

The experiment used a 2 (Country) × 2 (Relationship) × 2 (Information) × 4 (Procedure) factorial design. The relationship factor, which varied whether the other person was an acquaintance or stranger, was included to follow the design of Leung (1987). Information about the opponent was manipulated via the presence or absence of gossip received from a friend and concerning the other person's past behavior. Procedure was manipulated (within subjects) by presenting subjects with abstract descriptions of bargaining, mediation, adversarial adjudication, and inquisitorial adjudication procedures, and collecting their preferences and expectancies.

Materials

Subjects were presented with a vignette similar to those used by Leung (1987) and Lind *et al*. (1978). The vignette asked them to imagine that while they were hurriedly driving to work, they went through a traffic light that had turned yellow. A pedestrian pushing a bicycle darts into the road, and they are unable to stop completely before bumping into the pedestrian, toppling the person and his bicycle. The next sentence described [and varied] the relationship to the pedestrian:

> You get out of the car at once and try to find out the seriousness of his injury. You unexpectedly recognize him as an acquaintance - someone who works for the same large company as you. [You do not recall ever seeing this person before.]

The pedestrian's behavior in the aftermath of the accident was then described:

> He begins insulting your driving and blaming you for damaging his bicycle. Trying to calm him down, you point out that his bike is only slightly scratched and that the important issue is whether or not he's hurt. You insist that he go to the hospital to make sure he's all right. You offer to split the cost of the check-up, and he looks away nervously.

This dispute comes to a head when the pedestrian later writes with a demand for payment of medical expenses and lost wages during his recovery. This sets the stage for considering different dispute resolution procedures:

Assume that, being the accused, you have a right to choose a procedure to settle this conflict in order to determine whether his accusations are justified, his estimates are accurate

and, how much, if any, you should have to pay for his losses. Assume that there is no way to simply ignore the pedestrian's accusations; it's a dispute that you have to resolve one way or the other.

At this point, half the subjects received information about the pedestrian's past behaviors, which was presented in the form of gossip:

When considering this problem, you talked to some coworkers, including one who used to live in the same apartment building as this person (the pedestrian) and heard something about this person's behavior:

(1) He yelled at a child playing in the hallway for making too much noise.
(2) When someone dropped some packages, he didn't stop to help, but instead walked away hurriedly.
(3) Once he argued with two friends about which film to see. Even though both friends wanted to see one film, he insisted they go see a different one and refused to give in.

To check that this information manipulated subjects' encoding of the behavior on the intended semantic dimensions, 20 adjectives were drawn from Goldberg's (1990) markers of Agreeableness (e.g. Warm, cooperative *vs* Cold, disagreeable) and Emotionality (e.g. Nervous, unstable *vs* At ease, relaxed) dimensions. On unipolar seven-point scales, subjects rated the extent to which the other's behavior during the course of the conflict could be described in terms of each adjective.

The first set of dependent measures, elicited by the question 'What caused the pedestrian's behavior?' assessed trait attributions for the other person's conflict behavior. Specifically, subjects were asked to indicate their impression of the importance of a series of factors in causing the pedestrian's behavior during the conflict. The items were developed in pilot testing sessions with United States and Hong Kong students to tap explanations that posit traits in this semantic region of low agreeableness and high emotionality:

He has an aggressive, competitive nature.
He's selfish, perhaps greedy.
He's a person who can see only one side of an issue
He's a very emotional person.
He's a hostile, revenge-seeking kind of person.

Responses were taken on a seven-point scale labeled from 'Likely to be a minor cause' to 'Likely to be a major cause.' Next, subjects were asked how much they would prefer to use each of four procedures available for resolving the dispute. Subjects received the following abstract descriptions of procedures, which were taken from the methods of Leung (1987).[2]

Bargaining. The two parties to the dispute will try to reach a mutually acceptable solution through negotiation and bargaining, and no third party is involved.

Mediation. The two parties will attempt to resolve the dispute with the help of a third party. The two parties will try to reach a mutually acceptable solution through negotiation and bargaining, and the role of the third party is to facilitate this process by providing the two parties with guidance and suggestions.

Inquisitorial adjudication. The dispute will be resolved in a hearing held by a judge with the help of an investigator. The investigator will work with the judge and collect information and facts about the case. During the hearing, the judge will consider the report presented by the investigator and then make a decision about the case. The parties have to abide by the decision.

Adversarial adjudication. The dispute will be resolved in a hearing held by a judge with the help of two investigators, who are chosen by the parties and work for them. The investigators will collect information and facts about the case that are favorable to the parties that they represent and present a report to the judge during the hearing. They may disagree with each other's presentations by asking and answering questions of one another. The judge will consider reports and the exchange between the investigators and then make a decision about the case. The parties have to abide by the decision.

Subjects were asked to indicate their preference for each of the four procedures on seven-point scales labeled from 'Strongly unwilling' to 'Strongly willing'. Subjects were also asked their expectancies pertaining to the respective dispute resolution procedures. Items developed in previous studies (Leung, 1987; Leung *et al.*, 1992) were used to tap the characteristics of harmony (e.g. 'Will you and the pedestrian dislike each other more after using this procedure?'), control (e.g. 'Will you have control over how the conflict is resolved?'), fairness (e.g. 'Will you reach a fair settlement?') and favorability (e.g. 'Will you obtain a favorable outcome?').

Materials were written in English and then were translated into Chinese by the second author. This version was independently back-translated into English to check for equivalence. The Chinese version was then improved and the English version revised accordingly to create maximal equivalence between the two versions (Brislin *et al.*, 1973).

Procedure

Both US and HK subjects participated in groups of approximately 10 people in classrooms. An experimenter gave each subject a booklet containing the experimental materials. Subjects were told to work through the booklets at their own speed and to turn back and forth between pages as necessary. After completing their booklet and returning it to the experimenter, subjects received payment and a written debriefing about the purpose of the experiment.

Results

Checking the manipulations

To check subjects' encoding of the other person's behavior, we assessed subjects' perceptions of this behavior as a function of the manipulations in Country × Relationship × Information ANOVAs. The presence of prior negative information made the pedestrian's behavior seem less agreeable ($M = -2.47$ *vs* $M = -1.70$; $F(1,266) = 11.23$, $p < 0.001$) and more emotional ($M = 2.51$ *vs* $M = 1.87$; $F(1,266) = 9.29$, $p < 0.001$). This is consistent with the notion that prior information changes the way behavior is identified or encoded. The information factor did not interact with the country factors, which suggests that the information manipulation came through with the same magnitude in the two cultures.

Unexpectedly, an effect of country was observed. Hong Kong subjects, compared with US subjects, perceived the pedestrian's behavior as less agreeable ($M = -2.57$ *vs* $M = -1.65$; $F(1,266) = 16.87$, $p < 0.001$) and more emotional ($M = 2.85$ *vs* $M = 1.58$; $F(1,266) = 36.16$, $p < 0.001$). This most likely indicates that the stimulus in this experiment was not equivalent across countries; that is, the pedestrian's behavior deviated more extremely from HK social norms than US social norms. Fortunately, the direction of this difference is one that works

against our hypotheses about country differences, so it does not confound the experiment. That is, the more negative HK perceptions of the behavior works against our predictions of lower HK trait attribution and greater HK preference for bargaining. Analyses were run with the behavior identification measures as covariates to statistically hold the stimulus event across cultures constant.

The relationship factor showed no effects on the behavior identification variables. Moreover, as in Leung (1987), it failed to capture the ingroup/outgroup effects described in the prior literature on culture and conflict. It did not show main effects or effects in interaction with culture on the dependent variables of attribution, expectancy and preference.[3] It may be that the method of hypothetical vignettes does not lend itself to capturing this variable; a hypothetical friend may not feel like a real friend. For the sake of simplicity, we have dropped this factor from our analyses.

Preference for dispute resolution procedures

Subjects' preference ratings for the four respective procedures were submitted to an Information × Country × Procedure mixed ANOVA. Results showed a main effect of Procedure, $F(3,798) = 6.24$, $p < 0.001$, which reflected primarily that, overall, subjects were less willing to use informal bargaining than the more formal procedures. Consistent with the hypothesized effect of negative trait information, results showed a strong interaction effect of Information × Procedure, $F(3,798) = 7.68$, $p < 0.001$, reflecting that negative information about the other person reduced the appeal of the most informal procedures and increased that of most formal procedures. This can be seen in Table 1 by comparing the 'information-absent' rows to the 'information-present' rows: willingness to use bargaining and mediation drops whereas willingness to use inquisitorial adjudication rise. The pattern can be seen for both US and HK groups.

Consistent with cultural hypothesis, results showed an interaction of Country × Procedure, $F(3,798) = 2.47$, $p < 0.07$, albeit at a marginal significance level. By comparing the US and HK rows in Table 1, one may see that the Chinese were comparatively more inclined towards bargaining and mediation and Americans were comparatively more inclined towards inquisitorial adjudication. However, this cultural divergence was pronounced only in the information-absent condition; in the information-present condition, there is

Table 1 Preference as a function of information about prior negative behavior and participants' country

	Procedure			
	Bargaining	Mediation	Adversarial adjudication	Inquisitorial adjudication
Information absent				
US	3.47	4.85	4.78	4.56
Hong Kong	4.21	5.03	4.28	4.00
Information present				
US	3.00	4.35	4.56	4.87
Hong Kong	3.03	4.44	5.31	4.65

Means are adjusted for the behavior identification covariates.

only a weak directional pattern. This resulted in a three-way interaction between Information $\times$ Country $\times$ Procedure, $F(3,798) = 3.75$, $p < 0.01$.

Considering the two-way interaction in light of the three-way, the best interpretation seems to be that culture influences preference more when the social decision task is more ambiguous. The cultural difference in the information-absent condition almost perfectly replicates the pattern observed by Leung (1987) under the same conditions, so when one lacks prior information about the other's personality, culture is likely to make a significant difference. Yet, in the information-present condition, the negative information about the other's personality reduced the ambiguity of the problem and thereby reduced the potential for the expression of cultural differences. Although the significance of the three-way interaction makes the two-way test difficult to interpret, the three-way seems compatible with the conceptual hypotheses underlying the predicted two-way interactions. To probe the culture differences more closely, and to explore their relationship to trait attributions, we shall return to the preference measures shortly and focus on the procedures on the ends of the formality spectrum. Before doing so, it is worth turning to the measure of trait attributions.

Trait attributions for the other's behavior

Recall that negative trait attributions of the opponent's behavior were assessed with ratings of five items, the average of which formed a trait attribution index. Reliabilities of the five items were at tolerable levels in the US ($\alpha = 0.64$) and HK samples ($\alpha = 0.63$). As expected, trait attributions were significantly negatively correlated with agreeableness, $R = -0.35$, $p < 0.001$ and positively correlated with emotionality, $R = 0.32$, $p < 0.001$. Identifying the behavior along these dimensions is the first step towards explaining it in terms of the correspondent traits.

Trait attribution scores were submitted to a Country $\times$ Information ANOVA. Results showed, as expected, a main effect of Information, $F(1,268) = 17.15$, $p < 0.001$, which reflected that trait attributions were endorsed more in the presence ($M = 5.31$) than in the absence ($M = 4.71$) of prior information about similar behaviors of the other person. Also, as predicted, there was a main effect of Country, $F(1,268) = 16.49$, $p < 0.001$, which reflected greater trait attributions by US ($M = 5.13$) subjects than HK ($M = 4.91$) subjects. The effects were highly consistent across items. The information effect held for each of the five items individually, and the country effect for four of the five.

Now, we can turn to the question of how trait attributions are associated with procedural preference. Table 2 shows an exploration of the predictive power of trait attributions in explaining subjects' level of willingness to use the four respective procedures. Equation 1 shows that trait attribution significantly predicts subjects willingness to use the procedures on the two ends of the spectrum – higher degrees of trait attribution are associated with lower preference for informal bargaining, $b = -0.27$, $p < 0.005$, and higher preference for inquisitorial adjudication, $b = 0.17$, $p > 0.005$. When a dummy variable for country is added to these models of preference, it does not account for additional variance. This is consistent with the proposal that country differences in procedural preference may be mediated by attribution tendencies, which we shall test presently.

Several other questions were also explored: Are effects of attributions on procedural preference redundant with those of the traditional expectancy measures? To review, expectancies of a favorable outcome and of a fair outcome were assessed for each of the four respective procedures with standard, single-item measures. The two items for control expectancy formed a scale within each country for each procedure (mean Cronbach $\alpha = 0.68$)

Table 2 Weights of trait attribution in predicting preference for four respective procedures, when entered uniquely (equation 1) and when entered simultaneously with expectancies (equation 2)

		Procedure			
		Bargaining	Mediation	Adversarial adjudication	Inquisitorial adjudication
Equation 1	Trait attribution, entered uniquely	− 0.27***	− 0.06	0.06	0.17***
Equation 2	Trait attribution, entered simultaneously with expectancies of favorability, fairness, control, and harmony	− 0.16**	− 0.06	0.06	0.11*

Means are adjusted for the behavior perception covariates.
*$p < 0.05$, **$p < 0.01$, ***$p < 0.005$.

and likewise for harmony expectancy (mean Cronbach $\alpha = 0.76$). The second equation in Table 2 shows that even when the four expectancy measures are entered simultaneously into a model of preference, trait attribution still accounts for unique variance in predicting preference for the two extreme procedures. The test of this is that when Equation 2 is compared to a model including just the expectancies, the change in R^2 is significant in both the model of informal bargaining preference and inquisitorial adjudication preference. This suggests that while some of the effect of trait attributions on preference runs through the expectancy measures, some of it does not.

Next, we explored whether the impact of trait attribution was equivalent in the two cultural settings. In particular, as attributions were found to vary as a function of Country and Information, it is worth investigating whether the relationship of attributions to preferences is constant across levels of these variables. To investigate when the impact was moderated by country, a dummy variable for Country was added to Equation 2, plus five more variables representing the interactions between the dummy variable and the five process variables in the Step 2 model. The lack of significant change in R^2 upon entering these interactions into the models permits the conclusion that effects of expectancies and attributions did not differ across countries. An isomorphic analysis was run to test whether information level moderated these effects, and the same negative answer was indicated.

The above analyses suggest that the trait attribution construct is a useful addition to models of procedural preference and it may explain differences as a function of information and perceiver culture. Before proceeding to actually test whether it satisfies the statistical criteria for a mediating variable, we first had to create a single preference variable for each subject.[4] Given our emphasis on the procedures on the two ends of the formality spectrum, we created a formality preference variable by subtracting rated willingness to use bargaining from rated willingness to use inquisitorial adjudication. This dependent variable (DV) could then be regressed on the independent variables (IV) of information and country as well as the behavior perception measures we have used as covariates. In Table 3, the first regression equation ($R^2 = 0.09$) shows that country, $b = 0.15$, $t(267) = 2.43$, $p < 0.02$, and prior information, $b = − 0.20$, $t(267) = − 3.26$, $p < 0.001$, were significant predictors of procedural preference. Note that with this measure, one focusing on the end-points of the spectrum,

Table 3 Procedural preference regressed on attributions and on antecedent conditions

	Equation 1	Equation 2	Equation 3
Covariates			
Agreeableness	− 0.16	− 0.13	− 0.13
Emotionality	− 0.03	− 0.10	− 0.07
Independent variables			
Country	0.15*		0.11
Information	− 0.20***		− 0.16*
Country × Information	0.09		0.08
Mediating variable			
Trait attribution		0.24***	0.17**
Adjusted R^2	0.09	0.07	0.11
F	5.13	6.98	5.49
d.f.	5	3	6

$*p < 0.05$, $**p < 0.01$, $***p < 0.001$.

the country–information interaction (corresponding to the 3-way in the ANOVA) was not significant. Hence, we shall proceed in interpreting the effect of country and of information.

According to Baron and Kenny (1986), several basic criteria must be satisfied to conclude that a presumed mediating variable (MV) accounts for the effect of an IV on a DV; namely, the criteria are that: (i) the IV predicts DV, (ii) the MV predicts the DV, and (iii) when the DV is regressed on the IV and MV simultaneously, the MV's effect on the DV is not substantially reduced whereas the IV's effect on the DV is substantially reduced. These tests are shown in Table 3. The first regression equation ($R^2 = 0.09$) shows that country, $b = 0.15$, $t(267) = 2.43$, $p < 0.02$, and prior information, $b = − 0.20$, $t(267) = − 3.26$, $p < 0.001$, were significant predictors of procedural preference. The second regression equation ($R^2 = 0.07$) shows that trait attributions, $b = 0.24$, $t(269) = 3.85$, $p < 0.001$, predicted procedural preferences. Finally, the third regression model ($R^2 = 0.11$) tested the simultaneous predictive power of perceiver country, $b = 0.11$, $t(266) = 1.76$, *ns*, prior information, $b = −0.16$, $t(266) = − 2.55$, $p < 0.01$, and trait attributions, $b = 0.17$, $t(266) = 2.6$, $p < 0.01$. Results are consistent with the interpretation that trait attributions partially mediate the effects of information and country on preference. That said, the evidence is equivocal in part because the overall effects of the independent variables on our measure of formality preference are not very strong to begin with. The matter calls for focused further study. By focusing on conditions where the independent variables have strong effects, researchers may be able to better assess the degree to which these are mediated by trait attributions.

Expectancies of procedures as a function of the independent variables

Another way to assess the general argument about the importance of personality perceptions in procedural preference is to examine how the expectancies of favorability, fairness, control and harmony varied as a function of the prior information factor and the culture factor. These four variables were submitted to an Information × Country × Procedure MANOVA. It was expected that expectancies like preferences would show cross-over interactions with

County and Procedure. Indeed, the key patterns in the data were the predicted interactions of Country × Procedure $F(3,801) = 2.54$, $p < 0.05$ and Information × Procedure $F(3,801) = 2.78$, $p < 0.05$. These two key interaction effects are the most useful headings under which to review the univariate tests. Main effects of Information, Country, and Procedure that were present are best understood in light of the 2-way interactions and there were no 3-way interaction effects.

Country × Procedure interaction effects

It is better to start with the Country × Procedure Interactions effects, given that we had strong priors about these effects based on Leung's (1987) findings. A springboard for the theorizing in this research was Leung's (1987) finding that Americans and Chinese differed in beliefs about which procedures are most capable of harmony restoration. Specifically, Chinese expected relatively more harmony from informal procedures, and Americans expected relatively more harmony from formal adjudication. As may be seen in Table 4 by comparing the US and HK rows, this pattern replicates (with higher HK harmony expectancies on the informal procedures) and ultimately crosses over into higher US harmony expectancies on inquisitorial adjudication. There was a highly significant interaction effect, $F(3,807) = 15.26$; $p < 0.001$. A main effect of Country, reflecting the imbalance of the cross-over pattern, was also significant $F(1,269) = 8.66$; $p < 0.005$.

As in previous research (Leung, 1987), the other dimensions of expectancy traditionally measured in this literature did not reveal cross-over interactions. Control expectancies of HK subjects, compared with US subjects, were lower for bargaining and mediation and roughly equal for the two formal adjudicatory procedures, although here the interaction fell short of significance, $F(3,807) = 2.246$; $p < 0.10$, and the main effect of Country was also insignificant. Fairness expectancies of HK subjects were roughly equal to those of US subjects for bargaining and mediation, yet increased to a higher level for adjudicatory procedures; a pattern resulting in a significant interaction, $F(3,804) = 4.43$; $p < 0.005$, and a significant main effect of Country, $F(1,268) = 11.34$; $p < 0.001$. Favorability expectancies of HK and US subjects did not differ across the procedures.

Table 4 Expectancies as a function of country

	Country	Procedure			
		Bargaining	Mediation	Adversarial adjudication	Inquisitorial adjudication
Harmony	US	2.72	3.23	2.79	3.34
	HK	3.75	3.85	2.81	3.02
Control	US	5.05	5.06	4.38	3.70
	HK	4.68	4.70	4.44	3.60
Fairness	US	3.97	4.54	4.87	4.60
	HK	3.82	4.56	5.68	5.05
Favorability	US	4.05	4.55	4.74	4.49
	HK	4.08	4.48	5.00	4.48

Means are adjusted for the behavior identification covariates.

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The aforementioned patterns of control, fairness, and favorability expectancies are important for ruling out an alternative interpretation of the country difference in harmony expectancies. An interpretation in terms of legal socialization would run as follows: HK subjects, at the time the data were collected, may have had less faith in adjudicatory institutions because their experiences were of courts ultimately run by the colonial power. This interpretation could be challenged with survey evidence concerning public satisfaction with courts in the mid-1990s, but, fortunately, we have more direct counterevidence. If HK subjects felt more disenfranchised by adjudicatory systems than US subjects, then HK subjects should have been lower in their expectancies of control, fairness, and favorability from adjudicatory procedures. None of these patterns was observed. Instead, results showed that HK subjects differed from US subjects chiefly in that they expected more harmony restoration with informal negotiation-based procedures than formal adjudicatory procedures. The difference seems to stem from their attributions about the other person and their simulation of what it would be like negotiating with this person. In sum, expectancy results weigh against the alternative account of preference differences in terms of experiences with legal institutions.

Information × Procedure interaction effects

The manipulation of prior negative information shifted preference for procedural formality. The Information × Procedure prediction follows directly from our claim that procedural preference pivots on assumptions about the opponent's personality. Subjects construct their expectancies by mentally simulating the other person's behavior in a given procedural structure. First, we predicted that harmony expectancies for informal procedures would decrease and those for formal procedures would increase with prior information. The pattern obtained may be seen in Table 5 (by comparing the Absent and Present rows). With information present, harmony expectancies dropped for bargaining and mediation and rose for the formal adjudicatory procedures. The cross-over interaction was significant, $F(3,804) = 8.83$; $p < 0.001$, as was a small main effect of procedure reflecting that overall mediation was slightly more preferred and adversarial adjudication was slightly less preferred, $F(3,804) = 4.72$; $p < 0.003$.

Table 5 Expectancies as a function of behavioral information

| | Information | Procedure | | | |
		Bargaining	Mediation	Adversarial adjudication	Inquisitorial adjudication
Harmony	Absent	3.49	3.86	2.70	3.06
	Present	2.98	3.22	2.90	3.30
Control	Absent	5.12	5.01	4.41	3.54
	Present	4.64	4.76	4.40	3.76
Fairness	Absent	4.19	4.76	5.13	4.56
	Present	3.60	4.34	5.39	5.06
Favorability	Absent	4.42	4.78	4.88	4.34
	Present	3.74	4.26	4.86	4.61

Means are adjusted for the behavior identification covariates.

The same cross-over pattern was predicted and obtained with control expectancies. The presence of prior information decreased expectancies of control for informal procedures, and this trend crossed over into an increased expectancy of control for the most formal procedure–inquisitorial adjudication. The analysis showed a significant Information × Procedure interaction, $F(3,804) = 2.75$; $p < 0.05$. The asymmetry of the cross-over pattern resulted in a marginally significant main effect of Information, $F(1,268) = 2.78$; $p < 0.10$, associated with lower expectancies of control. There was also a main effect of Procedure, $F(3,804) = 10.47$; $p < 0.001$, which primarily reflected subjects' recognition that they yield the most control in inquisitorial adjudication.

Likewise, expectancies of fairness were higher for bargaining and mediation in the information-absent condition and higher for adjudicatory procedures in the information-present condition, which resulted in an Information × Procedure interaction, $F(3,801) = 8.15$; $p < 0.001$. There was also a main effect of Procedure, $F(1,801) = 10.88$; $p < 0.001$, reflecting that expected fairness was lowest with bargaining and highest with adversarial adjudication. This is consistent with Thibaut and Walker's claim that procedures that distribute control between the disputants and the third party are seen as the most fair.

Finally, expectancies of favorability also followed the pattern. The presence of information lowered them for bargaining and mediation but not for adjudicatory procedures. The Information–Procedure interaction, $F(3,804) = 6.85$; $p < 0.001$, as well as a main effect of Information were significant, $F(1,268) = 6.49$; $p < 0.01$. In summary, results supported the hypothesis that procedural expectancies pivot on person information. The interaction effect occurred on all four expectancy dimensions traditionally studied in this literature.

General discussion

Summary of major findings

Our study addressed two questions of theoretical interest to justice researchers and of practical relevance to organizations, particularly multinational organizations seeking to manage disputes, namely: (i) What factors affect people's preferences among the various procedures that can be used to resolve a particular dispute? and (ii) What inferential steps do people go through in reaching their preferences or decisions?

In answer to the first question, we found strong evidence that procedural preferences pivot on perceptions of the personality of one's opponent in the dispute. Results supported the conclusion from prior research that conflicts trigger attributes to low agreeableness and high emotionality, which then reduce willingness to use informal procedures such as bargaining and mediation. Of course, other trait dimensions may also be very relevant. We found evidence for this with a manipulation of gossip about one's opponent's past behavior. As expected, the presence of information implicating disagreeable, emotional traits reduced informal procedure and reduced expectancies of harmony, control, fairness, and favorability.

In answer to the second question, we found that people attribute their opponent's behavior to traits and that such attributions are shaped by cultural theories. By comparing American and Chinese groups who are similar in most other respects, we found evidence that these cultural patterns affect the personality judgments made in disputes and ultimately the preferences formed.

Another empirical contribution of the current findings is the documentation that Chinese disputants are highly flexible and logical in their choices among dispute procedures. The

degree to which HK subjects shifted in response to the manipulation is striking and helps one to understand the contrary claims made in the literature about Chinese conflict behavior. Many observers of Chinese conflict resolution have described a pattern of preference for cooperative, informal procedures (Lubman, 1967); yet, others have been puzzled by observations of Chinese disputants taking competitive approaches and favoring more distant, formal procedures (Pye, 1982). An explanation may be that Chinese do feel an obligation to cooperate with another person once close contact is initiated, and so they are careful to keep their distance from people who appear disagreeable. This was the conclusion of Bond and Forgas (1984) who found that intentions to closely associate with a target person of HK subjects, compared with Australians, were more affected by the target person's agreeableness. Similarly, in a study that measured intentions to withdraw from a joint venture after conflict, Tse *et al.* (1994) found that HK subjects, compared with Canadians, were more affected by a conflict arising from a disagreeable personality and less affected by a conflict arising from technical problems.

A theoretical contribution of this research is that it adds to the evidence against the classical theories of Thibaut and Walker (1975). We reject the view that people's preferences hinge directly on procedural structure. Adversary adjudication is not always favored over other procedures. Expectancies are constructed by simulating an interaction with a given person. That is, disputants evaluate procedural structures in relation to what they have learned, and what they have inferred, about the personality of their counterpart. Disputants' cultural frameworks shape the inferences they draw about personality and thus the expectancies and preferences they ultimately construct.

Questions for future research

Recall that there was a significant three-way interaction on the procedural preference measure between country, information, and procedure. This pattern of interaction did not show up on the expectancy measures, only the two-way interactions that were predicted. The three-way pattern may be a result of approaching the ceiling of the scale in the information present/ American culture condition. Or it may reflect that cultural differences diminish when the decision task is relatively unambiguous. Cultural differences in procedural preferences may occur only when the task does not have an obvious answer – when the dispute is not an obvious candidate for adjudication, on the one hand, or informal bargaining, on the other. To draw an analogy, cultural differences in visual perception tends to occur only in relation to ambiguous images, not the ones to either side of the continuum that have features making them less ambiguous. This question should be easy to address by presenting a continuum of disputes ranging along a dimension that predicts procedural choice. Cultural differences should be most marked in the middle of the spectrum.

Implications for conflict management training

In the USA, the frequent use of court adjudication (rather than informal bargaining or mediation) to resolve personal and organizational conflicts is generally recognized to be a major drain on public and private resources. Moreover, in many contexts, the settlements that result from adjudication are not as efficient in serving disputants' interests as negotiated settlements (Mnookin & Ross, 1995). Hence, conflict researchers have tried to identify and reduce barriers to the negotiated resolution of conflicts. Although, in many contexts, economic

and legal institutions require adjudication, in other contexts, psychological tendencies seem to be the barrier to use of informal procedures. Psychological barriers can potentially be reduced through education. Past research has primarily investigated judgment processes, such as optimistic overconfidence, that lead to non-optimal choices by biasing perceptions of the expected value of adjudication (Neale & Bazerman, 1991). Conflict training courses draw on this research with the goal of making students aware of psychological tendencies so that they can check the biases in their intuitive judgments of value. The current research illustrates how a social perception process – the tendency to attribute the opponent's situation-driven behavior in conflicts to a disagreeable and emotional character – leads disputants away from bargaining by biasing their expectations of the advantages of bargaining relative to other procedures. Hence, we suggest that including concepts from contemporary person perception models in conflict training courses may help students learn to recognize the kinds of mistaken trait inferences that bias decisions among conflict procedures.

Culture and the stages of person perception

Our hypothesis about cultural differences in person perception concerned the attribution stage of the process rather than the initial identification stage. Past research on culture and attribution indicates that personal dispositions are used to explain behavior more in Western, individualistic cultures (Morris & Peng, 1994), but they are also used to describe or identify behavior in non-Western, collectivist cultures (Kashima *et al.*, 1992). We found, as expected, that US subjects endorsed trait attributions more than HK subjects. Yet, we also found that HK subjects were more extreme in the behavior perception or identification ratings. Compared with US subjects, HK subjects were more extreme in rating the opponent's behavior on the disagreeableness and emotionality dimensions. Behavior perception and attribution are assumed to be related stages of person perception, and the finding of cultural differences in opposite directions initially casts doubt on this. However, the correlations between disagreeableness perceptions and trait attribution among US subjects, $r(139) = 0.46$, $p < 0.01$, and HK subjects, $r(131) = 0.30$, $p < 0.01$, as well as between emotionality perceptions and trait attribution among US subjects, $r(139) = 0.41$, $p < 0.01$ and HK subjects, $r(131) = 0.36$, $p < 0.01$, support the view that these processes are closely related. The fact that the above correlations were higher among US subjects (significantly for disagreeableness $z = 2.15$, $p < 0.05$, albeit not for emotionality, $z = 0.73$, $p > 0.10$) is consistent with our hypothesis that US subjects are more likely to attribute a behavior to a trait once having identified it in terms of a dimension. However, there has been little research on the different stages of person perception across cultures, and conclusions about this matter must await further study.

Future research on person perception in conflict resolution

The current findings demonstrate that person perception processes affect decision-making in interpersonal conflicts. Future research in several directions would allow for a fuller picture of the role of person perception. First, in the current study, we tested hypotheses about perception of both disagreeableness and emotional instability; consequently, we did not investigate the distinctive role of each perceptual dimension. In future research, it is worth exploring how all of the 'Big-5' dimensions of person perception are related to procedural preference. Depending on the nature of the issues to be resolved in the conflict, it seems plausible that perceptions of the opponent on other dimensions of the Big-5

model, such as Conscientiousness and Openness, may also affect disputants' preferences. In addition to studying the perceptions and attributions that disputants make along these dimensions, it would be interesting to measure the trait information that disputants seek if allowed to inquire about their opponent from an informant. A comprehensive model of decision-making in conflicts would incorporate the social processes through which information about one's adversary is gathered (i.e. gossip) in addition to the cognitive processing of information.

Second, it is worth investigating how person perception affects other conflict decisions besides the choice of procedures. Of particular interest are decisions that have been found to vary between US and HK subjects, such as decisions to avoid rather than pursue a conflict (Leung, 1988) and decisions to make generous concessions in negotiation (Chan *et al.*, unpubl. data, 1993). It seems plausible, for example, that perceptions of an opponent as disagreeable would lead to conflict avoidance, or that perceptions of an opponent as agreeable would lead to a 'soft' rather than a 'tough' pattern of concession making in negotiation.

Third, the relationship between dispute opponents should be investigated further before drawing conclusions about its effects on person perception or procedural preference. Previous studies have found that fewer trait attributions are made for the behavior of close acquaintances than strangers (Nisbett *et al.*, 1973). Also, studies have found that decisions in conflicts differ depending on whether the opponent is a friend or stranger (Leung, 1988; Chan *et al.*, 1993). The dearth of relationship effects in the current study may simply reflect that our manipulation (acquaintance *vs* stranger) was overly subtle or missed the critical range of close relationships. Consider an experiment in which the subject is asked to imagine an accident with a pedestrian who is either a complete stranger or a very close friend. It is hard to believe that subjects would be as likely to attribute angry, accusative behavior by the friend to character traits, or that they would be as likely to prefer adjudication rather than informal bargaining. Relatedly, evidence from a study of disputes with outgroup members suggests that the perceived social distance of the outgroup person determined trait attributions and procedural preferences (Chan & Goto, 2003).

Finally, the question of how large a role attributions play in cultural differences in procedural preference will have to be investigated by future studies incorporating a wider range of cultures. It will be interesting to investigate, for example, whether low levels of trait attribution underlie the preference for informal conflict resolution procedures that has been observed in Spain and Japan (Leung *et al.*, 1992). A comprehensive understanding of the role of person perception will also have to explore its effects on the trust, neutrality, and standing dimensions of procedural perception, which have increasingly proved important in tests of the relational model of procedural justice proposed by Lind and Tyler (Lind & Tyler, 1988; Tyler, 1989; Lind *et al.*, 1997).

Acknowledgments

End notes

1. The 'Big Five' dimensions of personality traits are generally labeled as follows: Extraversion, Agreeableness, Conscientiousness, Emotionality or Neuroticism, and Openness. Although originally derived from studies of English trait terms (Norman, 1963; Goldberg, 1990), studies of other languages, such as Chinese (Yik & Bond, 1993), have found dimensions corresponding to the first four. It has been argued that these dimensions are universal because they reflect fundamental ways of categorizing what others 'afford' in relation to one's goals in social situations (McArthur & Baron, 1983; Bond & Forgas, 1984; McCrae & Costa, 1987), although others are not always perceived accurately (Kenny *et al.*, 1994).

2. In order to avoid any evaluative implication of the titles of procedures they were simply labeled procedures A, B, C, and D.

3. There were only small effects of $\text{Procedure} \times \text{Information} \times \text{Relationship}$ and of $\text{Information} \times \text{Relationship}$, which seemed to reflect that negative information about a stranger produced greater impacts than did such information about an acquaintance.

4. In some previous studies (Leung, 1987), a subject's rating of the four procedures provided four datapoints for a single regression of preferences on perceptions. Separate analyses are conducted here because hypotheses about the relation between trait attribution and preference differ across the four procedures.

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