

Crime, Social Control & Legitimacy

Police Self-Legitimacy and use of Force

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POLICE SELF-LEGITIMACY AND USE OF FORCE



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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 plebeian 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”



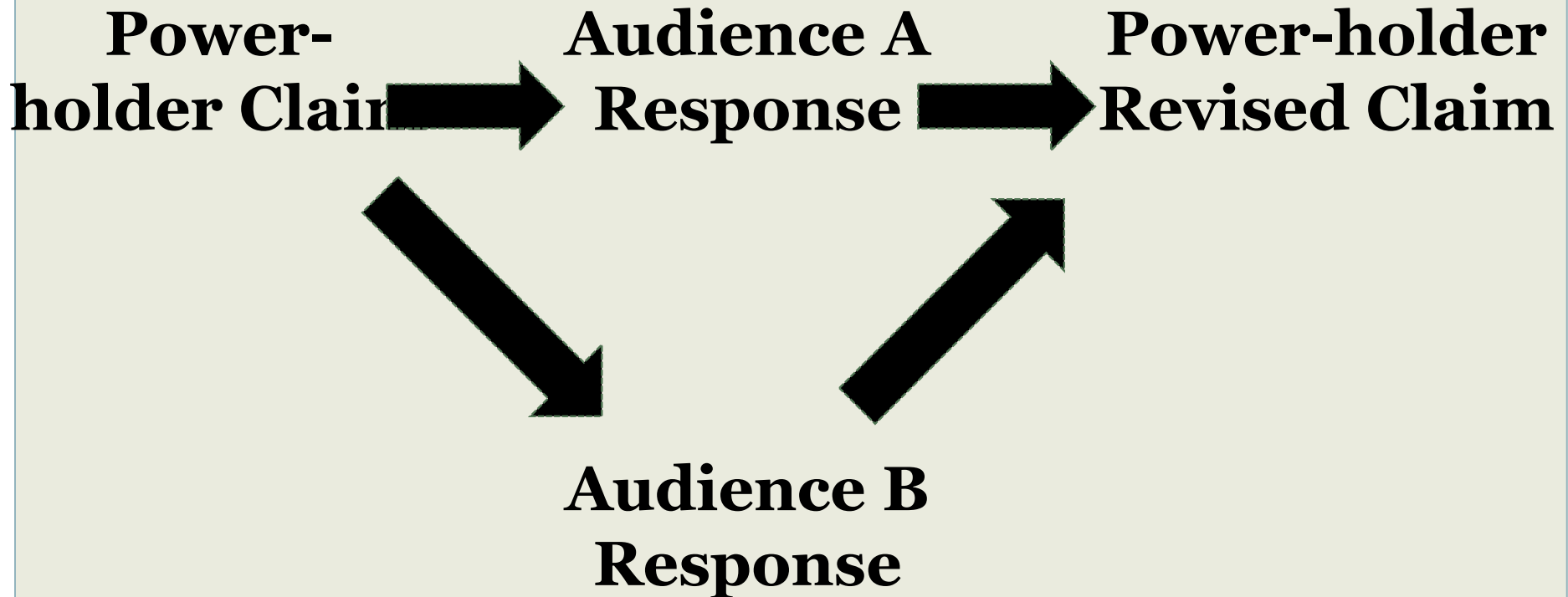
- Tyler (1990)
Why People Obey the Law
- Sparks, Bottoms and Hay (1996)
Prisons and the Problem of Order
- Liebling, with Arnold (2004)
Prisons and Their Moral Performance

“Voices Within” (Self-Legitimacy)



- Power-holders have a need to persuade themselves that their claims are rightful
- Police as moral animals, wrestling with justifying their actions in moral terms (Muir)
- A necessary condition for audience legitimation
- Use of force, organisational commitment

Legitimacy as Dialogue





THE SLOVENIAN STUDY

Key Questions



- What are the correlates of officer self-legitimacy?
- Can we link self-legitimacy to willingness to use force?



Feelings of confidence arise from acceptance and recognition in social relationships

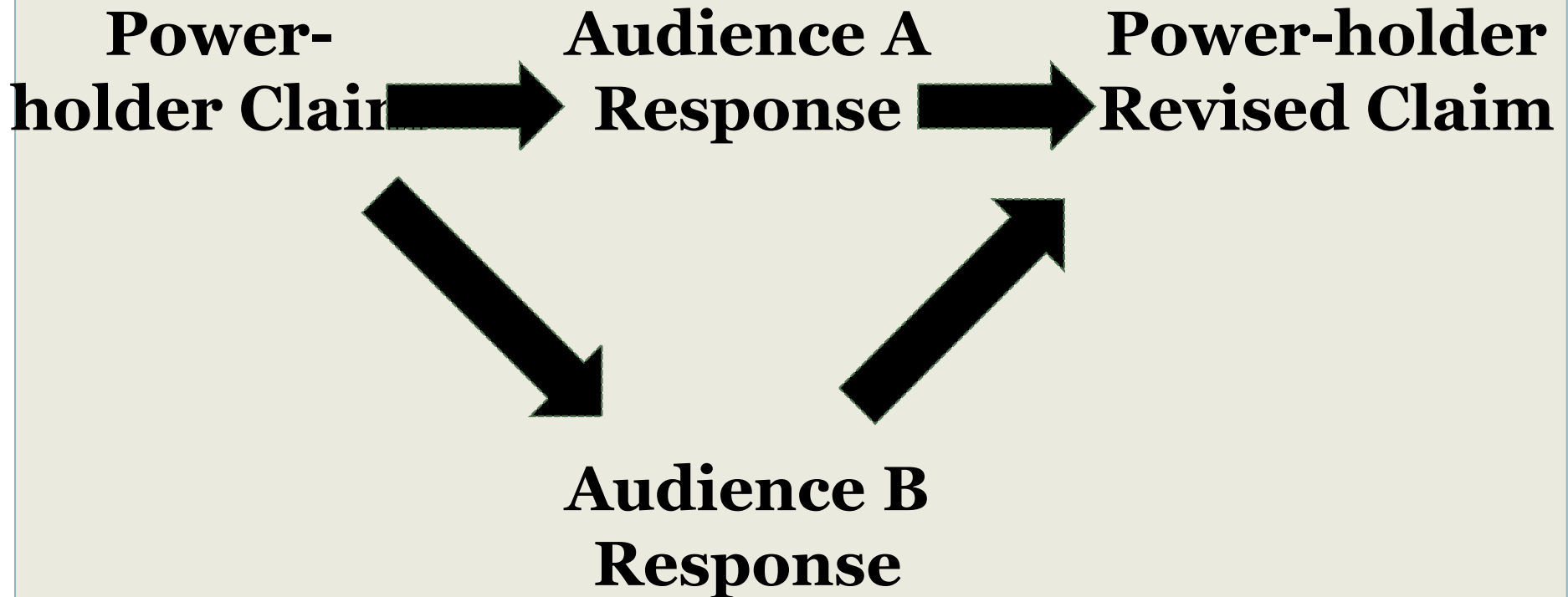
Barbalet (2001)

Relational Acceptance



- Procedural Justice
- Distributive Justice
- Interpersonal Trust
- Perceived Audience Legitimacy

Legitimacy as Dialogue





DATA AND METHODS

Self-Legitimacy



- When on duty, I feel that I have a special kind of authority.
- The powers I have as a police officer are morally right.
- I am not entirely that my powers as an officer are necessary to prevent crime (reverse coded)
- I am sure I can give a good reason to members of the public as to why my *powers* as an officer are morally proper.
- Sometimes I worry that I am not really up to the job.
- When on duty, I feel that I have a special kind of authority.
- The powers I have as a police officer are morally right.

Belief in Self-Legitimacy



	(s.e.)	β
Female	.053	— .058
1-5 years service	.063	— .080
6-10 years service	.061	.041
11-15 years service	.06	.059
Vocational	.06	— .001
University	.059	.004
Procedural justice	.027	.216***
Distributive justice	.041	— .007
Relations with colleagues	.035	.283***
Audience legitimacy	.033	.191***
R-square		28%
<i>F-statistic</i>		21.25***

Bottoms and Tankebe (2012) on Self-Legitimacy and Use of Force



We also need to know more about the consequences of officers' self-beliefs. For example, Margaret Archer has argued that people with different identities “will evaluate the same situations quite differently and their responses will vary accordingly.” If that is correct, we should expect individual differences in officers' beliefs about self-legitimacy, as well as the social and institutional context, to influence how they perceive, evaluate, and respond to situations.

Scenario



You pull over a car late at night on a deserted street because the driver looks to be drunk. You ask the driver to get out of the vehicle and as he does so, he calls you an asshole.

How far would you go in dealing with the situation?

Result



- Approx. 98 per cent said they would respond by “verbal warning” (32.5%, n=170) or ‘threaten physical force” (65.8%, n=344).
- As officers levels of self-legitimacy increased, the odds of threatening force decreased (OR = .539, $p < .01$).

Muir's Professional



Avoid 'the naked assertion of the law'. Rather, 'the law is invoked after careful preparation of a foundation of knowledge, or fearfulness, or both. Response involves *teaching through talk*.' (pp. 144–5). Thus, tries to engage in *dialogues through which they would seek to establish attributions of legitimacy*, and then to use that legitimacy to defuse tensions.



Thank you for your attention.