POLICE SELF-LEGITIMACY IN THE WEST MIDLANDS

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“A Legitimacy Turn”
Max Weber’s Key Claim

The fortunate is seldom satisfied with the fact of being fortunate. Beyond this, he needs to know that he has a *right* to his good fortune. He wants to be convinced that he "deserves" it, and above all that he deserves it in comparison with others. He wishes to be allowed the belief that the less fortunate also merely experiences his due. Good fortune thus wants to be "legitimate" fortune

(1948, p. 271).
The criticism I put in the mouth of a dissatisfied plebian is in fact a criticism which the rich and honourable and physically robust implicitly address to themselves, and by attempting to meet it they are seeking to still a voice within as well as the sometimes louder but no more pressing voices without.

Kronman (1983: 41)
“Voices Without”

• Audience Legitimacy:

The legitimacy of criminal justice services as viewed by those they serve (from the general public to victims and convicted offenders).

(Bottoms & Tankebe, 2012, 2013)
• Community/citizens research
  Tyler (1990)
  Sunshine and Tyler (2003)
  Euro-Justis Project by Hough et al

• Law enforcement officials
  Tyler, Callahan & Frost (2007)
  Tankebe (2014)
  Bradford et al. (2013)
“Voices Within”

• Self or power-holder legitimacy:

   It is the belief on the part of power-holders, such as criminal justice professionals, that the exercise of power is morally acceptable and justified. It is, in other words, the recognition of the rightness of one’s power/authority.
Self-Legitimacy

Power-holders have a need to believe that the power they possess is morally justified, that they are servants of a larger collective goal or system of values surpassing mere determination to perpetuate themselves in power, that their exercise of power is not inescapably at odds with hallowed standards of morality.

Wrong (1995: 103)
Duality of Legitimacy

Legitimate power is "power that is acknowledged as rightful by relevant agents, who include power holders and their staff, those subject to the power and third parties whose support or recognition may help confirm it"

(Beetham 2013: 19)
SOURCES OF CONFIDENCE IN SELF-LEGITIMACY
1. Social Interactions or Legitimation Dialogues

• Markus and Nurius on the *possible self*:

Self-knowledge [that] pertains to how individuals think about their potential and about their future. Possible selves are the ideal selves that we would very much like to become [...], the selves we could become and the selves we are afraid of becoming

(1986: 954).
• Self-legitimation as a process of constructing, affirming or resisting certain self-images of power.

• Possible selves are "representations of potential“, making them "particularly sensitive to those situations that communicate new or inconsistent information about the self"; in order words, they are "vulnerable" until verified or confirmed in a person's social experience (p.955-6).
Possible self and Legitimacy as dialogue

Legitimacy as a *perpetual dialogue* which begins with power-holders making a *claim* to exercise legitimate authority. That claim is responded to by one or more audiences; power-holders might perhaps adjust their claims in the light of audience responses, and so on.

(Bottoms and Tankebe 2013: 60)
Power-holders (such as police and prison officers) enter the legitimacy dialogue with a possible self of confidence in rightful entitlement to power. Interactions with others, both within and without the organisation, are *teachable moments* for confirming or verifying their constructed possible selves.

(Tankebe, *forthcoming*)
Feelings of confidence arise from acceptance and recognition in social relationships

Barbalet (2001)
Barker’s Concentric Model

Legitimation takes place first at the centre, and for the benefit of the immediate ruler or rulers. Then it takes place at one remove from the centre, both between ruler and staff, and among the staff themselves. Next it takes place in an exchange between the ruling group as a whole or some of its members, and ...the mighty subjects who stand nearer to the throne or the presidential palace than do ordinary subjects or citizens, and at some distance from the street, the factory, or the forum.

(2001: 70, emphasis added).
Treatment by Supervisors

- Accountability (reasons)
- Voice (listening)
- Neutrality
- Consistency
- Correcting unfair decisions
- Respectful treatment
- Distributive fairness

Quality of Decision-making

Quality of Treatment
Relations with Colleagues

• Communication

• Respect

• Interpersonal Trust
Perceived Audience Legitimacy

Power-holder Claim → Audience A Response → Revised Claim

Audience B Response

Bottoms & Tankebe (2010)
2. Performance

A genuinely transhistorical problem rooted in inescapable conflict between the interests and desires of individuals and the requirements of society: to wit, the pacification of violent strife and the secure establishment of co-operative social relations, making possible the pursuit of collective goals

(Wrong 1994: 36).
Prior Studies

• Accra (Ghana) study by Tankebe (2007, forthcoming)

• Durham (England) study by Bradford and Quinton (forthcoming)
THE WMP STUDY
Key Questions

• Change and stability in self-legitimacy?

• Correlates of self-legitimacy?

• Self-legitimacy and treatment of citizens?

• Decision choices?
Doing the right thing

Source: Denis O’Connor (2011)
PROFESSIONALISM
That's not my job.

O'Connor 2011
DATA AND METHODS

• First wave (N = 233)
  21 Dec 2012 to 25 Feb 2013
  Response rate: 20.4 per cent

• Second wave (N = 201):
  18 Dec 2013 to 07 Mar 2014

• Retention Rate = 86.3 per cent
Measures

• Self-legitimacy ($\alpha = .64$ vs .67)
  – When on duty, I feel I have a special authority; I believe my powers are morally right; I’m sometimes unsure my role is necessary.

• Treatment by Supervisors ($\alpha = .89$ vs .89)
  – Supervisor treatments me with respect and dignity; supervisor can sometimes be rough with officers

• Relations with colleagues ($\alpha = .89$ vs .85)
  – My colleagues treat me with respect

• Audience legitimacy. ($\alpha = .88$ vs .88)
  – Police are biased against them; police treat people fairly

• Effectiveness ($\alpha = .61$ vs .64)
  – How well are police doing in tackling violent crime

• Treatment of citizens ($\alpha = .71$ vs 71)
  – Some victims do little to deserve respect
PRELIMINARY FINDINGS
1. Change vs Stability

There was no significant change in levels of self-legitimacy over the 12 months; in other words, self-legitimacy appeared to remain stable over time.
CONFIDENCE SELF-LEGITIMACY

![Bar chart showing mean scores over two time periods]

- **Time 1**: Mean score 3.94
- **Time 2**: Mean score 3.88
## Further Descriptive Statistics

<table>
<thead>
<tr>
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<th>TIME 1</th>
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<td></td>
<td>Mean (S.D.)</td>
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<td>Mean (S.D.)</td>
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<td>Effectiveness</td>
<td>3.36(.71)</td>
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<td>4.02 (.59)</td>
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<td>Audience legitimacy</td>
<td>2.97(.68)</td>
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<td>Treatment of Citizens</td>
<td>3.75(.47)</td>
<td>3.73(.50)</td>
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2. Sources of Self-legitimacy

Quality of relations with colleagues and perceived police effectiveness were the main drivers of confidence in self-legitimacy.
**EXPLAINING SELF-LEGITIMACY**

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<td>Audiences</td>
<td>.05</td>
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<td>Effectiveness</td>
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<td>.19*</td>
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<td>.24**</td>
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<tr>
<td>Adj. R² (N=196)</td>
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<td>16.6</td>
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<td>29.4%</td>
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*p<.05, **p<.01, ***p<.001
Who is committed to Treating Citizens Fairly?

Officers more confidence in their self-legitimacy. However, the influence of self-legitimacy disappeared once other factors were taken into account, with effectiveness emerging as the sole predictor of support for procedural justice in police-public encounters.
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<td>Adj. R$^2$ (N = 196)</td>
<td>17.8</td>
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Self-legitimacy and Decision Choices

People with different identities “will evaluate the same situations quite differently and their responses will vary accordingly.”

Archer 2000
Scenario

Police are patrolling at 11 pm on a Saturday night. They follow a car along a road until it approaches a stop sign. The car proceeds through the stop sign without slowing down. The officers pull the car over and approach the driver. The car is occupied by a man in his mid-thirties, dressed in a suit. They ask to see his licence and ask him why he failed to stop at the stop sign. The man appears sullen and answers that he does not have his licence on him. He says he has been working late and has to get home quickly as his wife was having friends over and he was late. 'You've made me even later now', he shouts. 'There was nobody on the road and I wasn't speeding. Police officers should be out catching real criminals, not picking on hard working people like me. I'm going to complain about you'.
Officers’ Choices

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<th>Action</th>
<th>Percentage</th>
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<tr>
<td>Advice</td>
<td>39.3%</td>
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<td>Ticket</td>
<td>52.7%</td>
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<td>Summons</td>
<td>8%</td>
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Contrary to expectations, self-legitimacy did not predict officer decision choices ($b = .97, p = .93$)
Concluding Thoughts

• Longitudinal study and the question stability and change in self-legitimacy

• Systematic social observation, and officer decision choices.

• The role of effectiveness

• Implications of duality of legitimacy
Legitimacy Matrix

SELF-LEGITIMACY

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